



City of
Huntington Beach
Department of
Community Development

How To Request a Variance



Definition

A variance is a method by which a property owner may seek relief from the development standards of the zoning code. Examples include deviations from height requirements, lot coverage, open space, off-street parking, and setback requirements.

- B. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity.

Findings

In order to grant a variance, the City must make the following findings in accordance with State Law:

- A. The granting of a variance will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zoning classification.
- C. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights.
- D. The granting of a variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification and is consistent with the General Plan.

What To Do

1. Visit the Zoning Counter to discuss your request. During this session you will be given the appropriate application forms, instructions, advised of any additional materials that are required, and informed which judicial body will decide on your application. An application is also available on the Planning Division's website at: www.huntingtonbeachca.gov/Government/departments/planning/applications/index.cfm
2. Submit the application materials.
3. After staff has reviewed your application and (if necessary) advised you of any additional material required your application will be deemed complete.
4. Staff will process your application and schedule the application for hearing before either the Zoning Administrator or the Planning Commission. The applicant is strongly advised to attend the hearing to promote their project and answer questions.
5. Once the application is acted upon, there is a 10-day period for any aggrieved party to file an appeal. If no appeal is filed during this period, the application becomes final.
6. Following the appeal period, the applicant can submit a building permit application to the Building Department. Building permits are required prior to beginning construction work.



Waiver of Developmental Standards

An Administrative Permit may be considered for waiver up to 10 percent of the development standards for setbacks, open space, separation between buildings, height of buildings or fences, site coverage and landscaping. Additional information is available in Chapter 241 of the Huntington Beach Zoning and Subdivision Ordinance.

Decision

The Decision of the Zoning Administrator or Planning Commission is mailed to the applicant in a Notice of Action letter. The decision is final unless appealed within ten (10) calendar days of the decision.

Contact Information

Information on applications, zoning requirements, etc. is available by visiting the Third Floor of the Civic Center at 2000 Main Street (Corner of Yorktown and Main) or calling (714) 536-5271, or on the Planning Division website: www.huntingtonbeachca.gov/government/departments/community-development/



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