



CITY OF CAPITOLA VARIANCE INFORMATION

CITY OF CAPITOLA COMMUNITY DEVELOPMENT DEPARTMENT
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Variance Overview

A Variance allows an adjustment to specific development standards of the Zoning Code. A Variance may be granted only when it can be demonstrated that there are unique circumstances applicable to a property such as lot shape or topography which make it impractical to meet zoning requirements. Variance applications are considered by the Planning Commission in a publicly noticed hearing.

Application Requirements

Applicants who request a Variance must submit a [Master Application](#), Variance Application (including findings), and submit necessary fees as established in the City's adopted [Fee Schedule](#).

Variance Eligibility

Applicants may request a Variance to limited development standards, including but not limited to, building setbacks, height, parking requirements, sign regulations, lot dimensions, open space requirements, and landscaping. Variances may not be granted to allow additional density, to reduce required lot size, or to allow an unpermitted use type.

Variance Findings

Findings as outlined in section 17.66.090 of the Capitola [Zoning Code](#) must be made in order to approve a Variance application:

1. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
2. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other

properties in the vicinity and zone in which subject property is situated.

Variance Process

City staff will process Variance requests concurrently with any other discretionary permits such as a Design Permit or a Conditional Use Permit. Staff will review the Variance request to determine if there are special circumstances related to the property which warrant granting of a Variance. Staff will make a recommendation to the Planning Commission based on whether or not they believe findings can be made.

Time and Cost

Variance applications typically require 60-90 days to process. A Variance requires a \$1,539 fee.

Public Hearing Process

Applicants for a Variance should attend the Planning Commission hearing with their architect or designer, as applicable, and be prepared to present information to support their request. City staff will present its analysis of the request with a recommendation to approve or deny the Variance. The applicant and their representatives will then have an opportunity to present their case. The public will also have an opportunity to comment, either in support or in opposition of the proposal. After the Planning Commission receives all public testimony, the public hearing is closed and the Commission deliberates on the merits of the proposal. The Planning Commission then renders a decision to approve or deny the proposal. Decisions of the Planning Commission may be appealed to the City Council.



CITY OF CAPITOLA VARIANCE APPLICATION FORM

VARIANCE SUMMARY

Please explain your Variance request and the development standards which you would like to modify:

REQUIRED FINDINGS

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, topography, and/or a historic structure. Attach additional pages as necessary.

1. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

2. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

SIGNATURE

DATE
