



COMMUNITY DEVELOPMENT DEPARTMENT

VARIANCE INFORMATION SHEET

California Government Code Section 65906 establishes the authority of the City to grant variances to the development standards and provisions of the Zoning Code in cases where, because of special circumstances applicable to the property, the strict application of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zones.

APPLICABILITY

- A. A variance application shall be filed whenever any deviation from the development standard provisions of the Zoning Code is proposed, including, but not limited to, those standards related to height, lot area, yards, open spaces, setbacks, lot dimensions, signs, and parking.
- B. Variance may not be approved for uses or activities not otherwise expressly authorized by the Zoning Code. A variance is not a substitute for a zone change, zone text amendment, or conditional use permit.
- C. Financial hardship does not represent grounds on which to file a variance application.
- D. Variances to use provisions of the Zoning Code are prohibited.

The Zoning Administrator is empowered to grant and deny applications for Variances and to refer cases to the Planning Commission and City Council. If the variance request, however, accompanies another development case to be reviewed by the Planning Commission, the Planning Commission will also review the variance.

Variances related to single-family residences in single-family residential zones may be pursued by obtaining signatures of adjacent property owners. For variances in any zone where signatures of adjacent property owners have been obtained, no public notices, comment period, or appeal period is required.

Variances by signature are not applicable for any property located within or adjacent to non-residential zones (CR, BMP, etc.).

APPLICATION PROCESSING

Refer to flow chart forms found in Article IX of the Zoning Code, Chapter 19.720 – Variance.

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PLANNING FEES

See current Fee Schedule (**FILING FEES ARE GENERALLY NOT REFUNDABLE**). Fees vary for Conditional Use Permits related to housing and off sale of alcoholic beverages.

Additional fees may be required to be submitted PRIOR to scheduling a project for hearing which may include: Department of Fish and Game Filing Fees, County of Riverside Document Recording Fees, Airport Land Use Commission Review fees and Riverside County Local Agency Formation Commission (LAFCO). Check with Planning Division for current fees.

REQUIRED ITEMS FOR FILING

Plans must be legible and drawn to scale to clearly illustrate the components of the project. Remember that Staff, the Zoning Administrator, and the Planning Commission are not familiar with the property and need this information to evaluate your project. If the plans are not legible, or do not contain the information listed below, your application will not be accepted for processing.

Drawing Assembly: Staple prints in sets along the left margin, plot plan on top and elevations below. Fold to approximately 8 ½" x 14." (We cannot accept drawings or materials that cannot be folded down to approximately 8 ½" by 14").

- One (1) digital copy all Plans and Submittal items below on a CD or DVD**
- One (1) copy of the completed General Application Form**
- One (1) copy of the most recent Grant Deed**
A complete and accurate legal description of each parcel involved. (A deed can be obtained from a Title Company.)
- One (1) copy of Variance Justification Form** for each variance being requested.
- One (1) copy of a detailed description of your proposal**
- One (1) original copy of the Variance – Property Owner’s Signatures sheet and a set of plans with adjacent property owner signatures on all pages of the set of plans.**

For Administrative Variance applications within Residential Zones, you may secure written approval for your proposal from the property owners of all properties immediately adjacent to and directly across the street from the subject property on the Variance – Property Owner’s Signatures sheet provided in this packet and also on all pages of the set of plans. If written

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approval cannot be obtained, adjacent property owners will be notified of the variance request.

Three (3) Full Sized copies of the Plot Plan

Indicate the following:

- a. A north arrow and scale (preferable scales are 1" = 10 feet or ¼" = 1 foot or other appropriate scale).
- b. The boundaries of the property, with all dimensions, and square footage of the lot.
- c. The location and dimensions of all existing and proposed buildings, structures, etc.
- d. Parking lot layout and circulation showing dimensions of parking spaces and driving isles.
- e. Walls, fences, walkways and off-street parking areas or garages, and their measurements from all property lines. Proposed construction shall be distinguished from existing improvements.
- f. Dimensioned setbacks.
- g. Widths to centerline of existing streets, highways, alleys and other public right-of-way. *Please check with the Public Works Department to determine if additional right-of-way will be required for your project.*
- h. Easement locations (if any).
- i. Location of trash enclosures.
- j. Adjacent streets and street names.
- k. Offsite improvements including sidewalks.
- l. Names, addresses and phone numbers of architect or designer, engineer, applicant and legal owner.
- m. Any other drawings, photographs or information that may be requested or that the applicant may wish to submit in support of this case.
- n. Any proposed signs require a separate Design Review application.
- o. Identification of all blue line streams and/or major arroyos, including precise definition of the 100-year flood zone and setback should be included on the plans, if applicable. *Note: Should the site include a blue line stream or involve any other issue that requires State agency review, State law requires a 30-day review period for the Initial Study and may require that the case be heard at a later hearing date to accommodate the review.*

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- p. Grading information as described under the grading section of this handout and in the "Environmental Review of Grading Plans" handout, if applicable.
- q. Additional items that may be required by the California Green Building Code including but not limited to bicycle parking, Clean Air Vehicle Parking, and recycling bin storage.

Three (3) copies of the grading plan when grading is required

Environmental Review of Grading will be required if your project involves grading and any of the following:

- a. The property to be graded has an average natural slope of 10% or greater; and/or
- b. The property is in the RC - Residential Conservation Zone; and/or
- c. The property is located within or adjacent to the Mockingbird Canyon, Woodcrest, Prenda, Alessandro, Tequesquite, or Springbrook Arroyo, a blueline stream identified on USGS maps or other significant arroyo; and/or
- d. The property is located in an identified floodway.

Three (3) copies of exterior building elevations (photographs may be substituted for project that do not involve any exterior modifications)

Three (3) Full Sized copies of floor plans

Indicate all structures, square footage, dimensions and uses of all rooms locations of windows, doors or other openings, or mechanical equipment, disabled access, restrooms, and square footage of indoor play area.

Note: Churches should indicate the number of permanent seats in the primary assembly area.

Parking Analysis

For information on how to prepare a parking analysis see the "Parking Analysis Information sheet" handout.

Height/story variances in the RC Zones

Aside from the filing requirements set forth above, any variance requests for extra building height/stories in the RC-Residential Conservation Zone must be accompanied by:

- Approved or proposed grading plans for the site.
- A Composite map clearly indicating the approved grading, including building pad elevations, on adjoining sites, or if no grading has been approved, the natural
- topography of adjoining property. Additional information on grading for a larger surrounding area may be required.
- Street sections, where appropriate.

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- Building elevations for proposed dwelling (in addition to required plot plans). Where split pads are proposed, building sections are required.
- If more than one lot is involved, the proposed building and height pad elevation for each lot shall be clearly identified. Separate Variance Justification Forms for each lot are required with justifications based on the unique characteristics of each industrial lot. Heights shall be justified based on relationships with surrounding lots and natural topography.

NOTE: ADDITIONAL PLANS MAY BE REQUIRED PRIOR TO SCHEDULING THE APPLICATION FOR PUBLIC HEARING. YOUR CASE PLANNER WILL CONTACT YOU IF THESE PLANS WILL BE NEEDED.

WHEN APPLICABLE THE FOLLOWING ITEMS WILL ALSO BE REQUIRED:

- FAA Part 77 Review must be completed before an application is submitted to the Planning Division or Riverside County Airport Land Use Commission (RCALUC). A Copy of the FAA's findings is required, along with all other necessary documentation. If the FAA Review is not included at the time of submittal, the application is deemed incomplete and cannot be processed. For more information, please refer to the "Federal Aviation Regulations (FAR) Part 77 Review" handout.
- With the exception of Rezonings, General Plan Amendments, Specific Plan Amendments, and Heliports/Helistops which require RCALUC review, all projects within an airport influence area will be reviewed by the Planning Division for compliance with the Riverside County Airport Land Use Compatibility Plan. For more information, please refer to the "Riverside County Airport Land Use Compatibility Plan Project Review" handout.
- If your project is located within 1,000 feet of a military installation (March Air Reserve Base), beneath a low-level flight path, or within special use airspace (as defined in Section 21098 of the Public Resource Code), a Military Notification Process is required. For more information, please refer to the "Military Notification Process for Local Planning Proposals and Development Permit Applications" handout.
- An Air Quality Study for an industrial project is required when the proposed project has the potential to exceed established thresholds as noted by URBEMIS and EMFAC computer models provided by the South Coast Air Quality Management District (SCAQMD). If these models indicate the project will exceed thresholds due to existing or proposed site conditions, intensity of development, location of nearest sensitive receptor, or any other exceptional circumstance warranting the need for additional review the preparation of an air quality study will be required.
- A Health Risk Assessment is required at the time of submittal when the truck

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traffic areas of an industrial project are located within 1,000 feet of sensitive receptors, in accordance with SCAQMD guidelines and/or practices. Sensitive receptors are considered:

- Residential Communities
 - Schools
 - Parks
 - Playgrounds
 - Day Care Centers
 - Nursing Homes
 - Hospitals
 - And other public places where residents are most likely to spend time.
- Soils testing shall be conducted by a qualified soils engineer for all project sites know to contain hazardous materials, for sites where known hazardous materials contamination may have existed, or for sites where hazardous materials may inadvertently be discovered during the construction of projects. The soils report shall be submitted to the City for the evaluation of hazardous chemical levels, and if necessary, the report shall indicate if remediation is needed to achieve less than significant levels of hazardous chemicals in the soil. Proper investigation, and remedial actions if necessary, including a work plan, should be conducted under the oversight of, and with the approval of, a government agency prior to the construction of the project.
- Soils testing shall be conducted by a qualified soils engineer for all project sites where the last known use was agriculture or an agriculture-related activity (including where weed abatement has occurred) as the onsite soils might contain pesticides, herbicides, agricultural chemical, organic waste, or other related residues. The soils report shall be submitted to the City for the evaluation of hazardous chemical levels, and if necessary, the report shall indicate remediation is needed to achieve less than significant levels of hazardous chemicals in the soil. Proper investigation, and remedial actions if necessary, including a work plan, should be conducted under the oversight of, and with the approval of, a government agency prior to the construction of the project.

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