

**KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT
LAND DIVISION UNIT
(661) 862-8600**

**INSTRUCTIONS TO APPLICANT
REQUEST FOR DEVELOPMENT VARIATION FROM THE LAND DIVISION
ORDINANCE**

The Kern County Land Division Ordinance provides for exceptions to the improvement requirements specified in Sections 18.55.030, 18.55.040, and 18.55.050 of the Land Division Ordinance.

INSTRUCTIONS:

- (1) Complete a separate development variation application for each requested exception providing the justification detailed on the application.
- (2) A \$260 fee is required for parcel maps and parcel map waivers. A \$600 fee is required for tract maps. A \$1,100 fee is required for Lot Line Adjustments. The required fee will be included in the final filing fees.
- (3) For reference in completing the justification, the following are the findings of fact that the Advisory Agency, Planning Commission, or the Board of Supervisors must make to approve or conditionally approve this request:
 - (a) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation.
 - (b) Approval of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity.

APPLICATION FOR DEVELOPMENT VARIATION

**KERN COUNTY PLANNING AND
NATURAL RESOURCES DEPARTMENT
2700 "M" Street, Suite 100
Bakersfield, CA 93301
(661) 862-8600**

TRACT _____ PARCEL MAP _____ LLA _____ PMW _____

(Petition # _____)

I hereby petition for an exception to Section _____ of the Land Division Ordinance to allow:

In order for this request to be granted, it shall be necessary for the Advisory Agency, Planning Commission, or the Board of Supervisors to make the findings of fact listed below. PROVIDE A BRIEF NARRATIVE WHICH DESCRIBES HOW YOUR REQUEST IS JUSTIFIED IN REGARD TO THESE REQUIRED FINDINGS. Be specific, and provide examples of similar situations in the vicinity of your site. **Failure to adequately justify the request will cause this application to be returned to you as incomplete.**

- (1) Special circumstances exist with respect to the property or the proposed subdivision design that warrants the requested development variation:

- (2) Approval of the development variation will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity:

In accordance with Section 18.55.040, if your request involves the deferral of required improvements for a **PARCEL MAP** to a later stage of development, beyond the recordation of the map, the following findings of fact must also be made.

- a. The property to be subdivided has no established use.
- b. The zoning district which is applicable to the property requires similar improvements or improvements of a higher standard at such time that a use is established.

- c. It is noted on the final parcel map the types of improvements that have been deferred, when the improvements will be required, and who will review and approve said improvements.
- d. Deferrals of road improvements to commercial or industrial parcel maps will be limited to the consideration of the deferral of curb, gutter, and sidewalks, where required.

PROVIDE THE FOLLOWING INFORMATION if you are requesting deferral of improvements required by a parcel map:

State the current use of the property (be specific): _____

What is the zoning of the property, and what provisions of the Zoning Ordinance will require that similar improvements or improvements of higher standard be constructed at the time a use is established?

At what stage of development (prior to permit issuance, prior to occupancy of structures, etc.) will the improvements be constructed, and who will be responsible for inspecting and approving the construction of said improvements?

I declare, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge.

Signature _____ Date _____

Name _____ Phone _____

Mailing Address _____
