

## CITY OF MILPITAS

Office of Building Safety  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
408-586-3240  
[www.milpitas.gov](http://www.milpitas.gov)



## PLANS REQUIRED TO BE DESIGNED BY AN ARCHITECT OR ENGINEER

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All plans are required to be signed by a California Registered Engineer or Architect except as follows:

### **1. Section 5537 of the California Business & Professions Code:**

Exemptions per Section 5537 of the Business & Professions Code are applicable to building plans that have been designed in accordance with the conventional framing requirements of Chapter 23 of the 2022 edition of California Building Code and tables of limitation for wood frame construction.

An unlicensed person may prepare plans, drawings or specifications for the following

- Single family dwelling not more than two stories and basement in height.
- Multiple dwellings containing no more than four dwelling units and not more than two stories and basement in height. Also, maximum of four dwelling units on any lot.
- Garages or other structures appurtenant to single family dwelling or multiple dwellings not more than two stories and basement in height.
- Agricultural and ranch buildings unless the Building Official deems that an undue risk to the public health, safety, or welfare is involved.

However, if any portion of any structure exempted by this section deviates from conventional framing requirements for wood frame construction found in Chapter 23 of the 2022 edition of the California Building Code or Chapters 5, 6 and 8 of 2022 California Residential Code, the Building Official may require the preparation of plans, drawings, specifications or calculations for that portion by, or under the direct supervision of, a registered engineer or architect. The documents for that portion shall bear the stamp and signature of the licensee who is responsible for their preparation.

### **2. Sections 5538 of the California Business & Professions Code:**

This chapter does not prohibit any person from furnishing plans for any of the following:

- Nonstructural storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.
- Any non-structural works necessary to provide for their installation.

However, an unlicensed person may not prepare plans for those alterations that will change or affect any components of the structural system or safety of the building or its occupants.

Plans prepared for the following projects except as specifically noted above, shall be deemed as affecting the safety of a building or its occupants and shall be stamped and signed by a registered engineer or architect:

- New buildings, additions to existing buildings
- Projects with interior or exterior structural alterations
- Interior alteration with an occupancy alteration
- Interior alteration with walls and partitions over 6' in height or ceiling work which cover a floor area greater than 3,000 square feet in B, F-1, F-2, S-1, S-2 and M occupancies.
- Storage racks over 6' in height
- Remodeling projects with changes to 1-hr rated corridors, fire barriers, fire partitions or fire walls
- Alteration with changes to exiting requirements
- Hazardous occupancies: H1, H2, H3, H4 and H5
- Assembly occupancies: A-1, A-2, A-3, A-4 and A-5
- Alterations or additions to restaurants, grocery stores and other food facilities
- Alterations or additions that require upgrading or modifications to accessibility design and construction such as path-of-travel, accessible toilet rooms, etc
- Tanks and vessels
- Machinery and equipment requiring design per the 2022 CBC and ASCE 7-16 Chapters 13 and 15
- Roof mounted mechanical equipment
- School and day care occupancies E and I-4
- Hospital occupancies: I-1, I-2, and I-3
- Projects with S-1, S-2, F-1 and F-2 occupancies
- Hotel, motel, condominium and apartment occupancies classified as R-1 and R-2 occupancies
- Projects with mixed occupancies
- Remodeling projects in a high-rise (having floors over 75' in height) building
- Lateral force resisting systems utilizing poles embedded in the ground
- Cripple walls exceeding 4' in height or adjacent to garage door openings
- Any project deemed by Building Official to require professional design by a California Registered Engineer or Licensed Architect

Additional information can be obtained by visiting our website at [www.milpitas.gov](http://www.milpitas.gov) or by calling our information number at (408) 586-3240. In addition, you may visit the Office of Building Safety in City Hall at 455 E. Calaveras Boulevard, First Floor. Counter hours are 8am-5pm Monday-Wednesday and 10am-5pm Thursday. City Hall is closed to the public on Friday and services will be available virtually.