

Frequently Asked Questions (FAQs)

General Planning Questions

- How can I find out what my zoning is and what the permitted uses are for my property?
- How can I find out what my current General Plan Designation is?
- How can I find out what the proposed new General Plan designation is in the Envision 2040 General Plan Update?
- How can I find out some information about my proposed development prior to submitting an application?
- Where is the front property line relative to the sidewalk or park strip?
- If my property is in the Downtown area what regulations will apply?
- Where can I find more detailed general information on land use Planning in our community?
- Which proposed new developments are required to undergo Environmental Review under the California Environmental Quality Act (CEQA)?
- What is the difference between a land use and a building use (or building occupancy type)?
- How much are the fees for Building permits?
- Where can I find examples of a site plan, building elevation and floor plan?
- How can I find a consultant to assist me in preparing the required plans for the planning permit applications?
- What is a Legal Nonconforming Use?

Single Family Residences

- What is my zoning district?
- What are my setbacks?
- Are there any easements on my property?
- My property is a corner lot. Which is the front property line and which is the side?
- How big an addition may I make to my existing residence?
- How tall can my house be?
- My house is historic. Are there any additional requirements if I want to do an addition?
- What is a Single Family House Permit?

- What are the regulations for accessory buildings (such as garages, sheds, and greenhouses) and accessory structures (such as gazebos, trellises, and arbors)?
- May I build a secondary unit (also called guest houses, granny units, and in-law units)?
- What type of business can I have at my residence?
- What other uses are allowed on residentially zoned properties?
- What are the rules for fences?
- What permits are required for solar panels and photovoltaic systems?

Commercial/Industrial Uses

- How do I Determine the Zoning of my Property?
- After I determine the Zoning of my property, how do I determine the allowed uses?
- What is the process if I want to change the use (pursuant to Title 20 of the San Jose, Municipal Code – Zoning Ordinance) of my building?
- If my proposed project is a commercial use with hours past midnight or before 6:00 a.m., includes the off-sale of alcohol or is a drinking establishment, what are the procedures?
- What is required if I would like to make modifications to my existing building for a new tenant?
- What are the rules for fences?
- How should I design/layout my project?
- What permits are required for solar panels/ photovoltaic systems?

Multi-Family Residential and Mixed-Use Projects

- What do I need to submit to Planning if I would like to submit a new multi-family or mixed-use residential project?
- What application would I submit for an addition, as described, above, if my property has a conventional zoning (not a Planned Development zoning)?
- What application do I need to submit if I would like to make an addition or some architectural and site plan changes or change the use of an existing multi-family residential or mixed-use project that is zoned A(PD) Planned Development?
- What zoning district allows for a new mixed-use project and what planning permit applications will I need to submit?
- What are the rules for fences?

Planning Counter Application Submittals

- What Planning Applications may be submitted at the 1st floor Planning Counter?

Historic Resources

- What is a Historic Resource?
- How do I know if my property is listed on the City of San Jose Historic Resources Inventory?
- What is required if I would like to make changes to my property if it is listed on the Inventory?
- What is required if I would like to make exterior changes to any property listed as a City Landmark and/or within a City Landmark District?
- What is required if I would like to make exterior changes requiring Building Permits to a single-family house, listed on the Historic Resources Inventory but not as a City Landmark and/or within a City Landmark District?
- What is required if I would like to make changes to any property other than a single-family house, listed on the Historic Resources Inventory but not as a City Landmark and/or within a City Landmark District?
- What is the Environmental Review Process for significant historic resources?
- What are the benefits of listing on the Historic Resources Inventory?
- How can I apply to designate my property as a City Landmark?

Address Changes

- What is the process to obtain a new address for my house or business?
- May I get the city to address my vacant lot?
- Can I get new address to a secondary (granny) unit on my property?
- Do I need to ask for an address change if I am demolishing and rebuilding an existing building?
- The entrance door to my house is located facing street 'X' but my address is on street 'Y'. My house is at the corner of streets, 'X' and 'Y'. Can I ask for a change of address to be the same as the street where my entrance door is facing?
- How do I get an address to install a temporary power pole on my vacant lot? PG & E would not give the electric power connection until I get the address.
- When should I apply for addressing if I am planning on developing my property?
- Do I need to submit an Addressing Application if I want to create a new tenant space out of an existing business space or if I am consolidating two or more tenant spaces into a bigger tenant space?
- Do I need to submit an Addressing Application for my existing building which was converted into a condominium?

Time Extensions for Planning Permits

- Where do I find the expiration time period of my approved development permit?
- Do I have an opportunity to reactivate my development permit which has expired before even obtaining any building permit?
- How does the City help me to keep my approved development permit alive which is about to expire during the current economic downturn?
- How do I extend the life of my approved development permit?
- May I get my Tentative Map extended through a Permit Adjustment over the counter?

General FAQs Regarding Planning Questions

How can I find out what my zoning is and what the permitted uses are for my property?

You may find out your zoning by selecting “search for property by address” at the following link. The permitted uses are listed in the Zoning Ordinance by Zoning District.

<http://www.sjpermits.org/permits/>

http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf

How can I find out what my current General Plan Designation is? The General Plan is a comprehensive, long-term plan to guide the future development and growth of the City. You may find out your General Plan Land use designation by selecting “search for property by address” and read the applicable policies in the General Plan at the following link:

<http://www.sjpermits.org/permits/> (to find GP designation)

<http://www.sanjoseca.gov/planning/gp/gptext.asp> (to find GP text)

How can I find out what the proposed new General Plan designation is in the Envision 2040 General Plan Update?

-Click on General Plan Update link below, and follow the following steps:

-Click on Land Use Transportation Diagram link

-Click on Google Maps

-Click on your geographic Planning Area on the map

-Type in your address at the bottom of the page

-Click on the pin point mark (circle with A in it) on your property

-Click on the designation for the General Plan Text and search for the Land Use Designation to read the policies that apply http://www.sanjoseca.gov/planning/gp_update/default.asp

How can I find out some information about my proposed development prior to submitting an application?

You may come into the Planning Counter to discuss your proposal with a planner (see hours listed on the front page of this website), schedule an appointment with a Planner for a Planning Consultation (call 535-3555), call the Planning Division at 535-3555 or you may submit a Preliminary Review Application at the Planning Counter in the Permit Center. If you submit a Preliminary Review Application you will receive comments on your proposal as to the process and planning requirements; however, you will not find out whether the Planning Department will support your proposal. That determination will be made after your Planning Development Permit application is reviewed. More detailed information about the Preliminary Review Process and the Application are available at the following link:

http://www.sanjoseca.gov/planning/applications/dev_sf_app.pdf.

http://www.sanjoseca.gov/planning/pdf_brochures/bro_prelim.pdf

Where is the front property line relative to the sidewalk or park strip? If there is not a park strip (landscaped strip) the front property line is 3 feet from the interior edge of the sidewalk. If there is a park strip, the front property line is located 6 inches from the interior edge of the sidewalk.

If my property is in the Downtown area what regulations will apply? The Zoning Ordinance regulations (including parking regulations) pertaining to properties in the Downtown can be found in Section 20.70.010 of the Zoning Ordinance at the following link:

http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf

Where can I find more general information on land use planning in our community? You will find a lot of useful information in the booklet entitled "Planning in San Jose: A Community Guide" at the following link:

http://www.sanjoseca.gov/planning/counter/planning_sanjose/default.asp

Which proposed new developments are required to undergo Environmental Review under the California Environmental Quality Act (CEQA)?

Projects that will result in a physical change to the environment will be required to undergo environmental review, pursuant to the California Environmental Quality Act (CEQA), and must be reviewed for potential environmental impacts. Some projects, however, are categorically exempt from environmental review under CEQA, and are listed as categorically exempted projects. A project is only exempt, however, if it will not result in any significant environmental impacts. To determine what kind of environmental review your project will require, you may come into the Planning Counter on the 1st floor of City Hall and discuss your project with a planner or consult an Environmental/Land Use Consultant.

<http://www.sanjoseca.gov/planning/eir/>

<http://www.sanjoseca.gov/planning/counter/Planning%20Consultant%20Handout%20-%20January%2026%202011.pdf>

What is the difference between a land use and a building use (or building occupancy type)?

The Zoning Ordinance prescribes a list of permitted land uses for each zoning district in the Zoning Ordinance. The building use (or building occupancy type) is regulated by the California Building Code, which has detailed requirements for each building occupancy type in the Code.

To obtain information regarding land uses (permitted, conditional or special land uses) on your property you should review the Table of Allowed Uses and Permit Requirements for each Zoning District in the Zoning Ordinance. If you have questions you may meet with a Planner in the Permit Center on the 1st Floor of City Hall or call a planner at 535-3555. You may also meet with a Permit Specialist in the Building Division of the Permit Center to discuss the proposed building occupancy type and the California Building Code requirements.

<http://www.sanjoseca.gov/building/>

How much are the fees for Building permits? Fee estimates are provided by the Building Division for a nominal fee. A fee estimate (which only includes plan check, permit, and inspection fees) handout is available on the Building Division website at:

<http://www.sanjoseca.gov/building/PDFHandouts/4-2FeeEstimates.pdf>.

Where can I find examples of a site plan, building elevation and floor plan? See the attached link for an illustrative site plan, building elevation and floor plan:

<http://www.sanjoseca.gov/planning/development/diagrams/diagramplanexamples.pdf>

What information should be on a site plan? See the attached link:

<http://www.sanjoseca.gov/planning/development/diagrams/diagramsiteplanrequirements.pdf>

How can I find a consultant to assist me in preparing the required plans for the planning permit applications?

The City is not authorized to recommend any specific consultants; however, we maintain a list of consultants that have worked with the City in the past, which is available at the following link:

<http://www.sanjoseca.gov/planning/counter/Planning%20Consultant%20Handout%20-%20January%2026%202011.pdf>

What is a Legal Nonconforming Use? A legal non-conforming use is defined in the attached link to the Legal Non-Conforming Use Brochure.

http://www.sanjoseca.gov/planning/pdf_brochures/bro_Inc.pdf

FAQs Regarding Single Family Residences

What is my zoning district? You can search for property information, such as zoning, by address online at: <http://www.sjpermits.org/permits/>.

What are my setbacks? Setbacks are included in the "Development Standards," and can be found in the Residential Chapter, Section 20.30.200 of the Zoning Ordinance, online at: http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf. If your property is located in a Planned Development Zoning District, please visit the Public Information Counter for applicable development standards.

Are there any easements on my property? The legal description of the property (included in the title report) will describe any easements applicable to your property. Easements may also be shown on Tract Maps, which are recorded at the County of Santa Clara Recorder's Office, and are sometimes available online from the Department of Public Works at:

<http://www.sanjoseca.gov/publicWorks/records.asp>.

My property is a corner lot. Which is the front property line and which is the side? For corner lots, the narrower street frontage is the front property line, the longer street frontage is the corner side property line, regardless of orientation of the house to either street. These definitions are in Section 20.200.700 of the Zoning Ordinance, online at:

http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf.

<http://www.sanjoseca.gov/planning/development/diagrams/diagramlotlines.pdf>

How big an addition may I make to my existing residence? Up to a 45% floor area ratio (FAR) is allowed by right, and only requires the issuance of building permits in residential zoning districts. The floor area ratio is the amount of living space (not including the garage or basement) divided by the size of the lot. The floor area effectively counts stairs twice, and includes exterior wall finish. Any new construction that results in a single-family residence with an FAR of more than 45% will require the issuance of a Single Family House Permit. The application is online at:

http://www.sanjoseca.gov/planning/applications/dev_sf_app.pdf.

http://www.sanjoseca.gov/planning/pdf_brochures/bro_sfhp.pdf

<http://www.sanjoseca.gov/planning/development/diagrams/diagramfloorarearatio.pdf>

How tall can my house be? A single-family residence is allowed to be up to 30 feet in height in residential zoning districts. Any new construction that results in a single-family residence that is greater than 30 feet in height will require the issuance of a Single Family House Permit. The application is online at: http://www.sanjoseca.gov/planning/applications/dev_sf_app.pdf.

<http://www.sanjoseca.gov/planning/development/diagrams/diagramheight.pdf>

My house is historic. Are there any additional requirements if I want to do an addition? If your residence is listed on the Historic Resources Inventory (you can check online at:

<http://www.sanjoseca.gov/planning/historic/pdf/Historic%20Resources%20Inventory.pdf>), then a

Single Family House Permit or Historic Preservation Permit will be required. See page 8 of the Historic Resource FAQs for additional information.
<http://www.sanjoseca.gov/planning/historic/>

What is a Single Family House Permit? A Single Family House Permit is a development permit that may include various levels of approval involving either the Director of Planning or the Planning Commission, depending on the size and scope of work involved. The permit can be approved at an administrative level by the Director of Planning or go through a public hearing process. Additional information is online at:
http://www.sanjoseca.gov/planning/dev_review/sfhp.asp.
http://www.sanjoseca.gov/planning/pdf_brochures/bro_sfhp.pdf

What are the regulations for accessory buildings (such as garages, sheds, and greenhouses) and accessory structures (such as gazebos, trellises, and arbors)? Development standards for accessory buildings and structures can be found in Section 20.30.500 of the Zoning Ordinance, at:
http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf.

<http://www.sanjoseca.gov/planning/development/diagrams/diagramaccessorystructuresrearyardcoverage.pdf>

May I build a secondary unit (also called guest houses, granny units, and in-law units)? Secondary Units are only allowed in R-1 Residence Zoning Districts and Planned Development Zoning Districts (with R-1 Zoning District standards and allowed uses). Other applicable regulations are included in the online brochure at:
http://www.sanjoseca.gov/planning/zoning/secondunit_files/secondary_units_brochure.pdf.
Secondary Units are not allowed in the R-2 and R-M Zoning Districts.

What type of business can I have at my residence? Home occupations are allowed in all residential units (houses, condos, apartments, etc.), as incidental to the residential use. Regulations for home occupations and uses that are prohibited as described in an online brochure: http://www.sanjoseca.gov/planning/pdf_brochures/bro_home.pdf. Your property may or may not have Covenants, Conditions and Restrictions that are applicable to home occupations, which would be enforced by a homeowners association.

What other uses are allowed on residentially zoned properties? The Residential Districts Land Use Table 20-50 lists the land uses that are allowed in Residential Zoning Districts, and explains whether or not a Use Permit is required. This table is in Section 20.30.100 of the Zoning Ordinance, online at: http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf.

What are the rules for fences? All fences must comply with the requirements of the San Jose Municipal Code. <http://sanjoseca.gov/planning/counter/faq/fence.asp>

For **single-family residential properties**, fences are generally limited to three feet in height in the front yard and seven feet in height in the side and rear yards. However, corner lots, unusually shaped lots, and Planned Development (PD) zones have different requirements. For more information, please refer to the link below or contact the Planning Division at (408) 535-3555.

A building permit from the Building Division is generally not required for fences six feet or less in height. However, please note that different requirements apply to retaining walls and swimming pool/spa enclosures. For more information, please refer to the [Building Division's Informational Handout](#) (at link below) and [Swimming Pools and Spas Enclosure Requirements](#) (at link below), or contact the Building Division at (408) 535-3555.

<http://sanjoseca.gov/planning/counter/faq/fence.asp>

<http://www.sanjooseca.gov/building/PDFHandouts/1-1PermitExemptions.pdf>
<http://www.sanjooseca.gov/building/PDFHandouts/7-8PoolEnclosure.pdf>

What permits are required for solar panels and photo voltaic systems? Planning Permits are not required for rooftop PV panels installed in commercial, industrial or residential buildings. However, the PV panels should be installed to minimize visual impacts, and must meet the minimum development standards prescribed in Title 20 of the City's Municipal Code. Planning Permits are required for PV panels installed in locations other than a rooftop. Building Permits are required for all PV panel installations. Some exceptions apply. See the attached link below for Exceptions) <http://www.sanjooseca.gov/building/PDFHandouts/1-10Solar.pdf>

FAQs Regarding Commercial/Industrial Uses

How do I Determine the Zoning of my Property? The Zoning Designation of a property may be obtained from the Planning Division website at: <http://www.sjpermits.org/permits/> (To use this link you will need a street address or Assessors Parcel Number. You may also see the directions noted in the "Are You New to Our Website" on the front page of our website.)

After I determine the Zoning of my property, how do I determine the allowed uses? The Use and Development Regulations for Commercial (Section 20.40 Commercial Zoning Districts) or Industrial (Section 20.50 Industrial Zoning Districts) Zoning Districts may be obtained from the Planning Division website at: <http://www.sanjooseca.gov/pla>
http://www.sanjooseca.gov/planning/bro/ning/zoning/zoning_code_100410.pdf
http://www.sanjooseca.gov/planning/pdf_brochures/bro_cup.pdf

What is the process if I want to change the use (pursuant to Title 20 of the San Jose, Municipal Code – Zoning Ordinance) of my building? You will need to verify that the proposed use is a Permitted, Special or Conditional Use in the particular Zoning District. If it is an allowed use, you will need to meet all other portions of the Zoning Ordinance, including the parking requirements of the Zoning Ordinance. Specific parking requirements for a particular use can be obtained from the Planning Division website at: http://www.sanjooseca.gov/planning/zoning/zoning_code_100410.pdf You should also discuss the proposed project with our Building Division, to determine any applicable Building Permits and discuss any changes to the occupancy (pursuant to the California Building Code) or any other requirements with the Building Division.

If my proposed project is a commercial use with hours between midnight and 6:00 a.m., includes the off-sale of alcohol or is a drinking establishment, what are the procedures? These types of uses typically require a Special Use, Conditional Use, or Planned Development Permit, depending upon the Zoning Designation of the property (see above). These Applications can be obtained from the Planning Division website at:

<http://www.sanjooseca.gov/planning/applications/> Additional information can also be obtained from the Planning Division website at:
http://www.sanjooseca.gov/planning/counter/policies/pol_24hr.pdf
http://www.sanjooseca.gov/planning/pdf_brochures/bro_devappl.pdf
http://www.sanjooseca.gov/planning/pdf_brochures/bro_cup.pdf

What is required if I would like to make modifications to my existing building for a new tenant? If you are proposing minor exterior changes (such as changes to windows or doors, or other architectural modifications that do not change the character of the building, including new signage, roof equipment, etc.) or additions up to 5,000 square feet (or less than 50% of the floor area prior to the addition) you will need to obtain a Permit Adjustment at the Planning Counter (1st

floor Permit Center). Additional information (such as brochures, the applications for either the Permit Adjustment or the Sign Permit Adjustment) can be obtained from the Planning Division website at: <http://www.sanjoseca.gov/planning/bro/> <http://www.sanjoseca.gov/planning/applications/> and <http://www.sanjoseca.gov/planning/zoning/sign.asp> If your project includes new roof equipment, please refer to the attached link from the Planning Division website:

<http://www.sanjoseca.gov/planning/development/diagrams/diagramroofmechanical.pdf>

<http://www.sanjoseca.gov/planning/development/diagrams/diagramrooftophvac.pdf>

After you obtain a Permit Adjustment you should discuss the project with our Building Division, to determine any and all applicable Building Permit requirements.

What are the rules for fences? For **commercial/industrial properties**, fences must, not only comply with City's Commercial and Industrial Design Guidelines, but may also require a Permit Adjustment or a Development Permit depending on the project design. For more information, please come in to discuss this with a planner at the Planning Counter on the 1st floor of City Hall or contact the Planning Division at (408) 535-3555. (see links below)

How should I design/layout my project? Your project design will need to meet the Development Standards in the Zoning Ordinance for Commercial and Industrial Zone Districts, and the Commercial and Industrial Design Guidelines. The City of San Jose, Zoning Ordinance and both the Commercial and Industrial Design Guidelines can be found through the Planning Division website at: http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf http://www.sanjoseca.gov/planning/design_guidelines/ Once you have reviewed the pertinent portions of the Zoning Ordinance and respective Design Guidelines (see above), if you have further specific questions you may want to submit Preliminary Review Application. The Preliminary Review Brochure and Application can be obtained from the Planning Division website at http://www.sanjoseca.gov/planning/pdf_brochures/bro_prelim.pdf http://www.sanjoseca.gov/planning/applications/Preliminary_Questionnaire.pdf

What permits are required for solar panels/ photovoltaic systems?

Planning Permits are not required for rooftop PV panels installed in commercial, industrial or residential buildings. However, the PV panels should be installed to minimize visual impacts, and must meet the minimum development standards prescribed in Title 20 of the City's Municipal Code. Planning Permits are required for PV panels installed in locations other than a rooftop. Building Permits are required for all PV panel installations. Some exceptions apply. See the attached link below for Exceptions) <http://www.sanjoseca.gov/building/PDFHandouts/1-10Solar.pdf>

FAQs for Multi-Family Residential and Mixed-Use Projects:

What do I need to submit to Planning if I would like to submit a new multi-family or mixed-use residential project? You should check the zoning on the City's website to verify that the use is permitted, conditional or a special use in your Zoning District, verify that the proposal meets the applicable development standards, General Plan policies, Design Guidelines and City Council Policies. If you are not sure you may also discuss this with a planner at the counter or set up a Planning Consultation Appointment by calling (408) 535-3555. <http://www.sjpermits.org/permits/> http://www.sanjoseca.gov/planning/zoning/zoning_code_100410.pdf

What application would I submit for an addition, as described, above, if my property has a conventional zoning (not a Planned Development zoning)? Your proposal must be consistent

with the Zoning Ordinance and all other policies, as stated above. If the proposed uses are allowed in the zoning district then you will need to submit one of the following applications: Site Development Permit, Special Use Permit or a Conditional Use Permit. The applications and requirements are available at the links below. Any change of use must also be consistent with the City's General Plan and the Residential Design Guidelines at the following links. If you are not sure, you may discuss this with a planner at the Planning Counter, or set up a Planning

Consultation Appointment by calling (408) 535-3555. Minor additions and changes to the project may be done with a Permit Adjustment Application.

<http://www.sanjoseca.gov/planning/applications/>
http://www.sanjoseca.gov/planning/design_guidelines/
http://www.sanjoseca.gov/planning/applications/dev_ad_app.pdf
<http://www.sanjoseca.gov/planning/gp/gptext.asp>

What application do I need to submit if I would like to make an addition or some architectural and site plan changes or change the use of an existing multi-family residential or mixed-use project that is zoned A(PD) Planned Development? Your proposal needs to be consistent with the existing Planned Development (PD) Zoning on your parcel, and all of the development standards in the zoning. Planned Development Zonings are tailor-made zonings that specify what the allowed uses and development standards are for your property. If the proposal is consistent you will submit either a PD Permit Application or an Adjustment Application, depending on your project design. If the proposed uses are not allowed in the PD Zoning you will probably need to apply for a PD rezoning. Any change of use must also be consistent with the City's General Plan, all parking requirements and the Residential Design Guidelines. The Residential Design Guidelines are at the following link)

http://www.sanjoseca.gov/planning/design_guidelines/
<http://www.sanjoseca.gov/planning/gp/gptext.asp>

What zoning district allows for a new mixed-use project and what planning permit applications will I need to submit? Mixed-use is allowed with a Conditional Use Permit (CUP) in the Commercial Pedestrian (CP), Neighborhood Commercial (CN), Commercial General (CG) zoning districts and some Planned Development Zoning Districts. Your proposal needs to be consistent with the existing Zoning on your parcel. You will also be required to comply with all provisions of the General Plan, the Design Guidelines and any other applicable City Council policies or Specific Plan policies which are available at the links below. The CUP application and a brochure explaining the process is available at the following link.

<http://www.sanjoseca.gov/planning/applications/>
http://www.sanjoseca.gov/planning/design_guidelines/
<http://www.sanjoseca.gov/planning/gp/gptext.asp>

What are the rules for fences? For **multi-family residential properties**, fences must not only comply with City regulations but are also subject to design review by the Planning Division as a part of a Development Permit or Permit Adjustment. Please see the Residential Design Guidelines for fence design requirements. For more information, you may come in to discuss this with a planner at the planning counter on the 1st floor of City Hall or contact the Planning Division at (408) 535-3555.(see above links for Design Guidelines)

FAQs Regarding Planning Counter Application Submittals

What Planning Applications may be submitted at the Planning Counter in the Permit Center (1st floor)? The following Planning Applications may be submitted at the Planning Counter: (application available at the following link:

<http://www.sanjoseca.gov/planning/applications/>

- **Permit Adjustment Application:** For adjustments to existing permits for minor changes to the site, building, or operation.
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- **Administrative Permit Application:** for small recycling collection facilities
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- **Sign Permit Adjustment Application:** This application is for a new sign or revision to an existing sign.
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- **Single-Family House Permit Application:** A Single-Family House Permit may be required for new construction or the remodel of a single-family house.
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- **Tree Removal Permit Application:** This application is a request to remove a tree with a circumference of 56 inches or more, measured at a height of 24 inches above natural grade. Tree Removal Permits for Live Trees require a public hearing. Tree Removal Permits for Dead Trees do not require a public hearing. This permit does not apply to trees in the public right-of-way, which are handled by the City Arborist at (408) 277-2762.
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- **Research Request Application:** permit for any research
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- **Basic Zoning Letter Application:**
http://www.sanjoseca.gov/planning/applications/Public_information_letter_application.pdf
 This application covers the following letters:
 - Rebuild Letter Application
 - Alcoholic Beverage Control (ABC) Verification Letter,
 - Department of Motor Vehicle (DMV) Verification Letter
 - Massage Letter Application
 - Comprehensive Research Letter Application
 - Legal Nonconforming (LNC)Letter Application (also see the following link the LNC brochure add link here)
- **Preliminary Review Application:** Provides preliminary planning comments on your proposal in response to specific questions.

FAQs Regarding Historic Resources

What is a Historic Resource? A Historic Resource is a general term for any property that is listed or has been found eligible for listing on a local, state or federal register or inventory, in accordance with local, state, and federal criteria. .

<http://www.sanjoseca.gov/planning/historic/pdf/HistoricResoucesInventorybro.pdf>

How do I know if my property is listed on the City of San Jose Historic Resources Inventory? Owners can “search for property information by address” to find out if their property is listed as an historic resource or within an historic area on the City of San Jose Historic Resources Inventory at: <https://www.sjpermits.org/permits/general/generalquery.asp>

What is required if I would like to make changes to my property if it is listed on the Inventory? Required permits for exterior changes to historic resources vary according to how the resource is listed (i.e. as City Landmark/Landmark District or not) and the use (i.e. single-family house or not) of the property. See below for more information.

What is required if I would like to make exterior changes to any property listed as a City Landmark and/or within a City Landmark District? If your property is a City Landmark and/or located within a City Landmark District a Historic Preservation Permit Application is required to perform any exterior work. The application is available online at:

http://www.sanjoseca.gov/planning/applications/dev_hp_app.pdf The Historic Landmarks Commission reviews the project for conformance with adopted Design Guidelines: http://www.sanjoseca.gov/planning/historic/design_guidelines.asp based on the Secretary of the Interior's Standards: <http://www.sanjoseca.gov/planning/historic/Links.asp> before the Director of Planning may approve, conditionally approve, or deny an application for an Historic Preservation Permit . In addition to any other development permit that may be required for your project, you must have a Historic Preservation Permit approved before obtaining a building permit to perform any exterior work.

If you would like to make minor modifications to a City Landmark and/or property located within a City Landmark District that clearly meet the Design Guidelines and the Secretary of the Interior's Standards, you may apply for an administrative Historic Preservation Permit Adjustment. The application is available online at:

http://www.sanjoseca.gov/planning/applications/dev_hpadi_app.pdf

What is required if I would like to make exterior changes requiring Building Permits to a single-family house, listed on the Historic Resources Inventory but not as a City Landmark and/or within a City Landmark District?

If a house is listed on the Historic Resources Inventory, but not as a City Landmark and/or within a City Landmark District (i.e. National Register, Structure of Merit, Conservation Area) a Single Family House Permit is required for exterior work requiring Building Permits. Single Family House Permits are reviewed for conformance with the Your Old House Design Guidelines:

<http://www.sanjoseca.gov/planning/historic/oldhouse.asp> Work clearly meeting the Design Guidelines and qualifying for administrative review according to the Zoning Ordinance may be reviewed through the administrative Category I Historic Single Family House Permit for a reduced fee. The application is online at: http://www.sanjoseca.gov/planning/applications/dev_sf_app.pdf

What is required if I would like to make changes to any property other than a single-family house, listed on the Historic Resources Inventory but not as a City Landmark and/or within a City Landmark District?

If any property other than a single-family house is listed on the Historic Resources Inventory, but not as a City Landmark and/or within a City Landmark District (i.e. National Register, California Register, Structure of Merit) a Development Permit (i.e. Site Development, Adjustment, Conditional Use or Special Use Permit) is required for exterior changes. Development Permits for these properties are reviewed for conformance with Design Guidelines:

http://www.sanjoseca.gov/planning/historic/design_guidelines.asp based on the Secretary of the Interior's Standards: http://www.cr.nps.gov/local-law/arch_stnds_8_2.htm .

What is the Environmental Review Process for significant historic resources?

Rehabilitation of a significant historic resource (i.e. listed or eligible for National Register, California Register, City Landmark listing) that meets the Secretary of the Interior's Standards: <http://www.sanjoseca.gov/planning/historic/Links.asp> would be generally considered to have a less than significant impact on the environment. However, a project proposing an adverse change or demolition of a significant resource would be generally considered to have a significant impact on the environment, and as such would require disclosure and consideration of mitigation measures, alternatives, and findings of infeasibility through the Environmental Impact Report (EIR) process. More information about the environmental review process is online at:

http://www.sanjoseca.gov/planning/dev_review/dev_env.asp

What are the benefits of listing on the Historic Resources Inventory? All owners of properties listed in the Historic Resources Inventory can use the State Historic Building Code,

which allows more flexibility (and potential financial savings) than the regular code requirements. The Special Use Permit process allows for alternate Land Uses when planning alterations to City Landmarks. Owners of City Landmarks can also apply for Property Tax relief under the Mills Act/Historic Property Contract, as well as exemption from Building CRMP Construction Taxes. Properties listed in or determined eligible for listing in the National Register of Historic Places are also eligible for certain federal tax credits. Additional information is online at: http://www.sanjoseca.gov/planning/historic/pres_incentives.asp#mills_act

How can I apply to designate my property as a City Landmark? More information about the City Landmark designation process is online at: <http://www.sanjoseca.gov/planning/historic/pdf/DesignatedCityLandmark.pdf>

FAQs Regarding Address Changes:

What is the process to obtain a new address for my house or business?

An Addressing Application must be submitted to obtain a new address in the City. To access the Addressing Application and to find out if your project is eligible for addressing change request, refer to the General Addressing Guidelines at:

<http://www.sanjoseca.gov/building/PDFHandouts/Gral-add-guid-w-form.pdf>

May I get the city to address my vacant lot?

No. Addresses are not issued to vacant lots, where approved building or site work is not performed.

Can I get new address to a secondary (granny) unit on my property?

Yes, a new address may be issued if the unit has the required permits issued by the City/ County, or if it is a legal non conforming building.

Do I need to ask for an address change if I am demolishing and rebuilding an existing building?

Yes, you should submit an Addressing Application. You may find this application at:

<http://www.sanjoseca.gov/building/PDFHandouts/Gral-add-guid-w-form.pdf>

The entrance door to my house is located facing street 'X' but my address is on street 'Y'. My house is at the corner of streets, 'X' and 'Y'. Can I ask for a change of address to be the same as the street where my entrance door is facing?

Yes, you should submit an Addressing Application with the required attachments to the Building Counter in the Permit Center at the City Hall. You may find this application at:

<http://www.sanjoseca.gov/building/PDFHandouts/Gral-add-guid-w-form.pdf>

How do I get an address to install a temporary power pole on my vacant lot? PG & E would not give the electric power connection until I get the address.

You may qualify for an address for a temporary power pole if it is an authorized pole with a grading permit or if you have an approved use on your property. You can find the Addressing Application at: <http://www.sanjoseca.gov/building/PDFHandouts/Gral-add-guid-w-form.pdf>

When should I apply for addressing if I am planning on developing my property?

The best time to submit an Addressing Application for your development is at the time of submitting a Planning Application. If no Planning Permit is required, the Addressing Application should be submitted at the building permit application stage.

Do I need to submit an Addressing Application if I want to create a new tenant space out of an existing business space or if I am consolidating two or more tenant spaces into a bigger tenant space?

Yes. You can find the Addressing Application at:
<http://www.sanjoseca.gov/building/PDFHandouts/Gral-add-guid-w-form.pdf>

Do I need to submit an Addressing Application for my existing building which was converted into a condominium?

Yes. You should submit two (2) copies of the most current Assessor's Parcel Map, along with your Addressing Application. You can find the Addressing Application at:
<http://www.sanjoseca.gov/building/PDFHandouts/Gral-add-guid-w-form.pdf>

FAQs Regarding Time Extensions for Planning Permits

Where do I find the expiration time period of my approved development permit?

Refer to your permit conditions of your approved development permit under the section: "Conditions" or "Conditions Subsequent". It would be enlisted under "Permit Expiration", "Time Limit" or "Term".

Do I have an opportunity to reactivate my development permit which has expired before even obtaining any building permit?

Yes, but with a few exceptions. Please access the "Reactivations" section of the Ordinance No. 28576. <http://www.sanjoseca.gov/planning/zoning/zoning.asp> (see Section 20.100.500)

How does the City help me to keep my approved development permit alive which is about to expire during the current economic downturn?

City Council passed an Ordinance (No. 28576) on May 19, 2009, to allow for an additional extension of development permit terms or a reactivation of certain expired development permits for a temporary period of time. <http://www.sanjoseca.gov/planning/zoning/zoning.asp> (see Section 20.100.500)

How do I extend the life of my approved development permit?

If the required conditions of the approved permit are met per the Municipal Code Title 20, the development permit may be extended through a Permit Adjustment Application over the counter. You can find this application at: http://www.sanjoseca.gov/planning/applications/dev_ad_app.pdf

May I get my Tentative Map extended through a Permit Adjustment over the counter?

No. If the Tentative Map Extension meets the criteria for time extension under Senate Bill, SB 1185 and Assembly Bill, AB 333, it would be automatically extended per those Bills. If not, you should submit a Tentative Map Extension Application which goes through the Planning Director's hearing. You can find this application at:
http://www.sanjoseca.gov/planning/applications/dev_tme_app.pdf

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