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## Chapter 9.73 Variance Review

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### Sections:

- 9.73.010 – Procedures
- 9.73.020 – Variance Amendment
- 9.73.030 – Variance Revocation

### 9.73.010 – Procedures

- A. Provisions for Variances (exceptions to standards) set forth in this code are established to insure that any property, because of special circumstances, such as size, shape, topography, location, or surroundings, shall be accorded privileges commonly enjoyed by the other properties in the same vicinity, pursuant to Government Code Section 65906.
- B. The application shall be accompanied by a fee established by resolution of the Council to cover the cost of handling and processing the application as prescribed in this Chapter
- C. Procedure:                      Public Hearing  
Reviewing Authority:      Commission
- D. A public hearing is required to consider evidence and take testimony prior to acting upon a request for variances and establish any necessary conditions of approval.
- E. Prior to approving a request for a variance, the reviewing authority shall find that the following are true:
  - 1. The granting of such variance will not be materially detrimental to other properties or land uses in the area and will not subsequently interfere with the present or future ability to use solar energy systems.
  - 2. There are exceptional or extraordinary circumstances or conditions applicable to the property or to an intended use that do not apply to other properties in the same district or vicinity.
  - 3. The strict application of the land use district deprives such property of privileges enjoyed by other properties in the vicinity or in the same land use district.
  - 4. The granting of the variance is compatible with the objectives, policies, general land uses and programs in the General Plan the Development Code and any applicable plan or other ordinance.

**9.73.020 – Variance Amendment**

Refer to Article 5, Chapter 9.83 Permit Amendments.

**9.73.030 – Variance Revocation**

Refer to Article 5, Chapter 9.84 Permit Revocations.