



City of South Pasadena Filing Instructions for VARIANCE APPLICATION

I. Application Requirements

To file an application for a Variance, the applicant shall submit the following items to the Planning and Building Department:

Application Form (attached) - This includes a description of the proposed project, a statement of how the request meets the required Variance findings, and an original signature from the property owner and applicant (if not the owner).

Initial Study Questionnaire for review of potential impacts on the environment. See section below and the attached form.

Property Owners and Occupants Map and List – The following must be submitted with application:

- One (1) copy of a map depicting all the properties within the required 300' radius of the project site and a list of the names and addresses of all current owners and occupants of these depicted properties, including all residential and non-residential properties.
- Two sets of envelope labels for the city to mail information to these property owners and occupants (if not owner-occupied).
- A mapping company's affidavit signed and dated. (See attached form.)

Other - Staff will advise applicant regarding additional submittal requirements, if needed (i.e., drawings, photos, maps, technical studies, etc.)

Fees – See Fee Schedule below.

II. Processing Your Application

Pre-Application Review - A preliminary meeting with the Planning Staff is recommended, though not required. The meeting provides you and Staff an opportunity to review the project and the applicable zoning standards, and obtain the appropriate applications form(s) for your request. It also helps planning Staff determine other approvals that might be necessary by other city departments. There is no charge for this service.

Application Submittal - After you have prepared your plans and filled out the application forms, bring them, the required fee, and any other materials advised by the City for processing. You will receive a receipt for your fee payment.

Staff Review of Application to Determine Completeness - Upon submittal, Staff will review your application packet and notify you if additional materials or information are needed. Once your application is deemed "complete", Staff will notify you with the time and date of the Planning Commission hearing. Your application is completed when all relevant materials are adequate for the Planning Commission to make a decision on your request.

Staff Review for Environmental Determination – Staff will review your project for any possible environmental impacts. Staff will notify you if additional information is required to satisfy the environmental review process. If an Environmental Impact Report (EIR) is required, the application will not be complete until a Draft EIR has been prepared. You will then be scheduled for a public hearing at the next available Planning Commission meeting. A deposit is required to obtain a consultant firm to prepare the Draft EIR.

Staff Review of the Variance Request - Staff will examine the application materials, including your plans, justification statement, and other relevant information. Staff will also make one or more site visits to your property.

Decision on the Request - A decision on your request for a Variance will be made by the Planning Commission at a

public hearing. At the hearing, the Planning Commission opens the matter for public comment by interested parties or individuals. Once everyone wishing to speak on the matter has been heard, the Planning Commission will close the public hearing and discuss the application. Their decision could be approval, approval with conditions, continuation for redesign or additional information, or denial.

Appeal - Before the Commission's decision is final, there is a fifteen calendar day appeal period during which the applicant, the City Council, or any person aggrieved by the decision of the Commission, can file a written appeal. An appeal application and current filing fee **shall** be submitted to the City Clerk's office within the fifteen-day appeal period. If no appeal is filed, the Commission's decision is final. If an appeal is filed, the matter is set for a public hearing by the City Council. At the hearing, the Council will either uphold or reverse the Planning Commission's decision, at which time, the decision on the matter is final.

Initial Study Questionnaire

I. Introduction

California law requires that all local governments review any project for its potential effects on the environment. The process for this review is contained in the California Environmental Quality Act (CEQA) and its implementing Guidelines. The first step in this review is the preparation by the City of an Initial Study. The Initial Study is the basis for reviewing your project and determining if additional studies, such as an Environmental Impact Report (EIR), are required. In order to prepare the Initial Study, the City needs information about the project, which you are asked to provide in the attached Initial Study Questionnaire. Note: Some projects may be exempt from CEQA. The City will advise you regarding this.

This guide and the attached forms identify the information which you, as applicant, must provide before the City can decide on the possible environmental impacts of your project. You are also encouraged to contact the Planning and Building Department at (626) 403-7220, if you have any questions about your project or the application process.

II. The Initial Study and your project

Typically, an environmental review is conducted as part of the entitlement process for development. However, you may request an environmental review in advance of applying for any permits or approvals. In either case, your project must be sufficiently well defined so that the City can prepare an adequate picture of future environmental conditions.



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Please complete and return the following pages.

1. Property Address for this application: _____
Assessor's Parcel No.: _____
2. Current Zoning Designation of Property: _____
3. Proposed Project Description (examples: Conduct real estate office in 2,500 sq ft. building; operate preschool for 35 children, single family home, etc.):

4. Description of use (Indicate types of activities, hours of operation, number of employees, other relevant information, etc.). Attach additional sheets if necessary:

5. Applicant:

Name

Street, City, State, Zip

() () _____

Home Number

Work Number

() () _____

Cell Number

Fax No.

E-mail: _____

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6. Property Owner(s), if different from applicant:

Name

Street, City, State, Zip

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Home Number

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Work Number

()

Cell Number

()

Fax No.

E-mail: _____

7. Justification Statement(s): Please respond to the conditions and findings listed below. Each one must be met before the application can be deemed complete. Please indicate on the numbered lines below how the proposed project meets each criterion.

Findings for Variance. (See South Pasadena Municipal Code Sec. 36.410.080)

- 1) There are special circumstances applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this Zoning Code denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district, or creates an unnecessary and involuntarily created hardship, or unreasonable regulation which makes it impractical to require compliance with the development standards

- 2a) The granting of a Variance would be necessary for the preservation and enjoyment of substantial property rights possessed by other property owners in the same vicinity and zoning district, and denied to the subject property owner;

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- 2b) The granting of a Variance would be consistent with the General Plan and any applicable specific plan, and the limitations established by the 1983 initiative;

- 2c) The granting of a Variance will not constitute a grant of special privileges inconsistent with the limitations on other properties in the vicinity and in the same zoning district; and

- 2d) The granting of a Variance will not be materially detrimental to the public convenience, health, interest, safety, or welfare of the City, or injurious to the property or improvements in the vicinity and zoning district in which the property is located.

- 3) The proposed project would be compatible with the existing aesthetics, character, and scale of the surrounding neighborhood, and considers impacts on neighboring properties.

8. Design Review Justification Statement(s): The City Council approved Resolutions 6979 and 6980 on April 23, 2008, which adopted the citywide commercial and residential design guidelines. The guidelines communicate the City's expectations of high quality design. If the proposed project involves new construction, or design alterations to an existing building or site, the Planning Commission will use the Design Guidelines as a basis for its decision on the proposed project. The guidelines may be found on-line at <http://www.ci.south-pasadena.ca.us/planning/design.html>. Projects located within the Mission Street Specific Plan (MSSP) area are subject to the guidelines contained in this plan. The MSSP available on-line at: http://www.ci.south-pasadena.ca.us/planning/PDFs/Mission_Street_Specific_Plan%20II.pdf

Use the City's Design Guidelines to address each design issue below. Design issues must be addressed in this application in order to be deemed complete. If not applicable, write in "N/A" for a response, or explain why the design standards are not appropriate for the proposed project. Attach additional sheets if necessary.

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Commercial Building

- a. Describe how the proposed project meets the design guidelines for commercial areas (See Commercial Guidelines, pages 8 to 22).

Residential Building

- b. Describe how the proposed project meets the design guidelines for residential projects (See Residential Guidelines, pages 51 to 58 and 87 to 100)¹.

Commercial or Residential Building in the Mission Street Specific Plan

- c. Describe how the proposed project meets the design guidelines for new buildings in Districts A and B. (See Mission Street Specific Plan, pages 49 to 62).

¹ "Spanish," "Mission," and "Mediterranean"-style new homes, multi-family projects, and substantial façade changes are subject to the "Mission and Spanish Colonial Revival" guidelines (as for historic homes), pages 12-13.

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- d. Describe how the proposed project meets the design guidelines for new buildings in District C. (See Mission Street Specific Plan, page 63).

9. All of the following materials are required for a complete application:

- **Application Forms.** Must be signed by the property owner.
- **Written Narrative.** Describe the proposed project in detail. Include the extent of the work, architectural style and exterior materials that will be used
- **Mailing Labels.** All projects reviewed by the Design Review Board require public notification. Provide two (2) sets of address labels and one (1) photocopy of the labels. Labels must list both the property owners and occupants (if not owner occupied) of every parcel which falls within a 300' radius (100' for signs) of the project site, along with a radius map. The name and address of every property owner/occupant (including applicant) and the local homeowner's association, if any, must be keyed on 8-1/2" x 11" sheets of adhesive labels.
- **Photographs.** One set of (approx) 4"x 6" color photographs showing all existing elevations of the subject property and front elevations of neighboring properties. The photographs should show all street views on both sides of the subject property to adequately portray the appearance of the immediate neighborhood. Photos should be printed on 8 1/2" x 11" sheets (two per page is a good size), and must be labeled with street addresses and referenced to a photo key (a reduced site map). Photo keys do not need to be drawn to scale, but must indicate approximate locations of where the photos were taken and the direction of each shot. Photo keys must also have a north arrow and the subject property address.
- **Plans:** One (1) full set of plans is required at the time the application is submitted. Upon determining the completeness of the application, Staff will notify the applicant, and he/she will be required to submit six (6) full sets of plans to the Planning Department. All site plans must be drawn at a minimum scale of 1/8" and elevations at 1/4". Submitted plans must be folded accordion style to a size of 8 1/2" x 11" or less with the title block showing. The plans shall include, and may not be limited to the following: site plan, demolition plan, elevations, roof plan, window and door schedule, and building sections. **A detailed checklist of specific requirements is available for the project architect/project designer's use.**

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I HEREBY CERTIFY that I am the owner of the property which is the subject of this application for a Certificate of Appropriateness, that this application is full and complete, and I have read and understand the City's Design Review Board Guidelines.

Applicant's Signature: _____ Date: _____
(Signature is required for all applications)

10. **Owner's Affidavit:** As owner(s) of the above described property, I/we affirm that the foregoing statements and answers herein contained and the information submitted are in all respects true and correct to the best of my/our knowledge and belief.

Executed this _____ day of _____

Property Owner's Signature (Required)

Date