



# City of Ridgecrest Planning Department

100 West California Ave., Ridgecrest, CA 93555  
(760) 499-5071 FAX (760) 499-1580  
<https://ridgecrest-ca.gov/>

Date: \_\_\_\_\_

Case # \_\_\_\_\_

Project Name and/or description \_\_\_\_\_

**APPLICATION FOR:**      **SITE PLAN REVIEW (SPR)**      \_\_\_\_\_  
                                         **CONDITIONAL USE PERMIT (CUP)**      \_\_\_\_\_  
                                         **VARIANCE**      \_\_\_\_\_

PROPERTY DESCRIPTION (ADDRESS, ASSESSOR'S PARCEL NUMBER, PARCEL MAP NUMBER AND LOT, TRACT NUMBER AND LOT, OR OTHER ACCEPTABLE PROPERTY DESCRIPTION):

\_\_\_\_\_  
\_\_\_\_\_

APPLICANT NAME-Print \_\_\_\_\_

APPLICANT NAME-Signature \_\_\_\_\_

APPLICANT ADDRESS \_\_\_\_\_

\_\_\_\_\_

APPLICANT EMAIL \_\_\_\_\_ PHONE # \_\_\_\_\_

PROPERTY OWNER NAME-Print \_\_\_\_\_

PROPERTY OWNER NAME-Signature \_\_\_\_\_

PROPERTY OWNER ADDRESS \_\_\_\_\_

\_\_\_\_\_

**(Owner Signature is required either at this section or on dated authorization letter)**

I (we), the undersigned hereby certify that I am (we are) **the owners** of the above described property or that I am the authorized agent of the owner **(with authorization letter attached)**. Executed under penalty of perjury this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

**Please consult Planner before submitting application package. Incomplete packages will not be accepted.**

**City of Ridgecrest Review Fees: (Determined by Planner)**

Staff:  
 Building less than 3,000 ft<sup>2</sup> \$ 680 \_\_\_\_\_  
 Planning Commission:  
 Property Less than 10,000 ft<sup>2</sup> in size \$ 1275 \_\_\_\_\_  
 Property 10,000-25,000 ft<sup>2</sup> in size \$ 2450 \_\_\_\_\_  
 Property more than 25,000 ft<sup>2</sup> in size \$ 3620 \_\_\_\_\_  
 Variance \$ 1210 \_\_\_\_\_  
 Conditional Use Permit \$ 1800 \_\_\_\_\_

**CEQA Review Fees (Determined by Planner)**

Categorical Exemption \$ 60 \_\_\_\_\_  
 Initial Study & Simple Negative Declaration \$ 500 \_\_\_\_\_  
 Mitigated Negative Declaration \$ 1575 \_\_\_\_\_  
 EIR (20% deposit/Full Recovery) \$ TO BE DETERMINED \_\_\_\_\_  
 Appeal of Staff Action to Planning Commission \$ 140 \_\_\_\_\_

**Make Check Payable to “City of Ridgecrest” TOTAL SUBMITTED \$ \_\_\_\_\_**  
 Check# \_\_\_\_\_

**California Department of Fish and Wildlife “Notice of Determination Fees”** are collected by the Kern County Clerk’s office. The following fees apply.

Negative (ND) or Mitigated Declaration (MND)	\$ 2,354.75 + \$ 50.00**
EIR	\$ 3,271.00 + \$ 50.00**
No Effect Filing Form signed by CDFW – The notice should accompany payment	N/C + \$ 50.00**

**\*\*\$ 50 is a separate posting fee for Kern County. The first fee is for CDFW. A [CEQA Transmittal Memorandum](#) is expected with payment to Kern County.**

Fees for Kern County are to be paid with checks made payable to Kern County Clerk

**TOTAL SUBMITTED \_\_\_\_\_**  
 CK# \_\_\_\_\_

For mailed payments to Kern County: Send documents to be filed and payment for the appropriate fees. Enclose a self-addressed, stamped envelope if you wish to have a copy returned to you. You may pay by check (personal, company, bank, or cashier’s) or money order. Credit cards are not accepted for mail orders. Send your payment to:

Kern County Clerk  
 1115 Truxtun Avenue, 1st Floor  
 Bakersfield, CA 93301

***Geologic and Seismologic Report Review Fees: Check with Engineering  
 In compliance with the Alquist Priolo Special Studies Zone Act shall be on a per cost basis***

**MINIMUM APPLICATION PACKAGE REQUIREMENTS  
(AS IDENTIFIED BY STAFF CONSULTATION)**

\*\*\*\*\* **ALL MAPS/SITE PLANS TO BE FOLDED TO 8 1/2" X 11"** \*\*\*\*\*  
\*\*\*\*\* **& PC ITEMS MUST INCLUDE AN ELECTRONIC COPY OF MAP ON A CD** \*\*\*\*\*

Needed    Received

- \_\_\_ 1.    \_\_\_ APPLICATION
  - \_\_\_ 2.    \_\_\_ APPLICATION FEE \_\_\_\_\_
  - \_\_\_ 3.    \_\_\_ ASSESSORS PARCEL MAP \_\_\_\_\_
  - \_\_\_ 4.    \_\_\_ ENVIRONMENTAL ASSESSMENT FORM
  - \_\_\_ 5.    \_\_\_ SITE PLANS (5 COPIES AND **ELECTRONIC VERSION IN PDF**)
  - \_\_\_ 6.    \_\_\_ ELEVATIONS OF BUILDING (max size 11x17 or electronically)
  - \_\_\_ 7.    \_\_\_ PICTURES OF SITE FROM ALL FOUR DIRECTIONS
  - \_\_\_ 8.    \_\_\_ ONE 8 1/2 X 11 REDUCED MAP (or electronically)
  - \_\_\_ 9.    \_\_\_ GEOLOGIC REPORT IF IN ALQUIST PRIOLO ZONE
  - \_\_\_ 10.    \_\_\_ PROOF OF OWNERSHIP (CURRENT TAX, TITLE REPORT, or DEED)
  - \_\_\_ 11.    \_\_\_ PRE-LIMINARY TITLE REPORT
  - \_\_\_ 12.    \_\_\_ MAILING LIST & LABELS OF PROPERTY OWNERS WITHIN 300' OF PROPERTY LINES
  - \_\_\_ 13.    \_\_\_ LOCATION MAP
  - \_\_\_ 14.    \_\_\_ ECONOMIC FEASIBILITY REPORT (GPA ONLY)
  - \_\_\_ 15.    \_\_\_ GENERAL PLAN REFERRAL FROM COMMITTEE REVIEW
  - \_\_\_ 16.    \_\_\_ BIOTA REPORT IF REQUIRED
  - \_\_\_ 17.    \_\_\_ LETTER OF REQUEST WITH DESCRIPTION OF PROJECT
  - \_\_\_ 18.    \_\_\_ CURRENT TAX STATEMENT
  - \_\_\_ 19.    \_\_\_ CHECK MADE OUT TO "CITY OF RIDGECREST" IN THE AMOUNT OF \_\_\_\_\_
  - \_\_\_ 20.    \_\_\_ OTHER \_\_\_\_\_
- 
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## Environmental Information Form (To be completed by applicant)

Project Title: \_\_\_\_\_ Date Filed: \_\_\_\_\_

### General Information

1. Name and address of developer or project sponsor \_\_\_\_\_  
\_\_\_\_\_
2. Address of Project \_\_\_\_\_
3. Name, address and telephone number of person to be contacted concerning this project:  
\_\_\_\_\_
4. Indicate number of the permit application for the project to which this form pertains  
\_\_\_\_\_
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: \_\_\_\_\_  
\_\_\_\_\_
6. Existing zoning district \_\_\_\_\_
7. Proposed use of site (Project for which this form is filed): \_\_\_\_\_  
\_\_\_\_\_

### Project Description

8. Site Size \_\_\_\_\_
9. Square footage \_\_\_\_\_ Number of floors of construction: \_\_\_\_\_
10. Amount of off street parking provided (Existing) \_\_\_\_\_ (Proposed) \_\_\_\_\_
11. Attach plans: (type and size) \_\_\_\_\_
12. Proposed scheduling: \_\_\_\_\_
13. Associated projects: \_\_\_\_\_
14. Anticipated incremental (phased) development: \_\_\_\_\_
15. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
16. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area and loading facilities: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. If industrial, indicate type, estimated employment per shift and loading facilities: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
18. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities and community benefits to be derived from the project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
19. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Are the following items applicable to the project or its effects? Discuss below all items checked "Yes"

**(Attach additional sheets as necessary).**

YES	NO	
		a. Change in existing feature of any bays, tidelands, beaches, lakes, or hills or substantial alteration of ground contours
		b. Change in scenic views or vistas from existing residential areas or public lands or roads.
		c. Change in pattern, scale or character of general area project.
		d. Significant amounts of solid waste or litter.
		e. Change in dust, ash, smoke, fumes or odors in vicinity.
		f. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of
		g. Existing drainage patterns.
		h. Substantial change in existing noise or vibration levels in the vicinity.
		i. Site on filled land or on slope of 10 percent or more.
		j. Disposal of potentially hazardous materials such as toxic, flammable, or explosive substances.
		k. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)
		l. Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc.)
		m. Relationship to a larger project or series of projects.

**Environmental Setting (Attach additional sheets as necessary)**

20. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site and the use of the structures. Attach photographs of the site \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
21. Describe the surrounding properties, including information on plants and animals and any cultural,

historical or scenic aspects, indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity\_\_\_\_\_

\_\_\_\_\_

22. Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date:\_\_\_\_\_ By:\_\_\_\_\_

Title\_\_\_\_\_

For\_\_\_\_\_



**Planning Department Use**

**Application No:**\_\_\_\_\_ Electronic Copy Received\_\_\_\_\_

Zoning\_\_\_\_\_ General Plan Designation\_\_\_\_\_

Staff Assigned\_\_\_\_\_ Tentative PC Hearing\_\_\_\_\_

Date Application Received:\_\_\_\_\_ By:\_\_\_\_\_

Application Complete:\_\_\_\_\_ Items Missing:\_\_\_\_\_

**NOTE: INCOMPLETE APPLICATION WILL BE RETURNED TO APPLICANT WITHIN 30 DAYS AND PROCESSING CEASED UNTIL SUBMITTAL OF COMPLETE APPLICATION.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## City of Ridgecrest Municipal Code sections:

### Zoning code 20-21 Conditional Use Permit.

20-21.1 *Purposes.* In certain districts, as specified in this chapter, conditional uses may be authorized by the granting of a use permit. Because of their special characteristics, conditional uses require extraordinary consideration to minimize possible adverse impact upon surrounding properties. In order to give the district flexible use regulations that are necessary to achieve the objectives of this chapter, the Planning Commission is empowered to grant and to deny applications for use permits and to impose reasonable conditions upon the granting of use permits. (Ord. 84-08, A 21, § 2101)

20-21.2 *Powers of City Planning Commission.* The Planning Commission may grant or deny Use Permits for conditional uses in such districts as are prescribed in the regulations for each district in this chapter with the procedures prescribed in this section. (Ord. 84-08, A 21, § 2102)

20-21.3 *Application and Fee.* Application for a Use Permit shall be made to the Secretary of the Planning Commission on a form prescribed by the Commission which shall include the following data:

- a. Name, address and signature of the property owner.
- b. Statement that the applicant is the owner of the property or is the authorized agent of the owner.
- c. Address and legal description of the property.
- d. A concise statement setting forth the precise circumstances or conditions applicable to the land, structure or use which makes the granting of a Use Permit necessary for the preservation and enjoyment of a substantial property right, together with all data pertinent to the findings prerequisite to the granting of a use permit.
- e. The complete application, together with the information required in subsection 20-22.4d. that may be required by the Planning Commission to make the necessary findings, shall be accompanied by a fee set by resolution of the City Council sufficient to cover the cost of handling the application as prescribed in this section. If the application is incomplete, the application shall be returned to the applicant
- f. In the event that an application for a conditional use permit requires the concurrent approval of other development plans, the plans shall be processed in accordance with other requirements as set forth in this Code. (Ord. 84-08, A 21, § 2103)

20-21.4 *Public Hearing - Notice.* The Planning Commission shall hold a public hearing on each application for a conditional use permit. Notice of the public hearing shall be given by the Secretary of the Commission not less than ten days nor more than 20 days prior to the hearing as follows.

- a. Notice shall be mailed or delivered to the owner of the property or the owner's duly authorized agent and to the project applicant;
- b. Notice shall be mailed or delivered to each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the project whose ability to provide those facilities and services may be significantly affected;
- c. Notice shall be mailed or delivered to all owners of real property shown on the last equalized assessment rolls within 300 feet of the subject property; and
- d. The notice shall either be published once in a newspaper of general circulation within the City or posted in at least three public places in the City including one public place in the area directly affected by the proceeding. (Ord. No. 84-08, A 21, § 2104; Ord. no. 85-20, § 4)

20-21.5 *Public Hearing -- Procedure.* At the public hearing, the Planning Commission shall review the application and the statement and drawings submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in subsection 20-21.7. (Ord. 84-08, A 21, § 2105)

20-21.6 *Investigation, Report and Notice.* The Secretary of the Planning Commission shall make an investigation of the application as to its compliance with subsection 20-21.3 and shall prepare a report thereon which shall be submitted to the Planning Commission. Such report shall include a recommendation as to the action to be taken by the Commission and a statement supporting such recommendation. The Secretary of the Planning Commission shall give written notice to the applicant of the time when the application will be considered by the Planning Commission.

(Ord. 84-08, A 21, § 2106)

**20-21.7 Action by the Planning Commission.** The Planning Commission may approve an application for a conditional use permit as applied for or in modified form if, on the basis of the application and the evidence submitted the Commission makes all of the following findings:

a. That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to or inharmonious with properties or improvements in the vicinity.

b. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.

c. That the proposed location of the conditional use is in accordance with the objectives of the zoning chapter and the purposes of the district in which the site is located. (Ord. 84-08, A 21, § 2107)

**20-21.8 Conditional Use Permit Revocable.** A use permit may either be revocable or be approved for a limited time period, or may be approved subject to such conditions as the Commission may prescribe.

The Commission also may deny an application for a use permit. (Ord. 84-08, A 21, § 2108)

**20-21.9 Effective Date.** A use permit shall be effective five working days following the date on which the use permit is granted. The approved Use Permit with any conditions shown thereon or attached thereto, shall be dated and signed by the Secretary to the Planning Commission. One copy of the said use permit and conditions shall be mailed to the applicant. (Ord. 84-08, A 21, § 2109)

**20-21.10 Appeal of Planning Commission Decision.**

a. An applicant, the City, any concerned property owner or resident may appeal, in writing a decision of the Planning Commission if the applicant, property owner or resident is of the opinion that the Commission's decision does not conform to City policies and standards. The appeal shall be accompanied by an appropriate fee as set by the City Council.

b. Such appeal of a Planning Commission decision must be filed within five working days following the Commission decision. The Secretary of the Commission shall then transmit to the City Clerk the use permit application and all other data filed therewith, the minutes of the public hearing, the staff report, the findings of the commission and its decision on the application.

c. The Council shall review the decision of the Planning Commission not sooner than 45 days nor later than 90 days after receipt of the written appeal. The record on appeal shall consist of the evidence presented to the Planning Commission and additional evidence the Council deems relevant. The Council shall affirm, reverse or modify the Commission's decision or remand the matter to Commission for further proceedings. Findings shall be prepared if the Council reverses or modifies the decision or affirms the decision on the grounds other than those stated by the Commission. (Ord. No. 84-08, A 21, § 2110; Ord. No. 86-35. § 1)

**20-21.11 Building Permit.** Before a building permit may be issued for any building or structure proposed as part of the approved conditional use permit application, the Building Official shall determine that the proposed building location, facilities and improvements are in conformity with the site plan and conditions approved by the Planning Commission and/or City Council. For this purpose the application shall stake the property lines deemed necessary by the Building Official. Before a building may be occupied, the Building Official shall certify to the planning agency that the site has been developed in conformity with the site plan and conditions approved by the Planning Commission or the City Council. (Ord. 84-08, A 21, § 2111)

**20-21.12 Lapse of Use Permit.** A use permit shall lapse and become void one year following the date on which the permit became effective unless by conditions of the use permit a lesser or greater time is prescribed in accordance with subsection 20-21.13, or unless prior to the expiration of one year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application. A use permit may be renewed for an additional period of up to one year provided that, prior to the expiration of the time period granted, an application for renewal of the use permit is filed with the Planning Commission. The Commission may grant or deny an application for renewal of a use permit. (Ord. 84-08, A 21, § 2112)



20-21.13 *Time Limit for Development.* The Planning Commission may establish a lesser or greater time limit than that provided by subsection 20-21.12 within which the subject property and use or any stage of phase thereof shall be commenced and completed. The time limits set by the Planning Commission shall be reasonable, based on the size, nature and complexity of the proposed development. (Ord. 84-08, A 21, § 1223)

20-21.14 *Pre-Existing Conditional Uses and Use Permits.* A conditional use permanently and legally established prior to enactment of this chapter shall be permitted to continue and may be either a conforming use or a nonconforming use.

A conditional use permit granted under the provisions of the Kern County Zoning ordinance and supplementary provisions thereto prior to the enactment of this chapter shall, upon the annexation of the property affected to the City, become null and void at the end of one year following the date of its original approval or extension thereof granted by the County prior to the annexation and shall thereafter be classified as a nonconforming use or be the subject of a new CUP application.

A use permit shall be required for the reconstruction of a structure housing a conditional use established prior to enactment of this chapter if the structure is destroyed by fire or other calamity or by an act of God or by the public enemy to the extent of 75 percent or more. The extent of such partial destruction shall be determined by the Building Official.

An accessory structure added to a conditional use may be administratively approved by the Planning Director. (Ord. 84-08, A 21, § 2114)

20-21.15 *Revocation.* Upon violation of any applicable provisions of this chapter, or failure to comply with the conditions of approval, a use permit shall be suspended. Notice of such suspension shall then be sent immediately by the Secretary of the Planning Commission to the holder of the use permit with a copy thereof to the City Council. Within 30 days of the suspension, the City Council shall consider the suspension. If not satisfied that the regulations, general provisions, conditions or conditions of approval are being substantively complied with, the City Council shall revoke the use permit and take such appropriate action as may be necessary to insure compliance with the regulations, general provisions and conditions of approval. The Secretary of the Planning Commission shall notify the applicant in writing of the City Council's decision. Upon notification of suspension, the holder of the use permit shall cease all activities on the property which are subject to the use permit. (Ord. 84-08, A 21, § 2115)

20-21.16 *Notation on Zoning Map.* A use permit shall be indicated on the appropriate zoning map by a number located on the site of the conditional use (e.g. CUP 81-5). (Ord. 84-08, A 21, § 2116)

20-21.17 *New Application.* Following the denial of a use permit application or the revocation of a use permit, no application for a use permit for the same or substantially the same conditional use on the same site shall be filed within one year from the date of denial or revocation of the use permit. (Ord. 84-08, A 21, § 2117)

20-21.18 *Use Permit to Run With the Land.* A use permit granted pursuant to the provisions of this section may run with the land and may continue to be valid upon a change of ownership of the site or structure which was the subject of the use permit application, or those which, by their terms, are not made permanent. (Ord. 84-08, A 21, § 2118)

20-21.19 *Density Limit or Intensity of Use.* No use for which a conditional use permit has been applied for shall exceed the residential density criteria as specified in the General Plan. For example, the Low-Density Residential criteria of the General Plan allows no more than six units per gross acre. The only exception to this section is when an applicant applies for and is granted a conditional use for a mobile home park as regulated by Section 20-12. (Ord. 84-08, A 21, § 2119)

## **Code 20-22 Site Plan Review.**

20-22.1 *Purpose.* The purpose of site plan review is:

- a. To insure that the projects listed in subsection 20-22.2 conform to the General Plan and all applicable code provisions of the City and State;
- b. To maintain and encourage high standards of development; and
- c. To provide the applicant with an informative review to assist in the efficient and coordinated processing of projects consistent with City standards and requirements. (Ord. No. 84-08, A 22, § 2201; Ord. No. 86-29, § 1)

20-22.2 *Included Projects.* These projects shall not be considered for approval or permit until site plan review has been completed:

- a. Conceptual development plans.
- b. Preliminary development plans required by subsection 20-23.4.
- c. Municipal reorganizations and annexations.
- d. Specific plans.
- e. Tentative tract maps.
- f. Parcel maps.
- g. Precise development plans required by subsection 20-23.5.
- h. Conditional use permit applications where new buildings or substantial alterations are proposed.
- i. Conversion of residential structures to commercial or industrial uses.
- j. Any proposed new development, a building, or substantial alteration within a zoning district that requires site plan review. (Ord. No. 86-29, § 2; Ord. No. 92-07, § 3)

20-22.3 *Application Content.* Site plans for staff review shall be submitted to the Director of Community Development in a number the director determines necessary to facilitate staff review. All site plans shall be on folded sheets of a minimum eight and one-half by eleven inch (8-1/2" x 11") size to a maximum twenty-four by thirty-six inch (24" x 36") size, and shall be at an easily readable scale.

- a. All submittals shall include the following information:
  1. Name, address, and telephone number of the property owner.
  2. Name, address, and telephone number of the property developer.
  3. Name, address, and telephone number of person preparing plan.
  4. North arrow oriented to top of plan sheet.
  5. Scale.
  6. Vicinity map showing site location.
  7. Property lines of the entire legal parcel(s).
  8. Delineations of any easements on the property.
  9. Names of adjacent streets and intersections.
  10. Width of adjacent streets and alleys.
  11. Legal description of the subject property.
  12. Street address of the subject property (if assigned).
  13. Zoning designation of the subject property and surrounding properties.
  14. Existing land uses of the site and surrounding properties.
  15. Area of the subject property.
- b. Projects described in subsection 20-22.2, paragraph e. through i., shall also include the following:
  1. Street and/or alley dedications, if applicable.
  2. All existing and proposed public improvements within adjacent streets and alley rights-of-way (curb, gutter, sidewalk, street lights, parkways, fire hydrants, power poles, water lines, gas lines, sewer lines, telephone lines, etc.).
  3. Existing and proposed public rights-of-way within the subject property.
  4. Existing or proposed easements within or immediately outside the site.
  5. Location of on-site and off-site drainage facilities.
  6. Area of each parcel (gross and net).
  7. Physical features on the property and immediately adjacent to property lines (fences, walls,

power poles, buildings, slopes, etc.).

c. Projects described in subsection 20-22.2, paragraphs h. through i. shall also include the following:

1. Location of all buildings (main and accessory), fences and/or walls, paved areas and landscape areas, and all shall be labeled as either existing or proposed.
2. Percentage of area covered by buildings, landscaping and pavement on each parcel.
3. Location of existing and proposed on-site water lines, sewer lines, septic tanks and fire hydrants.
4. Type of construction per Uniform Building Code.
5. Height and number of stories of all buildings and structures.
6. Dimensions from building(s) to property lines and to other buildings or structures on the property.
7. Uses of all buildings (existing and proposed) and areas on the property.
8. Exterior building materials including materials of fences, walls and accessory structures.
9. Off-street parking including dimensions of individual parking spaces, internal circulation pattern for pedestrian and vehicular traffic, wheel stops and type of surfacing proposed.
10. Driveway widths.
11. Computation of total parking required per use on each parcel and indication of total number of spaces provided (covered and uncovered indicated separately) on each parcel by type (e.g.: normal stall size, compact stall, handicap stall).
12. Computation of landscape areas required and the square footage of areas proposed for landscaping.
13. Location of landscaping including existing and proposed trees, shrub masses and ground cover area.
14. Loading spaces including dimensions.
15. Estimated quantities of earth to be moved.
16. Direction of drainage flow with slope in percentage.
17. Signs including area, location, height, illumination and mechanical movement.
18. On-site lighting.
19. Trash enclosures.
20. Location of outdoor storage areas.
21. Exterior architectural projections.
22. Location of all entrances.
23. Location of mechanical equipment and proposed screening.
24. Proposed swimming pools, patios and/or recreation areas.

d. The Director of Community Development may require additional information or materials when necessary to accurately and adequately review a specific project. The Director of Community Development may waive any information described above upon determination that it is not relevant to the review. Any decision made by the Director pursuant to this subsection shall include a written justification which shall become part of the project record and accompany the application before the Planning Commission. (Ord. No. 86-29, § 3; Ord. No. 92-07 § 4)

#### 20-22.4 Procedure.

- a. The Director of Community Development, directed by City staff, and such utility service representatives as may be available shall, within 21 working days after completion of filing, conduct a review of the submitted project. The applicant shall be invited to attend the review meeting.
- b. The Director of Community Development shall, within 15 working days after the review, prepare and mail to the applicant a site plan review letter summarizing the Code requirements and recommendations of staff. (Ord. No. 86-29, § 4)

20-22.5 Fees. Fees, established by resolution of the City Council, shall be paid by the applicant at the time of filing or appeal, to defray costs incurred by the City related to the application or appeal. (Ord. No. 86-29, § 5)

20-22.6 Appeal. The applicant may appeal any of the conditions set forth in the Director's letter of determination by filing a written request for review with the Planning Commission within 30 calendar days of the date of the Director's letter. Such appeal must be made in writing, shall stipulate the points of disagreement, shall be accompanied by a

sufficient number of copies of the plan to facilitate Commission review. (Ord. No. 86-29, § 6)

*20-22.7 Subsequent Site Plan Review.* A subsequent site plan review application shall be required prior to issuance of building permits or Commission consideration if more than 18 months have lapsed since any prior site plan review for an uncompleted project or if the applicant revises the proposed project in such a way as to materially change the requirements as determined by the Director. (Ord. No. 86-29, § 7)

*20-22.8 Effect of Code Change.* Site plan review shall not be construed to vest or grant any development right. Should legal requirement changes occur subsequent to any site plan review, the changes will be incorporated into any building permits issued on the project or any Commission actions. (Ord. No. 86-29, § 8)

## **Code 20-24. - Variances.**

### **20-24.1. - Purpose.**

The Planning Commission is hereby empowered to grant variances in order to lessen practical difficulties and unnecessary hardships inconsistent with the objectives of the zoning ordinance which would result from a strict or literal interpretation and enforcement of the regulations prescribed by this chapter. A practical difficulty or unnecessary physical hardship may result from the existing size, shape or dimensions of a site or the location of existing structures thereon from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances shall not extend to use regulations.

(Ord. 84-08, A 24, § 2401)

### **20-24.2. - Authority of City Planning Commission.**

The Planning Commission may grant variances to the regulations prescribed by this chapter with respect to fences and walls, site area, width, frontage, depth, coverage, front yard, rear yard, side yards, height of structures, distances between structures, off-street parking facilities and off-street loading facilities, in accordance with the procedure prescribed in this section.

(Ord. 84-08, A 24, § 2402)

### **20-24.3. - Application and Fee.**

Application for a variance shall be made to the Planning Commission, accompanied by a fee as set by the City Council, on a form prescribed by the Planning Commission which shall include the following data:

a. Name and address of the applicant; b. Signature of the owner and a statement that the applicant is the owner of the property or is the authorized agent of the owner; c. Address and legal description of the property; d. A concise statement of the precise nature of the variance requested, showing the practical difficulty or unnecessary physical hardship that is inconsistent with the objectives of the zoning ordinance, together with any other data pertinent to the findings prerequisite to the granting of a variance prescribed in subsection 20-24.7.

The application shall be accompanied by a site plan which shall comply with the provisions of subsection 20-22.4d.

The application shall be filed with the Secretary of the Planning Commission and shall be considered by the Planning Commission within 60 days following the filing date. The Secretary of the Planning Commission shall give notice to the applicant of the time when the application will be considered, and he may give notice of the time to any other interested party.

(Ord. 84-08, A 24, § 2403)

### **20-24.4. - Hearing and Notice.**

The Planning Commission shall hold a public hearing in accordance with the provisions of subsections 20-21.4 and 20-21.5.

(Ord. 84-08, A 24, § 2404)

### **20-24.5. - Public Hearing — Procedure.**

At a public hearing, the Planning Commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in subsection 20-24.7.

(Ord. 84-08, A 24, § 2405)

### **20-24.6. - Investigation and Report.**

The Secretary to the Planning Commission shall make an investigation and shall prepare a report thereon in accordance with the provisions of subsection 20-21.6.

(Ord. 84-08, A 24, § 2406)

### **20-24.7. - Action of the Planning Commission.**

a. The Planning Commission may grant a variance to a regulation prescribed by this chapter as applied for or in a modified form, if, on the basis of the application, investigation and evidence submitted, the Commission makes all the following findings: 1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance. 2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district. 3. That strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district. 4. That the granting of the variance will 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 will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. b. The Planning Commission may grant a variance to a regulation prescribed by this chapter with respect to off-street parking facilities or off-street loading facilities as the variance was applied for or in modified form, if, on the basis of the application, investigation and the evidence submitted, the Commission makes the findings prescribed in paragraph a. of this subsection and the following additional findings: 1. That the granting of the variances 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. 2. That the granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of the zoning ordinance. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the Planning Commission may prescribe. The Planning Commission may deny a variance application.

A variance shall become effective upon the expiration of five working days following the date on which the variance was granted unless an appeal has been taken to the City Council in accordance with subsection 20-21.10. (Ord. No. 84-85, A 24, § 2407; Ord. No. 86-06, § 38)

#### 20-24.8. - Lapse of Variance.

A variance shall lapse and shall become void one year following the date on which the variance becomes effective unless by conditions of the variance a greater time is allowed, or unless prior to the expiration of one year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site or the permit or entitlement is executed which was the subject of the variance application. (Ord. 84-08, A 24, § 2408)

#### 20-24.9. - New Application.

Following the denial of a variance application, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial of the variance application or revocation of the variance. (Ord. 84-08, A 24, § 2409)