



# VARIANCE

## Submittal Requirements

Mailing Address:  
PO Box 660  
Napa, CA 94559

Planning Division  
1600 First Street  
707.257.9530

### PURPOSE

Variations provide flexibility from the strict application of development standards in limited cases. They are intended to resolve "practical difficulties or unnecessary hardships resulting from the strict application of development standards when special circumstances pertaining to the land such as size, shape, topography, location or surroundings deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district".

The Planning Commission may issue a Variance if the following findings can be made:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the requirements of this Title deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district.
2. The special circumstances applicable to the property are not created by any act of the owner. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships.
3. The variance will not constitute a special privilege of the recipient not enjoyed by properties in the vicinity and the same zoning district.
4. The variance will not be detrimental or injurious to adjacent properties in the vicinity, or to the public health, safety and welfare of the community.

### PLAN REQUIREMENTS

1. **Size.** 24"x36" trimmed and folded to 9"x12" maximum size.
2. **Scale.** Acceptable site plan scales are 1"=10', 1"=20', 1"=30', or 1"=40'. Acceptable architectural plan scales are 1/4"=1' or 1/8"=1'.
3. **Other.** Include north arrow, date prepared, the scale, bar scale, and legend identifying symbols and abbreviations.
4. **Preparer.** Name, address, phone number, and email of person preparing the plan(s). In many cases, plans must be prepared and signed by a licensed civil engineer, surveyor, licensed architect, landscape architect, and/or building designer.

### SUBMITTAL MATERIALS

*Some submittal requirements may be waived depending on the type of project. Unless waived on this form with a cross-out/staff initial, all submittal information shall be provided before the application is accepted as complete.*

*If another City permit or Project entitlement is also required, the materials supporting the added permit or entitlement must also be submitted.*

*If your application requires multiple permits or entitlements, submit the number of plan sets for the permit or entitlement that requires the largest number of plans sets.*

- 1 **Planning Application Form** - Completed and signed by all property owners holding a title interest.
- 2 **Fee/Initial Deposit** - City Fee Schedule charges staff time and materials. The initial deposit is \$2,500 for Planning Commission review.
- 3 **Written Project Description** - shall provide a complete project description describing in detail which development standard is proposed to be modified and how this modification meets all of the findings stated above.
- 4 **Corresponding Application Materials** - Variances are usually requested as part of another development application. If this is the case, clearly indicate the proposed variance on the plans prepared for the other application. If no other development application is requested, provide a site plan or building

elevation as appropriate, fully dimensioned and accurately drawn, showing proposed variance in the setback, yard, height limit, etc. being requested.

- 5 **Mailing labels** - The applicant shall provide a mailing list and mailing labels of property owners within a 500 foot radius of project site for public hearing notice per 17.68.070.

#### ADDITIONAL SUBMITTAL REQUIREMENTS IN CERTAIN CIRCUMSTANCES

- 6 **SITE PLAN DRAWINGS-** (15 full size copies and a reduced set of all plan and map sheets at 8.5" X 11") - fully dimensioned and accurately drawn. Use as many sheets as necessary. Information may be combined as long as the plans are easy to read. Site plan shall include the following basic information:
  - a **Vicinity map** - Show site in relationship to local and major cross streets, named; include a north arrow.
  - b **Site and adjacent properties** - Location of all existing structures identified by type and indicating which are proposed to be removed and which will remain. Include the project site *and* adjacent property at least 100 feet beyond site, adjacent building footprints and approximate height, and streets (labeled) leading to the site.
  - c **Boundaries** - All existing and proposed property lines, tract name, easements (size and type called out), right-of-ways, trails, and the like. Approximate dimensions of all lots, radii of all curves and central angles.
  - d **Trees** - All trees over 6" in diameter measured 54" above existing grade. Provide their common name, size, condition, drip line and location onsite. Note whether any are "Significant Trees" designated by the City that are strictly protected. Any trees proposed to be removed shall be identified along with the reasons why they are proposed for removal. In addition, show trees in the adjacent public right-of-way within 30 feet of the area proposed for development, and on adjacent properties with drip lines over the project site. An arborist report and photographs may be required.
  - e **Buildings** - Location, outside dimensions and use of all existing and proposed buildings and structures (with building numbers or other identification) including building features such as elevated decks and outside staircases. Indicate any structures proposed to be removed.
  - f **Natural features and constraints** - Site features including creeks and adjacent riparian vegetation, wetlands, major rock outcroppings, landslides, flood zones, earthquake faults and related setbacks.
  - g **Other site development** - All decks; fences and walls including retaining walls; monument signs; bicycle racks; refuse disposal and outdoor storage areas with proposed screening, etc. The project will need to include detail design and materials.
- 7 **BUILDING PLANS** - (15 full size copies and a reduced set of all plan and map sheets at 8.5" X 11") - Except for Parcel Maps, house plans shall be submitted with the application and shall include the following:
  - a **Building elevations** - Show all elevations of the proposed project with materials, colors, and dimensions specified. Height is measured from grade to top of roof. The purpose of such drawings is to show how the building is architecturally compatible with its surroundings, and, in hillside areas, how it also fits with the site. The drawings shall include door and window details.
  - b **Floor and roof plan** - A floor plan for all existing and proposed structures or alterations, clearly labeled and prepared to scale, indicating the use of each room, exterior doors and windows. The roof plan shall indicate direction of slope, roof pitch, location and screening of rooftop mechanical equipment.
- 8 Other data or information necessary to complete processing of the map and environmental documents.
- 9 Other - \_\_\_\_\_



# PLANNING APPLICATION FORM

Mailing Address:  
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Napa, CA 94559

Planning Division  
1600 First Street  
707.257.9530

## APPLICATION TYPE - check all applicable items

- |   |  |
|---|--|
| <input type="checkbox"/> Administrative Permit                      | <input type="checkbox"/> Extensions / Project Modification |
| <input type="checkbox"/> Accessory Dwelling Unit (ADU) / Junior ADU | <input type="checkbox"/> General Plan Amendment            |
| <input type="checkbox"/> Carports and Shade Structures in Side Yard | <input type="checkbox"/> Lot Line Adjustment / Lot Merger  |
| <input type="checkbox"/> Detached Accessory Structure with Plumbing | <input type="checkbox"/> Pre-Application                   |
| <input type="checkbox"/> Temporary Use                              | <input type="checkbox"/> Reasonable Accommodation          |
| <input type="checkbox"/> Other _____                                | <input type="checkbox"/> Sign Permit                       |
| <input type="checkbox"/> Annexation                                 | <input type="checkbox"/> Tentative Map                     |
| <input type="checkbox"/> Certificate of Appropriateness             | <input type="checkbox"/> Use Permit                        |
| <input type="checkbox"/> Certificate of Compliance                  | <input type="checkbox"/> Variance                          |
| <input type="checkbox"/> Design Review                              | <input type="checkbox"/> Zoning Amendment                  |
| <input type="checkbox"/> Residential                                | <input type="checkbox"/> Zoning Letter                     |
| <input type="checkbox"/> Non-Residential                            | <input type="checkbox"/> Other _____                       |
| <input type="checkbox"/> Major                                      |  |

## SITE INFORMATION - type or print

Address(es) \_\_\_\_\_  
 APN(s) \_\_\_\_\_  
 General Plan \_\_\_\_\_ Historic \_\_\_\_\_  
 Zoning \_\_\_\_\_ Size \_\_\_\_\_

## CONTACT INFORMATION - type or print

**Applicant** \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

**Authorized Agent** \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

**Property Owner** \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

### Planning Division Use Only

Project Number \_\_\_\_\_  
 Project Name \_\_\_\_\_  
 Project Planner \_\_\_\_\_

Date Stamp



**CONDITIONS OF APPLICATION**

1. All materials and representations submitted in conjunction with this form shall be considered a part of this application.
2. The Applicant shall inform the Planning Division in writing of any changes.
3. **Indemnification.** The Applicant(s) agree(s) to defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense.
4. **Fees.** The Applicant(s) hereby agree(s) that he/they shall be jointly and severally liable for the payment of any and all processing fees imposed by the Napa Municipal Code Chapter 15.92, "Development Project Processing Fees", and Policy Resolution 16. The applicant(s) hereby represent(s) and warrant(s) that he/they understand that fees include, but are not limited to: staff time billed at an hourly rate; production or reproduction of materials and exhibits; and postage. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
5. I hereby authorize employees of the City of Napa to enter upon the subject property, as necessary, to inspect the premises and process this application.

*I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge.*

Applicant _____	Date _____
Authorized Agent _____	Date _____
Property Owner* _____	Date _____
Property Owner* _____	Date _____

\*All property owners holding a title interest must sign the application form. If there are more than two, list name, address, phone number, and signature on a separate sheet.

**CONTACT INFORMATION INSTRUCTIONS**

An "Applicant" is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium who seeks approval of a City permit or other Project entitlement for the use of property. The Applicant shall be the primary billing contact for all processing and development fees associated with the application. The Applicant may additionally identify an "Authorized Agent." An Authorized Agent is any person, firm, partnership, association, joint venture, corporation or any entity, combination of entities or consortium authorized by the Applicant to represent and act on behalf of the Applicant. If identified in this application, the Authorized Agent shall receive all written correspondence from the City regarding the application and any hearings or proceedings scheduled before the Planning Commission, City Council or other appointive City Boards and Commissions, but shall not be responsible for the payment of development or processing fees. The Applicant shall receive all billing invoices for the project, and under the "Conditions" set forth below, shall be liable for the payment of all development and processing fees associated with the application.

The "Property Owner" of property means a person, persons or corporation holding fee title to the real property within the City as shown on the most recent assessor's roll in the County of Napa upon which the Project is proposed. Property Owner and Applicant may be the same person or legal entity, or may be different. For example, in the case of a person or entity holding an option on the land, or other contractual relationship with the property owner, the fee owner(s) of the property would be the Property Owner, and the person or entity seeking the approvals or permits and holding an option to purchase the property would be the Applicant. If Applicant and Property Owner are the same person or entity, please enter "Same as Applicant" in the area provided for Property Owner information. In the event that Applicant and Property Owner are different, all Property Owners must sign on the following page to authorize the Applicant to file an Application for the City permit or Project entitlement on his or her property.

**SUBMITTAL REQUIREMENTS**

This form must be submitted to the Planning Division with the materials identified in the Submittal Requirements handout(s) for the appropriate City permit or Project entitlement. If your application requires multiple permits or entitlements, submit the number of plan sets for the permit or entitlement that requires the largest number of plans sets.

