

REVIEW PROCESS

PRE-APPLICATION: The applicant may apply for a Pre-Application meeting to meet with staff from each department, known as the Development Advisory Board (DAB), to become familiar with applicable General Plan, zoning, utility, traffic, environmental, and engineering requirements pertaining to the project. The DAB may also identify additional entitlements required for the project.

APPLICATION SUBMITTAL: Once the applicant submits a Zone Variance application and development plans to the Planning Division, and if no Pre-Application meeting was held, staff holds a DAB meeting to review the application for completeness. If complete, staff conducts environmental review in compliance with the California Environmental Quality Act, and schedules review by the Zoning Administrator or Planning Commission as deemed necessary.

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

BUILDING PERMIT PROCESS

Once the project has received approval, the applicant will need to obtain Building Permits prior to construction.

ZONING CONFIRMATION: Construction documents pertaining to the Zone Variance must be re-submitted to the Planning Division with a Zoning Confirmation Plan Check Application and plan check fee for review. Staff will review the plans for consistency with the Zoning Administrator or Planning Commission approved plans, and if all requirements and conditions have been met, approve of the plans.

BUILDING PERMIT: Once the applicant receives Zoning Confirmation approval, they must submit to the Building Division for a Building Permit. The Building Division routes plans to associated organizations and departments, as necessary for the development. In order to provide appropriate review, the applicant must submit a Building Permit Application, all necessary review fees, up to four sets of plans, up to three sets of structural calculations and geotechnical reports, and a cost estimate to the Building Division. The Building Permit's first review may take up to 15 days, and up to five working days for each resubmittal after corrections.

ANY QUESTIONS? Please contact the Planning Division at (949) 443-6331.



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 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
- Preliminary title report for the property prepared within 30 days of your application submittal
- Three 24" x 36" and three 11' x 17' of an engineered site plan, building elevation plans, sign plans drawn to scale and folded to 9" x 12" and one set of photographic reductions.
- List of property owners required to be notified of development proposal (see Notification Requirements).
- Letter of Intent describing proposed use and site operations.

Plans shall include the following when applicable:

- 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
- Proposed materials, colors, and design treatments of building(s) for which the variance is sought.

- 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.