

Planning and Building Agency  
 Planning Division  
 20 Civic Center Plaza  
 P.O. Box 1988 (M-20)  
 Santa Ana, CA 92702  
 (714) 647-5804  
 www.santa-ana.org

## MINOR EXCEPTION Application

Application No.: \_\_\_\_\_

### I. Minor Exception Requirement

A **Minor Exception** is required when properties are proposed with development standards below the minimum standards of the zone. A minor exception is allowed only when extraordinary or exceptional circumstances are applicable to the property involved or the use proposed.

### II. Minor Exception Purpose

Clearly state the ordinance requirements requested for minor exception

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### III. Minor Exception Justification

The minor exception procedure is intended to provide relief from zoning ordinance regulations which result in unintended inequities or hardships when applied to specific properties and must not be a grant of special privilege. (See Santa Ana Municipal Code Sections 41-638 (a) (2) (i), (ii), (iii), (iv)). The Zoning Administrator, Planning Commission, and City Council must make affirmative findings on all four (4) items listed in the above mentioned Code sections if this request is to be approved. Your concise responses to the following four (4) criteria are essential. (Please read Code Sections 41-638 (a) (2) (i), (ii), (iii), (iv) carefully. They have been reproduced at the end of this form for your convenience.)

Section 41-638 (a) (2) (i) \_\_\_\_\_  
 Special Circumstances Applicable

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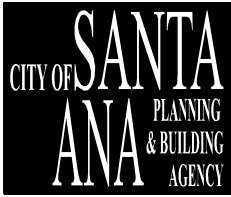
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## MINOR EXCEPTION Application

Section 41-638 (a) (2) (ii) \_\_\_\_\_  
 Preservation of Substantial Property Rights

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Section 41-638 (a) (2) (iii) \_\_\_\_\_  
 Public Welfare and Surrounding Property

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Section 41-638 (a) (2) (iv) \_\_\_\_\_  
 Effect upon General Plan

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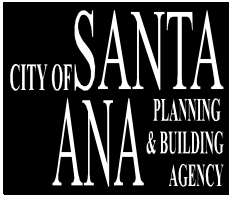
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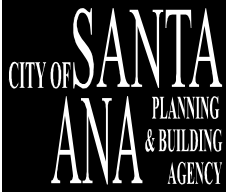
## MINOR EXCEPTION Application

**Sec. 41-638. Standards for granting applications for minor exceptions, variances and conditional use permit and appeals.**

- (a) The council, planning commission and zoning administrator may grant according to the procedure outlined in this chapter:
- (2) Variances from and minor exceptions to the provisions of the Municipal Code when it appears that all of the following have been established:
- (i) That 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 not otherwise at variance with the intent and purpose of the provisions of this chapter;
  - (ii) That the granting of a variance or minor exception is necessary for the preservation and enjoyment of one or more substantial property rights;
  - (iii) That the granting of a variance or minor exception will not be materially detrimental to the public welfare or injurious to surrounding property;
  - (iv) That the granting of a variance or minor exception will not adversely affect the general plan of the city.
- (b) In granting any conditional use permit, variance or minor exception, the zoning administrator, planning commission or council may impose such conditions as are deemed necessary and desirable to protect the public health, safety or welfare in accordance with the purpose and intent of this chapter. (Code 1952, § 9250.8; Ord. No. NS-455, § 1, 6-20-60; Ord. No. NS-989, § 1, 11-17-69; Ord. No. NS-1507, § 12, 11-19-79; Ord. No. NS-1732, § 50, 6-25-84)

**Sec. 41-638.1. Minor exceptions from off-street parking requirements.**

- (a) Minor exceptions from the off-street parking regulations referenced in this section shall be subject to grant or denial based upon the standards set forth in this section and not upon the standards set forth in section 41-638.
- (b) A minor exception from the requirement that required parking areas be integrated such that a vehicle need not enter a street to move from one aisle to another may be granted if:
- (i) The stalls in an aisle are all reserved or assigned so as to be unavailable for parking by persons permitted to park in another aisle; or
  - (ii) A parking area serves an office use and is immediately across a street or alley from it; or
  - (iii) The parking area is wholly or partly within a structure.
- (c) A minor exception may be granted from the provisions of this chapter requiring each use to have its required number of off-street parking stalls to allow two (2) or more independent uses to share required parking stalls provided no conflict will arise between parking for one use and parking for another due to differences in time of primary utilization of parking as between uses.
- (d) A minor exception may be granted from the off-street parking design requirements of this chapter to allow for tandem parking serving any nonresidential use if the parking area is adequately managed by a valet service or parking management service.
- (e) No minor exceptions shall be granted under this section if the effect would be to substantially increase difficulties of vehicle maneuverability or traffic congestion. Any minor exception granted under this section may be conditioned to avoid such adverse impacts, including the condition of maintaining parking according to an approved parking site and/or management plan. (Ord. No. NS-1602, § 8, 10-26-81; Ord. No. NS-1831, § 4, 2-3-86)



## DISCRETIONARY ACTION SUBMITTAL CHECKLIST

### PLANNING DIVISION

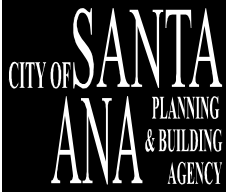
#### I. General Information

- A. To submit your Discretionary Action application, it is required that you **make an appointment** with the case planner assigned to your project. Walk-in submittals without a scheduled appointment will not be accepted.
- B. All Discretionary Actions shall first go through the site plan review process. Site plan review, which includes environmental review, must be deemed complete by your case planner prior to submitting for any discretionary action. Completion of site plan review is demonstrated by obtaining a Development Review Committee stamped plan or a letter from your case planner stating that site plan review is complete and you are ready to proceed with your Discretionary Application.
- C. Variances, zone changes, conditional use permits, tract and parcel maps, minor exceptions, and all other discretionary actions require a public hearing before either the City Zoning Administrator, Planning Commission, or City Council.

#### II. Submittal Requirements:

**Pursuant to the Permit Streamlining Act, all applications for a development project shall include each of the following. Applications are deemed incomplete should there be any missing item. Incomplete applications are not deemed filed or accepted.**

- A.  Completed **General Data** form.
- B.  Completed **Submittal Affidavit** form.
- C.  Completed **Project Description** form.
- D.  Completed **Discretionary Action** application(s) appropriate for your project.
- E.  Completed **Existing Conditions** form.
- F.  Verification of **completed site plan review**.
- G.  Complete **plans** to include all items from the site plan review checklist and any revisions to your site plan, floor plan(s), and building elevations required through site plan review. All plans must be folded to eight and one-half inch by 11-inch notebook size.
  - 1.  Fourteen (14) complete sets of plans are required for variances, zone changes, conditional use permits (except ABC licenses), general plan amendments, and subdivision maps.
  - 2.  Four complete sets of plans are required for minor exceptions, residential relocations, and conditional use permits for ABC licenses.



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## DISCRETIONARY ACTION SUBMITTAL CHECKLIST

- H.  One clean eight and one-half inch by 11-inch **reduction** of your site plan, all building elevations, all floor plans, and subdivision map if applicable. **MUST BE CLEAR AND LEGIBLE.**
- I.  Please obtain the following information from the Orange County Assessor's Office, 630 North Broadway, Santa Ana, CA.
1.  Provide one **assessor's parcel map**. The following information must be provided on the assessor parcel map and consolidated on only one sheet of paper:
    - a. \_\_\_ A north arrow.
    - b. \_\_\_ A **500-foot radius circle** from exterior boundaries of subject property.  
  
PRINT IN existing land uses (school, market, auto repair, SFR (single-family residences), etc.) within the 300-foot radius.
    - c. \_\_\_ family residences), etc.) within the 300-foot radius.
    - d. \_\_\_ PRINT IN street addresses of each property within the 300-foot radius.
  2.  Provide property owners mailing labels as required below including each property owner's name, address, and APN for each property within 300-feet of the subject parcel, including the subject site.\* In addition, to the sets of labels required, submit one duplicate copy. Each set of addresses may be on City provided label sheets or other equivalent preprinted gummed labels.  
  
\* **Sets of Mailing Labels Required** (Eight and one-half inch format. Labels may not be older than six months.)
    - a. \_\_\_ Four sets for AA/GPA/EIRs.
    - b. \_\_\_ Three sets for CUP/VA/ZOA/MEs (if no AA or GPA is also applied for).
    - c. \_\_\_ One copy of mailing labels (each case needs a separate copy).
- J.  Pay the appropriate fees at the time of the Discretionary Action submittal.
- K.  Plans and Photographs must be submitted in digital format.



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## SUBMITTAL AFFIDAVIT

**This application is for:**

- Amendment Application
- Appeal/Planning Commission
- Appeal/Planning Manager
- Appeal/Zoning Administrator
- C-3 Parking Waiver
- Certificate of Compliance
- Conceptual Review
- Conditional Use Permit
- Development Agreement
- Environmental Review
- General Plan Amendment
- Historic Demolition
- Historic Project Review
- Land Use Certificate
- Lot Line Adjustment
- Metro East Site Plan Review
- Minor Exception
- Neighborhood Project Review
- Parcel Map
- Planning Commission Site Plan Review
- Residential Relocation
- Site Plan Review (DRC)
- Specific Plan
- Tract Map
- Variance
- Zoning Ordinance Amendment
- Other \_\_\_\_\_

**Project Address:** \_\_\_\_\_

**Assessor's Parcel Number(s):** \_\_\_\_\_

I, as current legal owner of the property identified above and in the attached application(s), acknowledge the submittal of the above application(s). I certify that the information contained in the application package is true and correct to the best of my knowledge.

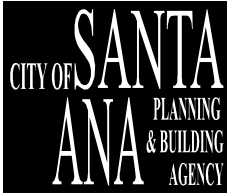
Recorded Property Owner  
or Authorized Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Note:** An original signature is required on this form as part of the application. An agent for the property owner may sign the application provided that a signed original letter of authorization from the property owner accompanies this affidavit.



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**GENERAL DATA**

**I. Property Information**

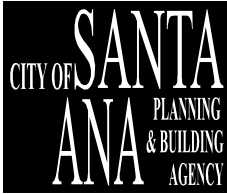
Project Address: \_\_\_\_\_  
 Assessor's Parcel Number(s) (APN No.): \_\_\_\_\_  
 Legal Description (Lot and Tract Number(s)): \_\_\_\_\_  
 Existing General Plan Designation and Density/Floor Area Ratio: \_\_\_\_\_  
 Existing Zoning Designation: \_\_\_\_\_  
 Property Acreage: \_\_\_\_\_

**II. Project Information**

Project (or Business) Name: \_\_\_\_\_  
 Non-residential use(s):      Proposed Commercial Square Footage: \_\_\_\_\_  
                                          Proposed Office Square Footage: \_\_\_\_\_  
                                          Proposed Industrial Square Footage: \_\_\_\_\_  
 Residential Uses:      Single Family Units: \_\_\_\_\_ Density: \_\_\_\_\_  
                                          Duplex Units: \_\_\_\_\_ Density: \_\_\_\_\_  
                                          Multiple Family Units: \_\_\_\_\_ Density: \_\_\_\_\_  
 Parking Spaces:      Required: \_\_\_\_\_ Proposed: \_\_\_\_\_

**III. Applicant/Developer Information**

Applicant/Developer Company Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Contact Person (please print): \_\_\_\_\_  
 Telephone: ( ) \_\_\_\_\_ Facsimile: ( ) \_\_\_\_\_  
 Mobile: ( ) \_\_\_\_\_ Pager: ( ) \_\_\_\_\_  
 E-mail: \_\_\_\_\_



**IV. Property Owner Information**

Recorded Owner: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person (please print): \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Facsimile: ( ) \_\_\_\_\_

Mobile: ( ) \_\_\_\_\_ Pager: ( ) \_\_\_\_\_

**V. Architect/Designer/Engineer Information**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person (please print): \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Facsimile: ( ) \_\_\_\_\_

Mobile: ( ) \_\_\_\_\_ Pager: ( ) \_\_\_\_\_

E-mail: \_\_\_\_\_

**VI. Proposed Tenant Information**

Proposed Tenant: \_\_\_\_\_

Contact Person (please print): \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**VII. Primary Contact for Project (if different from applicant)**

Contact Person (please print): \_\_\_\_\_

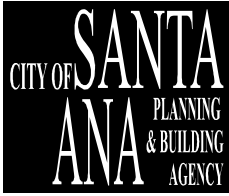
Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Facsimile: ( ) \_\_\_\_\_

Mobile: ( ) \_\_\_\_\_ Pager: ( ) \_\_\_\_\_

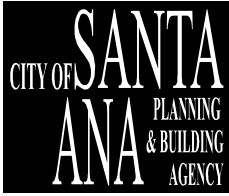
E-mail: \_\_\_\_\_



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## PROJECT DESCRIPTION

- I. Provide a detailed description of the proposed project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- II. Provide the lot size and square footage of all buildings: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- III. Describe what type of hazardous materials – if any – will be stored on the site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- IV. Describe the size, height, and proposed use of each building: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- V. Describe the project floor area ratio or density: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- VI. Provide the total number of required and proposed on-site parking spaces for the project and describe site access location points: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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## PROJECT DESCRIPTION

**VII. Are any off-site parking spaces proposed? If yes, please describe the number and location:**

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**VIII. Describe the project phasing:** \_\_\_\_\_

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**IX. Describe grading operations and the amount (cubic feet) of soil to be moved, if applicable: \_**

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**X. Describe the nature of any trees and landscaping to be removed:** \_\_\_\_\_

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**XI. Describe the operational characteristics of the project (proposed hours of operation, proposed type of ABC license, and unique characteristics of the proposed use):** \_\_\_\_\_

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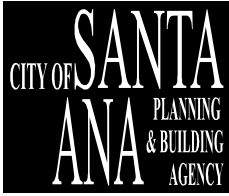
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**XII. Other pertinent information about the project:** \_\_\_\_\_

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## EXISTING CONDITIONS

**I. Describe all previous uses or activities on the site:** \_\_\_\_\_

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**II. Describe all existing structures on the site in terms of their use, construction type, height, density, and square footage:** \_\_\_\_\_

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**III. Describe the project site as it presently exists before the project in terms of:**

- Site topography: \_\_\_\_\_

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- Plant life (existing trees or buffers): \_\_\_\_\_

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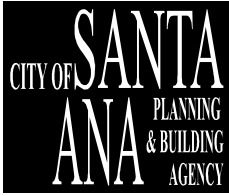
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## EXISTING CONDITIONS

- Soil conditions (liquefaction, contamination, underground tanks): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Historic or cultural resources: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### IV. Describe the land use and size of surrounding properties:

North: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

South: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

East: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

West: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_