

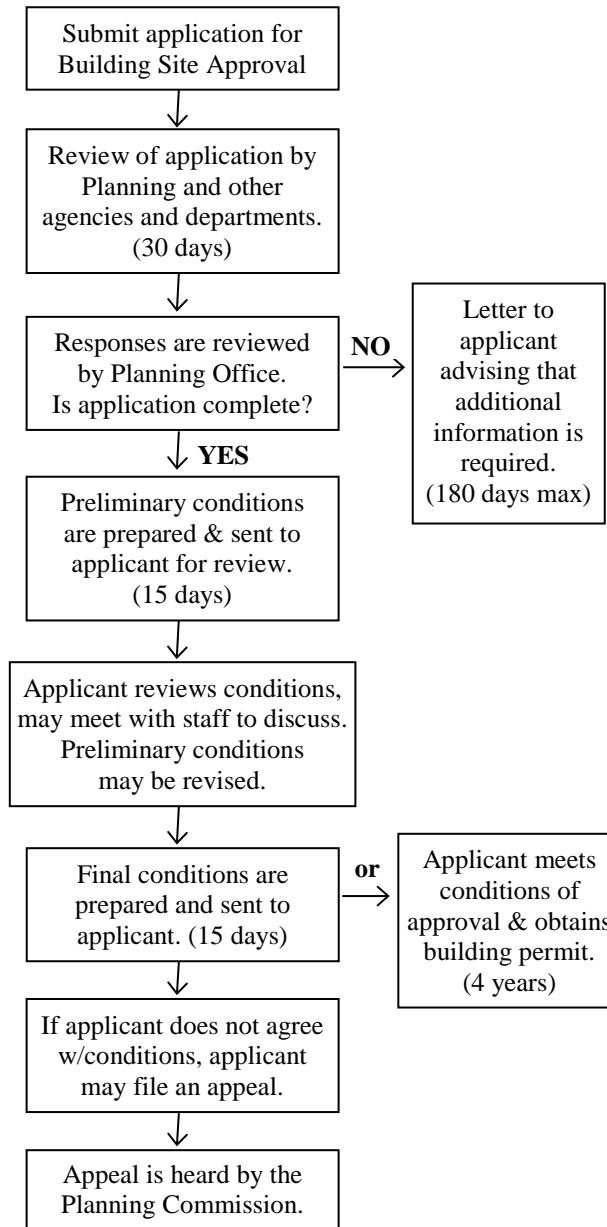
Pre-Screening

Building Site Approval applicants may file for pre-screening, which is a cursory review of a site plan by staff members to determine what issues might be important and what additional items might be needed to process the BSA application. Pre-screening takes approximately two weeks. This is most useful for applicants who desire preliminary staff comments before they finalize their plans and file their application.

Exemption for replacement of a residence destroyed by casualty or condemnation

Per Section C12-309.3 of the County Ordinance Code, a legally constructed single-family residence may be replaced, if it is destroyed by a casualty such as fire, flood, earthquake or other natural event or by demolition pursuant to a condemnation order issued by the Building Official.

The Ordinance Code contains important conditions and time limitations for a project to qualify for this exemption. The Ordinance Code is available on the County of Santa Clara website (www.sccgov.org, then click County Ordinance Code).



Building Site Approval



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Department of Planning and Development
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Building Site Approval

Building Site Approval (BSA) is a comprehensive evaluation of a building site to determine whether or not, and under what specific conditions, it can be developed for a residence. The Planning Office coordinates the process, which includes numerous reviewing departments and agencies.

Applicability

Building Site Approval has been required by the County since 1965. It is required for new residential development on unapproved parcels, including secondary dwellings. Additions to dwellings also require site approval if the enclosed floor area (heated or unheated space, including an attached garage) is being increased by more than 500 square feet (cumulative, since March 2, 1982).

It is not required under the following circumstances:

- If the lot as it exists today was created by legal subdivision. Such a lot would be shown on a parcel map for subdivision or a numbered subdivision tract map (starting with Tract No. 1 recorded February 1931) that makes no declaration negating its status as an approved building site.
- If the lot had been previously granted site approval, and a building permit was issued for the project before the expiration date.
- If the lot is within an R1 zoning district, but not any R1 district with an –n₁ combining district.
- If the lot is within an R2 zoning district.
- BSA is not required for additions up to 2,000 square feet on parcels of 10 acres or larger located outside urban service areas.
- BSA is not required for single-family residences on Stanford University land.
- If the parcel is zoned AR, is located east of Hwy. 101, and is not located in the Anderson/Coyote watershed. In that case, building clearance is required per Section C12-301 of the Ordinance Code.

Application Submittal

Application materials are available on the Planning Office web site <www.sccplanning.org> and at the Planning Office counter. The application package includes a site development plan, copies of deeds, supplemental information and the current fee. A staff member reviews the submitted materials to make sure all needed items and signatures are present. The application is taken in, a file number is assigned, and the applicant is given a receipt along with a copy of the submitted application form.

Processing

Planning Office staff will take the application materials and set up a file. This file will eventually contain comments from referral agencies, revisions, resubmitted items, and correspondence.

Copies of the site plan and other documents are distributed to various departments and agencies for review and recommendations. These agencies review for various land development requirements, including: driveway and road improvements, use, setback, grading, geology, septic system, water supply, protection of drainage channels and/or waterways, fire vulnerability and others. Site approval applications often require field investigation by reviewers.

Each application must stand on its own merit, and the amount of further review and investigation is dependent on whether the site was previously reviewed and subject to the current information that is available.

Within 30 days after receipt of the application, the referral agencies must provide comments and recommendations to the Planning Office. The project planner reviews these comments and prepares a status letter. If the application is deemed complete, the letter includes preliminary conditions of approval. If the application is incomplete, the letter will detail what additional information and documentation must be provided so that application processing can resume.

When preliminary conditions of approval are issued, the owner may accept the conditions by signing and returning a copy of the conditions to the Planning Office. Final conditions will then be issued, and mailed to the owner and applicant.

Alternately, the owner may contest any condition(s) by submitting a signed copy of the conditions document, noting the disputed conditions and reasons. A meeting will be scheduled between the owner, applicant, the affected departments, and the Planning Office to discuss these conditions. After the issues are resolved, final conditions will be issued.

Duration of Site Approval

The approval with conditions for development shall remain valid for four (4) years. If the conditions of approval are completed and a building permit for the proposed addition or new residence is issued during this time, the site approval becomes permanent. If a building permit is not issued within this time frame, the site approval expires.

Requests for time extensions must be submitted in writing and subject to review and approval by the Planning Office. Extensions of time are limited to two (2) years beyond the initial four (4)-year period, and are subject to a filing fee.

Appeals

Anyone dissatisfied with an action or conditions may file an appeal. Appeals of the Planning Office's decision will be heard and decided by the Planning Commission.

Appeal applications shall be filed within 15 calendar days following the action, and shall include a nonrefundable filing fee.