



## VARIANCE APPLICATION INFORMATION SHEET

### GENERAL INFORMATION

This information sheet explains how your variance application will be processed, what fees you must pay, and what plans you must submit. If you have any questions after you have read this information, please contact the Planning Division.

### REVIEW AND APPROVAL AUTHORITY

Variances are modifications or waivers to Development Code regulations such as property line setbacks and lot coverage that may be granted in exceptional situations. A variance cannot be approved unless special findings can be made that demonstrate there are special circumstances applicable to the property that deprive the property owner of development privileges enjoyed by other property owners in the vicinity and in the same zoning district. The special findings are listed in the submittal requirements checklist under "Letter of Justification."

The Zoning Administrator is the approval authority for all variances, unless the variance is part of a larger project that requires review by the Planning Commission or Town Council.

### HOW YOUR APPLICATION WILL BE PROCESSED

The steps involved in reviewing your variance application are summarized below:

1. Within thirty (30) days, but usually within five days, after submittal of the application, plans and fee deposit, staff will review the submittal for completeness. If the submittal is complete, the application is formally accepted for processing and continues through the review process. If the application submittal is incomplete and additional information or clarification is required, you will be notified in writing. Until the application is deemed complete, it will not proceed through the process.
2. After the application is complete, Town staff will route the plans and materials to Town Departments and other agencies for review and comment. All responses, comments and corrections will be forwarded to the applicant for your information. At this stage of the review process, staff will analyze the agency comments and the project to determine if additional information is required to determine if the mandatory findings for variance approval can be made. If additional information is needed, the applicant will be notified in writing within 30 days of the additional information required.
3. If additional information is not needed, staff will continue with the review of the variance application and schedule it for a public hearing for consideration by the Zoning Administrator. A public notice will be published in the newspaper and given by mail to surrounding property owners and other interested parties of the hearing. At the public hearing, the public including neighboring property owners and residents will be given the opportunity to provide input.
4. Staff will then complete the staff report that includes a staff recommendation on the approval or denial of the variance and any recommended conditions of approval. The staff report on the variance application will be provided in writing to the applicant at least five days prior to the public hearing.

5. At the public hearing, the Zoning Administrator will consider the staff report and all written and verbal input submitted on the variance application by the applicant and any other interested party. At the conclusion of the hearing, the Zoning Administrator will take action to approve, conditionally approve, or deny the variance. A written report on the findings of the action taken at the public hearing will be provided to the applicant after the hearing.

### APPEAL

Any decision on the variance application made by the Zoning Administrator may be appealed to the Town Council within ten (10) days after the action is taken. An appeal must be submitted in the form specified by the Planning Division along with appropriate fee.

### FEES

The fee deposit for a variance application is \$3,000.00, based on the actual costs of Town staff time spent on processing the application and any direct costs (e.g. publication costs for the hearing notice). If the actual application costs are less than the fee deposit, the applicant will be given a refund of the unused fees at the end of the application process.

A Nevada County Department of Environmental Health fee of \$132.62 and a Nevada County Environmental Health "Agreement to Pay Form" may also be required to be submitted along with the application fee deposit. The environmental health fee may be added to the application fee deposit into one check or money order made payable to the Town of Truckee. Please talk to a planner to determine whether the Environmental Health fee will be required for your project.

### SUBMITTAL REQUIREMENTS

The items listed in the "Variance Application Submittal Checklist" must be submitted as part of the application package in order for the application to be considered complete for processing. The signed checklist must also be submitted with the application. Your application will not be accepted if all of the items listed are not submitted.

## Variance Application Submittal Checklist

Applicant Name: \_\_\_\_\_ Project Site APN: \_\_\_\_\_

Application Number (to be filled out by Town staff) \_\_\_\_\_

**Applicant must fill out the checklist below by placing a check mark in the boxes listed under Column A (for Applicant) and signing below. Column S is for staff to verify that your submittal requirements have been met.**

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- 1. Completed Land Use/Zoning Application. (The property owner must sign the application or the applicant must submit a letter or other documentation signed by the property owner authorizing the applicant to submit the application.)
- 2. Nevada County Environmental Health Fee Agreement and fee (if required).
- 3. Fee deposit made payable to the Town of Truckee.
- 4. Legal Description - The lot and parcel/tract number must be provided on the application forms and the site plan. If lot and parcel/tract numbers are not available, a metes and bounds description of the property or a copy of the most recent deed conveying the property must be submitted.
- 5. Affected Property Owner's (APO) Notification Map & List and Stamped, Addressed Envelopes. (See the APO Notification information sheet on how to complete the APO map and list and to prepare the envelopes.)
- 6. Letter of Justification – Provide a letter that discusses the following items:
  - a. Requested Variance. A discussion of the variance(s) requested including the required development standard, applicable section of the Development Code, and the requested development standard.
  - b. Information supporting the following findings. (Do not simply rewrite the findings. You must discuss *why* you believe the findings below can be made for your variance request.)
    - 1) There are special circumstances applicable to the property so that strict application of the Development Code standards deprives the property owner of privileges enjoyed by other property owners in the vicinity and under identical zoning districts.
    - 2) The variance will not constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and in the same zoning district.
    - 3) There would be no potential significant adverse effect upon environmental quality and natural resources that would not be properly mitigated.

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4) The granting of the variance will not allow a use or activity which is not expressly allowed in the applicable zoning district and would not be detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity and zoning district in which the property is located.

5) The variance is the minimum departure from the requirements of the Development Code necessary to grant relief to the applicant, consistent with the findings above.

7. Plan Requirements – The following plans must be submitted with the application. The plans must be of sufficient scale to show all information clearly and must be readable and understandable. If the plans are not legible, the application will not be accepted. Ten full-size sets of plans and one reduced copy (11" x 17") must be submitted, and the plans must be folded. Some of the plan requirements below may be modified or waived by a Community Development Department planner for smaller projects if that information is not necessary for the project review. However, you are responsible for providing the information unless you have a written waiver from a planner.

a. Site Plan

1) General Information

- Assessor's Parcel Number and Street Address

- North arrow and scale

- Vicinity map of area that clearly identifies the relationship of the project site with adjacent streets and parcels

- Distance and bearings of property lines

- Existing topography indicated with contour lines of not greater than a 2-foot interval, including natural features, to be preserved (e.g., trees, rock, outcroppings, watercourses, drainage channels).

- Location and elevation of 100-year flood plains within the property and within 100 feet of the property.

- For properties along Donner Lake, the historic highwater mark of Donner Lake (elevation 5,935.8 feet ASL)

- Location, width, and purpose of easements within the property (e.g. recreational, drainage, public utility, snow, and access easements).

- Location, type, and specifications of any existing and proposed utility lines (above and underground) within the property

2) Preliminary Grading Information

- Existing (natural) and proposed (finished) grade elevations and contours at 2-foot intervals

- Location of slopes between 20% and 30%

- Location of slopes greater than 30%

- Location and height of cuts and fills

- Location and height of retaining walls

- Estimate in cubic yards of cut and fill

- Direction and method of stormwater runoff from buildings and impervious surfaces to on-site retention/treatment facilities and to off-site drainage facilities (*Section 18.30.050*)

- Type and location of retention/treatment facilities and drainage facilities

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3) Streets, Parking, and Driveways (*Chapters 18.48 & 18.50*)

- Alignment, width (including turning radii), grade, and names of streets and access easements (indicating private or public) that border or are located within the site, including nearby intersections with full dimensions. Show the distances from proposed and/or existing driveways on the site to proposed and/or existing driveways on the same and opposite sides of the streets that form the project boundaries.
- Location, width (including turning radii), and grades of proposed and existing driveway improvements within the property
- All paved areas within the property including existing and proposed parking areas, driveways, malls, plazas, curbs (location and height), gutters and sidewalks including pavement markings and stripings
- Typical dimensions and location of parking spaces (including type), parking aisles, and driveways and the proposed striping
- Improvements to provide handicap accessibility from parking spaces to public entrances of buildings including striping, sidewalks, and ramps
- A summary of total parking provided for the project. Include calculations showing parking required by Development Code and the actual parking provided. Show numerical count of all types of parking spaces (regular, compact, handicap) as well as percentages.

4) Buildings and Other Structures

- Location, dimension, and type/use of existing buildings adjacent to and within 150 feet of the project site.
- Location and dimension of existing and proposed buildings and structures on the project site. Show both wall lines and eave lines.
- Location and heights of all walls, fences, and gates with details, materials, and construction method (*Section 18.30.070*).
- Dimensions of building setbacks from property lines (*Section 18.30.120*) and 100-year flood plains (*Chapters 18.34 & 18.38*).
- Location of all trash enclosures and proposed screening for enclosures. The minimum interior width of dumpster enclosures shall be 10 feet, and should be located a minimum of 10 feet from any structures to allow truck maneuverability. If trash enclosures are not proposed, provide a project description on how the project will meet solid waste and recycling materials storage requirements (*Section 18.30.150*).

5) Other Information

- Statistical inventory describing the following:
  - Site area in square feet (in acres for sites over 5 acres)
  - Area covered by building footprint(s) in square feet
  - Area covered by parking spaces and aisles, driveways, and other impervious surfaces in square feet
  - Percentage of the site covered by buildings and impervious surfaces
  - Total floor space and floor space in square feet devoted to different uses (e.g. office, retail, storage) and the percentage of the total floor space devoted to each use
- Location and dimensions of septic tank and leach lines including replacement area

within the project site

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- Location of wells within the project site and within 150 feet of the site

b. Floor Plans

1) Separate floor plans for each story including lofts and storage at a scale of 1/4" = 1' or greater

2) The use (e.g. office, residential, retail, storage) and size of each area or room

3) The total size in square feet of each floor and the entire structure

4) The location of doors, windows, and partitions

c. Building Elevations

1) Separate elevations of the front, rear, and both sides, designated by direction, and at a scale of 1/8" = 1' or greater.

2) Wall finishes including materials and colors

3) Roofing materials including manufacturer's style specifications and color

4) Height of building at lowest and high point consistent with the Development Code method of measurement

5) Existing and proposed topography adjacent to the building showing the natural grade line and the finished grade line

d. Preliminary Landscape Plan. The following information may be shown on the site plan if all required information is legible (*Section 18.30.110 & Chapters 18.40 & 18.42*).

1) The location of buildings, structures, driveways, parking areas, and the street in relation to the landscaping

2) The location and type of existing trees greater than 6" dbh inside the development area and within 50 feet of the development area. The development area is the area that will be disturbed by project grading and improvements. The landscaping plan must note which trees will be removed and retained.

3) The location of planting areas

4) The size, number, and type of trees, shrubs, and groundcover to be planted in the planting areas.

5) A legend with planting symbols with trees, shrubs, and groundcover identified by botanical name, common name, size at planting, spacing, and quantities of each group of plants.

6) Amount of landscaping devoted to turf, drought-tolerant plants, and indigenous plants.

e. Sign Plan. Please provide the following sign plan details on all appropriate site plans, building elevations, or as separate attachments (*Chapters 18.54 & 18.56*):

1) Detailed scaled drawings of the signs including the following:

- Sign area and dimensions of signs in square feet

- Materials and colors of surface areas including background and letters

- Lettering style and height

- Proposed copy (wording)

- Lineal feet of building frontages

- Surface area of building façade in square feet

- Lighting specifications, including shielding, type, and size of lamps

- Mounting specifications shown compliance with Town Building Code requirements

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- 2) Elevation drawings (wall signs, projecting signs, hanging signs) or site plan (freestanding signs, if proposed) showing the location of the signs.
- 3) For new multi-tenant projects, a Comprehensive Sign Program is required (*Section 18.54.040*). In addition to the information required above, a summary table shall show the complete sign program and total square foot area of all proposed signs. Also, provide a statement explaining how new tenant signs will be replaced/modified.
- f. Exterior Lighting Plan. Please provide the following lighting details on all appropriate site plans, building elevations, or as separate attachments (*Section 18.30.060*):
  - 1) Location of all proposed lighting, including lighting within parking areas, on the buildings, along pedestrian paths, etc.
  - 2) Provide specifications for all proposed lighting.
  - 3) Demonstrate that the proposed lighting is shielded downward and does not spill onto adjoining properties and right-of-ways.
  - 4) Indicate the exterior lights to be placed on timers and/or motion detectors.

Applicant Signature: \_\_\_\_\_  
I certify that I have completed and have included all material checked above in the attached application submittal.