

Sutter County Community Services Department
1130 Civic Center Boulevard
Yuba City, California, 95993
(530) 822-7400

APPLICATION PACKET FOR

VARIANCE

Attached are the necessary filing forms and instructions for submitting a complete variance application. All forms must be completely filled out and submitted with any necessary supporting information.

1. Application Form
2. Sewer/Septic and Water (SAW) Form
3. Indemnification Agreement
4. Fish and Game Advisory Notice
5. Plot Plan Preparation Instructions

Upon receipt of the **completed forms, plot plan, and filing fees**, the Community Services Department will determine the completeness of the application. This review will be completed as soon as possible, but at most, within thirty (30) days of the submittal of the application. If the application is determined to be complete, the County will begin environmental review, circulate the project for review and then set the application for a hearing before the Planning Commission.

If sufficient information **has not** been submitted to adequately process your application, you will receive a notice of incomplete application with instructions on how to complete the application. Upon receipt of that additional information or revised application, the thirty (30) day review period will begin again.

Approximately five (5) days prior to the Planning Commission meeting, the Community Services Department will prepare a report and submit it to you, the Commission, and others involved with the project. This report will be based on the information contained in your application, comments from other agencies or departments, and a Community Services Department analysis. The report will usually contain a recommendation for approval, conditional approval, or denial.

Since the information contained in your application is used to evaluate the project and in the preparation of the staff report, it is important that you provide complete and accurate data. Failure to provide adequate information could significantly delay the processing of your application.

Each section of the application packet should be carefully reviewed prior to submittal and responses to **EVERY** question provided. If a particular response is not applicable, an N/A should be marked in the space provided indicating that the question has been reviewed by the applicant. If there are **ANY** blank spaces, staff will assume that the applicant has not completed the application packet and will return it for completion.

Applicants and/or their representatives are encouraged to attend the public hearing.

PLEASE CONTACT THE COMMUNITY SERVICES DEPARTMENT IF YOU HAVE ANY QUESTIONS WHILE PREPARING THE APPLICATION, OR AT ANY TIME DURING THE PERMIT PROCESS. WE WILL BE HAPPY TO ASSIST YOU IN ANY WAY WE CAN.

COUNTY OF SUTTER VARIANCE APPLICATION

Filing Fees.....At Cost with a \$1,400.00 Deposit
Environmental Health.....\$ 188.00
CEQA Initial StudyAt Cost with a \$ 650.00 Deposit
Public Works At Cost with a \$ 550.00 Deposit

OFFICE USE ONLY	
Application No.:	Date Filed:
Environmental No.:	Receipt No.:
Other Related Application(s):	

Request will accomplish:

- _____ a. Reduction of _____ yard setback from _____ feet to _____ feet and/or
- _____ b. Reduction of required lot area from _____ square feet to _____ square feet and/or
- _____ c. Other (explain): _____

Property Location and Address: _____

Assessor's Parcel No(s): _____ **Zoning:** _____

	Property Owner	Applicant	Other
NAME:	_____	_____	_____
ADDRESS:	_____	_____	_____
CITY:	_____	_____	_____
PHONE:	_____	_____	_____

SIGNATURE OF PROPERTY OWNER: _____
(A property owner's representative can sign if the property owner provides a consent letter.)

IF APPROVED, THIS VARIANCE BECOMES NULL AND VOID IF NOT USED WITHIN ONE YEAR OF THE DATE OF APPROVAL.

This document, once completed, will provide necessary factual information about the proposed project. It will also be used to evaluate potential environmental impacts created by the project. Please be as accurate and complete as possible in answering the questions. Further environmental information could be required from the applicant to evaluate the project. **PLEASE PRINT CLEARLY OR TYPE. USE A SEPARATE SHEET, IF NECESSARY**

FINDINGS: Both the State Government Code and County Zoning Ordinance require that in order to approve a variance, specific findings be made and supported by evidence of record. The application shall be accompanied any plans, statements and other evidence showing that:

1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
2. Granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone district in which the property is located.
3. A variance shall not be granted for a property which authorizes a use or activity which is not otherwise expressly authorized by the zoning classification governing the property.

Applicant's Statement in support of variance findings: _____

I. Project Characteristics:

A. Describe the proposed project including all existing and proposed uses of the site.

B. Parcel size (square feet or acres): _____

C. Existing land use (attached photographs of the site):
Undeveloped (vacant) _____ Developed _____

If developed, describe extent (type and use of all structures): _____

D. Existing surrounding land uses:

North _____
South _____
East _____
West _____

E. Total number of parking spaces provided: _____

Total provided: _____

F. Exterior Lighting:

Identify the type and location of exterior lighting that is proposed for the project.

G. Will the project generate new sources of noise? If not, please explain why.

H. Will the project use or dispose of any potentially hazardous materials, such as toxic substances, flammables, or explosives? _____

If yes, please explain _____

I. Will the project generate new sources of dust, smoke, odors, or fumes?

J. Are there any oak trees on the subject property? Identify on the plot plan.

K. Will the project impact any cultural, historical, or scenic aspect? If not, please explain why.

II. Site Characteristics:

- A. Are there any natural water bodies on, or adjacent to, the subject property, including lakes, rivers, ponds, creeks, streams, intermittent or perennial water courses, wetlands, etc.? Y ____ N ____

If so, give names and show on plot plan _____

- B. Are there any man-made drainage/channels either on or within 100 feet of the site?
Y ____ N ____

If so, give names _____

- C. Identify types and quantity of vegetation on property: _____

- D. In which direction(s) does the subject property drain? Explain. _____

- E. How will drainage issues on the property be resolved by the proposal? And if drainage will not be affected, explain why not. _____

- F. Are there other similar variances in the area or property containing the same circumstances in the area? Y ____ N ____ If so, where: _____

- III. List all other public agency approvals required for this project. Specify type of permit and issuing agency, telephone number and contact person.

IV. Is the proposed property located on a site which is included on the Hazardous Waste and Substances List (Cortese List)? Y ____ N ____

The Cortese List is available for review at the Community Services Department counter. If the property is on the List, please contact the Planning Program to determine appropriate notification prior to submitting your application for processing (Government Code Section 65962.5).

I hereby certify, to the best of my knowledge, that the above statements are correct.

Signature of Person Preparing Form

Date

Telephone Number

INDEMNIFICATION AGREEMENT

This Indemnification Agreement ("Agreement") is entered into by the applicant for the project described below ("Applicant") and the owner or owners of the property that is the subject of such application ("Property Owner"). This Agreement is effective as of the date last signed below.

Applicant and Property Owner agree to indemnify, defend, and hold harmless Sutter County ("County"), the Sutter County Planning Commission, the Sutter County Board of Supervisors, and their officers, employees, and agents, including consultants ("Indemnified Parties") from any claim, action, or proceeding against Indemnified Parties to attack, set aside, void, or annul the approval of the Project or adoption of the environmental document that accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys' fees, or expert witness costs that may be asserted by any person or entity, including the Applicant and Property Owner, arising out of or in connection with the approval of the Project, including any claim for private attorney general fees claimed by or awarded to any party against the County.

The County shall promptly notify the Applicant of any claim, action, or proceeding. The County shall control the choice of counsel and defense of any such claim, action, or proceeding.

To the extent that County is required by Applicant to use any of its resources to respond to such claim, action, or proceeding, Applicant will reimburse County upon demand and upon presentation of an invoice describing the work done, the time spent on such work, and the hourly rate for such work by the employee or agent of County.

The person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement and that this Agreement is a valid and legal agreement binding on the Applicant and enforceable in accordance with its terms.

PROJECT:

Project Number: _____

Sutter County APN: _____

APPLICANT:

Signed _____

Name of Person Signing _____

Title _____

Name of Project Applicant _____

PROPERTY OWNER:

Signed _____

Name _____



**SAW FORM
(Sewage and Water Form)**

Applicant _____
 Address _____
 Phone No. _____ AP No(s). _____
 Project Location _____

Engineer _____ Phone No. _____
 Address _____

Applications shall include the following signed statement from the Environmental Health Program verifying they have received sufficient information to fully evaluate the proposed project. The SAW form shall be used for all applications regardless of the type of sewer and water supply and will be required as part of an application packet submitted. Applications will be considered to be **INCOMPLETE** without this form.

The Environmental Health Program will check the appropriate spaces below when they have received wastewater disposal and water supply information which is adequate for their review of the application. **Checks do not in any way indicate approval or denial of a proposal** and a handout provided by the Environmental Health Program will explain what information will be required in order to check the spaces below. If you have any questions regarding this form and/or its purposes in the application packet, feel free to contact the Environmental Health Program at (530) 822-7400.

FOR OFFICE USE ONLY				
Description of the proposed project:				
WASTEWATER DISPOSAL:				
State Permitted Public Sewer:				
N/A	Public Sewer	STEP	On-site	
County Permitted On-Site System:				
Conventional	Pressure Dosed	Mound	Other	
Homesite Parcel Size Waiver				
WATER SUPPLY:				
State Permitted Public Water System:				
N/A	Public Water System	Yuba City	Hillcrest	Other
County Permitted Water System:				
State Small Water System		Cal Code Water System		
Private Well				
Other: _____				
Additional Comments: _____				
_____ Environmental Health Program Signature			_____ Date	



SUTTER COUNTY PUBLIC WORKS, TRAFFIC, DRAINAGE AND FLOOD CONTROL APPLICATION REQUIREMENTS

Applicants are required to submit sufficient traffic, drainage and flood control information necessary for the County to make a determination that a site identified for a proposed project is physically suitable for the proposal.

Additional information may be required to be submitted to identify development impacts and to support proposed mitigation of those impacts in accordance with California Environmental Quality Act. Technical studies, data, memoranda and other information on traffic, drainage and flood control may be required before the proposed application can be scheduled for action. Once the County has received sufficient information from the applicant, the County will determine appropriate conditions of approval for that specific project.

Pre-application consultation with County Public Works Staff on your project specifics will assist in determining the level and type of information and analysis necessary. Public Works staff can be contacted at (530) 822-7450 or e-mail the County's Land Development Engineer at dtomm@co.sutter.ca.us

January 1, 2012

ADVISORY RE: FISH AND GAME FEE REQUIREMENT

Permit applicants are advised that pursuant to Section 711.4 of the Fish and Game Code a fee of \$2,919.00 for an Environmental Impact Report and \$2,101.50 for a Negative Declaration shall be paid to the County Clerk at the time of recording the Notice of Determination for this project. This fee is required for Notices of Determination recorded after December 31, 2011. A Notice of Determination cannot be filed and any approval of the project shall not be operative, vested, or final until the required fee is paid. This shall mean that building, health, public works and other development permits cannot be approved until this fee is paid.

This fee is **not** a Sutter County fee; it is required to be collected by the County pursuant to State law for transmission to the Department of Fish and Game. This fee was enacted by the State Legislature in 2006, and is adjusted each January 1 in accordance with *Implicit Price Deflator for State and Local Government Purchases of Goods and Services, as Published by the U.S. Department of Commerce*.

Information regarding the updated 2012 Environmental Filing Fees is also available at the Department of Fish and Game at http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html and the OPR Web site at www.opr.ca.gov.



**Sutter County Community Services Department
BUILDING, ENVIRONMENTAL HEALTH & PLANNING DIVISIONS
530/822-7400 (telephone) 530/822-7220 (fax)**

PLOT PLAN REQUIREMENTS

- A. Plot plan to be drawn to an engineer's scale on (maximum size) 11"X17" paper. Example: 1"=20', 1"=40', etc.
- B. Show **north** arrow.
- C. Title block, (Name / Address / Parcel # / Flood Hazard Zone).
- D. If located in the Sutter Buttes Overlay Zone, show existing and proposed contours at 4' intervals.
- E. Show property lines and lot dimensions. NOTE: Back of sidewalk **may not be** property line, centerline of street may be property line.
- F. Show all existing and proposed structure dimensions and the distances between buildings including accessory buildings, decks, pools, pool equipment, spas, sheds and detached garages. Clearly distinguish between what is existing, what will be removed and what is proposed as new.
- G. Show existing and proposed front, side and rear setbacks for all floors from the property line to the closest portion of the building.
- H. Show driveway width, length, turnarounds, turnouts and gates as required for fire department access road approval. Show adjacent streets. Indicate whether street is public or private. A "Fire Department Access Road" informational handout is available.
- I. Show existing or proposed path of all utilities: electrical, gas, sewer or septic tank location, storm drains, and water or well location.
- J. Show areas that are or will be surfaced for parking.
- K. If a commercial/industrial project, show the location of all trees 6" diameter breast height (dbh) to be retained or removed in the proposed landscape plan.
- L. Environmental Health Division Requirements (for On-Site Wastewater Disposal Permit).
 - 1. Complete septic permit application (includes date and signature).
 - 2. Submit drawing (i.e. use engineer scale) showing exact locations of paved areas (both existing and proposed) including driveways, sidewalks, patios, pool decks, etc.
 - 3. Show all easements, any unpaved areas subject to vehicular traffic, structures (including pools, carport, decks, shops, covered patios, gazebos, etc.).
 - 4. Show on-site wastewater disposal system (septic tank, sewer lines, cleanouts, leach lines, distribution system, etc.) and 100% disposal field replacement area or Minimum Usable Sewage Disposable Area (MUSDA), if applicable.
 - 5. If the project is in the Sutter Buttes Overlay Zone, provide 4' contour lines.
 - 6. Show all well(s), any abandoned well(s), any off-site wells within 100' of subject property, and abandoned wells located less than 150 feet from property lines.
 - 7. Show any water feature (streams, canals, culverts, ditches, lakes, ponds, cutbanks, man-made cuts, areas subject to flooding, stormwater runoff or inundations), and any body of water (intermittent or perennial) on-site and off-site within 50-feet of the property line.