
REVIEW PROCESS

PRE-APPLICATION: The applicant meets with staff to become familiar with zoning requirements applicable to the project.

APPLICATION SUBMITTAL: City staff reviews application for completeness. If complete, staff reviews the application for determination of compliance with the California Environmental Quality Act. If deemed necessary, the application may be scheduled for review by the Development Advisory Board, composed of staff from Planning, Public Works, Building and Engineering Departments. Applicants and representatives are invited to attend these bi-monthly meetings.

ZONING ADMINISTRATOR: The Zoning Administrator conducts a public hearing and approves, conditionally approves, or denies the project based upon staff's analysis and recommendation and public testimony received on the project.

PLANNING COMMISSION: The Planning Commission may conduct a public hearing and make the final decision for larger projects, or for any application that is referred by the Zoning Administrator.

ANY QUESTIONS? Please call the Planning Department at (949) 443-6331.

Planning Department Mission Statement: "To preserve the small, village-like character of the community through high quality design, diverse housing, and the preservation of cultural resources, open space, natural creeks and ridgelines in a manner that will enhance the quality of life for the City's present and future residents."



Your Guide to Understanding the
**ZONE VARIANCE
APPLICATION
PROCESS**



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ZONE VARIANCE PROCESS

A zone variance allows a deviation from the zoning requirements that apply to a property.

Variances may be appropriate where strict application of the zoning regulation would create an undue hardship on the property owner due to unusual property circumstances such as parcel shape, size, or topography.



Mission San Juan Capistrano

A zone variance application requires a public hearing by either the City's Zoning Administrator or the Planning Commission. State law requires that all of the following findings must be satisfied to grant a variance:

- There are special circumstances applicable to the property (including size, shape, topography, location, or surroundings) such that the strict application of this code would deprive the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification;
- Granting the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone district in which such property is situated;
- The variance will not result in a development that is inconsistent with Title 9 of the Municipal Code;

- The variance will not result in a development that is inconsistent with the goals, policies, and objectives of the City's General Plan.

SUBMISSION REQUIREMENTS

- Application for Development Approval
- Deposit or fee per adopted City Council resolution
- Check payable to OCFA for fire prevention review
- A title report for the property completed by a licensed title company and prepared within 30 days of your application submittal
- For non-residential variances, twelve (12) sets of a site plan, building elevation plans, sign plans (or other site improvements relative to the variance) drawn to scale and folded to 9" x 12" and one (1) set of photographic reductions (8 1/2" x 11")
- For residential variances, five (5) sets of plans with above information

Plans shall include the following:

- Vicinity map showing the general location of the property within the City
- North arrow, scale, date and title block
- Name, address, and telephone number of property owner(s)
- Name, address, telephone number, and license/registration number of engineer, surveyor, or person responsible for preparation of the plan
- Location of existing property lines and easements, including type of easement
- Acreage or square feet of lot

- Location of existing and proposed public and private streets, driveways, sidewalks, equestrian trails, bikeways, parking areas, and similar improvements
- Location of existing and proposed utilities, above and below ground, including sanitary sewer, storm sewer, electricity, natural gas, telephone and cable TV
- Existing and proposed use of property, including existing use of all properties situated within 300 feet of the project boundaries
- Location and use of all existing and proposed structures, trees, and improvements, including accessory structures, fences, sheds, and similar improvements
- Proposed materials, colors, and design treatments of building(s) for which the variance is sought.
- Proposed grading and retaining or crib walls, or similar grading-related improvements
- Proposed landscaping, including size, height, and type of trees, vegetation and/or groundcover.

NOTIFICATION REQUIREMENTS

- A diskcopy of an Excel spreadsheet of the property owner's mailing list for all real properties within the required feet of the project including the assessor parcel number, name, and mailing address. A copy of the relevant assessor parcel map (s) delineating the limits of the required public notice area.
- A signed affidavit by the person responsible for preparing the list attesting to its accuracy and its compliance with Title 9.
- A signed affidavit of on-site posting, if required.

★ *See Notification Preparation Packet for project specific noticing requirements.*