



City of Orland

Planning Division

815 Fourth Street
Orland, CA 95963
(530) 865-1600 FAX (530) 865-1632
www.cityoforland.com

Application No. _____

VARIANCE APPLICATION

APPLICANT INFORMATION		
Applicant Name:	Phone Number:	
Street Address:	Email:	
City:	State:	Zip:
Representative (If any)	Phone Number:	
Street Address:	Email:	
City:	State:	Zip:
Property Owner:	Phone Number	
City:	State:	Zip:
PROJECT INFORMATION		
Property Address:		
City:	State:	Zip:
Existing Zoning:	Existing Property Use:	
Request:		

REQUIRED SIGNATURES			
<p>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.</p> <p>Note: By signing the front of this application form, the applicant is indicating that the project is not included on any state or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, effective July 1, 1987</p>			
Applicant's Signature:		Date:	
FOR OFFICE USE ONLY			
APPLICATION NO.	PROJECT NO.	DATE RECEIVED	DATE APPLICATION CERTIFIED COMPLETE
FEE RECEIVED/CHECK NO.	CEQA DETERMINATION		DATE FILED
	EXEMPT <input type="checkbox"/>	N.D. <input type="checkbox"/>	M.N.D. <input type="checkbox"/>
			EIR. <input type="checkbox"/>

It is understood that any permit issued pursuant to this application will not grant any right or privilege to use any building or land either contrary to the provisions of law or of any ordinance of the City of Orland. All provisions of law or of any ordinance governing the use of the aforesaid building or land will be complied with whether specified herein or not.

VARIANCE

The procedure for granting a Variance is established by California State Law and implemented by the ORLAND Zoning Ordinance. A Variance application may only be granted for a minor variation from the Zoning ordinance if there are unique special circumstances with the property and the specific findings required by Law can be made by the Planning Commission.

In order to grant a Variance, the Planning Commission must make affirmative findings of fact in each of the following, that:

- There are either exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class or use in the same zone in the vicinity.
- Struct or literal interpretation and enforcement of the specified regulation would result in either practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
- Granting the Variance will not constitute a grant of special privileges inconsistent with the limitations on other properties classified in the same zoning district.
- Granting the Variance or its modification will not be materially detrimental to the public health, safety, or welfare

Step by Step Processing:

1. A Variance application (with all required information, maps, environmental information, and fee of \$120) is initially submitted to the City of Orland, 815 Fourth Street, Orland (contact person: City Manager).
2. The City staff will review the Variance application to ensure that all the required information is submitted. Additional information may be required.
3. Based on the information provided by the applicant, an evaluation will be made as to whether the project is exempt from CEQA or whether it is necessary to prepare an Initial Study. The Initial Study will determine whether the project either requires an Environmental Impact Report or whether a Negative Declaration is sufficient. The cost associated with the environmental evaluation process will be the consultant's fees plus 5 percent.

4. It takes approximately six (6) weeks to process a Variance application from the date the submittal is deemed complete.
5. Upon completion of the application and necessary environmental documents, the City staff will notify affected agencies. Upon completion of the environmental review period, the City staff will prepare a draft staff report and recommendation on the proposed Variance.
6. The Planning Commission must hold at least one public hearing on the application for a variance. A legal notice will be sent to a newspaper for publication, and the adjacent landowners (all properties within a 300-foot radius) will be notified of the public hearing at least ten (10) calendar days prior to the Planning Commission hearing.
7. Prior to the Planning Commission meeting, the applicant or the designated agent will be notified of the Commission's meeting date and receive a copy of the proposed conditions of approval.
8. The Planning Commission will consider the application, the staff report, and the conditions of approval and will accept comments from the applicant and other interested persons at the public hearing. The Planning Commission will make a decision as required by CEQA and will make a decision on the application.
9. The Applicant will be notified of the Planning Commission's action and the conditions of approval if the Variance application is approved.
10. If there is an appeal (which must be made in writing within ten (10) days of the date of the Planning Commission decision), the City Council must hold an advertised public hearing on the appeal. At the conclusion of the hearing, the Council will decide on the appeal.
11. When the Planning Commission approves a Variance, the applicant must commence construction of the approved project within one year from the date of approval. If not, the application shall be void at the end of one year. However, the applicant may request an extension of time.
12. If the Planning Commission or the City Council on appeal deny the application, a new application may be submitted on a later date.

