



# ZONE CHANGE APPLICATION GUIDELINES

## CITY OF DUNSMUIR

5915 Dunsmuir Avenue, Dunsmuir, CA 96025

Phone: (530) 235-4822 / Fax: (530) 235-4824

### ZONE CHANGE APPLICATION REQUIREMENTS

In order to ensure timely processing of your application, your cooperation is requested with the following items:

**1. Preapplication Discussion with Staff.** It is recommended that you review the request with staff prior to the submission of the formal application. This will allow an opportunity to discuss the feasibility of the request and identify possible environmental concerns and review what the present General Plan calls for in the location or area affected—a proposed zone change should be compatible with the surrounding uses and provide a logical progression for the City's development. In addition, staff can review with you 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.

**2. Filing of Application.** The Planning Application form shall be properly filled out and signed by the applicant(s) and all property owners. All property owners shall sign or a power-of-attorney shall be submitted specifically authorizing a designated person to sign the application. If the property owner is a corporation, a resolution from the corporation authorizing this application shall be submitted. The resolution shall indicate an individual or individuals who are authorized to sign the application on behalf of the corporation. To be processed, your application must be complete.

All information required in the attached application form must be TYPED or PRINTED NEATLY in blue or black ink.

Please note that city staff has been instructed not to accept incomplete applications. If you are unable to provide the requested information, please speak with staff at City Hall to determine a proper course of action.

**3. Project Narrative.** The Planning Application includes space for this information, but if necessary, additional pages can be attached to describe the proposed project in detail.

**4. Site Layout Plan.** An accurate drawing of the property must be provided. All site plans must be 24" x 36" or smaller; however, in no case shall the site plan be smaller than 8-1/2" x 11". If plans submitted are larger than 11" x 17", a copy of a reduced sized plan shall be provided. All site plans must be clear, legible, and contain the following information:

- Exterior boundaries and dimensions of the property.
- North arrow and scale (generally, a scale not to exceed 1" = 40' works the best).
- Name and mailing address of property owner, property address, and assessor parcel number(s).
- All existing and proposed buildings and structures, including their location, size (approximate square footage), height, and proposed or existing use (i.e., home, garage, fence, etc.).
- Location, name, width, and pavement type of adjacent and on-site streets/alleys.

- Location and dimensions of all existing/proposed easements, points of access (existing and proposed), driveways and parking areas, and pavement type.
- All areas proposed for grading and landscaping.
- Location, use, and approximate dimensions of all structures within 100 feet of the site's boundaries.

**5. Grant Deed.** A current deed to the property must be provided. In some circumstances, a Preliminary Title Report may also be required.

**6. Development Plans.** If applicable, one set of preliminary development plans shall be required at the time of application submittal. The plans shall show elevations to scale which show all sides of any proposed building or structure. The plans shall also include a detailed scale drawing of the floor plan for each proposed building or structure. The floor plan shall show uses within each proposed building or structure.

**7. Lot Flagging.** A distinct flag may be required to be placed on each corner of the property if the boundaries of the property cannot be readily identifiable, and structures from adjacent properties are in close proximity to the proposed use.

**8. Additional Information.** As the applicant, you may be asked to provide more detailed information on the project as part of the application requirements, including, but not limited to, such items as soils reports, drainage plans, geologic reports, archaeological reports, biological studies, noise studies, traffic and circulation studies, etc. You are responsible for providing sufficient information to the City to allow proper review of your application.

***Acceptance of your application does not guarantee your application will be approved by the City Council. Nothing stated to any person by any employee in City government can be construed in any way as speaking for the City Council relative to your application.***

## FREQUENTLY ASKED QUESTIONS

### WHAT IS ZONING?

The City's Zoning Ordinance classifies all property into various zoning classifications or districts which control both land use and development standards. California law requires zoning to be consistent with the City's General Plan. A Zone Change is a request to change the zoning designation on a parcel(s) of land.

### WHO NEEDS A ZONE CHANGE?

On or more record property owners or their representatives, who have a proposed use(s) for their land not allowed within the current zoning district may wish to pursue a zone change to a particular zone district that allows for the proposed use.

### WHAT IS THE ZONING ON MY PARCEL?

The City Council establishes the various zoning districts and the land uses allowed in each. Further, the City is charged with administration of the zoning laws and will provide you with the zoning information for your parcel(s). While it is helpful to know your Assessor's Parcel Number (APN), this information can be obtained from City Hall.

## **HOW DO I OBTAIN A ZONE CHANGE?**

As previously noted, it is strongly recommended that requests be reviewed with city staff prior to the submission of a formal application. However, to initiate a zone change, a completed application must be submitted to the City of Dunsmuir. Application forms are available at Dunsmuir City Hall, 5915 Dunsmuir Avenue, Dunsmuir, CA 96025, as well as on the City's website. It is important that you check with staff in order to determine if the zone change is consistent with the General Plan (a requirement of State law). If the rezone would be inconsistent with the General Plan, an application to amend the General Plan will also be necessary.

The application is reviewed by staff at the City of Dunsmuir and, depending upon the nature of the project and project site, it may entail review by responsible agencies as well (e.g., California Department of Fish and Wildlife, California Northeast Information Center for Archeological Resources, and/or others). Once the application is deemed accurate and complete, and after incorporating any comments received from reviewing agencies, staff will prepare the appropriate level of environmental review pursuant to the California Environmental Quality Act (CEQA). This will assist the Planning Commission, City Council, and public in determining whether the project may result in any potentially significant environmental impacts. If appropriate, the environmental review document will be circulated for a 30-day public review and comment period, after which a public hearing will be scheduled before the Planning Commission. Prior to the hearing, notice to all property owners within 300 feet of the project site is provided. Following the receipt of public testimony at the hearing, the Planning Commission will either refer the matter back to staff for further evaluation; continue the public hearing to a specific time, date, and place; or close the public hearing and make its decision on whether to recommend the City Council approve the proposed rezone. Provided the Planning Commission recommends approval of the application, a public hearing will be scheduled before the City Council, following which the City Council will ultimately approve, modify or deny the application. The City Council's decision to approve or deny the zone change is final. If the zone change is approved, the Council will introduce an ordinance amending the zoning at the meeting and then formally adopt said ordinance at a subsequent meeting.

## **WHAT INFORMATION IS REQUIRED FOR A ZONE CHANGE APPLICATION?**

You will need to submit a complete Planning Application. In addition, you will need to describe the reason(s) you are requesting the zone change. Upon review of the application, additional information may be requested, including, but not limited to such items as soils reports, archaeological reports, biological studies, traffic studies, etc. Any expense associated with this work shall be borne by the project applicant. Further, when such additional information is required, applications will be deemed "incomplete" until the information is received. This can create delays in the timelines to process the application.

## **HOW MUCH WILL THE APPLICATION PROCESS COST?**

City of Dunsmuir - Planning fees can be obtained from City Hall. Checks should be made payable to the City of Dunsmuir.

California Department of Fish and Wildlife - Pursuant to Fish and Game Code Section 711.4, CDFW imposes and collects a CEQA filing fee to defray the costs of managing and protecting California's fish and wildlife resources. This fee applies regardless of whether CDFW participates in the review of your project. Unless the fee is paid, your project will not be valid. In order to minimize the impact of collecting this fee, the fee is not paid until the project is approved. Pursuant to the same Fish and Game Code Section 711.4, the Siskiyou County Clerk is authorized to collect a fee in order to off-set the cost for the posting of a Notice of Exemption or Notice of Determination for your project.

It is the applicant's responsibility to pay the County Clerk (check made payable to the Siskiyou County Clerk) directly for both of the Clerk fee and CDFW fee immediately upon project approval and before a Notice of Determination or Notice of Exemption is filed.

California Northeast Information Center for Cultural Resources - Your project may be subject to this fee (made payable to the CSU Chico Research Foundation) should the project potentially impact historic or cultural resources.

### **HOW LONG WILL THIS PROCESS TAKE?**

The actual time for the processing of a rezone application will vary depending on the complexity and magnitude of the request and scheduling of the hearing dates. Generally, the review, public notice, and public hearing process to bring an application for a rezone before the Planning Commission may take 120 to 150 days, depending on when the application is accepted by the City as being complete. Once the Planning Commission makes its recommendation, it typically requires another 30 days for the City Council to consider the application and to introduce the ordinance amending the zoning. Timelines can become considerably longer when additional information is required from other agencies reviewing the project. Planning Commission hearings are held the second Wednesday of each month and City Council meetings are held the first and third Thursday of each month.

### **ARE INCOMPLETE APPLICATIONS RETURNED?**

In the event that an application has not been determined to be complete and ready for processing within six (6) months after the date of the first incomplete notice, the applicant must complete all outstanding requirements within thirty (30) days of written notice to complete the application requirements. If the applicant fails to complete the application submittal requirements within this time frame, the application will be considered abandoned and staff's time and costs incurred working on the project shall be charged against the application filing fees, and any remaining balance shall be refunded to the applicant.

The City Manager may waive this requirement where this provision would represent an unreasonable time expectation in the determination of the City Manager. Examples of such projects could include Environmental Impact Reports, projects which require the completion of complex studies, or projects where the applicant is diligently working with staff to address project related issues.

### **WHEN WILL THE ZONING BECOME EFFECTIVE?**

Following the public hearing and a recommendation by the Planning Commission, rezone actions require two meetings before the City Council, at least one of which must be a public hearing. If the proposed rezone is approved by the Council, the zoning will become effective 30 days following the second reading of the ordinance amending the zoning.