

The Planning Commission, after receiving a recommendation from the Planning Department, shall make the following findings:

1. That the representations in the application are valid or invalid and the applicant has or has not met one or more of the criteria established in **Section 18.32.030**;
2. That the reasons set forth in the application justify or do not justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land or structure;
3. That the granting or denial of the variance will be in harmony with the general purpose and intent of the Rainbow Vision Plan and the Zoning regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

18.32.060 ACTION

The Planning Commission, after receiving a recommendation from the Planning Department, shall consider the application and approve, conditionally approve or deny it according to the provisions of this section. In granting a variance, the Planning Commission may prescribe appropriate conditions in conformity with these regulations.

18.32.070 ISSUANCE OF PERMIT

Where a variance is required and granted, it shall be issued prior to the issuance of a building permit, and shall be issued subject to the conditions upon which the Planning Commission has determined to grant the variance. Unless a building permit is issued for the development within a period of one year from the date of variance approval, such approval shall expire unless good cause can be shown to the Planning Commission that, after review and recommendation by the Planning Department, the variance should not expire. In the event that good cause is shown, the permission may be extended for up to one, six (6) month period.

18.34 MINOR MODIFICATIONS

18.34.010 Planning Director Approval

If, after planning permission has been received, it becomes necessary to modify the approved plan, minor modifications may be approved or disapproved by the Planning Director or designee. In no case shall the request for modification exceed what is allowed by zone, to include the result of cumulative requests.

18.34.020 Minor Modifications - Criteria

Minor modifications include:

- A. Any change in commercial or industrial floor space up to 3%
- B. Any change in the amount of open space up to 1%
- C. Any change in the amount of land area covered by structures up to 2%
- D. Minor changes in the location of streets and utilities.