

City of Milpitas Planning Department

455 E. Calaveras Blvd., Milpitas, CA 95035
 Telephone: 408-586-3279 • Fax: 408-586-3305
 www.ci.milpitas.ca.gov

Planning and Zoning Application

Please print or type. The City's acceptance of this application and required filing fee does not constitute a completed application pursuant to Government Code 65943. Applicant will be considered the project contact unless otherwise indicated on this form and will be the sole recipient of City correspondence, including staff reports, project approval letter, and conditions of approval.

Permit Type

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Site Development Permit | <input type="checkbox"/> Major Tentative Map | <input type="checkbox"/> Zoning Amendment/Change | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Minor Site Development | <input type="checkbox"/> Minor Tentative Map | <input type="checkbox"/> Planning Appeal | <input type="checkbox"/> Interpretation |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Specific Plan Amendment | <input type="checkbox"/> Administrative Permit |
| <input type="checkbox"/> Minor Conditional Use Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Time Extension | <input type="checkbox"/> Pre-Application Review |
| <input type="checkbox"/> Other _____ | | <input type="checkbox"/> Check if Amendment to Existing Permit: (Number) _____ | |

Application Information and Certification

Applicant's Name:	Telephone:	Fax:
Mailing Address (Street, City, State, Zip):	E-mail:	
Applicant's relationship to property owner: <input type="checkbox"/> Same <input type="checkbox"/> Architect <input type="checkbox"/> Agent <input type="checkbox"/> Lessee	<i>I certify that the information herewith submitted is true and correct to the best of my knowledge.</i> Signature: _____ Date: _____	
Other (please specify) _____		

Project Information

Project Address:	Assessor's Parcel Number(s):
Existing Use of Project Site:	Site Area (acres) / Building Floor Area (square footage):
Project Name and Description (Please describe in detail, using an additional sheet if needed.):	

Project Ownership and Authorization

Name, address and signature of **all property owners** having an interest in the property. All owners' consent is required to authorize the filing of this application. Use additional sheet if needed.

Name and Address:	Signature: _____	Date: _____
Contact Information: email and phone	Signature: _____	Date: _____

Project Contact Information

List project contact information **if different** from Applicant listed above.

Name:	Authority: <input type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Other (list)
Mailing Address:	Telephone: _____ Fax: _____
	E-mail: _____

STAFF USE ONLY

Application Received By: _____	Date: _____	Application Submittal Fee: _____	Total Fee Deposit: _____
Permit Number(s): _____			PJ: _____

INDEMNIFICATION AGREEMENT
FOR DEVELOPMENT APPLICATIONS

Applicant submitted an application to the City of Milpitas Planning Division on _____, 20__ 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 Applicants 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 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 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 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 conditions.

APPLICANT By: _____
(Signature)

Date: _____

(Print)

Its: _____
(Title, if any)

Consultant List

Have consultants been identified to assist with this project? Yes

No

By: _____
Name of Person Completing this Form Capacity Date

Consultants include, but are not limited to, architects, designers, contractors, landscape architects, engineers, planners, real estate agents, and environmental consultants. It is important this form be filled out completely. It enables members of the City Council, Planning Commission and staff 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# _____

Name: _____ Capacity: _____
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Address: _____ Email: _____
Milpitas Business Tax ID# _____

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Milpitas Business Tax ID# _____

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

If more room is necessary, you may complete and attach additional copies of this form.

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. Please contact the Business Resource Center at 408-586-3100 for instructions on how to obtain a Milpitas Business Tax ID number.

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.

TO: Planning Division
City of Milpitas
455 East Calaveras Blvd
Milpitas, CA 95035

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 <http://www.calepa.ca.gov/SiteCleanup/CorteseList/> regarding the development project application herewith submitted.

Based on my consultation, the location of the project, shown below,

IS IS NOT

on a site which is included on the attached most recent Hazardous Waste and Substances Sites List.

Project location:

If located on such a site, print the sources of that information as shown on the list:

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

_____ day of _____, 20_____, in
(date) (month) (year)

(city and state)

X _____
Signature of applicant (or agent)

Print applicant name, with agent name and title, if any

Development Statistics

SECTION 1: ZONING AND GENERAL PLAN INFORMATION

a. What is the property currently designated for:

ZONING: _____

GENERAL PLAN: _____

b. Are any changes being proposed to either the Zoning or General Plan? NO YES.

IF YES, list the new Zoning District or,

General Plan designation(s) as appropriate --

ZONING: _____

GENERAL PLAN: _____

SECTION 2: SIZE OF DEVELOPMENT AND NUMBER OF LOTS

a. What is the total land area of the project site? _____ SQ. FT./ ACRES.

b. How many legal lots does the project area currently contain? _____ LOTS

c. Do you propose to subdivide the project site and thereby increase the number of lots? NO YES.

If yes, are the total number of lots? _____ lots

d. Is the site currently vacant? NO YES.

SECTION 3: HISTORIC INFORMATION

a. Were any structures located on the project site constructed prior to 1956? NO YES. – If yes, when was the structure built? Year Built: _____

b. How is this structure being used? _____

c. Describe generally where this structure is located on the project site: _____

d. Is the site or any of the structures considered to be historically significant? NO YES.

e. What type of historic designation? (check one) Federal State Landmark Local

f. Is the site or structure known by a particular name? NO YES – If yes, list its name –

Site _____ Building _____

SECTION 4: EXISTING RESIDENTIAL

a. Does the project site currently contain any residential dwellings? NO YES. – If YES, what is the total number of units? _____ Units.

b. Indicate the number of units by type: _____ Single Family Detached; _____ Single Family Attached; _____ Townhouses; _____ Condominiums; _____ Apartments

c. Are there any existing affordable housing units on the project site? NO YES, If YES, how many affordable housing units does the development contain? _____ Affordable Units.

**SECTION 5: NEW RESIDENTIAL:
PROPOSED OR CHANGES TO EXSTING**

- a. Do you propose to increase the number of affordable units? NO YES. – If YES, how many units? _____
Affordable units
- b. Do you propose to add any new units to the project site? NO YES. – If YES, what are the types and number of units:
_____ Single Family Detached; _____ Single Family Attached;
_____ Townhouses; _____ Condominiums; _____ Apartments
- c. Do you propose to delete any residential units from the project? NO YES. – If YES, what are the types and number of
units: _____ Single Family Detached; _____ Single Family Attached;
_____ Townhouses; _____ Condo.; _____ Apartments
- d. Are any jobs being removed from the project site? NO YES. – If YES, Indicate how many: _____ employees

SECTION 6: RESIDENTIAL PARKING INFORMATION

- a. How many COVERED parking spaces are currently being provided per dwelling unit? _____ spaces
- b. How many UNCOVERED parking spaces per unit? _____ spaces
- c. Given the total amount of parking spaces being provided, list the number of spaces by their types:
- COVERED: _____ No. of Standard; _____ No. of Compact; _____ No. of Handicapped Van; _____ No. of
Handicapped Car; _____ No. of Bicycle Spaces; _____ No. of Motorcycle; _____ No. of Off Site;
 _____ No. of Other
- UNCOVERED: _____ No. of Standard; _____ No. of Compact; _____ No. of Handicapped Van; _____ No. of
Handicapped Car; _____ No. of Bicycle Spaces; _____ No. of Motorcycle; _____ No. of Off Site;
 _____ No. of Other
- d. Are any changes being proposed to the number of available parking spaces? NO YES. – If YES, will there be an
increase or decrease in the total number of spaces. Increased by _____ spaces Decreased by _____ spaces.
- e. Indicate the revised composition:
- COVERED: _____ No. of Standard; _____ No. of Compact; _____ No. of Handicapped Van; _____ No. of
Handicapped Car; _____ No. of Bicycle Spaces; _____ No. of Motorcycle; _____ No. of Off Site;
 _____ No. of Other
- UNCOVERED: _____ No. of Standard; _____ No. of Compact; _____ No. of Handicapped Van; _____ No. of
Handicapped Car; _____ No. of Bicycle Spaces; _____ No. of Motorcycle; _____ No. of Off Site;
 _____ No. of Other

SECTION 7: EXISTING NON-RESIDENTIAL

- a. Are there any existing non-residential buildings on the project site? NO YES. – If YES, what is the combined total floor area of the buildings _____ Sq. Ft.
- b. Indicate which non-residential uses are currently existing on the project site: General Office; Medical Offices/Clinics; Warehouse; Retail; Industrial R&D; Industrial Speculative Bldg.; Religious Institutions/Facilities; Child Day Care; Hotel/Motel; Services; Other _____
- c. Please provide the following information on existing land uses, where applicable: Number of _____ Seats (Religious Institutions, Restaurants); _____ Children (Child Day Care); _____ Students (Schools); _____ Beds (Residential Care Facilities); _____ Rooms (Hotel/Motel).

SECTION 8: NEW NON-RESIDENTIAL: PROPOSED OR CHANGES TO EXISTING

- a. Are any new land uses being proposed for the project site? NO YES. – If YES, Indicate which uses are being proposed – General Office; Medical Offices/Clinics; Hotel/Motel; Retail; Warehouse; Services; Industrial R&D; Industrial Speculative Bldg.; Religious Institutions/Facilities; Child Day Care; Other _____
- b. Do you plan to add any new floor area? NO YES. – If YES, how much additional floor area? : _____ Sq. Ft.
- c. Please provide the following information for the proposed uses, where applicable: Number of _____ Seats (Religious Institutions, Restaurants); _____ Children (Child Day Care); _____ Students (Schools); _____ Beds (Residential Care Facilities); _____ Rooms (Hotel/Motel).
- d. Are any uses being removed/deleted from the site? NO YES. – If YES indicate which uses are proposed to be removed/deleted - NO YES. – If YES, Indicate which uses are being proposed – General Office; Medical Offices/Clinics; Hotel/Motel; Retail; Warehouse; Services; Industrial R&D; Industrial Speculative Bldg.; Religious Institutions/Facilities; Child Day Care; Other _____
- e. Do you plan to reduce the amount of floor area devoted for non-residential use? NO YES. – If YES, what is remaining amount of non-residential floor area? : _____ Sq. Ft. of non-residential use.
- f. Are any jobs being removed from the project site? NO YES. – If YES, Indicate how many: _____ employees
- g. Approximately how many jobs will the project create? _____ employees

SECTION 9: NON-RESIDENTIAL PARKING INFORMATION

- a. What is the total number of parking spaces currently available for the project? _____ Total spaces
- b. List the number of existing parking spaces by their types: _____ No. of Standard; _____ No. of Compact; _____ No. of Handicapped Van; _____ No. of Handicapped Car; _____ No. of Bicycle Spaces; _____ No. of Motorcycle; _____ No. of Other _____
- c. Are any changes being proposed to the number of available parking spaces? NO YES. – If YES, will there be an increase or a decrease in the total number of spaces. Increased by _____ spaces; Decreased by _____ spaces.
- d. Indicate the revised composition: : _____ No. of Standard; _____ No. of Compact; _____ No. of Handicapped Van; _____ No. of Handicapped Car; _____ No. of Bicycle Spaces; _____ No. of Motorcycle; _____ No. of Other _____