

Planning Department

408-586-3279 | 455 E. Calaveras Blvd., Milpitas, CA 95035
www.milpitas.gov | planningdepartment@milpitas.gov



APPLICATION FORM PROPERTY INFORMATION

STAFF USE ONLY

Site address/es:		Application Submittal Date:
		Paid Date:
APN(s): Assessor's parcel number/s:		Intake Planner:
		Permit Number(s):

PROJECT DESCRIPTION: Please provide a narrative project description that summarizes the project.

APPLICATION REQUEST:

Project Details - Check the box of what actions are required (check all that apply)

<input type="checkbox"/> Minor Site Development Permits (MS)	<input type="checkbox"/> Density Bonus (DB)
<input type="checkbox"/> Site Development Permits (SD)	<input type="checkbox"/> Tree Removal (TR)
<input type="checkbox"/> Conditional Use Permits (UP)	<input type="checkbox"/> Variance (VA)
<input type="checkbox"/> Minor Conditional Use Permits (MCUP)	<input type="checkbox"/> Minor Deviation (DEV)
<input type="checkbox"/> Temporary Use Permit (TUP)	<input type="checkbox"/> Time Extension (TE)
<input type="checkbox"/> Major Sign Permit (MJSP)	<input type="checkbox"/> Lot Line Adjustment-Subdivision/Lot Combination
<input type="checkbox"/> Minor Sign Permit (MNSP)	<input type="checkbox"/> Tentative Map (TM)
<input type="checkbox"/> Sign Program (SPM)	<input type="checkbox"/> Reasonable Accommodation (RA)
<input type="checkbox"/> General Plan/Specific Plan/Zoning Amendments	<input type="checkbox"/> Other

Please complete this Project Application and all the required documents identified within the checklist (page #5). We accept digital submissions by emailing all materials to planningdepartment@milpitas.gov. Alternatively, you can visit us at the Permit Center on the 1st floor of Milpitas City Hall at 455 East Calaveras Boulevard, Milpitas, CA 95035.

CONTACT INFORMATION

PROPERTY OWNER(S) INFORMATION AND SIGNATURE(S)

I (we) declare, under penalty of perjury, that in securing this permit, I am (we are) the owner of this property(ies) and that the statements herein and all information herewith submitted are, to the best of my (our) knowledge and belief, true and correct.

Legal Property Owner Name: _____ **Phone No.:** _____

Company (if applicable): _____ **Email Address:** _____

Mailing Address: _____

Signature of Property Owner _____ **Date** _____

APPLICANT & PRIMARY CONTACT:

Applicant Name: _____ **Phone No.:** _____

Company (if applicable): _____ **Email Address:** _____

Address: _____

Signature of Applicant _____ **Date** _____

ARCHITECT INFORMATION, CONSENT, AND SIGNATURE

I CONSENT, or I DO NOT CONSENT to allow the City of Milpitas to post online, in whole or in part, the architectural drawings and plans submitted for this project, including information protected by copyright laws, on the official City of Milpitas website (City website) as an indefinite online record for the project, including public hearings and meetings. If I do not consent, then only those architectural sheets and materials permitted under Senate Bill 1214 (e.g., site plan and massing diagram) will be posted on the City website. I am the design professional or copyright owner authorized to provide this consent.

Select one: **I CONSENT** or **I DO NOT CONSENT**

Architect/Copyright Owner Name: _____ **Phone No.:** _____

Company (if applicable): _____ **Email Address:** _____

Address: _____

Signature of Architect/Copyright Owner _____ **Date** _____

INDEMNIFICATION AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicants Project application(s) to each of the following terms and conditions:

1. Applicant agrees, as part of and in connection with each and any of the application(s), to defend, indemnify, and hold harmless the City of Milpitas ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claims(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors consultants, attorneys, employees, or agents to challenge, attack, set aside, void, or annual:
 - a. Any approvals issued in connection with any of the above-described application(s) by City; and/or
 - b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("CEQA") by City's advisory agencies, boards, or commissions; appeals boards or commissions; Planning Commission, or Council.

Applicant's indemnification is intended to include, but not limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by Applicant, City, and/or parties initiating or involved in such proceeding.

2. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.
3. Applicant agrees to defend, indemnify and hold harmless City, its officers, contractors, consultants, attorneys, employees and agents from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if Applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.
4. In the event that Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:
 - a. The counsel to so defend City; and
 - b. All significant decisions concerning the manner in which the defense is conducted; and
 - c. Any and all settlements, which approval shall not be unreasonably withheld.

City shall also have and retain the right to not participate in the defense, except the City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own to defend any proceeding where Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.

5. Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

After review and consideration of all of the forgoing terms and conditions, Applicant, by its signature below, hereby agrees to be bound by and fully and timely comply with all of the foregoing terms and condition.

APPLICANT & PRIMARY CONTACT:

Applicant Name: For Company (if applicable): _____

Signature of **Applicant**

Date

Hazardous Waste and Substances Statement

Pursuant to California Government Code Section 65962.5 (AB 3750 – Cortese), Government Code Section 65962.5 requires that "before a lead agency accepts as complete an application for any development ...the applicant shall consult the [Cortese] list and shall submit a signed statement...indicating whether the project and any alternative are located on a site that is included on [the list]." This form is provided for that purpose.

I have consulted the current Hazardous Waste and Substances Sites List, consolidated by the California Environmental Protection Agency pursuant to Government Code Section 65962.5 at https://www.envirostor.dtsc.ca.gov/public/map/?global_id=60002853 regarding the development project application herewith submitted. Visit this website and enter all addresses associated with the project to confirm the selection option below.

Based on my consultation, the location of the project, shown below, IS IS NOT on a site that is included on the linked most recent Hazardous Waste and Substances Sites List.

I declare under penalty of perjury that the foregoing is true.

Signature of **Applicant**

Date

Consultant List

Have consultants been identified to assist with this project? Yes No

Consultants include but are not limited to, architects, designers, contractors, landscape architects, engineers, planners, real estate agents, and environmental consultants. This form must be filled out completely. It enables City Council, Planning Commission, and staff members to avoid potential conflicts of interest, which could otherwise invalidate your project's approval.

Name: _____ Capacity: _____
Company: _____ Phone No.: _____
Address: _____ Email: _____
Milpitas Business Tax ID# _____

Name: _____ Capacity: _____
Company: _____ Phone No.: _____
Address: _____ Email: _____
Milpitas Business Tax ID# _____

Name: _____ Capacity: _____
Company: _____ Phone No.: _____
Address: _____ Email: _____
Milpitas Business Tax ID# _____

City of Milpitas Municipal Code Title III requires everyone, including consultants, who render services in or from the City of Milpitas to have a valid business tax/license. Don't hesitate to contact the Business Resource Center at 408-586-3100 for instructions on obtaining a Milpitas Business Tax ID number.

ARCHITECT(S) OR OTHER COPYRIGHT OWNER(S) INFORMATION, CONSENT, AND SIGNATURE

I **CONSENT** and **ACKNOWLEDGE** that while generally architectural plans and drawings, if protected by applicable law (e.g., 17 U.S.C. § 106), may be inspected but not copied without the copyright holder's consent, materials presented to the decisionmakers of public bodies are public records (e.g. Cal. Gov. Code, §§ 7920.530(a), 54957.5), and may be copied, distributed, and disclosed by the City of Milpitas as needed during review of this application or as required in compliance with the California Public Records Act (Cal. Gov. Code, §§ 7920.000 et seq.), the Ralph M. Brown Act (Cal. Gov. Code, §§ 54950 et seq.), and/or related sunshine laws, including the Milpitas Open Government Ordinance (MMC §§ I-310-1.10 et seq.). **THIS ACKNOWLEDGEMENT AND CONSENT APPLY WHETHER OR NOT THE FURTHER CONSENT BELOW FOR ONLINE POSTING IS PROVIDED.**

[SELECT ONE] **I CONSENT**, or **I DO NOT CONSENT**, to allow the City of Milpitas to post online, including on the City of Milpitas website, in copyable form, the architectural drawings and plans submitted for this project, including information protected by copyright laws, as an indefinite online record for the project and not just during public hearings and meetings. If I do not consent, then at the time of submitting architectural plans or drawings, or any amendment or revision thereto, I must submit to the Milpitas Planning Department a current site plan and/or massing diagram, which may be copied and publicly distributed online, or I shall be deemed to have consented to the online posting in copyable form any architectural drawings and plans submitted for this project in conformity with California Government Code section 65103.5(e). **IF NO BOX IS CHECKED, CONSENT IS DEEMED GIVEN.**

By signing below, I represent that I am the design professional or otherwise the copyright owner for all architectural drawings and plans submitted for this project, I am fully authorized to provide this consent without further consent or authorization from, or payment to, any other party, and in the event further consent is needed or requested in the future related to the architectural drawings and plans submitted for this project, including in relation to requests by the public for copies, such requests may be made by sending correspondence or communications to the contact information I am providing below.

Architect/Copyright Owner Name: _____
Phone No.: _____
Company (if applicable): _____
Email Address: _____
Address: _____

Signature of Architect/Copyright Owner

Date

NOTICE TO THE PUBLIC: Where consent to online posting is not given above, and a copy of this consent form is consequently included in the meeting agenda packets in-lieu of the protected architectural plans or drawings submitted to the relevant decisionmaker(s), members of the public may contact the Milpitas Planning Department to inspect these architectural plans or drawings and/or may contact the architect/copyright holder whose information appears above to request a copy.

REQUIRED PLAN SET ELEMENTS

The following table identifies the information required for each type of application. Please read the table carefully and note the different types of information identified under the headings for Project Description/Justification, Standard Plan Set, and Map Set. As indicated, some information is always required, some information may be required, and some information is not required depending on the type of permit requested. If you have any questions about the information required for your permit application, please contact the Planning Department at planningdepartment@milpitas.gov or (408) 586-3279 for assistance.

● = Always required. i = Sometimes required. Refer to the next section for instructions. - = Not required.

	Project Description or Justification					Standard Plan Set										Map Set		
	Design Statement	Operation Description	Project Justification	Variance Justification	Minor Deviation Justification	Title Sheet	Site Plan	Existing Conditions	Floor Plan	Elevations	Sections	Boundary Survey	Prelim. Grading Plan	Prelim. Utility plan	Storm Water Plan	Tree Survey	Landscape Plan	Misc. Details
Amendments/Modifications of Permits	-	-	●	-	-	●	●	●	●	-	-	-	-	-	-	-	-	-
Appeal	-	-	●	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Conditional Use Permit	-	●	-	-	-	●	●	●	●	-	-	-	-	-	-	●	●	-
General Plan Amendment	-	-	●	-	-	●	●	●	-	-	-	-	-	-	-	●	●	-
Lot Combination	●	-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●
Lot Line Adjustment	●	-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●
- Urban Lot Splits (SB 9)	●	-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●
Minor Conditional Use Permit	-	●	i	-	-	●	●	●	●	-	-	-	-	-	-	-	●	-
Minor Deviation	-	-	-	-	●	●	●	●	●	●	●	-	-	-	●	●	●	-
Minor Site Development Permit	i	-	●	-	-	●	●	●	●	●	●	-	-	-	●	●	●	-
- Two Unit Projects (SB 9)	●	-	●	-	-	●	●	●	●	●	●	●	●	●	●	●	●	-
Planned Unit Development	-	-	●	-	-	●	●	●	●	●	●	●	●	●	●	●	●	-
Pre-Application Review	i	i	-	-	-	●	●	●	●	●	-	-	●	-	●	●	●	-
Reasonable Accommodation	-	-	●	-	-	●	●	●	●	●	●	●	-	-	-	-	-	-
Rezoning	-	-	●	-	-	●	●	●	-	-	-	-	-	-	-	-	-	-
Sign Permit (Major, Minor, Sign Program)	i	-	●	-	-	●	●	●	●	●	●	-	-	-	-	-	-	●
Site Development Permit	●	●	●	-	-	●	●	●	●	●	●	●	●	●	●	●	●	-
Specific Plan Amendment	-	-	●	-	-	●	●	●	●	●	●	-	-	-	-	●	●	-
Temporary Use Permit	-	●	i	-	-	●	●	●	●	-	-	-	-	-	-	-	-	-
Tentative Parcel Map	●	-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●
Tentative Tract Map	●	-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●
Tree Removal Permit	-	●	-	-	-	-	●	-	-	-	-	-	-	-	-	●	●	-
Variance	-	-	-	●	-	●	●	●	●	●	●	-	●	-	-	●	●	-
Zoning Text Amendment	-	-	●	-	-	●	●	●	●	●	●	-	-	-	-	●	●	-

NON-STANDARD APPLICATIONS

The following applications have their own submittal requirements/checklists. Please visit the Applications and Checklist page of the Planning Department website or contact staff for the following application types:

- Density Bonus for Affordable Housing
- Housing Crisis Act (SB 330) Preliminary Application
- Urban Lot Split / Two Unit Project (SB 9) Projects
- SB35 (Housing Project Streamlining)
- Special Event Permit
- Tree Removal Permit
- Temporary Sign Permit
- Transportation Demand Management Plan

SUBMITTAL REQUIREMENTS

The Submittal Requirements are a centralized list of all application components required by the City of Milpitas Planning Department. To determine which submittal requirements are applicable to a specific project, please see the Standard Plan Set section. An application is considered to be incomplete if any of the items required per the Standard Plan Set, and listed in this sheet, have not been included. Processing of the application may be delayed until the submittal is deemed complete.

Planning Application

A completed and signed Planning Application, as well as all applicable sheets.

Fees

Staff will not review your application until fees established by the [fee schedule](#) are paid in full. After intake of your application, staff will provide you with an invoice.

Electronic Submittal Instructions

Please provide **ALL REQUIRED ITEMS** in PDF file(s) used for review, distribution, and reproduction:

- (a) PDF file(s) suitable for onscreen viewing or posting on the City of Milpitas's website. Use compression, down sampling, and a relatively low resolution to create an Adobe PDF file that is as small as possible; convert all colors to RGB, or to Monitor RGB (if color management is enabled); embed subsets of all fonts used in the file, except for the Base 14 fonts; maintain compatibility with Acrobat 9.0 and later; and optimize files for byte serving **[NOT TO EXCEED 10MB]**
- (b) PDF file(s) suitable for press output from the City of Milpitas's print service provider. The objective is to maintain all of the information in an Adobe PDF file that a commercial printer or service provider will need to print the document correctly. This set of options leaves the color unchanged; embeds all fonts used in the file; prints at a higher resolution; and uses other settings to preserve the maximum amount of information contained in the original document.
- (c) Plan Submittal Details
 - a. Combined Plan Set: Provide a single PDF that includes all plan sheets combined in the correct order.
 - b. Ensure the combined plan set is bookmarked for easy navigation (e.g., Site Plan, Floor Plans, Elevations).
- (d) Naming Convention for Resubmittals
 - To streamline the review process and save staff time, follow this naming convention for all resubmittals, especially for larger submittals and technical reports:
 - a. Format: Address – Project Name/Type – Document Type
 - b. Example: 123_Main_St – New_Residential_Project – Site_Plan
- (e) **All files are to remain unsecured** so subsequent modification is allowed as necessary.
- (f) Complete this Project Application and all of the required documents identified within this application for submittal by emailing the materials to planningdepartment@milpitas.gov

Project Description or Justification

All Project Descriptions or Justifications shall be submitted as a separate document from the proposed plan set. Please refer to the Required Plan Set Elements section above to determine which type of Project Description or Justification is required for a specific project. For larger development projects the assigned planner may request a technical project description.

Type A: Architectural Design Statement

The architectural design statement shall state the purpose of the project, discuss compatibility with surrounding structures, and reference specific design influences.

Type B: Business Operation Description

The business operation description shall include a detailed description of the activities proposed under the project, the proposed hours and days of operation, and the proposed occupancy at different times of day. If the project includes regularly scheduled events or classes, a specific schedule shall be provided. If there are specific management plans proposed as part of the project (e.g., security plans, noise mitigation plans, overflow parking plans, etc.) those plans should be included in the business operations description.

Type C: Project Justification

The project justification shall explain how the proposed project would implement established City goals, as stated in the General Plan. The justification shall explain the benefits of the proposed project in terms of land use pattern, social environment, community appearance, traffic circulation, and economic considerations. Where applicable, the justification shall address how the proposed project will affect public services and other qualities of the local environment.

Type D: Variance Justification

For this type of project justification, the applicant must respond to all of the following prompts:

- Describe the special circumstances applicable to your property (e.g., size, shape, topography, location, or surroundings) wherein the strict application of the Zoning regulations would deprive your property of privileges enjoyed by other properties in the vicinity and within the same zone.
- Explain why the granting of the variance would not constitute a special privilege inconsistent with limitations upon other properties in the vicinity and the zone in which the property is located.
- Provide an explanation or justification for how the special circumstances applicable to the property were not created by the property owner (i.e., the hardship is not self imposed).
- Explain why the granting of the variance would not authorize a use or activity that is not otherwise expressly authorized by the zone governing the property.
- Explain how the granting of the variance would not be materially detrimental to the public health, safety, or welfare, or impair an adequate supply of light and air to adjacent properties.
- Explain how the granting of the variance is consistent with the General Plan (and any applicable Specific Plan).

Type E: Minor Deviation Justification

For this type of project justification, the applicant must respond to all of the following prompts:

- Describe the special circumstances applicable to your property (e.g., size, shape, topography, location, or surroundings) wherein the strict application of the Zoning regulations would deprive your property of privileges enjoyed by other properties in the vicinity and within the same zone.
- Explain how the requested deviation is the minimum departure from the requirements of the Zoning regulations necessary to grant relief for the proposed project.
- Explain why the Minor Deviation would not be detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the subject property is located.
- Explain why the granting of the requested Minor Deviation would not detract from the overall appearance of the neighborhood or immediate vicinity and would not impair the provision of adequate light, air, or circulation.
- Explain how the Minor Deviation, as proposed, would achieve the general purposes of the Zoning regulations or the specific purposes of the zone in which the project is located.
- Explain why the Minor Deviation, as proposed, is consistent with the General Plan and any applicable Specific Plan.

Type F: Reasonable Accommodation Justification

For Reasonable Accommodation applications that include a request for a modification of one or more physical design standards to accommodate the needs of a disabled person or persons, pursuant to Milpitas Municipal Code (MMC) Section XIII-D.4.110, provide a brief narrative summary that includes:

- A description of the requested facilities.
- The proposed adjustment(s) to development standards.
- An explanation of how these modifications would serve the needs of the disabled person(s).

Standard Plan Set

Title Sheet

- Name of project, location of the project (street address and existing APN(s)), and description of all proposed scopes of work
- Existing and proposed Zoning and General Plan designation of the subject property. Include any overlay zone(s), specific plan area(s), or Planned Unit Development (PUD) designations
- Vicinity map showing an aerial view of a half-mile radius from the project site
- Table of contents listing all plan set sheets, their content, and page number
- A preliminary Building Code analysis, including occupancy classification, type of construction, and building area calculations

- For single-family residential projects: Project Statistics, including first-story area, second-story area, and rear yard encroachment calculation
- For multi-family residential projects: density (dwelling units per net acre), unit breakdown (percentage studio, one-bedroom, two bedrooms, etc.), common open space, private open space, storage, parking per unit, and guest parking stalls
- For all projects: Existing/Proposed Required Statistics, as indicated in the table below:

Project Statistics			Parking Statistics		
Existing	Required	Proposed	Standard Spaces	Existing	Proposed
			Compact Spaces	Required	Proposed
			Percent Compact		
			Covered Spaces		
			Uncovered Spaces		
			Guest Spaces		
			Handicapped Car Spaces		
			Handicapped Van Spaces		
			Motorcycle Spaces		
			Car Share Spaces		
			EV Spaces		
			EV Handicapped Spaces		
			Short Term Bicycle Parking		
			Long Term Bicycle Parking		

Site Plan

- Property lines, including dimensions of the subject property and dimensions of all existing lot lines
- Use of all adjacent properties, including locations of any buildings and roads within 50 feet of the proposed project
- Location, configuration, and setbacks of all existing and proposed buildings, including occupancy classification and type of construction as defined in the Building Code (existing and proposed buildings are encouraged to be on two separate pages). The proposed removal of any buildings should be clearly delineated on the site plan
- Show the location of the building with fire separation distance specified
- Show the accessible path of travel from public sidewalk and accessible parking/ EV spaces to building entrances
- Proposed off-street parking (including accessible parking spaces and accessible EV spaces), loading, and circulation areas; and driveways. The table shall provide a breakdown of each type of parking spaces provided, i.e., number of regular parking, van accessible parking, standard accessible parking, regular EV spaces, van accessible EV spaces.
- Proposed and existing pedestrian ways and recreation areas
- All existing and proposed easements on the property, and all existing and proposed easements on surrounding properties benefiting the subject property
- All existing/proposed changes to subject lot(s) and landscaping
- Accurately show any existing/proposed accessory structures with full size dimensions and height (including sheds, fences, attached or detached trellises or patio covers, etc.)
- Site constraints including known earthquake faults, riparian corridors, and the Crestline
- Adjacent street rights-of-way and proposed street improvements
- Signing and striping of street frontage. Label adjacent street name(s)
- Location of existing and proposed on-site lighting features
- Existing trees with trunk locations and accurate canopy outline shown. Note if any trees are to be removed as part of the proposed project, and if they are Ordinance or Non-Ordinance Protected Trees. If any Ordinance size trees are to be removed, this will require a separate Tree Removal Permit and must indicate location and type of replacement trees on site plan
- Existing/proposed landscaped areas and accurately show all existing and proposed curb cuts, driveways, and paved areas with dimensions
- All fire hydrants within 300 feet of the project site
- For sign permits, indicate the location(s) of all proposed signs on the site plan.
- If the site has multiple tenants, provide an inventory of all tenant spaces on the property, listing the address, type of business (or other use of the space), and floor area for each tenant space

Existing Conditions Plan/ Demolition Plan

- Topographic survey, contours, spot elevations, existing trees with driplines and elevation at base, tree species and number per arborist report
- Existing improvements including surface and overhead utilities and underground utilities with information (appurtenances, size of pipe, slope, and direction of flow)
- Existing improvements to be removed including structures/buildings, hardscape, tree(s), surface and subsurface improvements
- Boundary and abutting property information
- Existing easements per title report
- Remedial grading areas per geotechnical report, if applicable
- All existing fire hydrant locations within 300 feet of the subdivision/site

Building Floor Plans

- Provide a set of preliminary building/structure drawings with a preliminary CA Building Code analysis per Chapter 5 and Chapter 10 (construction type, allowable area, number of stories, exit analysis, etc.) to show that the proposed building/structure is feasible.
- Existing and proposed floor plan(s) showing the intended use of each area with dimensions and labels (bedroom, office, etc.)
- Floor area and occupant load of each room/area, egress analysis, location, and fire rating of fire wall for area separation and fire barrier for occupancy separation
- Location and dimension of exterior doors and windows. Provide separate door/window schedule table.
- Label and show all existing or new proposed walls, doors, windows, and any areas to be demolished
- Floor area statistics: total gross floor area of the building and total gross floor area of each story

Building Elevations

- Existing and proposed dimensioned elevations of all exterior walls
- Total height finished floor height, and floor to ceiling height indicated on all elevations. Indicate grade level
- Colors and materials for existing and proposed roof, wall, and trim materials. Include the manufacturer's or supplier's names along with the color code and model numbers for each material or color shall be included. For public hearings, please provide a separate colors and materials sample plan sheet.

Building Sections

- Two existing and proposed sections through the site and building, including at least one section showing the street frontage
- Total height finished floor height, and floor to ceiling height indicated on all sections. Indicate grade level

Preliminary Grading and Drainage Plan

A preliminary grading and drainage plan is required if the project involves over 50 cubic yards of earth movement or requires modifications to existing drainage. Please note that certain elements of the Preliminary Grading and Drainage Plan are still required even if the plan itself is not required.

- Topographic survey screened with proposed site plan superimposed with grading information
- Existing and proposed grades from existing City benchmark
- Cross sections at the project boundaries
- Estimated grading quantities (cut and fill calculation)
- Finish floor and pad elevation
- Stormwater treatment devices and site design measures
- The location, pipe sizes, slope, invert, and grate elevations of any proposed underground storm drain system
- Hydraulic drainage calculations

Preliminary Master Utility Plan

- Location of all on-site existing and proposed water, sanitary sewer, storm sewer, and joint trench (electrical, gas, communication, facilities, and appurtenances)
- Minimum acceptable horizontal and vertical clearances between existing and proposed utilities main and services
- Utility capacity calculations, if applicable

Conceptual Storm Water Management Plan

- Drainage management areas (DMA) for the entire project including off-site drainage areas
- Details of all proposed treatment measures tailored to the site
- Data for all proposed DMA including impervious and pervious areas, numerically sized treatment areas, and treatment measures in tabular form
- If hydromodification is required, provide preliminary sizing calculations using Bay Area Hydrology Model (BAHM)

Tree Survey Plan

The plan must be prepared by an International Society of Arboriculture Certified Arborist and shall be included on the project site plan or existing conditions plan or demolition plan.

- Existing and proposed site features, including, but not limited to buildings, walls, paving, grading, etc.
- Tree(s) trunk circumference measured 4.5 feet from the ground located on the plan by a licensed surveyor, and with accurate canopy outline
- Trees labeled by number and tagged on-site per ISA standards
- Summary table identifying botanical designation, tree circumference, and elevation of trees at ground level, and whether the tree is to be retained or to be removed
- Plan shall identify trees with accurate plots of canopy outlines
- Protection/enhancement measures for each individual tree to be retained
- If no trees exist on the site, then include a note on the landscape plan that "no trees exist on this site"

Landscape Plan

- Location, spacing, size, quantities, and botanical designations of all existing and proposed on-site landscaping
- Required right-of-way planting, identified as such
- All trees, as indicated on the tree survey plan
- Any proposed street tree (the locations, spacing of street trees, and tree species) must conform with all applicable City standards and details
- Labels and a separate table indicating if any trees described as protected or not protected in the City's Tree Maintenance and Protection Ordinance (Title X, Chapter 2) are to be removed, and a separate plan clearly showing all such trees to be removed and locations and types of replacement trees per the City's Tree Removal Permit and Ordinance requirements
- Landscape planting with botanical designations provided in list form and grouped by type, symbol, and water use
- Design details and section drawings for all landscape architectural features such as wall fences, lighting, paving types and patterns, arbors, benches, fountains, and other like features accurately showing size, scale, form, materials, and colors

Miscellaneous Details

- For single-family residential projects, proposed additions, or new fencing within one foot of the required setback will require a boundary survey.
- Details for proposed trash enclosures and mechanical/utility equipment screening. Any new rooftop equipment requires a line-of-sight drawing showing no visual obstruction from the public right-of-way.
- Details for proposed exterior lighting, with specifications for color and brightness, and a photometric plan
- Details for all proposed fences and walls, including elevations and materials
- Show distance to dead ends, detailed fire apparatus turn around when required, etc.
- Show the fire access road with a minimum 26' in width. Contact the Fire Department for possible modifications.
- Disclose the construction material for the fire access road(s). Hard pavement is required per CA Fire Code Section 503.2.3.
- Detail the turning radii movements with dimensions (48'-6" exterior and 28'-0" interior).
- Show fire lane marking where parking is prohibited
- Show Emergency Vehicle Access (EVA) roads when required
- Ground structures (including landscape) and building projects shall not encroach or impede the fire apparatus access requirements
- Private fire service mains and appurtenances shall be designed and installed in accordance with the City of Milpitas Engineering design guideline requirements and the NFPA 24. Design calculations and all the necessary design information for the water system to meet the domestic and fire flow requirements as per the City of Milpitas Engineering Division water design requirements shall be provided as part of the construction permit process.

- Provide a preliminary utility plan and show and identify the location and quantity of hydrants throughout the private site and public streets. This applies to the on-site private streets as well as to the public streets.
- No parking is permitted in front of fire hydrants. Hydrants located on streets (public or private street) shall have an unobstructed clearance of not less than 30 feet per CA Vehicle Code 22514. Provide striping per CA Vehicle Code 22500.1.
- Fire service water laterals for building sprinkler systems.
 - Provide preliminary utility plan and show the fire service water laterals for the automatic fire sprinkler system.
 - Provide and show the anticipated location of the FDC's/PIV's (Fire Department connection/post indicator valve). The devices shall be at a readily visible and accessible location off the fire obstruction.

Department of Alcoholic Beverage Control (ABC)

Visit the State of California Alcoholic Beverage Control (ABC) Website for information on the various types of licenses and application forms/processes. <https://www.abc.ca.gov/>

A Minor Conditional Use Permit is required for any restaurant or similar establishment that serves beer or wine with no separate bar. A Conditional Use Permit for distilled spirits in conjunction with the business requires alcoholic beverage licenses #23, #41, #47, or #75 from ABC.

- Please include your [Census Tract location](#) number (4001.00 example)
- [Census Tract Authorizations](#) (# of on-sale and off-sale).
- In addition, you will need to provide the [concentration levels](#) in that Census Tract.

Drawings of Proposed Signs

- Illumination type (if proposed). If illumination is not explicitly shown, the sign will be considered to be non-illuminated.
- Colored drawings of the proposed signs and if applicable, the wall face on which the sign will be placed.
- Sign Detail providing a scaled color illustration of the proposed signs(s), with sign height/length, letter height/length, color, material, and total sign area dimensions and notes, in both profile (cross-section) and front view.
 - Building Elevations providing a depiction of the proposed sign(s) as shown on the subject building(s).
 - All dimensions of the sign(s), including sign height/length and letter height/length.
 - Show sign area calculation and conformance with applicable maximum sign area pursuant to MMC Section XIII-C.8.050(C) and (D).
 - All building dimensions, including length of the tenant space, total building length, building height, fascia height, and parapet height.
 - Height from grade to the bottom of the sign;
 - Height from grade to the uppermost portion of the sign.
- Photographic Renderings providing a simulated depiction of the proposed sign(s) as shown on a photograph of the subject building or property.
- Material/Color Palette providing key-coded representations of colors and materials for signage represented within the Master Sign Plan
- If located in a sign program district, please provide the property owner's approval, and demonstrate conformance with the site-specific sign program.

Map Set

- The tract or parcel map number, obtained from Santa Clara County, if possible
- The engineer's or surveyor's name and license number on each sheet of the map
- The date, north point, and a written and graphic scale
- A vicinity map at a scale of one thousand feet to the inch, either drawn on or accompanying the tentative map, showing all streets and properties within a half mile of the proposed subdivision
- Dimensioned boundaries of the proposed subdivision
- The locations, names, and existing widths of adjoining and contiguous streets, highways, and ways
- The names and numbers of adjacent tracts and owner names of adjacent unplatte land
- Areas proposed for offer or dedication to the public (if any)
- The approximate boundaries of areas subject to inundation or storm water overflows, and the location, width, and direction of flow of all watercourses, flood control channels, and intermittent streams. If the project is within or adjacent to a flood zone, the flood zone designation, panel number, and outline of the floodplain, as determined from the current FEMA National Flood Insurance Program Flood Insurance Rate Map, shall be shown.
- Areas proposed for offer or dedication to the public (if any)

- The location of historical sites or landmark or primary historic resource trees, as identified by Council adopted resolutions or in the general plan
- The approximate widths, locations, and uses of all existing or proposed easements within the subdivision, including easements for drainage, sewerage, and public utilities. The location of any access restrictions and/or any existing waiver of access rights
- The approximate radius of each curve
- The approximate lot layout and dimensions of each lot and street within the subdivision
- The estimated area of each new or modified lot
- The locations, names, widths, approximate proposed grades and gradients, and a typical cross-section of all streets, trails, and access easements. Typical cross-sections shall be dimensioned and include: pavement, curbs, gutters, sidewalks, and locations of underground utilities. Utility clearances shall be dimensioned on the cross section.
- For subdivisions east of Piedmont Road, Evans Road and Park Victoria extended north of Jacklin Road; the average slope of each proposed lot based on existing contours as shown on Aerial maps on file in the office of the City Engineer.
- A map summary description, either drawn on or accompanying the tentative map, with the following information:
 - The name and address of record owner(s)
 - The name and address of subdivider
 - The name and address of civil engineer or land surveyor preparing the tentative map
 - Total gross acreage within subdivision boundary
 - Total number of lot(s) and/or unit(s)
 - A statement whether the subdivision will be for condominium purposes
 - Minimum lot size in square feet
 - The present general plan land use designations, including residential density where applicable
 - Existing zoning and use(s) of subject property
 - Proposed zoning and use(s) of subject property
 - Number of dwelling units expressed in dwelling units per net acre
 - The existing and proposed floor area ratio (FAR) for each new or modified lot
 - A statement of provisions for water
 - A statement of provisions for sewerage and sewage disposal
 - Flood Zone designation

[Preliminary Title Report](#)

A preliminary title report, prepared within the last six months if ownership has changed and bearing the current owner's name, is required for any application that proposes a new floor area or a change to the General Plan or zoning of a parcel.

[Additional Information](#)

Some reports including but not limited to the following below, may be required to expedite the staff review, including environmental review and analysis:

- Sewer Needs Assessment Form
- Geotechnical/Soils report
- Traffic Impact Analysis
- Flood Study (AO Zone)

[Urban Lot Splits and Two-Unit Projects \(SB 9\)](#)

SB 9 requires ministerial (staff-level) approval of certain housing projects and lot splits on a single-family (R1) zoned parcel. The law allows for two new types of development activities that must be reviewed ministerially without any discretion action or public input:

- Urban Lot Splits. A one-time subdivision of an existing, legally subdivided single-family residential (R1) lot into two lots.
- Two-Unit Projects. The development of two primary dwelling units or, if there is already a primary dwelling unit on the lot, the development of a second primary dwelling unit on a legally subdivided lot.

To apply for an Urban Lot Split and/or a Two-Unit Project, please submit the following supplemental documents in addition to the Planning Application: <https://www.milpitas.gov/376/Senate-Bill-9-SB9>

- SB 9 Eligibility Checklist

- SB 9 Owner Occupancy Affidavit (must be notarized)
- SB 9 Prior Tenancies Affidavit (must be notarized)
- Draft Deed Restrictions for Urban Lot Splits
- Draft Deed Restrictions for Two-Unit Projects

Deed restrictions are required for both Urban Lot Splits and Two-Unit Projects. Please submit a draft of the deed restriction(s) to staff. The deed restriction(s) are required to be recorded with the County of Santa Clara and a copy must be submitted to the Planning Department.

Transportation Demand Management (TDM) Plan

Pursuant to MMC Section XIII-C.6.070, a Transportation Demand Management (TDM) Plan is required for the following types of projects:

- Residential: Single-family subdivisions and multi-family projects with 20 or more units (excluding elderly and long-term care, emergency shelters, residential care facilities, and similar uses; and affordable housing projects with greater than 50 percent of units below market rate).
- Lodging: Hotels and motels with 40 or more rooms.
- Commercial: Commercial with more than 5,000 square feet of gross floor area.
- Office and Employment-Generating Industrial Uses: Office and employment-generating industrial uses (e.g., research and development) with more than 10,000 square feet of gross floor area.
- Other: Any other land use found to have a significant impact to vehicle miles traveled during environmental review.

See the TDM Plan supplemental form and checklist for further information and submittal requirements.