

SPECIAL USE PERMIT/AMENDMENT APPLICATION

APPLICATION FORMAT

- 1. No application will be accepted unless complete (including all the information listed below) and in the correct format.**
- The current property owner of record or his authorized agent must sign a completed Application. Applications will not be accepted without a property owner signature.
- The applicant shall submit the following with their application:
 - County Assessor's Parcel Map with subject property marked. This can be obtained at the County Assessor's Office.
 - Seven (7) bound plan sets. (See Plan Set Requirements.)
 - Eleven (11) additional site plans.
 - Two (2) extra landscape plan.
 - Three (3) legible black line plan set, reduced to 11" x 17"
 - Photographs of the subject parcel(s) and of surrounding parcels.
 - A legible, separate legal metes and bounds description on a 8 1/2" x 11" covering the entire subject parcel(s).
 - Environmental review. A complete application for the appropriate environmental document or some evidence that environmental review has been completed for the project. Note: this will be a separate application.
 - Fees. An application fee, public noticing fee, and a fee for the appropriate environmental application will be due at the time of submittal (see fee schedule).

PUBLIC OUTREACH

- 1. Noticing the Neighborhood.** Refer to the Public Outreach Policy for a full description of the City's public notification procedures. Public Hearing notices will be mailed for development proposals at least 10 calendar days before the date set for hearing for a project. Notices will be sent to all property owners and residents within 300 feet for Very Small projects, 500 feet for Standard Development Proposals and a minimum of 1,000 feet for large or controversial projects as detailed in the Public Outreach Policy.
- 2. Neighborhood Meeting.** It may be necessary to hold a neighborhood meeting on your proposal prior to the regularly scheduled public hearing. Staff will inform you if this is necessary after reviewing your application.

PLAN SET REQUIREMENTS

Submitted drawings should be of uniform size (not exceeding 24" x 36", sheets of larger size shall require prior approval before filling the application), accurately scaled and dimensioned and must be competently drawn, with complete site and architectural data.

Page 1: Site Plan indicating:

- Location and dimensions of subject property.
- 1" = 500' scale location map (showing surrounding street network).
- All lots.
- All existing and proposed buildings and structures and their proposed uses (dimensioned to adjacent property lines).
- Off-street parking, loading and circulation areas (typical dimensions). Please also provide a table showing the number of required spaces vs. the number you are proposing.
- Utility, drainage, sewer and other public and private easements.
- Lighting structures (locations, heights and details).
- Fence, wall, trash enclosure locations and details).
- Location and extent of existing public improvements, to location of streets, curbs, sidewalks, sidewalk planters, street trees, utility poles, electroliers, traffic signs and signals, storm sewers, sanitary sewers, fire hydrants, median islands, median island openings, existing and proposed driveways, existing driveways on opposite street frontages, etc.
- Scale, North Arrow, Title and Date Drawn.

Page 2: Landscape Plan including:

- Location, sizes, types and condition of all existing trees and shrubs on the site. Trees to be removed are to be so designated. Trees to be removed that are greater than 18" in diameter will require the filing of a separate Tree Removal Permit.
- A Plant Legend specifying total number of plants, botanical names, common names, container sizes and plant installation notes.
- An automatic irrigation system.

Page 3: Building Elevations including:

- Elevations of all exterior walls (photos may be used for existing building).
- Building heights.
- Type of roof and wall materials (wood siding, stucco, shingles, etc.)
- Color of materials. (8 1/2"x11")
- Sign designs and locations.

Page 4: Schematic Floor Plans including:

- Total gross floor area.
- Total square footage of leaseable floor area.

Page 5: Preliminary Grading and Drainage Plan. Provide if recycling facility, gas station conversion, or some temporary outdoor uses of private property (particularly farmer' markets) fill out the Stormwater Runoff

PLEASE CALL THE APPOINTMENT DESK AT (408) 535-3555 FOR AN APPLICATION APPOINTMENT. THIS APPLICATION APPOINTMENT IS LOCATED ON THE 3rd FLOOR OF CITY HALL.

- Data section below in addition to plan.
- a. Will or have hazardous materials been used or stored on site? Yes or No
 - b. If required, has a Hazardous Materials Management Plan been approved for the site? Yes or No.

Page 6: **Stormwater Control Plan.**

(A Stormwater Control Plan is required for all projects creating, replacing or expanding impervious surface by 10,000 square feet or more)

- a. Complete the Pervious and Impervious Surfaces Comparison Table located below.
- b. All existing natural hydrologic features (depressions, names of watercourses, etc.) and significant natural resources.
- c. Specify soil type(s).
- d. Specify depth to groundwater.
- e. 100-year flood elevation.
- f. All existing and proposed topographic contours with drainage areas and sub areas delineated and arrows showing flow direction.
- g. Separate drainage areas depending on complexity of drainage network.
- h. For each drainage areas, specify types of impervious area (roof, plaza, sidewalk, streets, parking, etc) and area of each.
- i. Show location, size, and identification (including description), of types of source control measures, water quality treatment control measures such as swales, detention basins, infiltration trenches, etc.
- j. Details of all proposed water quality treatment control measures.
- k. Location, size and identification of proposed landscaping/plant material.
- l. Ensure consistency with Grading and Drainage Plan and Landscape Plan.
- m. Supplemental Report :

1. Calculations illustrating water quality treatment control measures meet numerical standards set forth in Post-Construction Urban Runoff Management Policy No. 6-29.
2. Name and location of receiving water body.
3. Identify pollutants and pollutant source areas, including loading docks, food service areas, refuse areas, outdoor processes and storage, vehicle cleaning, repair or maintenance, fuel dispensing.
4. Water quality Treatment Control Measure maintenance requirements.
5. Licensed certification that the specified Treatment Control Measures meet the requirements in Post-Construction Urban Runoff Management Policy No. 6-29.

Page 7. **Additional Plans and project information may be required to clarify specific site or architectural details.**

Note: Final working drawings should not commence until approval has been obtained from the City of San Jose.

PROCESSING SCHEDULE

1. Applications must contain all required documents and plans at the time of submittal.
2. Staff reviews the application and informs the Applicant in writing if any additional plans, data, exhibits, or additional City Permits (i.e., Variance, Exception, etc.) are required.
3. Environmental clearance is required. If a Negative Declaration or an Exemption is granted, the application is scheduled for public hearing. If an Environmental Impact Report (EIR) is required, the applicant is informed and the public hearing will be set after the EIR is completed.
4. The Director of Planning conducts a noticed public hearing and renders a decision.

The decision of the Director may be appealed to the Planning Commission.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON						
	Existing Condition (sq. ft.)	%	Proposed Condition (sq. ft.)	%	Difference (sq. ft.)	%
Site (acres)	Site (sq. ft.)					
Building Footprint(s)						
Parking						
Sidewalks, Patios, Paths, etc.						
Streets (Public/Private)						
Landscaping						
Total						
Impervious Surfaces						
Pervious Surfaces						
Total						

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INDEMNIFICATION AGREEMENT
FOR DEVELOPMENT APPLICATIONS

Applicant submitted an application to the City of San José Planning Division on _____, 200____ for the following development approval(s): _____

(the "Project"). For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicant's Project application(s) to each and every one 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 San José ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(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 annul:
 - 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 City Council.

Applicant's indemnification is intended to include, but not be 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 that City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own 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 foregoing terms and conditions, Applicant, by its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

APPLICANT:

By: _____
(Signature)

Date: _____

(Print)

Its: _____
(Title, if any)



CITY OF SAN JOSE

Planning, Building and Code Enforcement
 200 East Santa Clara Street
 San José, CA 95113-1905
 tel (408) 535-3555 fax (408) 292-6055
 Website: www.sanjoseca.gov/planning

SPECIAL USE PERMIT/AMENDMENT APPLICATION

(As provided by regulations fully set forth in Part 7, of Chapter 20.100 of Title 20 of the San Jose Municipal Code)

TO BE COMPLETED BY PLANNING STAFF

FILE NUMBER SP		QUAD #	COUNCIL DISTRICT	RECEIPT #: _____
APN#	ZONING	GP DESIGNATION		AMOUNT: _____
PROJECT LOCATION				DATE: _____
				BY: _____

APPLICATION FOR:

- | | |
|---|---|
| <input type="checkbox"/> Buildings Under 500 square feet | <input type="checkbox"/> Gas Station Conversion |
| <input type="checkbox"/> Demolition or Removal of Buildings | <input type="checkbox"/> Conversion of Residential Dwellings |
| <input type="checkbox"/> Temporary Overnight Structures | <input type="checkbox"/> Temporary Shelter in Churches |
| <input type="checkbox"/> Live/Work Uses | <input type="checkbox"/> Pay Phones on Private Property |
| <input type="checkbox"/> Recycling Facilities | <input type="checkbox"/> Wireless Communications Antenna |
| <input type="checkbox"/> Off-Site, Alternating Use and Alternative Parking Arrangements | <input type="checkbox"/> Temporary Outdoor Uses of Private Property |
| <input type="checkbox"/> Temporary Trailers: | <input type="checkbox"/> Standby/Backup Electrical Generator |
| <input type="checkbox"/> Use | <input type="checkbox"/> Co-Generation Facility |
| <input type="checkbox"/> Antenna | <input type="checkbox"/> Reinstate Legal Nonconforming Use |

**TO BE COMPLETED BY APPLICANT
(PLEASE PRINT OR TYPE)**

The property owner(s) respectfully requests a Special Use Permit for the property described by the attached legal description.

The described property is situated at:

Described in detail the nature of the use, business, or occupation for which this approval is requested:

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APPLICANT (Please Print Clearly or Type)			
PRINT NAME OF APPLICANT		NAME OF FIRM, IF APPLICABLE	
ADDRESS	CITY	STATE	ZIP CODE
APPLICANT'S SIGNATURE			
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	
PROPERTY OWNER (if different from applicant) (Please Print Clearly or Type)			
PRINT NAME OF PROJECT DEVELOPER (IF DIFFERENT THAN OWNER)		NAME OF FIRM, IF APPLICABLE	
ADDRESS	CITY	STATE	ZIP CODE
PROPERTY OWNER'S SIGNATURE			
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	
CONTACT PERSON (if different from applicant) (Please Print Clearly or Type)			
PRINT NAME OF CONTACT PERSON		NAME OF FIRM, IF APPLICABLE	
ADDRESS	CITY	STATE	ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	
ARCHITECT (if applicable) (Please Print Clearly or Type)			
PRINT NAME OF ARCHITECT		NAME OF FIRM, IF APPLICABLE	
ADDRESS	CITY	STATE	ZIP CODE
DAYTIME TELEPHONE # ()	FAX TELEPHONE # ()	E-MAIL ADDRESS	

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