



AGENDA

PLANNING COMMISSION

155 W. DURIAN AVE., COALINGA CA 93210

TUESDAY AUGUST 8, 2017

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

ROLL CALL

Commissioners:

Chairman Stoppenbrink
Vice Chairman Sailer
Commissioner Jacobs
Commissioner Gonzales
Commissioner Helmar

Staff:

Sean Brewer, Community Development Director
Marissa Trejo, City Manager

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

PUBLIC HEARINGS

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

1. Discussion and Potential Direction Regarding Minor Adjustments to Various Development Standards

DEPARTMENT REPORTS

COMMUNICATIONS

1. Staff Announcements
2. Commissioner Announcements
3. Chairman Announcements

ADJOURN



Staff Report- Chairman and Planning Commission

Subject: Discussion and Potential Direction Regarding Minor Adjustments to Various Development Standards
Meeting Date August 8, 2017
Project Location: City of Coalinga
Applicant: City of Coalinga
Owner:
Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Staff is seeking direction from the Planning Commission regarding the development of an ordinance that will allow for minor adjustments to the City's development standards.

II. BACKGROUND:

In 2013 the City of Coalinga completed a comprehensive update to the City's Planning and Zoning Code that established comprehensive development regulations for the City. Over the course of the last 3-4 years, staff has received several various requests such lot line adjustments and parcel maps where applicants were denied due to strict application of the City's development standards such as setbacks of existing buildings, lot sizes and shapes, parking and fence heights. In most cases, they were denied based on a small variation from the City's minimum standards to their request where granting some sort of administrative relief would not have been inconsistent with any goals or policies of the City as well as be materially detrimental to the public health, safety and welfare. This administrative relief would still maintain orderly development and neighborhood consistency but not stifle development. Staff has received several requests from development community and residents over the course of the past few years and felt it was appropriate to bring before the Commission for consideration.

III. PROPOSAL AND ANALYSIS:

Staff has prepared this report for the purposes of discussion and potential direction from the Commission to possibly develop an administrative adjustment process that would provide minor exceptions to the City's development standards from building and landscaping setbacks, site area, lot width, building height, parking, sign height, sign area, and fence height and setback.

Staff reached out to several cities and found that they all have some type of exception or minor deviation language in their planning and zoning code that allows for reasonable relief in particular situations different

from that of a variance. A variance has strict applicability and requires special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, whereby the strict application of this title will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. A minor deviation policy allows for specific minor relief (ie. 10%) without the strict finding requirements of a variance which has an undefined relief amount and scope.

This is not something out of the ordinary and is permissible under state land use law. Staff has attached some examples of code sections other cities currently have related to minor exceptions/deviations.

Staff feels that adopting some type of deviation language into the planning and zoning code will provide the relief needed for the City's residents considering the mix of lot sizes and shapes, existing buildings and zones within the City. The City has an aging housing stock where several homes were brought into the City from the oil fields without consideration to building size, setbacks, heights or lot coverage and when properties are proposed to be split to expand new housing within the City a setback issue of 6 inches may prevent that. This deviation policy will allow the City to progressively encourage development and accommodate reasonable requests when considering a particular circumstance.

After careful review, staff is recommending a policy that allows for an administrative 10% deviation of select development standards by the Community Development Director with the Planning Commission having the ability to approve a minor adjustment not more than 20%. This can be approved at the time an application is submitted if the deviation requires more than a 10% deviation. The following development standards are examples that may be subject to the minor deviation policy:

- Minimum Front, Street, Side and Rear Setbacks
- Minimum Fence Heights
- Parking Dimensions and Space Requirements
- Distance Between Structures
- Lot Dimensions
- Lot Coverage

In addition to the development standards deviations, staff would like to include language in the ordinance that will allow for existing legal non-conforming standards, such as a building setback, to be permitted so long as the non-conformity is not affected (increases) by the deviation and/or application submitted.

In addition to the purpose and applicability of these deviations, staff will also include language in the ordinance regarding (1) review authority, (2) conditions of approval (if required), as well as identifying the (2) required findings when making a deviation exception either at a staff level or before the Planning Commission.

IV. FISCAL IMPACT:

Non determined at this time.

V. REASONS FOR RECOMMENDATION:

Since the adoption of the code update in 2013, staff has received several inquiries regarding issues related to the strict application of the City's development standards where minor relief would not be detrimental to the public, health, safety and welfare.

ATTACHMENTS:

Description



City Examples of Minor Exceptions

Santa Barbara

Santa Barbara Municipal Code, Section **28.92.110 Modifications.**

Modifications may be granted by the Planning Commission or Staff Hearing Officer as follows:

A. BY THE PLANNING COMMISSION. The Planning Commission may permit the following:

1. **Parking.** A modification or waiver of the parking or loading requirements where, in the particular instance, the modification will not be inconsistent with the purposes and intent of this Title and will not cause an increase in the demand for parking space or loading space in the immediate area.

2. **Setbacks, Lot Area, Floor Area, Street Frontage, Open Yard, Outdoor Living Space, and Distance**

Between Buildings. A modification of setback, lot area, floor area, street frontage, open yard, outdoor living space,

or distance between buildings requirements where the modification is consistent with the purposes and intent of this

Title, and is necessary to (i) secure an appropriate improvement on a lot, (ii) prevent unreasonable hardship, (iii)

promote uniformity of improvement, or (iv) the modification is necessary to construct a housing development

containing affordable dwelling units rented or owned and occupied in the manner provided for in the City's

Affordable Housing Policies and Procedures as defined in subsection (A) of Section 28.43.020 of this Code.

3. **Fences, Screens, Walls, and Hedges.** A modification of fence, screen, wall and hedge regulations

where the modification is necessary to secure an appropriate improvement on a lot and is consistent with the purposes and intent of this Title.

4. **Solar Access.** A modification of height limitations imposed by Section 28.11.020 to protect and

enhance solar access where the modification is necessary to prevent an unreasonable restriction. The Rules and

Regulations approved pursuant to Section 28.11.040 shall contain criteria for use in making a finding of unreasonable restriction.

5. **Building Height.** A modification of building height limitations for existing buildings or structures that

exceed the current building height limit, to allow the exterior of the portion of the building or structure that exceeds

the building height limit to be improved or upgraded, provided that the improvements increase neither the height nor

the floor area of any portion of the building or structure that exceeds the building height limit, except as otherwise allowed in the Code.

6. Net Floor Area (Floor to Lot Area Ratio). A modification of the net floor area standard imposed by

Section 28.15.083 to allow a development that would otherwise be precluded by operation of Subsection 28.15.083.D

where the Planning Commission makes all of the following findings:

a. Not less than five (5) members of the Single Family Design Board or six (6) members of the Historic

Landmarks Commission (on projects referred to the Commission pursuant to Section 22.69.030) have voted in

support of the modification following a concept review of the project;

b. The subject lot has a physical condition (such as the location, surroundings, topography, or the size

of the lot relative to other lots in the neighborhood) that does not generally exist on other lots in the neighborhood;

and

c. The physical condition of the lot allows the project to be compatible with existing development

within the neighborhood that complies with the net floor area standard.

7. Accommodation of Disabilities. A modification of any zoning regulation where the modification is

necessary to allow improvements to an existing building in order to provide reasonable accommodations to

individuals with disabilities. This modification is not available in the case of new buildings, demolitions and

rebuilt, or additions where the proposed construction precludes a reasonable accommodation that would not require a modification.

Lakeport

17.25.030 Applicability.

The community development director may grant a minor exception up to a maximum of ten percent governing the following measurable design/site considerations or other similar situations.

A. Distance between structures.

B. Lot dimensions.

C. On-site parking, loading, and landscaping.

D. Setbacks.

Any modification request which exceeds the prescribed limitations outlined in this section shall require the filing of a variance application. (Ord. 903 §2(part), 2016: Ord. 796 Att. A(part), 1999)

Link to the Muni Code chapter:

<http://www.codepublishing.com/CA/Lakeport/#!/Lakeport17/Lakeport1725.html#17.25>

Placerville

10-3-11: MINOR DEVIATIONS:

(A) When Acceptable: When it is in the public interest, the development services director, or the duly appointed representative, may consider and render decisions on the following minor deviations involving slight modifications to the provisions of this title: (Ord. 1474, 1-8-1991; amd. Ord. 1654, 6-25-2013)

1. The reduction of the lot area or the minimum size of the dwelling unit requirements by not more than ten percent (10%) of that required in the zone for not more than one lot or dwelling unit in a development.
2. The modification of the end stalls of automobile parking space turning radius not less than twenty two feet (22') and reduction in size dimension up to twenty percent (20%) of a loading berth.
3. The modification of the height of a fence, wall and hedge regulations up to twenty percent (20%).
4. The modification of the height requirement of uncovered patios, terraces, swimming pools, stairways, or other landings, encroaching into required yard setbacks.
5. The modification of maximum building coverage not greater than five percent (5%) over the permitted coverage.
6. The modification of minimum dwelling unit area not greater than five percent (5%) of the required area.
7. The modification of rear and side yard setbacks not to exceed ten percent (10%).

8. Front yard modifications may also be granted when the irregular shape of a lot prohibits the required front and rear yards. In such cases, the front and rear yards shall be an average setback.
9. The modification of parcel width and/or parcel frontage by not more than ten percent (10%) of that required in the zone for not more than one lot within a parcel map. (Ord. 1474, 1-8-1991)

(B) Conditions: In granting a minor deviation, all the conditions set forth in subsection 10-3-5(B) of this chapter shall be made by the development services director, or the designee, and conditions may be imposed. A decision shall be made in writing within twenty (20) days after the filing of the application. One copy shall be mailed to the applicant.

(C) Development Services Director Consideration Discretionary: The development services director, or the duly appointed representative, may consider and determine any matter within the scope of this section or refer such matter to the commission for its determination.

(D) Application And Fee: Application for a permit shall be filed with the development services department on a form furnished by said department, accompanied by a site plan and a fee established by the city council by resolution, no part of which may be refunded. When the applicant is not the owner of the property, the written authorization of the owner shall accompany the application. The application shall not be accepted for filing by said department unless it conforms to the filing requirements established by the commission.

(E) Notification Of Adjacent Property Owners: The development services director or an authorized representative shall contact adjacent property owners and shall advise of the applicant's request. A five (5) day period shall be provided for response from adjacent property owners.

(F) Appeals From Determinations: If the applicant or adjacent property owner is dissatisfied with the decision, the decision may be appealed to the commission within ten (10) days after the decision is rendered. Such appeal shall be in writing and shall be filed with the secretary of the commission. Upon the receipt of such appeal, the secretary of the commission will establish the date, time and place to hear such appeal. The commission,

upon receipt of the development services director's action, may require said minor deviation to be presented at a public hearing before the commission. No permits shall be issued until the planning commission concurs with the staff's action. The decision of the planning commission is appealable to the city council within ten (10) days of the commission's decision. (Ord. 1474, 1-8-1991; amd. Ord. 1654, 6-25-2013)

Visalia

Article 2. Administrative Adjustments

17.02.150 Purpose.

The purpose of an administrative adjustment is to provide action on projects which are routine in nature but may require an interpretation of established policies and standards set forth in the zoning ordinance. (Prior code § 7213.1)

17.02.160 Scope of authority.

A. Notwithstanding the provisions of Chapter 17.42, the city planner or his/her designee shall have the authority to grant administrative adjustments to development standards contained within this title.

B. Upon written request, the city planner may approve, conditionally approve or deny without notice minor adjustments to the following development standards; building and landscaping setbacks, site area, lot width, building height, parking.

C. Any administrative adjustment shall be limited to no more than twenty percent of a required development standard. In making the adjustment, the city planner shall make a finding that the adjustment is consistent with the criteria listed in Section 17.02.170. With respect to adjustments to building setbacks and building height, the adjustment shall also be approved by the fire chief and director of public works or his/her designee prior to granting said administrative adjustment. (Ord. 2011-09 §§ 3, 4, 2011: Ord. 9605 §30 (part), 1996: prior code § 7213.2)

17.02.170 Adjustment criteria.

The city planner shall record the decision in writing and shall recite therein the basis for same. The city planner may approve and/or modify an application in whole or in part, with or without conditions, only if all the following criteria are met:

A. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, creating a practical difficulty or unnecessary hardship;

B. That granting of the administrative adjustment is necessary to provide consistency with properties in the same vicinity and land use designation or design district within which the administrative adjustment is sought;

C. That granting the administrative adjustment will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and land use designation or design district in which the property is located;

D. That granting the administrative adjustment will not be inconsistent with the goals and policies of the general plan. (Ord. 9605 § 30 (part), 1996: prior code § 7213.3)

 17.02.180 Report to planning commission.

No later than January 31st, the city planner shall report to the planning commission a summary of the administrative adjustment applications that have been processed and approved during the proceeding calendar year. (Ord. 9605 § 30 (part), 1996: prior code § 7213.4)

Emeryville

ARTICLE 8. EXCEPTIONS TO STANDARDS

9-7.801 Purpose.

This Article is intended to provide a means of granting relief from the requirements of these Planning Regulations for minor deviations from dimensional and design standards when strict application would preclude an effective design solution improving livability, operational efficiency, or appearance, and fulfilling the basic intent of the applicable regulation.

9-7.802 Applicability.

Exceptions to standards may be granted for:

- (a) Minimum yards in the Residential zones, up to one-third of the required setback.
- (b) Maximum height of fences and freestanding walls in the Residential zones.
- (c) Minimum landscaping, up to ten percent of required landscaping for sites or parking lots.
- (d) Parking space dimensions, up to five percent of length and/or width for no more than ten percent of spaces.
- (e) Individual establishment sign dimensions up to five percent of any linear dimension or ten percent of any area dimension, provided that the maximum aggregate sign area for the establishment is not exceeded.

9-7.803 Procedures.

An application for an exception to standards shall be considered by the Director and shall be filed and processed in accordance with the provisions of Article 2, Common Procedures, including conditions of approval, expiration, extensions, and modifications. An exception to standards application that is combined with another permit application that requires Planning Commission or City Council approval shall be acted upon by the Commission or Council concurrently with the other permit application.

9-7.804 Findings.

To grant an exception to standards, all of the following findings must be made:

- (a) The proposal for which the exception is sought is consistent with the General Plan.
- (b) Strict compliance with these Planning Regulations would preclude an effective design solution improving livability, operational efficiency, or appearance.
- (c) The proposal for which the exception is sought would fulfill the basic intent of the applicable regulation.
- (d) The proposal for which the exception is sought would comply with the applicable design review criteria at section 9-7.406.

(e) The proposal for which the exception is sought would be compatible with, and would not adversely affect, the surrounding area, and would not be detrimental to the health or safety of the public or the occupants of the property. **Emeryville Planning Regulations Page 7-39 Effective March 7, 2013 Ordinance No. 13-001 As Amended Through January 14, 2016**

9-7.805 Appeals.

The Director's decision on an exception to standards may be appealed to the Planning Commission pursuant to Article 14. If the initial decision on the exception is made by the Planning Commission, the Commission's decision may be appealed to the City Council pursuant to Article 14.

Victorville

- **Sec. 16-3.03.060: - Minor deviations**

The Zoning Administrator may approve minor deviations to the regulations as contained in this Title as specified below. The required filing fee and submittal of certified public notice documents including two sets of mailing labels and a radius map shall be required for minor deviation applications. The Zoning Administrator shall find that the deviation requested results from a unique situation and will not be injurious or detrimental to the health, safety and welfare of the public. After notifying the applicant and owners of adjacent property of the final date that written protests or comments may be filed with the development department, the Zoning Administrator shall consider and take action on such applications. The decision of the Zoning Administrator shall be subject to appeal to the Planning Commission pursuant to Chapter 2 Article 2 of this Title. This procedure shall apply exclusively to cases where the deviation sought is limited to:

- (a) A reduction in lot size or the dimension of any property line or yard not exceeding ten percent of the requirement;
- (b) An increase in the percentage of lot coverage by not more than one-tenth of the specified percentage;
- (c) An adjustment by not more than ten percent in the number of parking spaces required;
- (d) Any adjustment in the height of a fence, unless otherwise regulated by this Title.

East Palo Alto

Chapter 18.90 – Variances and Minor Variances

Sections:

- 18.90.010 – Purpose and Intent
- 18.90.020 – Applicability
- 18.90.030 – Review Authority
- 18.90.040 – Application Filing, Processing, and Review
- 18.90.050 – Findings and Decision
- 18.90.060 – Precedents
- 18.90.070 – Conditions of Approval
- 18.90.080 – Use of Property before Final Action
- 18.90.090 – Post Decision Procedures

18.90.010 – Purpose and Intent

A. Purpose and Intent

1. The purpose of this chapter is to provide procedures for reviewing situations where, because of special circumstances applicable to the property, the strict application of the Development Code denies the owner of the property privileges enjoyed by other property located nearby and in an identical zone.
2. It is the intent that specific findings are required and associated conditions are applied to work together to guarantee the approval of a Variance or Minor Variance shall not constitute an approval of special privilege(s) inconsistent with the limitations upon other property in the vicinity and zone in which the subject property is located.
3. The difference between a Variance and a Minor Variance is that the Minor Variance must specify the "...the kinds of variances which may be granted ... and the extent of variation which the ... adjustment may allow..." in compliance with Government Code Section 65901.

B. Limitations.

This chapter does not grant the power to approve Variances and Minor Variances which allow land uses not otherwise allowed in the zone.

18.90.020 – Applicability

- A. **Variances.** A Variance may allow any adjustment from any of the development standards required by the Development Code if the required findings are made. .
- B. **Minor Variances.** A Minor Variance may be granted only for the items specified in Table 7-3 and only if the required findings are made. .

Table 7-3 Types of Minor Variances Allowed	Maximum Variance
1. Allowable height of a fence, hedge, or wall. An increase of the allowed maximum height of a fence, hedge, or wall located within a side or rear setback.	Up to seven feet
2. Distances between structures. A decrease of the minimum required distances between detached accessory structures and main structures on the same site.	10 percent
3. Impervious surface coverage. An increase of the maximum allowable impervious surface coverage.	10 percent
4. Projections. An increase in the allowed projection of chimneys, eaves, fireplaces, landings, overhangs, stairways, and steps into any required front, side, or rear setbacks.	10 percent
5. Reduction of landscape standards. Reduction of required on-site landscaping standards.	10 percent
6. Setbacks. A decrease of the maximum required setback areas (e.g., front, rear, and side) for structures.	10 percent
7. Signs. Sign regulations (other than prohibited signs).	10 percent
8. Structure heights. An increase in the maximum allowed height of structures.	5 percent
10. Code Enforcement. A reduction in development standards, if doing so will help the City abate a public nuisance as part of a code enforcement hearing or process.	10 percent
11. Nonconforming Adjustments	10 percent

18.90.030 – Review Authority

- A. Responsibility.** The applicable Review Authority shall approve or deny Variance and Minor Variance applications, and impose conditions deemed reasonable and necessary to preserve the public convenience, health, interest, safety, or welfare, and necessary to make the findings required.
- B. Applicable Review Authority.** Variances and Minor Variances may be approved in compliance with the following:
 - 1. **Commission.** The Commission may approve Variances in compliance with this chapter and state law; and
 - 2. **Director.** The Director may approve Minor Variances, or may defer action and refer the application to the Commission for review and final decision, in compliance with this chapter and state law.

18.90.040 – Application Filing, Processing, and Review

- A. Filing.** An application for a Variance or Minor Variance shall be filed and processed in compliance with standard application processing procedures. It is the responsibility of the applicant to provide evidence to support the required findings.
- B. Project Review Procedures.** Following receipt of a completed application, the Director shall investigate the facts necessary for action consistent with the purpose of this chapter.
- C. Notice and Hearings.**
 - 1. **Variances – Public Hearing Required.** A public hearing shall be required for the Commission's decision on a Variance application. The public hearing shall be scheduled once the Director has determined the application complete. Notice of the hearing shall be given and the hearing shall be conducted as set forth in the provisions related to public notices and hearing.
 - 2. **Minor Variances.** Notice of the public hearing for a Minor Variance application shall be mailed not less than ten (10) days before the date set for the hearing to the owners of all property abutting the subject property, using as shown on the latest assessment roll of the County.
 - 3. **Appeals.** The Director's decision is appealable to the Commission.

18.90.050 – Findings and Decision

- A. Responsibility.** The applicable Review Authority shall approve or deny Variance and Minor Variance applications, and impose conditions deemed reasonable and necessary

to preserve the public convenience, health, interest, safety, or welfare, and necessary to make the required findings.

- B. Authorized Actions.** The Review Authority shall record the decision in writing and shall set forth the findings upon which the decision is based.
- C. Required Findings.** The Review Authority may approve a Variance or Minor Variance application only after first making all of the following findings:
1. There are special circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features, etc.) that do not apply generally to other properties in the vicinity under an identical zoning classification;
 2. Strict compliance with Development Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
 3. Approving the Variance or Minor Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone in which the subject property is situated; and
 4. The requested Variance or Minor Variance would not allow a use or activity not otherwise expressly authorized by the regulations governing the subject parcel.
 5. The requested Variance or Minor Variance is consistent with the objectives of the General Plan, any applicable specific plan, and the Development Code.
- D. Denial of a Minor Variance.** The Director's decision to deny a Minor Variance application shall not prohibit or affect the right of the applicant to file an application for a Variance.

18.90.060 – Precedents

Each application shall be reviewed on an individual case-by-case basis and the approval of a prior Variance or Minor Variance is not admissible evidence for the approval of a new Variance or Minor Variance.

18.90.070 – Conditions of Approval

In approving a Variance or Minor Variance application, the applicable Review Authority may impose conditions deemed reasonable and necessary to ensure that the approval would be in compliance with the required findings.

18.90.080 – Use of Property before Final Action

No permits or approvals shall be issued for any improvement involved in an application for a Variance or Minor Variance until and unless the same shall have become final.

18.90.090 – Post Decision Procedures

The procedures and requirements related to permit implementation and to appeals and revocation apply following the decision on a Variance or Minor Variance application.

Rio Vista

17.66.062 Minor exceptions.

A. The zoning administrator shall have the power to grant or deny minor exception permits from measurable development standards as described in Section 17.06.010, Zoning Schedule, subject to appeal to the planning commission by any person or persons affected by the minor exception, except that in no case shall a minor exception be granted to allow a use of land or buildings not permitted in the district in which the subject property is located.

B. Minor exceptions from the terms of the measurable zoning standards as described in Section 17.06.010 may be granted only when the following findings are met:

1. Would not exceed ten percent of the prescribed measurable standards.
2. No more than two exceptions shall be allowed on any lot.
3. Would not adversely affect any development or persons upon abutting property, with adversely affect to mean to impact in a substantial, negative manner the economic value, habitability, or enjoyment of properties.
4. Would not result in a hazard to pedestrian and/or vehicular traffic.
5. Would be reasonably necessary to the sound development of such property, or would result in better environmental quality of development of such property than without such exception.

6. That the application for a minor exception is not for a project that also requires discretionary

permits from the planning commission or the city council, in which case, the request for minor exception shall be submitted to the planning commission.

7. That the application for a minor exception is not for an existing conditional use.

C. Conditions of Approval. In approving any minor exception, the zoning administrator may impose reasonable conditions necessary to:

1. Protect the public health or safety.

D. Applications for a minor exceptions permit shall be filed with the zoning administrator by the property owner on such forms and accompanied by such information as may be prescribed by the zoning administrator so as to assure the fullest applicable presentation of facts for the permanent record. Each application shall be accompanied by the same fee charged for variance applications as established by resolution of the city council.

E. Review Authority. The zoning administrator may decide to refer the application to the planning commission for a decision, in which case the matter shall be heard by the planning commission at a noticed public hearing.

F. Notice and Hearing. Prior to a decision on a minor exception, the zoning administrator shall provide a notice which shall be mailed to all property owners within three hundred (300) feet of the exterior boundary of the property involved, using for this purpose the last known name and address of such owners as shown upon the current assessment roll maintained by Solano County. The notice shall be mailed ten (10) days prior to the date of decision on the project. The notice shall include a description of the proposal, methods for providing comments. The notice shall state that the zoning administrator will decide whether to approve or disapprove the minor exception application on a date specified in the notice, and that a public hearing before the zoning administrator will be held only if requested in writing by any interested person prior to the specified date of the decision. When a hearing is requested, notice of the hearing shall be provided as stated herein, and the zoning administrator shall conduct the public hearing prior to a decision on the application.

G. Notice of Decision and Appeal. The zoning administrator shall send the notice of decision to the property owner within ten (10) days of the date of the zoning administrator's decision to approve or deny the minor exceptions permit. Appeal from the action of the zoning administrator can be made to the planning commission according to the procedures prescribed in Section 17.66.080. The decision of the planning commission shall be final.

H. Expiration of Permits. A permit granted in accordance with the terms of this title shall, without further action, become null and void if not used within one year from the date of the approval thereof or within any shorter period of time, if so designated by the zoning administrator.

I. Revocation. A permit may be revoked in a manner as prescribed in Section 17.66.070(G). (Ord. 013-2016 § 3)

Sacramento

17.808.120 Approval of deviations from design guidelines and development standards.

A. Site plan and design review includes the authority to approve or require deviations that are more or less restrictive than the applicable design guidelines; subdivision standards; sign standards; lot coverage standards; setback and open space standards; height; development standards; parking facility standards, including the minimum and maximum off-street parking requirement; and allowable roof projections, including parapets, pitched roofs, mechanical penthouses, and spires.

B. Except as otherwise provided in this title, a deviation from design guidelines and development standards for the matters listed in subsection A of this section is subject to review as follows:

1. A deviation that reduces any minimum or exceeds any maximum distance, area, or quantity stated in a development standard by an amount greater than 50% is subject to commission-level review.
2. A deviation that reduces any minimum or exceeds any maximum distance, area, or quantity stated in a development standard by an amount not exceeding 50% is subject to director-level review.
3. A deviation for an accessory structure, wall, fence, or gate is subject to director-level review.
4. A deviation from a development standard that does not involve a distance, area, or quantity is subject to director-level review.
5. A deviation from a design guideline is subject to director-level review. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)