



## VARIANCE

The Planning Commission is authorized to grant variances in order to prevent or lessen practical difficulties and unnecessary physical hardships inconsistent with the objectives of the Land Use and Development Code. Variances may be granted with respect to fences and walls; site area, width, depth, and coverage; front, rear, and side yards; height of structures; distances between structures; and off-street parking and loading facilities. In order to grant a variance, the Planning Commission must make seven (7) required findings as described under Vacaville Municipal Code (VMC) 14.09.320.050. Additional findings of fact must be made for any parking variance requests.

### SUBMITTAL REQUIREMENTS

The completed master planning application and application fees shall be submitted at the time the application is filed. Project submittals that do not include the application, fees or submittal checklist items will not be accepted. All full size plans (24"x36") listed below shall be folded no larger than 9" x 12".

**Initial Study**

The Initial Study form shall be completed and submitted with the application. Depending on the type of environmental review required for the project, separate payment will be required to file a Notice of Exemption or Notice of Determination with the Solano County Clerk. Please include a separate check for \$50.00 check, made payable to Solano County, for the County Clerk processing fee. Additional environmental fees not listed here may be required by the California Department of Fish and Wildlife.

**Detailed Project Description**

A detailed written description shall be submitted with the application. At a minimum, the description shall include the following information: building square footage, lot size, number of employees, hours of operation, products made or sold, services performed, special equipment used, and parking requirements.

**Plot Plans/Site Plan**

Five (5) full size copies of an accurately drawn plan (minimum 1" = 20') are required. Plans shall delineate the following:

1. North arrow, scale, date and zoning designation.
2. Name and phone number of person preparing the plan.
3. Parcel dimensions.
4. Name and width of adjoining streets.
5. Location of existing structures, trees (noting trunk size), landscaping, and fencing. (Show those to be removed in dashed lines).
6. Location of proposed structures, parking areas, driveways, and landscape areas including dimensions and distance to property line.
7. Off-street parking.
8. Location of water and sewer service laterals.
9. Drainage courses such as swales and direction of flow.
10. Frontage Improvements (sidewalk, driveway cuts, fire hydrants, etc.)
11. Sloped areas and retaining walls, if applicable.
12. Outline of second story, if applicable.

**Exterior Elevations and Floor Plans**

Five (5) full size copies of accurately drawn elevations and floor plans (minimum scale of 1/8" = 1') are required. All sides of each structure shall be shown, noting materials, treatment, colors, and details, including signage.

**Project Description/Statement Letter**

A written description of the proposed project shall be submitted with the application. At minimum, the description shall address how the request meets each of the following findings which the Planning Commission is required to make before approving a variance must be submitted:

1. That the strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this division;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended use of the property which do not apply generally to other properties classified in the same zoning district;
3. That the strict or literal interpretation and enforcement of the specified regulation would deprive the property owner of privileges enjoyed by the owners of other properties classified in the same zoning district;
4. That the granting of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
5. That the granting of the variance would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
6. That the granting of the variance would not be inconsistent with the purposes, objectives, and policies of the General Plan and the Land Use and Development Code;
7. That the project requiring a variance has been designed to reasonably minimize any negative impacts on the site or adjacent properties.

**Electronic Copies**

Digital (PDF/Word) copies of all submittal items shall be included with the application.

**Mailing Notice Requirements**

A mailing list and adhesive labels of property owners and site occupants within **600 ft.** of the project site shall be submitted with the application. The list shall include the names, addresses and Assessor's Parcel Number of property owners and existing residents/tenant. Verification of accuracy of the list shall be the responsibility of the applicant. The list shall be certified by a title insurance company as being from the most recent County tax roll. The submittal shall include base maps at the same scale used by the Assessor's Office and a copy of the Assessment Roll. On the base map, the subject property shall be outlined in red and noted as the subject parcel(s). An additional red line shall be drawn at a radius specified above.

**Posting of On-Site Signage (for items going to Planning Commission and/or City Council)**

At least ten (10) calendar days before the scheduled public hearing, the project site shall be posted by the applicant, to the satisfaction of the Director, with one or more signs describing the project and advertising the public hearing(s). The sign(s) shall be visible from an adjacent street or other public right-of-way and placed on the site in a location determined by planning staff. Photo documentation shall be sent to the project planner at least ten (10) calendar days before the scheduled public hearing. Failure to do so may result in the postponement of the hearing.

**Supplemental Information**

If the variance request pertains to a zoning regulation related to off-street parking or loading facilities, the following findings must also be addressed in the Statement Letter:

1. That neither present nor anticipated future traffic volume generated by the use of the site or uses of sites in the vicinity reasonably require the strict or literal interpretation and enforcement of the specified regulation.
2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
3. That the granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of the Land Use and Development Code.