

17.68.080 Notice of decision. Not later than ten days following the commission's decision to grant or deny the conditional use permit, the applicant shall be notified in writing of the commission's decision. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.090 Effective date and appeal. If approved, the conditional use permit shall become effective within fourteen days following the commission's approval. The applicant or any other person aggrieved by the commission's decision may appeal to the city council in accordance with Chapter 17.74 of these regulations. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.100 Expiration. Unless otherwise specified, the conditional use permit, if not utilized within twelve months from the effective date, shall be deemed null and void. The abandonment or nonuse of a conditional use permit for three consecutive months or for six months during any calendar year, shall terminate the conditional use permit. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

Chapter 17.70

VARIANCES

Sections:

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17.70.010 Purpose. Variances from the terms of the zoning regulations shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the provisions of these regulations deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classi-

fication. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.020 Conditions. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which such property is situated. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.030 Variance prohibited. A variance shall not be granted which authorizes a use or activity which is not otherwise expressly authorized by the regulations which govern the zone district in which the parcel or property is located. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.040 Required findings. No variance shall be granted by the commission unless it finds:

A. That the strict application of the zoning regulations would result in practical difficulties or unnecessary hardships, not of the applicant's making;

B. That there are exceptional circumstances or conditions applicable to the property involved that do not apply to other property in the vicinity and in the identical zone;

C. The approval of the variance will not result in a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the identical zone; and

D. That the granting of the variance will not be in conflict with the general plan or with any approved specific plan or neighborhood plan. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.045 Consistency with hazardous waste management plan. Any decision on an application for a variance shall be consistent with the portions of the county of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities. (Ord. 963 §39(part), 1995; Ord. 888-U §3, 1990; Ord. 887 §3, 1990)

17.70.050 Application and fee. Application for variances shall be filed with the commission upon forms, and accompanied by such data as may be prescribed by the commission, so as to assure the fullest practical presentation of the facts for the public record. The filing fees for variances shall be established by written resolution of the city council and no part of such fee is refundable unless the application is withdrawn prior to publication of the

notice of public hearing. No fee shall be required of any recognized civic or governmental organization. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.060 Public hearing. Upon the filing of an application for a variance from the provisions of these regulations, the commission shall set a date for a public hearing before the commission on the matters contained in the application. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.070 Commission action. If, from the facts presented with the application at the public hearing, or by investigation by, or at the direction of the commission, the commission makes the findings set forth in Section 17.70.040 above, the commission may grant the requested variance, in whole or in part, upon such terms and conditions as it may deem necessary to conform with the general intent and purpose of these regulations. If the commission fails to make the required findings, the application shall be denied. Each decision by the commission, authorizing a variance from the regulations established by this title shall be by written resolution adopted by a majority of its membership, setting forth the required findings. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989).

17.70.080 Conditions of approval. The commission may attach such reasonable conditions to the approval as it deems necessary to insure that the proposed use will be compatible with the surrounding area and with the goals of the city and that the variance will not constitute a grant of special privilege. All conditions shall be binding upon the applicants, their successors, and assigns, and shall run with the land; shall limit and control the issuance and validity of certificates of occupancy, and shall restrict and limit the construction, location, use and maintenance of all land and structures within the parcel, lot or development.

Each determination of the commission granting a variance shall, where appropriate, contain as a condition, the following statement:

The variance hereby allowed is conditional upon the privileges being utilized within 180 days after the effective date of said variance, and if not utilized or construction work is not begun within such time period and carried on diligently to completion, the variance shall become null and void and any privilege granted hereby shall be deemed to have lapsed.
(Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.090 Notice of decision. Not later than ten days following the commission's decision to grant or deny the variance, the applicant shall be notified in writing of the commission's decision. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.100 Effective date and appeal. No variance authorized or granted by the commission shall become effective until after an elapsed period of fourteen days from the date the determination is made, during which time a written appeal from the decision may be taken to the council by the applicant or any person aggrieved or affected by such determination. (Any appeal of a decision, by the commission, must be made in accordance with the provisions of Chapter 17.74 of these regulations.) (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.70.110 Continuation of existing variances. Variances granted by the commission prior to the effective date of the adoption of these regulations or of any amendment thereto may be continued provided all conditions of such variances continue to be met. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

Chapter 17.72

MODIFICATION OF DEVELOPMENT STANDARDS

Sections:

- 17.72.010 Purpose.
- 17.72.020 Authority.
- 17.72.030 Extent of modification of development standards.
- 17.72.040 Application and fee.
- 17.72.050 Plans required and plot plan review.
- 17.72.060 Required showing by the applicant.
- 17.72.070 Conditions of approval.
- 17.72.080 Notice of decision.
- 17.72.090 Expiration.
- 17.72.100 Appeal.
- 17.72.110 Final review of plans.

17.72.010 Purpose. The purpose of the modification of development standards is to permit a property owner or tenant to deviate from the strict application of property development standards of the zone district in which his property is located in cases of demonstrable hardships not warranting the granting of a variance. Such deviations