



# City of Red Bluff

Community Development Department  
 555 Washington Street  
 Red Bluff, CA 96080  
 (530) 527-2605 ext. 3059

Application No. \_\_\_\_\_

## APPLICATION FOR Variance

### Applicant Information

Applicant		Daytime Phone	
Street Address			
City		State	Zip

Property Owner		Daytime Phone	
Address			
City		State	Zip

### Project Information

Property Address			
Assessor's Parcel No(s)		Parcel Size	
Existing Land Use			
Present Zoning		Present General Plan Designation	

Describe the Request (Applicant must also provide information to support findings necessary to grant variance by completing attached Findings of Fact form.)	
(If Applicable) Days & Hours of Operation	No. of Employees

### Required Signatures

I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. **I also certify that I am the owner of the above property or have attached the owner's written consent to file this application.** *(Before signing, see the information on page 2 of this application.)*

Applicant's Signature	Date
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### For Office Use Only

Application Received By	Butte County Filing Fee \$50 (Check payable to Butte County)  ___ Applies ___ Does Not Apply	Receipt No.
Date		Application Fee \$
Assigned Planner		Environmental Review Fee \$
Tentative Hearing Date		Total Fees \$ (Check payable to the City of Red Bluff)

## **PROCESS**

### ***Pre-application Discussion with Staff***

*It is suggested that the applicant review the request with City Staff prior to the submission of the formal application. This will allow an opportunity to discuss the feasibility of the request as well as any possible alternatives that may eliminate the need for a Variance or improve the chance of the Variance being granted. In addition, staff and the applicant can review the required data and procedures to be followed through the process. Usually, this first step is the most important step and helps a project move faster through the process.*

1. An application signed by the property owner shall be submitted to the City.
2. The City will review the variance application and determine to which public agencies or entities the application will be submitted for review and comment. The application will be reviewed to ensure a complete, accurate, and legible submittal. Incomplete applications are returned to the applicant pursuant to California law.
3. When the City accepts the application as complete, the scope of environmental review shall be determined.
4. The variance application shall be scheduled for a public hearing before the Planning Commission.
5. The recommendation of the Planning Commission, including its findings and conditions, shall be forwarded to the City Council.
6. The variance application shall be scheduled for a public hearing before the City Council.
7. The City Council shall consider the variance application within 60 days after receipt of the Planning Commission report and if the Council finds that the qualifications under Municipal Code Article XV apply to the land, building or use for which variance is sought and that the variance is in harmony with the general purposes of this chapter, the Council shall by resolution grant the variance. The City Council may designate conditions and guarantees in connection with the variance.

## **ENVIRONMENTAL REVIEW**

Most Variance applications are exempt from environmental review because they would have a minimal impact on the environment. Some requests, however, would require the preparation of a initial study/negative declaration (IS/ND), initial study/mitigated negative declaration (IS/MND) or an environmental impact report (EIR). If this is the case, additional time will be required to process the application.

## **ESTIMATED TIME REQUIREMENTS**

Requests that are found categorically exempt may be completed in two to three months after the application is determined to be complete. This time line is dependent on Planning Commission and City Council scheduling. Requests requiring environmental review other than an exemption, can take up to a year depending on the level of CEQA review. It cannot be overemphasized that the burden for meeting the time periods rests largely on the applicant.

**INSTRUCTIONS FOR FILING APPLICATION FOR VARIANCE**

1. File one copy of the application form properly filled out and signed by applicant(s) and owner(s). Either all property owners must sign (husband and wife) or a Power-of-Attorney must be submitted specifically authorizing a designated person to sign this application. If a corporation is the property owner, a resolution from the corporation authorizing this application shall be submitted.
2. The Application fee for a Variance is only for the processing of the application and not a guarantee that the project will be approved. The fee amount listed below is non-refundable.

Variance Fee:   \$1,696

3. One copy of the current County Assessor's Map with the property of the proposed use delineated.
4. The attached Environmental Information Form must be properly filled out and signed. Based on the information submitted by the Applicant, an evaluation will be made as to whether the project is either exempt from the California Environmental Quality Act (CEQA) or whether it is necessary to prepare an Initial Study. The Initial Study will determine whether the project requires an Environmental Impact Report or whether a Negative Declaration/Mitigated Negative Declaration is sufficient. An environmental California Department of Fish and Wildlife fee may also be required if your project is approved. This fee is dependent on the level of impact. This fee is due within five (5) days of approval of your project (see below for these fees).
5. Environmental Review fees shall be charged to the Applicant. These fees will be determined by the City based on level of CEQA review  
**NOTE:** The amount of the appropriate deposit to be collected for Initial Study and/or Negative Declaration/Mitigated Negative Declaration will be determined by the City Community Development Director, based on the scope of the specific project to be reviewed. If changes to the project are deemed by the City of Red Bluff to be substantial and result in redundant processing by City Staff, the Applicant agrees to pay those costs at the stated hourly rate.
6. If the California Department of Fish and Wildlife requires environmental review fees, the Applicant is responsible for these additional fees which are due within five (5) days after City Council certification of the environmental document. The fees, as of January 1, 2023, are as follows and are subject to change by the State of California:

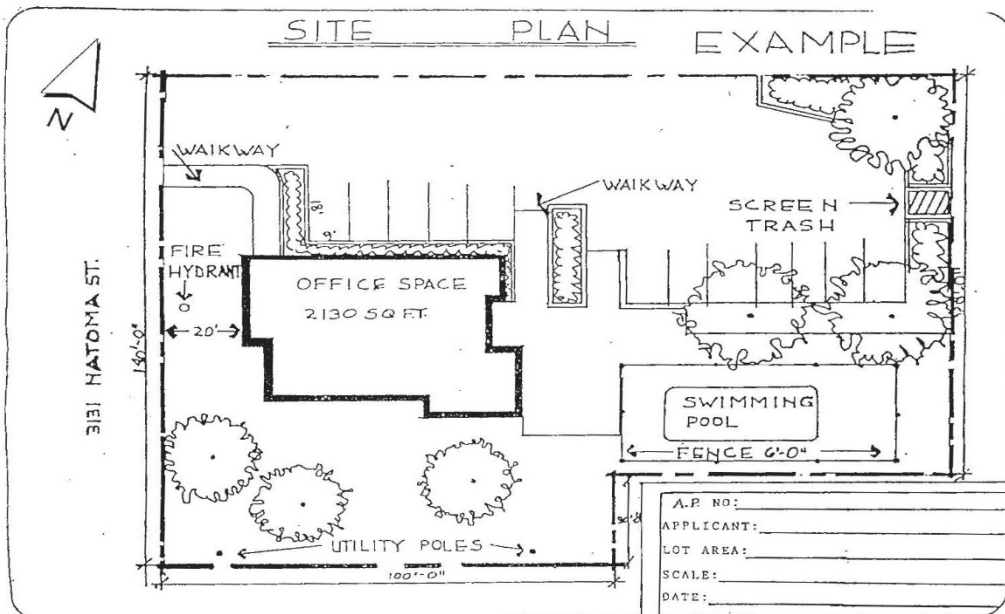
-Negative Declaration:	\$2,764.00
-Mitigated Negative Declaration:	\$2,764.00
-Environmental Impact Report:	\$3,839.25
-Environmental Document:	
pursuant to a Certified Regulatory Program (CRP):	\$1,305.25
-County Clerk Processing Fee:	\$ 50.00

Please Note: The check or money order for these fees are collected by the **TEHAMA COUNTY CLERK-RECORDER'S OFFICE** within five (5) days of project approval.

## SITE PLAN CHECKLIST

The following list of items are to be included on the site plan

Applies	Does Not	Item
<input type="checkbox"/>	<input type="checkbox"/>	Vicinity map
<input type="checkbox"/>	<input type="checkbox"/>	Workable scale
<input type="checkbox"/>	<input type="checkbox"/>	North arrow
<input type="checkbox"/>	<input type="checkbox"/>	Property lines
<input type="checkbox"/>	<input type="checkbox"/>	Dimensions of property lines, acreage and setbacks
<input type="checkbox"/>	<input type="checkbox"/>	Adjacent streets, alleys and properties
<input type="checkbox"/>	<input type="checkbox"/>	Existing features: structures and size, landscaping, utility poles, hydrants, street lights, trees (note whether to be retained or removed)
<input type="checkbox"/>	<input type="checkbox"/>	Footprint and location of new structures
<input type="checkbox"/>	<input type="checkbox"/>	Walkways
<input type="checkbox"/>	<input type="checkbox"/>	Parking stalls, driveways and dimensions (including handicapped stall and ramp as applicable)
<input type="checkbox"/>	<input type="checkbox"/>	New landscaping: perimeter and interior
<input type="checkbox"/>	<input type="checkbox"/>	Fence locations and height
<input type="checkbox"/>	<input type="checkbox"/>	Trash areas with screening
<input type="checkbox"/>	<input type="checkbox"/>	Location of utility company transformer boxes, fixtures, etc.
<input type="checkbox"/>	<input type="checkbox"/>	Street address/Assessor's parcel number(s)
<input type="checkbox"/>	<input type="checkbox"/>	Name of Applicant
<input type="checkbox"/>	<input type="checkbox"/>	Project title
<input type="checkbox"/>	<input type="checkbox"/>	Calculations: lot size, floor area, number of parking stalls, landscaped area, lot coverage, parcel size/area
<input type="checkbox"/>	<input type="checkbox"/>	Delineation of phasing, when applicable
<input type="checkbox"/>	<input type="checkbox"/>	Other appropriate information: <ul style="list-style-type: none"> <li>- Commercial and industrial projects: easements, loading docks, open storage, etc.</li> <li>- Residential: recreation facilities and other amenities</li> </ul>



**FINDINGS OF FACT**

Each zoning classification and land use has an associated set of development standards which are specified in the Red Bluff Municipal Code. The Code also establishes a procedure to grant variances from these standards where unique circumstances exist to warrant relief from the strict application of these standards.

A variance can be granted only if specific findings are made to indicate that unique circumstances do, in fact, exist. These special circumstances may include factors such as the size, shape, topography, location and surroundings of a piece of property.

The Courts have clearly indicated that variances are not intended to rewrite the City Code and can only be granted if all the findings listed below are made. Further, the Courts have indicated the actual factual basis for these findings must be stated.

**Note to Applicant:**

Please do **not** apply for a variance unless you can provide the necessary factual basis to grant the requested variance. All necessary application fees are non-refundable.

**Findings**

<b>Finding</b>	<b>Statement of Fact</b>
1. There are exceptional or extraordinary circumstances or conditions applicable to the property, structure, or use referred to in the application, including location, size, surroundings, or topography, which do not apply generally to property, structures, or uses in the same zoning district, so that the strict application of these Regulations denies the property owner privileges enjoyed by other property owners in the vicinity and under an identical zoning district;	
2. Granting the variance is necessary for the preservation and enjoyment of substantial property rights;	

Finding	Statement of Fact
3. Granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel;	
4. Granting the variance does not result in special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located; and	
5. Granting the variance will not, under the circumstances of the particular case, be materially detrimental to the public interest, health, safety, convenience, or welfare of the City, or injurious to the property or improvements in the vicinity and zoning district in which the property is located.	

**All of the above findings must be made, including the statement of specific facts, to grant a variance.**