



**CITY OF LODI  
COMMUNITY DEVELOPMENT  
DEPARTMENT**  
P.O. Box 3006  
221 West Pine Street  
Lodi, California 95241-1910  
(209) 333-6711

## VARIANCE/ADMINISTRATIVE DEVIATION APPLICATION

### GENERAL INFORMATION REQUIRED (Print or Type)

Applicant's Name	Phone	<b>(Staff Use Only)</b> File Number: Related Files:
Address		
Location of Project (Address)		
Legal Description of Project Location (Assessor's Parcel No.)		
Legal Owner's Name (as listed in the San Joaquin County Assessor's records)		Phone
Address		

### Project Description

Detailed Description of Proposed Project (Attach Additional Sheets if Necessary)

### INCOMPLETE APPLICATIONS

The completeness of this application, which includes accompanying plans, shall be subject to the review of the Community Development Department. The Community Development Director, pending completion of the plan review process, shall consider application for this Variance/Administrative Deviation incomplete. In accordance with State Planning Law Section 65943, the City has 30-days to review your application to insure that your application is complete.

### Owner Certification

I certify that I am presently the legal owner of the above described property. Further, I acknowledge the filing of this application and certify that all of the above information is true and accurate. (If the undersigned is different from the legal property owner, a letter of authorization must accompany this form).

Date	Signature
Print Name and Title	

Staff use only:  
Date Time Received

Received By

Project/Receipt No.

# CITY OF LODI

Community Development Department  
221 W. Pine St. Lodi, CA 95240 Phone: (209) 333-6711

# ENVIRONMENTAL ASSESSMENT

File Number: \_\_\_\_\_

The Environmental Assessment form must be completed by the applicant before the project can be accepted for processing.

1. PROJECT TITLE: \_\_\_\_\_
2. PROJECT LOCATION: \_\_\_\_\_ Assessor Parcel Number: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Lot Number: \_\_\_\_\_
3. NAME OF PROPERTY OWNER: \_\_\_\_\_
4. ADDRESS OF PROPERTY OWNER: \_\_\_\_\_
5. NAME OF APPLICANT: \_\_\_\_\_
6. ADDRESS OF APPLICANT: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_
7. CONTACT PERSON(S): Name \_\_\_\_\_  
Address \_\_\_\_\_

### 8. TYPE OF APPLICATION:

(Check appropriate box(es))

- General Plan Amendment
- Annexation
- Rezoning
- Subdivision Map
- Parcel Map
- Use Permit
- Variance

### 9. TYPE OF DEVELOPMENT:

- Residential: No. of Lots \_\_\_\_\_  
No. of Units \_\_\_\_\_  
No. of Acres \_\_\_\_\_
- OFFICE: Sq. ft. of Bldg. \_\_\_\_\_  
Acres \_\_\_\_\_  
Approx. No. of employees \_\_\_\_\_
- SHOPPING/  
COMMERCIAL: Sq. ft. of Bldg. \_\_\_\_\_  
Acres \_\_\_\_\_  
Approx. No. of employees \_\_\_\_\_
- INDUSTRIAL: Sq. ft. of Bldg. \_\_\_\_\_  
Acres \_\_\_\_\_  
Approx. No. of employees \_\_\_\_\_

### 10. PROJECT DESCRIPTION:

11. SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: \_\_\_\_\_

(For Staff Use Only)

The project:

- .....Is Ministerial
- .....Is Categorically Exempt
- .....Requires an Initial Study



## SECTION 1: Application Procedure and Filing Requirements

### A) *Initial Plan Review*

- 1. Variance/Administrative Deviation Application  
Indicate the proposed feature(s) needing a variance. Indicate the reason for a variance. Indicate any loss in landscape or parking or any other changes in the use of the property due to the variance. Provide information helpful in establishing the findings necessary to grant approval of the variance request (see page 2).
- 2. Environmental Assessment Form
- 3. Three (3) copies of a site plan and floor plan to be reviewed by staff for completeness and accuracy. Plans should be fan-folded to an 8 ½" X 14" size.
- 4. Digital Copy of Plans on Compact Disc
- 5. Filing fees: \$

### B) *Final Submittal for Planning Commission Review*

- Seventeen (17)** copies of the site plan and floor plan that incorporate all necessary revisions and changes. Also include **three (3) 8 ½" x 11"** reduced copies of the plans.

## SECTION 2: Plan Preparation Guidelines

- A) All plans shall be drawn on uniform size sheets no greater than 30" x 42"
- B) All plans shall be drawn to an engineering scale not to exceed 1" = 40', with the north arrow oriented towards the top of the sheet if possible.
- C) Plans shall be assembled and stapled together into sets, and all sets must be fan-folded.
- D) If the entire project site plan cannot fit on one sheet, split the site plan onto two or more sheets, and provide a reduced scale master sheet of the entire site.
- E) *Floor Plan:*
  - 1) Indicate proposed use of area, i.e. bar, dining area, office, kitchen, etc.
  - 2) Label all loading doors, entries, and exits.
- F) *Site Plan:*

- 1) Provide exterior boundary lines of property indicating easements, dimensions, and lot size.
- 2) Label all adjacent streets or right-of-ways.
- 3) Indicate location, size, height, dimensions, and proposed use of all buildings and structures existing or proposed for the property.
- 4) Identify nearby buildings adjacent to the proposal that may be affected by the proposal.
- 5) Identify materials used and provide structure elevations where appropriate.
- 6) Provide scale, and north arrow.

## **PROCEDURE FOR VARIANCE**

### **PURPOSE AND REQUIREMENTS**

Each zoning classification has specific development standards which projects must meet, such as setbacks or parking requirements. There are occasions when the strict application of such standards may be difficult if not impossible to meet because of special characteristics of the property or area. A variance is designed to permit adjustments to the zoning regulations when there are special or extraordinary circumstances that apply to a parcel of land or a building that prevent the property from being used to the extent intended by the zoning. Variances can be granted when the following findings can be made:

1. There are 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 of use in the same zone or vicinity.
2. The granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.
3. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications.
4. The granting of such variance will not adversely affect the comprehensive General Plan.

While the Planning Commission acts on variance requests for larger projects, the City's Community Development Director is authorized to grant minor variances or "Administrative Deviations." In approving a variance, the Planning Commission may impose such conditions as deemed necessary to protect the best interest of the surrounding area or neighborhood.

The application and accompanying information will be circulated to various agencies for review. All property owners within 300 feet of the subject site boundaries will be notified by mail regarding the project and the time, date and location of the public hearing. Additionally, the time, date and location of the public hearing will be advertised on the local news paper 10 business days prior to the hearing date. The variance request will be scheduled for a public hearing before the Planning Commission. City staff will prepare a report recommending approval, denial or approval with conditions, which will be made available to the applicant before the hearing.

At the advertised public hearing, the applicant and all other interested parties will be heard. Following the public hearing, the Planning Commission will make its recommendation: approval, denial, or tabling pending more information or site inspection.

**THE PLANNING COMMISSION'S DECISION ON A VARIANCE IS FINAL UNLESS THE VARIANCE REQUEST IS COMBINED WITH OTHER APPLICATIONS WHICH REQUIRE CITY COUNCIL APPROVAL (FOR EXAMPLE, A ZONE CHANGE) OR IS APPEALED.**

Appeals of any action taken by the Planning Commission must be made within ten (10) calendar days of the Commission meeting. Any person aggrieved by the decision may file an appeal by submitting the appropriate form and fee to the City Clerk's office.

If an appeal is filed, the public hearing will be advertised and heard by the City Council. The City Council may affirm, reverse or modify the decision of the Planning Commission.

When the final decision is a denial, the applicant may not institute a new application on substantially the same project within a period less than twelve (12) months from the date of final action on the original application, unless the City Council has first determined that the original decision was based on an error, lack of information, or a misrepresentation of the facts or that there has been a substantial change in the subject project.



## FEE SCHEDULE

CITY OF LODI, COMMUNITY DEVELOPMENT DEPARTMENT, 221 W. PINE ST., LODI, CA 95240  
 PHONE: (209) 333-6711 FAX: (209) 333-6842

PLANNING:	FEE
ADMINISTRATIVE DEVIATION.....	\$350 + HOURLY
ANNEXATION.....	\$4,000 + HOURLY
APPEALS.....	\$300
DEVELOPMENT PLAN REVIEW.....	\$2,500 + HOURLY
ENVIRONMENTAL IMPACT REPORT.....	HOURLY
GENERAL PLAN AMENDMENT.....	\$3,000 + HOURLY
HOME OCCUPATION.....	\$100
LANDSCAPE REVIEW.....	\$175 + HOURLY
LIVE ENTERTAINMENT PERMIT.....	\$200
LOT LINE ADJUSTMENT.....	\$650 + HOURLY
MITIGATION MONITORING.....	\$HOURLY
NEGATIVE DECLARATION.....	\$900 + HOURLY
TENTATIVE PARCEL MAP.....	\$2,500 + HOURLY
NON-RESIDENTIAL CONDOMINIUM CONVERSIONS.....	\$2,000 + HOURLY
PRELIMINARY ENVIRONMENTAL ASSESSMENT.....	\$250 + HOURLY
REZONE.....	\$2,000 + HOURLY
SITE PLAN AND ARCHITECTURAL REVIEW (SPARC).....	\$1,875 + HOURLY
TENTATIVE SUBDIVISION MAP.....	\$4,600 + HOURLY
USE PERMIT.....	\$2,000 + HOURLY
VARIANCE.....	\$1,000 + HOURLY
PRE-DEVELOPMENT REVIEW.....	\$250
DOCUMENT IMAGING.....	\$50/APPLICATION
STAFF CONSULTATION (INCLUDING LETTERS).....	HOURLY

THE APPLICATION FEES LISTED ABOVE ARE REFUNDABLE UNDER THE FOLLOWING CIRCUMSTANCES:

- WITHIN 30-DAYS OF APPLICATION – 75% REFUND.
- AFTER PROJECT ACCEPTANCE AND CIRCULATION FOR REVIEW – 50% REFUND.
- AFTER FORMULATION OF STAFF RECOMMENDATION TO PLANNING COMMISSION AND/OR CITY COUNCIL, OR 90 DAYS, WHICHEVER COMES FIRST – NO REFUND.

Staff Requests for information, corrections, or amendments must be submitted within 30-days. If a project is inactive beyond 30-days, the application will be returned and a refund processed.

**BUILDING: SEE "BUILDING FEES COLLECTED AT PERMIT ISSUANCE"**

**PUBLIC WORKS ENGINEERING FEES & FIRE PLAN REVIEW FEES: SEE PAGE 2.**

**PUBLIC WORKS ENGINEERING FEES:**

ANNEXATION** .....	\$693*
DEVELOPMENT PLAN** .....	\$1154 + \$15/LOT OVER 5 LOTS*
TENTATIVE SUBDIVISION MAP** .....	\$1154 1-5 LOTS + \$15/LOT OVER 5 LOTS*
TENTATIVE PARCEL MAP & NON-RESIDENTIAL CONDO CONVERSION .....	\$923*
SITE PLAN (SPARC) .....	\$462*

\* These fees shall be adjusted annually by the inflation rate based on the prior calendar year as determined by the Consumer Price Index (Western Region, Urban, unadjusted). The rate of inflation (or deflation) is applied to the fees to determine the fees for the subsequent year. Said fee adjustments, if any, will be made automatically effective July 1 of each year.

\*\* Based on single-family residential developments having 75 lots or less. Single family residential projects having more than 75 lots or multi-tenant commercial/industrial projects will be charged on a time and cost basis. The applicability of the standard fee shall be determined by the Public Works Director.

**FIRE PLAN REVIEW FEES:**

ANNEXATION .....	\$150.00 +
LAND USE (ABC, LIVE ENTERTAINMENT, REZONE) .....	\$150.00 +
LOT LINE ADJUSTMENTS .....	\$150.00 +
TENTATIVE SUBDIVISION MAP (1-4 LOTS)/(5-24 LOTS)/(25 OR MORE LOTS)...	\$150.00/300.00/450.00
TENTATIVE PARCEL MAP & NON-RESIDENTIAL CONDO CONVERSION .....	\$150.00 +
SITE PLAN (SPARC) .....	\$150.00 +
ZONING VARIANCE .....	\$150.00 +