



CITY OF TEMECULA

PLANNING DIVISION

41000 Main Street

Temecula, CA 92590

951-694-6400

TemeculaCA.gov/planning

VARIANCE

Introduction

This handout summarizes the City of Temecula's variance requirements. Variance requirements are specified in [Section 17.04.040](#) of the Development Code.

What is the purpose and intent of a variance?

The purpose of the variance is to provide for equity in the development of property, and to prevent unnecessary hardships that might result in the strict or literal interpretation of certain regulations in the Development Code.

When is a variance required?

A variance is required in order to deviate from adopted dimensional standards identified in the Development Code. Standards include; distance between structures, lot area, lot coverage, lot dimensions, setbacks and building heights. In addition, a variance is also required to modify sign regulations or the number and dimensions of off-street parking spaces.

How do I apply for a variance?

A call is placed to the Community Development Department's Planner of the Day (P.O.D.), at (951) 694-6400, to schedule an application submittal meeting. City staff will meet with you within 1 to 2 working days to review your application materials for completeness. The application will be deemed complete once it has been determined that all submittal materials and fees have been provided.

What are the Criteria for Approval?

In order to approve the variance, the Planning Commission must make the following findings:

- That there are practical difficulties or unnecessary hardships created by strict application of the code due to physical circumstances and characteristics of the property that are not shared by other properties in the zone.
- The circumstances and characteristics for the variance were not created by the applicant.
- The variance does not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located in the vicinity.
- The variance places suitable conditions on the property to protect surrounding properties.
- The variance does not permit uses which are not otherwise allowed in the zone.

Who reviews variance applications?

The Planning Commission has the authority to consider and act upon all types of variance applications. Subsequently, the City Council considers and acts upon any appeals to Planning Commission decisions.

Where can I review General Plan, Design Guidelines and Development Code?

These documents are available for review at the Planning Department and on the web at TemeculaCA.gov/Planning.



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SUBMITTAL CHECKLIST

APPLICANT ✓	STAFF ✓	# OF COPIES	SECTION	REQUIRED ITEMS Detailed instructions for each section can be found in this packet. Incomplete applications will not be accepted. Use this checklist to ensure all documentation is provided upon submittal. Please consult with staff to determine which of the following items will be required.
		1	A	Completed variance application and filing fee
		8	B	Site Plan
		5	C	Conceptual Grading Plan (if applicable)
		5	D	Floor Plan (if applicable)
		5	E	Conceptual Landscape Plan (if applicable)
		5	F	Proposed Structure Elevation (if applicable)
		1	G	Proposed Structure Color Elevations (if applicable)
		1	H	Sign Program (if applicable)
		2	I	Statement of Justification

PRIOR TO HEARING THE FOLLOWING WILL BE REQUIRED

		1	J1	Public Hearing Information
		1	J2	8 ½" X 11" reductions of all exhibits
		7	J3	Spiral bound color 11" x 17" reductions of all exhibits
		7	J4	Full size sets of final site plan, elevations, floor plans, grading and landscape plan (if applicable) folded to 8 ½ x 11."

BEFORE SUBMITTING PLEASE REMEMBER

Fees:

Fees will be required to submit your application. Please contact a Planner at 951-694-6400 to obtain fees prior to your submittal. We suggest that you bring an additional check in-case your scope of work requires additional fees. Additional fees may be required while your application is being processed (for outside agencies, additional permitting requirements, etc...). Fees may be found at TemeculaCA.gov/fees

Appointment:

Prior to your submittal, please contact the Community Development Department's Planner of the Day (P.O.D.) to schedule an appointment at 951-694-6400.



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VARIANCE

SECTION A **VARIANCE APPLICATION**

PROJECT INFORMATION

Related Planning Application(s)	Project Title
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Project Description/Use:

Type of Variance Requested:

ADDITIONAL PROJECT INFORMATION

Assessor's Parcel No(s)

Legal Description (Tract, Lot No.)

Street Address(es)

General Location

APPLICATION CONTINUED ON THE NEXT PAGE ►

FOR STAFF USE

PLANNING APP. NO.	DATE STAMP	REC'D BY

APPLICANT/REPRESENTATIVE

First Name	Middle Name	Last	
Street Address			
City	State	Zip	Phone
E-mail			

PROPERTY OWNER

First Name	Middle Name	Last	
Street Address			
City	State	Zip	Phone
E-mail			

SIGNATURES AND CERTIFICATIONS

I certify that all filing requirements have been satisfied for my application. I further understand that an incomplete application cannot be accepted for processing.

Applicant's Signature →	Date
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I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this application and I am authorizing to and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Temecula, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner's First Name (Printed)	Owner's Last Name
Owner/Authorized Agent Signature →	Date

NOTE

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

Multiple parcels will require authorization from each property owner.

PLAN PREPARATIONS & GUIDELINES

All plans shall be drawn on uniform sheets no less than 24" X 36" (or as approved by the Community Development Department). Each complete set consisting of the site plan, floor plan/roof plan, proposed structure elevations, conceptual landscape plan, photometric plan, and conceptual grading plan should be stapled together and folded into 1/8 sections with a **folded size not to exceed 8 1/2" X 11"**. All plans shall be clear, legible and accurately scaled. The site plan, landscape plan and grading plan should all be at the same scale and shall be consistent with each other.

On large scale drawings, 1"=20', or larger, it will generally be desirable to include the conceptual grading of the site on the site plan in lieu of a separate drawing (see Section C). For larger, more complicated sites drawn at a smaller scale (i.e., 1"=40'), a separate conceptual grading plan should be submitted.

Scale: Engineering scale not to exceed 1"=40'.

The following information shall be included on the plan:

- Name, address, and phone and fax number of applicant, owner, architect and/or engineer
- Graphic scale (with bar scale) and north arrow
- Vicinity map
- Existing property lines in bold and label all dimensions (metes and bounds)
- Location and dimensions of all existing and proposed easements (with record reference)
- Proposed lot lines and dimensions, if applicable
- Delineate and label the minimum setbacks from all property lines
- Location and dimension of all existing and proposed structures, including building setbacks
- Location and dimension of all landscaping and pedestrian walkways (shaded)
- Location and typical dimension of drive aisles, loading zones and parking stalls
- Location of existing and proposed onsite fuel tanks
- Location and dimensions of all trash enclosure(s) (interior and exterior dimensions)
- Location of monument sign(s) (existing and proposed)
- All proposed public improvements, including cross sections
- Location, type and height of all street, parking and pedestrian lights
- Location of existing or proposed fire hydrants within 500 feet of project site
- Location of existing or proposed Fire Department connections (within 50 feet of a public hydrant and 40 feet away from the building)
- Location of existing or proposed Post Indicator Valve
- Label interior and exterior turning radius dimensions at entries and drive aisles for emergency vehicle access (minimum interior – 37 feet; exterior – 56 feet; wheel cuts – 50 feet)
- Location and dimension of all walls and fences
- Location of all structures, driveways, parking areas, trees and adjoining property lines within 50 feet of the perimeter of the subject property
- Zoning and existing land use of adjacent parcels
- Phasing of the project (if proposed)
- Americans with Disabilities Act (ADA) path of travel (horizontal path of travel only)
- Location of all existing and proposed street lights (Indicate any to be relocated)
- Name of utility purveyors
- Date Site Plan prepared
- Data table formatted in the following order:

- | | | |
|------------------------------------------------------------------------------------------------------------|-------------|-------|
| <input type="checkbox"/> Assessor's Parcel Number | | |
| <input type="checkbox"/> Street Address (if available) | | |
| <input type="checkbox"/> Legal description of the property. (i.e. Tract / Parcel Map and Lot(s)/parcel(s)) | | |
| <input type="checkbox"/> Zoning designation | | |
| <input type="checkbox"/> General Plan designation | | |
| <input type="checkbox"/> Existing land use/proposed land use | | |
| <input type="checkbox"/> Total Gross Area: | square feet | acres |

<input type="checkbox"/>	Total Net Area:	square feet	acres
<input type="checkbox"/>	Total Building Area:	square feet	FAR
<input type="checkbox"/>	Lot coverage:	<u>Square Feet</u>	<u>Percentage</u>
	o Building area	s.f.	%
	o Parking area	s.f.	%
	o Landscaping area	s.f.	%
	o Hardscape	s.f.	%
<input type="checkbox"/>	Parking:	<u>Spaces Required</u>	<u>Spaces Provided</u>
	o Ratio/square foot of use(s)	spaces	spaces
	o Number of disabled spaces	spaces	spaces
	o Total Parking	spaces	spaces
<input type="checkbox"/>	Floor Area Ratio(s)		
<input type="checkbox"/>	Occupancy classification (per Uniform Building Code)		
<input type="checkbox"/>	Type of construction (per Uniform Building Code)		
<input type="checkbox"/>	Indicate if building has fire sprinklers and/or alarm		
<input type="checkbox"/>	Number of stories		
<input type="checkbox"/>	Height of building (as measured from the pre-existing grade, finished grade or floor protection elevation, whichever is lowest to highest point on roof)		

SECTION C

CONCEPTUAL GRADING PLAN

Scale: Engineering scale not to exceed 1"=40'.

On large scale drawings, 1"=20', or larger it will generally be desirable to include the conceptual grading of the site on the site plan in lieu of a separate drawing. For larger, more complicated sites drawn at a smaller scale (i.e., 1"=40'), a separate conceptual grading plan should be submitted. A Registered Civil Engineer shall prepare grading plans.

The following information shall be included on the plan:

- Title Block
 - o Name, address, and phone and fax number, of applicant, owner and engineer
- Legend, north arrow, bar and graphic scale, vicinity map
- Data Table
 - o Assessor's Parcel Number(s)
 - o Project Name
 - o Legal description (i.e. Tract/Parcel Map and lot(s)/parcel (s))
 - o Approximate earthwork quantities (CY)
 - o Date and Source of Topography (should be current)
- Metes and bounds (i.e. bearing and distance)
- Location and dimensions of all existing and proposed easements
- Existing topography, proposed grades, and natural features to 50 feet from the perimeter of the subject property at minimum two-foot contour intervals
- All slopes greater than 2:1 must be clearly labeled
- Limits of FEMA floodplains and floodways (if applicable)
- Delineation of special hazard zones (i.e., earthquake faults and liquefaction zones)
- Proposed grading, structures, curbs, retaining and /or sound walls (top and footing elevations), gutters, pavement, walks, swales, mounding, slopes, open space, trails, etc.) per the appropriate City standards
- Pad and finished floor elevations
- Location and dimension of all proposed public improvements, including cross sections
- Locations of existing public and proposed utilities (including sewer and water)
- Cross-sections at all property lines
- Driveway, street slopes and surfaces in plan view and cross section
- Drainage and flood control facilities, including size and type
- Americans with Disabilities Act (ADA) path of travel
- Cut and fill daylight lines

SECTION D**FLOOR PLAN**

Scale: *The scale used on the floor plans shall be no less than 1/4" per foot. Plans must be fully dimensioned. Large projects shall be no less than 1/8" per foot with 1/4" per foot details). The Floor plans shall illustrate all proposed (and existing, if applicable) buildings and structures. The following information shall be included on the plans:*

- Proposed use for each room
- Proposed square footage for each room
- Clearly label, dimension and identify:
 - Restrooms
 - Exits
 - Doors
 - Hallways
 - Corridors
 - Elevators
 - Patio
 - Stairs
 - Fire sprinkler riser room
 - Fire alarm control panel
 - Location of Knox Box
 - Location of Fire Department connection

SECTION E**CONCEPTUAL LANDSCAPE PLAN (BLACK & WHITE)**

Scale: Engineering scale not to exceed 1"=40'.

The following information shall be included on the plan:

- Name, address, and phone number of applicant, architect, engineer and/or landscape architect.
- Graphic scale and north arrow.
- Location of all proposed buildings, paved surfaces, transformer and other utility connections, walls/fences, curbs and sidewalks.
- Roof outlines including eave overhang.
- Location, size and identification of all existing and proposed plant material, trees, shrubs and groundcover. Note on plans what is to happen to all existing plantings.
- A planting legend that identifies plant varieties (botanical and common names), sizes, quantities, and spacing.
- Location and elevation of mounding, if proposed.
- Graphically indicate all slopes, which equal or exceed 3:1.
- Graphically indicate all vehicle sight lines.
- Describe the type of irrigation system to be implemented (generally).
- For initial submittals, add to bottom right hand corner of title blocks the APN, PAXX-XXXX (this will be replaced with the actual number in the future), date printed and submittal # (vertical view).

SECTION F**PROPOSED STRUCTURE ELEVATIONS**

Scale: No less than 1/4" (large projects no less than 1/8" with 1/4" details).

Illustrative building elevations showing all sides of proposed (and existing, if applicable) buildings and accessory structures, (trash enclosures, walls, carports, etc.). Include cross-section(s) of building(s) with proposed grades.

The following information shall be included on the elevation plans:

- Name, address and phone number, of the applicant, architect and/or engineer
- Location of building address and wall mounted signs for all sides of the building(s)
- Shading, as applicable, to give the elevations some graphic dimension
- Location of walls and fences
- Roof top mechanical equipment screens
- A schedule for colors and materials (which corresponds to the color and material board) and specific location of their use
- Height of buildings with dimensions

SECTION G**PROPOSED STRUCTURE COLOR ELEVATIONS**

Scale: No less than 1/4" (large projects no less than 1/8" with 1/4" details).

Illustrative building elevations showing all sides of proposed (and existing, if applicable) buildings and accessory structures (trash enclosures, walls, carports, etc.). Include cross-section(s) of building(s) with proposed grades. Colored elevations are to be void of landscaping to clearly demonstrate the aesthetic impact the building(s) will create. In addition to colored elevations, colored renderings may be submitted with landscaping, however, the landscaping must conform with the planting materials indicated on the landscape plan.

SECTION H**SIGN PROGRAM**

- The following items/information shall be provided in the sign guidelines:
 - Table of contents
 - Definition of terms
 - Required signs
 - Prohibited signs
 - Sign types (wall, monument, center identification, multi-tenant)
 - Maximum sign areas
 - Maximum sign height (letters & logo)
 - Maximum sign lengths
 - Required letter styles
 - Required sign colors
 - Maximum quantity of specific signs
 - Required illumination
 - Required sign shape
 - Required sign materials
 - Explanation of incorporation of several common design elements such as materials, letter style, colors, illumination, sign type or sign shape
 - Explanation of how signs enhance the development, building architecture and surrounding land uses
 - Accommodation for future revisions that may be required due to changes in building tenants
 - Scale: Engineering scale not to exceed 1"=40'.

The following information shall be included on the plan:

- Graphic scale and north arrow
- Location of all proposed buildings, paved surfaces, walls/fences, curbs and sidewalks
- Location of all proposed landscape areas
- Typical wall sign locations
- All freestanding sign locations
- Distance between freestanding signs along street frontages
- Detail of landscaped area around base of freestanding signs including size, type and numbers of plantings proposed
- Graphically indicate all vehicle sight lines for freestanding signs
- Illustrative dimensioned colorized building elevations showing proposed location of all on-building signage
- Number of stories
- Height of building
- A specific schedule of colors and materials for each sign on the elevation (which corresponds to the comprehensive color and material schedule and specific location of their use)
- Type and design of sign illumination
- Location and design of building addresses
- Illustrative dimensioned sign elevations showing front and end view of freestanding signs
- A specific schedule of colors and materials for each freestanding sign (which corresponds to the comprehensive color and material schedule and specific location of their use)
- Type and number of plantings to be placed at the base of the sign
- Type and design of sign illumination
- Small samples or photographs of all sign colors used onsite including letter faces, surrounds, trim and background colors. Samples should be accompanied with manufactures name and identification number.
- Small samples or photographs of all exterior building materials used in the construction of freestanding signs. Samples should be accompanied with product name and manufacturer's name.

SECTION I**STATEMENT OF JUSTIFICATION**

Provide written justification outlining your request for a Variance. This justification must answer the following questions. Please provide a thorough explanation of your responses.

1. Are there practical difficulties or unnecessary hardships created by strict application of the code due to the physical circumstances and characteristics of the property that are not shared by other properties in the zone?
2. Can the circumstances and characteristics for the variance not be created by the applicant?
3. Will the variance grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located in the vicinity?
4. Does the variance place suitable conditions on the property to protect surrounding properties?
5. If the variance is granted, will it permit a use that is not otherwise permitted in the zone?

SECTION J1-J4**PUBLIC HEARING PACKET**

The following information may be obtained by requesting a "Radius Package" from a title insurance company.

The following items will be required prior to scheduling the application for public hearing:

1. **TWO** identical packages to be inserted in separate 9 1/2" x 12 1/2" manila envelopes. These envelopes shall indicate the case number and the word "labels," and shall contain the following:
 - a. One typed set of gummed labels (**30 labels per sheet**) indicating all the property owners' names and the mailing addresses that are within a 600-foot radius of the exterior of the proposed tract boundaries (this list shall be ascertained from the last equalized assessment roll). The Planning Application Number shall be located on all label sheets.

***A minimum of the 30 nearest individual property owners (persons owning multiple properties shall only be counted once) shall be provided. Applicant is responsible for crossing out all duplicate labels.**
 - b. A photocopy of the aforementioned labels.
 - c. One label for the representative/engineer.
 - d. One label for the owner.
2. Four typed sets of gummed labels of the owner, engineer, and representative with their mailing addresses. Do not include duplicate sets where representative and owner, etc., are the same. These should be inserted in a letter-sized envelope and stapled to the outside of one of the large manila envelopes mentioned in item 1 above.
3. Certification by the Title Company, engineer, or surveyor that the above list is complete and accurate. The Tax Assessor's Office will not prepare or certify the property owner list (see certification form attached).
4. On a copy of your assessor's parcel map show all the parcels within the noticing_radius. On the map, print the names of all property owners within the noticing radius as they are listed on the gummed labels.
5. Provide the correct number of copies of reductions and exhibits as listed on the minimum submittal requirements.

PROPERTY OWNERS CERTIFICATION

I, _____, certify that on _____
(Print Name) (Month-day-year)

the attached property owners list was prepared by

_____ Pursuant to application

requirements furnished by the City of Temecula Planning Department. Said list is a complete and true compilation of owner of the subject property and all other property owners within **600 feet (or the 30 nearest individual property owners, whichever creates the greatest number of public notices (persons owning multiple properties shall only be counted once))** of the property involved in the application and is based upon the latest equalized assessment rolls.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or erroneous information may result in processing delays or be grounds for rejection or denial of the application.

NAME: _____

TITLE/REGISTRATION: _____

ADDRESS: _____

PHONE: _____ (Daytime phone no.)

SIGNATURE: _____

DATE: _____ CASE NO.: _____