

ZONING APPLICATION

As directed by a City Planner, use this form to apply for a:

- Conventional or Conforming Rezoning or Prezoning
- Planned Development Rezoning or Prezoning

Please see page 5 for an explanation of how the zoning application process works.

For questions: Speak with a City Planner at 408-535-3555 during Planning's [phone service hours](#).

Para información en español, comuníquese con un Planificador de la ciudad al 408-793-4100.

Để được hỗ trợ, nói chuyện với Người lập kế hoạch thành phố tại 408-793-4305.

INSTRUCTIONS FOR APPLICATION PACKAGE

FEES

Your invoice for permit application fees will be generated after you submit your application. Fees are outlined in the [Planning Fee Schedule](#). For initial fees and methods of payment, please visit www.sanjoseca.gov/PlanningApplications. Review of your submittal will not begin until initial fees are paid. Full fees must be paid within 14 days.

HOW TO SUBMIT

Schedule your required appointment at www.sanjoseca.gov/PlanningAppointments. You will be asked to email your documents at that time. All forms and documents must be saved as PDF files.

WHAT TO SUBMIT

Provide the following as applicable:

CONVENTIONAL OR CONFORMING REZONINGS/PREZONINGS

- ZONING APPLICATION - This form, completed and signed.
- SECTION 3 OF THIS FORM, completed, OR provide a LETTER OF INTENT from an environmental consultant that states you have contracted their services to prepare a document pursuant to CEQA for your project.
- LEGAL DESCRIPTION of the property.
- PLAT MAP - See [example](#). The plat map must be stamped and wet-signed.

PLANNED DEVELOPMENT REZONINGS/PREZONINGS

- [STORMWATER EVALUATION FORM](#) - Upon reading the instructions, if you are required to complete this entire form, then you must also complete the [STORMWATER SUBMITTAL CHECKLIST](#) and provide all items on the checklist
- PLAN SET - Follow the [Contents of Plan Sheets](#) instructions. You must include the stormwater control plan sheets.

Staff will assign FILE #

Please download and save this computer-fillable form to your computer. Follow instructions for [Digital Forms & Signatures](#).

1. PROPERTY INFORMATION FIND APN: WWW.SCCASSESSOR.ORG

ASSESSOR'S PARCEL NUMBER/S:

PROJECT ADDRESS/ES:

COUNCIL DISTRICT, SEE WWW.SJPERMITS.ORG:

SITE GROSS ACREAGE:

EXISTING ZONING DISTRICT/S:

PROPOSED ZONING DISTRICT/S:

2. PROJECT DESCRIPTION

BRIEFLY DESCRIBE THE PURPOSE OF THE REZONING:

3. ENVIRONMENTAL EVALUATION

YES	NO	IF YES, PLEASE ATTACH AN EXPLANATION.
		Does the project involve or anticipate the use of federal funding? <i>Note: Compliance with the National Environmental Policy Act (NEPA) is required for projects using federal funding.</i>

4. CONTACT INFORMATION

APPLICANT NAME:

NAME OF FIRM IF APPLICABLE:

APPLICANT MAILING ADDRESS:

APPLICANT PHONE:

EMAIL:

APPLICANT'S REPRESENTATIVE IF ANY:

REPRESENTATIVE MAILING ADDRESS:

REPRESENTATIVE PHONE:

EMAIL:

ENVIRONMENTAL CONSULTANT NAME IF ANY:

ENVIRONMENTAL CONSULTANT PHONE:

EMAIL:

5. AFFIDAVIT OF OWNERSHIP

THE UNDERSIGNED HEREBY DECLARE THAT THE FOLLOWING IS TRUE AND CORRECT, AND THAT THEY UNDERSTAND THAT THE FOLLOWING APPLIES TO THEIR PROJECT:

1. **Owners.** The undersigned are all the owners of all the property described in this application.
2. **Easements.** The development plans as part of this application show the exact location, size, and use of all easements on the subject site and all easements on surrounding properties benefiting the subject property.
3. **Deactivated Water Wells.** Any existing or deactivated water wells on your property must be shown on your plans. The property which is the subject of this application: **CHECK ONE**
 - does contain existing active or deactivated water wells and they are shown on the plans accompanying this application.
 - does not contain existing active or deactivated water wells.
4. **Hazardous Waste and Substance Sites.** In conformance with California Government Code Section 65962.5, I hereby certify that I have reviewed the list of [Hazardous Waste and Substance Sites](#) within the City of San José, as compiled by the State Office of Planning and Research. The property which is the subject of this application: **CHECK ONE**
 - is not on said list.
 - is on said list. The listed item reads as follows:

5. **Wastewater Treatment Capacity.** San José Municipal Code, Chapter 15.12, Part 2.75 requires that an applicant acknowledge the effect of land development approvals on wastewater treatment capacity at the time of application. I hereby acknowledge the requirements of the Municipal Code, as stated herewith, and understand that these requirements will apply to the development permit for which I am applying:

No vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on San José-Santa Clara Regional Wastewater Facility (RWF) represented by approved land uses in the RWF service area will cause the total sewage treatment demand to meet or exceed the capacity of the RWF to treat such sewage adequately and within the discharge standards imposed on the City by the Regional Water Quality Control Board for the San Francisco Bay Region.

● **SIGNATURE of Property Owner** DATE: [MM/DD/YYYY]

PRINT NAME: _____

TITLE IF APPLICABLE: _____

FIRM NAME IF APPLICABLE: _____

EMAIL: _____ PHONE: _____

MAILING ADDRESS: _____

A [Digital ID Signature](#) is required. By signing this application, you acknowledge that you are the property owner, the legally authorized agent of the property owner, a qualified tenant, or other signatory as allowed by [San José Municipal Code Section 20.100.110](#). For multiple property owners, use the [Affidavit of Ownership Form](#) found at www.sanjoseca.gov/PlanningApplications.

6. INDEMNIFICATION AGREEMENT FOR DEVELOPMENT APPLICATIONS

Applicant submitted an application to the City of San José Planning Division on (enter date): _____
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 applications by City; and/or
 - b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council.
2. Applicant's indemnification includes, but is not limited to, damages, fees and/or costs awarded against or incurred by City, 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.
3. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.
4. 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.
5. 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.
5. 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.
6. 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 signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

APPLICANT'S SIGNATURE

DATE [MM/DD/YYYY]

PRINT NAME

TITLE, IF ANY

A [Digital ID Signature](#) is required. By signing this application, you acknowledge that you are the property owner, the legally authorized agent of the property owner, a qualified tenant, or other signatory as allowed by [San José Municipal Code Section 20.100.110](#).

For multiple property owners, use the [Affidavit of Ownership Form](#) found at www.sanjoseca.gov/PlanningApplications.

OFFICE USE ONLY

INTAKE DATE:	BY:	PAID: \$
COMMENTS:		

7. ZONING APPLICATION PROCESS



Questions?
Speak with a planner at 408-535-3555.
Visit www.sanjooseca.gov/planning for phone service hours.