



ZONING EXCEPTIONS



City of Redding
777 Cypress Avenue
Redding CA 96001
Telephone:
(530) 225-4020
FAX: (530) 225-4495

PURPOSE

The City's Zoning Ordinance establishes standards for the development of property within all zoning districts of the city. There are occasions, however, when the strict applications of such standards may be inappropriate because of special characteristics of the property. In order to provide flexibility necessary to achieve the objectives of the Zoning Ordinance, certain development standards may be relaxed by administrative review through the granting of a Zoning Exception. Standards for which such an exception may be considered fall within the following categories:

- | | |
|---|--------------------------------------|
| A. Buffer yards | G. Lot size (reduced) |
| B. Building separation | H. Off-site parking |
| C. Parking space size and/or number reduction | I. Reverse frontage for a corner lot |
| D. Fence height | J. Roof-mounted mechanical equipment |
| E. Structure height (increase) | K. Driveway surfacing |
| F. Increased or decreased building setbacks | L. Curb cuts |

It is important to note that only certain exceptions may be granted within these categories. The circumstances under which an exception may be granted and the degree of the exception are expressly limited by the Zoning Code. Deviations from the standards of the Zoning Ordinance beyond what are allowed by a Zoning Exception would require approval of a variance request.

A Zoning Exception can be granted only if the following findings can be made:

1. That application for the adjustment is necessary due to special circumstances or conditions pertaining to the property or to the use thereon.
2. That the proposed adjustment is necessary in order that the owner may not be unreasonably deprived of the proper use or enjoyment of the owner's property.
3. That the proposed adjustment would not be detrimental to the neighborhood in which the property is located.
4. That the proposed adjustment is consistent with the General Plan and the zoning and development standards of the Zoning Code.
5. That construction has not commenced.

PROCESS

Step 1 - Preapplication Discussion with Staff

It is recommended that you review the request with Planning Division staff prior to the submission of the formal application. The applicant should provide preliminary sketch plans and a project description. This will allow an opportunity to discuss the feasibility of the request as well as any possible alternatives that may eliminate the need for an exception or improve the chance of the exception being granted. In addition, you and staff can review the required data and procedures to be followed through the process. Usually, this first step is the most important step and helps a project move faster through the process.

Step 2 – Filing of Application

You must submit a completed application form, an accurately drawn reproducible site plan, a written statement explaining why the findings necessary to grant the exception are satisfied, and the filing fee to the Planning Division of the Development Services Department, 777 Cypress Avenue, Redding, California 96001. A staff Planner will review the material to make sure all the required information is provided. **The application must be signed by the property owner(s).**

Step 3 – Environmental Review

The Development Services Director shall make a determination to either deny, approve, or conditionally approve the Zoning Exception. The application may also be referred to the Board of Administrative Review. If the Development Services Director determines to approve or conditionally approve a Zoning Exception, notice of the approval will be mailed to the applicant. If the property is within or abuts a residential district, all owners of property within 300 feet of the site will be notified of the application prior to the Director's making a determination. Whenever any exception is granted, the Development Services Director or Board of Administrative Review may impose such conditions as may be necessary to ensure compatibility with surrounding uses and to preserve the public health, safety, and welfare of the neighborhood.

The decision to approve or deny a Zoning Exception may be appealed within ten calendar days of the determination. Without appeal, the Zoning Exception is effective upon completion of the appeal period. Approval of a Zoning Exception may be revoked by the Planning Commission if the approved use has not commenced (or building construction not been initiated) within two years of the approval date. If this were to occur, the property owner would be notified in advance.

ESTIMATED TIME REQUIREMENTS

The processing of a Zoning Exception is designed to be expedient. By definition, it is exempt from environmental review. Zoning Exceptions typically require three weeks to process, including appeal periods, once an application is determined complete. The key is to submit a complete and accurate application. No building permits, however, can be obtained until after the appeal period.

APPLICATION SUBMITTAL REQUIREMENTS

- Application form completed and signed.
- Letter of justification addressing the five findings on the front of this handout.
- Application fee—refer to "Schedule of Fees and Charges."
- Site plan drawn to scale (including a north arrow) showing the location of existing and/or proposed buildings in relation to adjacent property lines and indicating the requested exception, together with sufficient information to understand the need for an exception, given the circumstances of the property involved. This information may include topography, easements, existing trees, and other significant features. An example is depicted below:

