



County of Santa Clara

Department of Planning and Development

SB330 – HOUSING CRISIS ACT PLANNING SUBMITTAL CHECKLIST

Department of Planning and Development prepared a checklist for voluntary preliminary and formal application submittals pursuant to Senate Bill 330, October 2019. These applications are commonly referred to as “Builder’s Remedy” applications. Refer to preliminary application section for new proposals. **NOTE:** revisions to the project such that the number of residential units or square footage of construction changes by 20 percent or more, shall require a *new* preliminary application prior to formal housing development project application submittal.

REQUIRED ITEMS:

Please note: Your application will be accepted when it is signed by the property owner, accompanied by the current filing fee, and includes all the pertinent items described below. Following initial distribution and review of submitted materials, additional information may be required. Please contact the Planning Division at (408) 299-5700 or [e-permits@pln.sccgov.org](mailto:permits@pln.sccgov.org) for questions. Hyperlinks in blue are provided throughout this document to assist the public in the required checklist items.

- 1 Copy of the [Master Planning Application](#)** Signed by the property owner(s). In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign.
- Project Description for non-residential uses/operations.** Provide a detailed description of the project including work or operational plan, hours of operation, activities, number of employees/volume of people, types of material to be used or stored on-site, traffic impact and/or number of vehicle trips per day, noise information, etc.
- [General Plan Conformance / Contiguity Statement](#).** Applicants proposing a new housing development project within a city’s urban service area and under County jurisdiction must first file this form initiating annexation if the property is directly adjacent to city boundary, across the street from city boundary, or within 300 feet from the city boundary along a public road. Note: This form must be completed by the applicant, the County Planning Division, and the involved city before the application can be accepted.
- Copy of Current Recorded Grant Deed(s).**
- Evidence showing legal creation of lot(s).** (Refer to [handout](#)).
- Evidence of Legal Access.** If the project takes access from a private road, evidence of legal access in the form of recorded documents providing the access to the parcel from a publicly maintained road shall be provided. If proposed utilities cross through private property, or work is proposed on private property other than the subject parcel, evidence of legal access in the form of recorded documents providing the access to the parcel shall be provided. The easement is required to be recorded and signed by the fee title owner(s) of the property(ies) that would be subject to the easement.
- Project Plans in an electronic format** (PDF required) and include the following:
 - Cover sheet with a detailed project description/scope of work, including an existing & proposed square footage calculation and grading quantities in tabular format as shown below (cut/fill depth & cubic yardage), etc.

Example of Grading Quantities:

Grading Quantities					
	Cut	Fill	Net	Max Cut Ht.	Max Fill Ht.
Building Pad					
Driveway					
Site Grading					
Retaining Wall					
Total					

- Site plan that identifies all the relevant information described in the County’s [Sample Site Plan](#). Include the disturbed area grading quantities to determine if the project would be subject to [County MWELO requirements](#).
- Topographic contours with elevations clearly identified. Topography shall illustrate existing topographic contours separate from proposed and shall include a legend describing existing and proposed. Note: County Staff may require that the topographic plan be stamped by a licensed land surveyor or licensed engineer.
- Floor plans for all existing and proposed structures
 - In addition to submitting existing and proposed floor plans, if demolition of walls of an existing structure is proposed, please include a demolition plan. Note: Refer to [County Rebuild Ordinance](#).
- Elevation drawings illustrating height. Finished grade elevation call outs shall also be indicated at each corner of all proposed structures. Refer to [height handout](#) for additional information. Include elevations that show design, color, material, and the massing and height of each building that is to be occupied.
- All proposed development plans demonstrate that the proposed development will conform with all applicable requirements of the [Land Development Standards and Policies Manual](#) and the Regional Water Quality Control Board requirements when applicable.
- Parking plan showing the proposed number of parking spaces.
- **Right-of-way (ROW) improvements.**
 - Illustrate existing access points on site plan and their intended use.
 - All driveways will be required to be upgraded to current County standards or otherwise removed, and such information shall be illustrated on the plan set.
 - Submit sight distance analysis, if applicable.
 - Illustrate centerline, edge line, edge of pavement and existing right-of-way on plans. Future Width Lines (FWL) or Official Plan Lines (OPL) shall be identified on the plans.
 - Identify future road right-of-way dedication.
 - Illustrate all existing structures in ROW on plans and indicate the intent of said structures. All non-County standard structures shall be located outside of any rights-of-way.
 - All existing and new drainage components shall be identified on plans. Drainage into the ROW shall not increase as a result of the development.
 - If the project takes access from a private road, please provide pro-rata share improvement

study and proposal as required in the [Land Development Standards and Policies Manual](#).

- **Floodplain and Floodway.** Show the location of the floodplain, floodway, and applicable based-flood elevations on the plans with the appropriate finished floor for all structures. Provide elevation requirements for bridges and grading mitigation for any fill placed within the floodplain as required, pursuant to the County Ordinance Code Section [C12-814](#).
- **Driveway and Turnarounds.** Driveways shall be designed to comply with all County private road standards and provide a turnaround per the [Fire Marshal Office's requirements and standards](#) and [Land Development Standards and Policies Manual](#), or whichever is more restrictive.

Fire Protection Information.

- Identify if the parcel is located within the State Response Area (SRA), Very High Fire Hazard Severity Zone (VHFHSZ), High Fire Hazard Severity Zone (HFHSZ), and/or Wildland Urban Interface (WUI). Reference County [Property Profile](#) for designation. For parcels located within SRA or VHFHSZ the application shall demonstrate compliance with Public Resource Code, section 4290 ([PRC 4290](#)). Note: Upon receiving CalFire's recommendations for projects within the SRA and for which an applicant cannot fully comply with PRC 4290-required off-site improvements, the applicant may request an additional analysis to be considered by the county through the Planning Department.
- Identify the type of construction and square footage, per [California Building Code](#), for all existing, new, and proposed buildings and structures. Note: For any non-residential uses proposed on the property may require additional review for fire compliance.
- For parcels located within the SRA or VHFHSZ, identify if the parcel is zoned for less than one acre, zoned for 1 acre to 4.99 acres, zoned for 5 acres to 19.99 acres, or zoned for 20 acres or larger.
- Identify the occupancy type, per the [California Building Code](#), for all existing, new, and proposed buildings and structures. Describe the purpose of the structure and any processes or activities proposed in the buildings and on the site.
- Identify the building [fire protection systems](#), including design standard for all existing, new, and proposed buildings and structures. These systems may include a fire sprinkler system per NFPA 13, fire sprinkler system per NFPA 13D, or fire alarm system per NFPA 72, etc. Label fire protection systems as deferred submittals.
- Identify the existing, new, or proposed water supply. These may include a public water service, private water service, or pumps and water tanks. For public or private water service provide [fire flow information](#), on letterhead, from water purveyor. For pumps and water tanks provide calculations for tank sizing.
- Identify the location, and type (wharf or standard), of all existing, new, and proposed [fire hydrants](#). Include dimension from off-site hydrants to the most remote portion of the building or facility.
- Identify all existing, new, and proposed turnouts for drives greater than 500 feet in length. Include dimensions, angles, and radiuses of all turnouts that comply with [CFMO-A1](#) Standard.
- Identify all existing, new, and proposed vehicle entry gates. Include dimensions, vertical and horizontal, and Knox access for all gates. Gates to comply with [CFMO-A3](#) Standard.
- Identify fire department turnaround for all dead-end access roads/driveways exceeding 150 feet in length. Turnarounds to comply with [CFMO-SD16](#) Standard.
- Show drivable width for access road and/or driveway, vertical clearance, surface, load-bearing capacity, turning radii, percent grade, turnarounds, turnouts, and bridges (if applicable) on the site plan. Access roads and driveways to comply with [CFMO-A1](#) Standard.

Impervious Area Calculation. Provide the total changes (gross and net) to the parcel's impervious area on the site plan in a clear table with the location of all changes identified. A Drainage Permit may be applicable depending on the amount of impervious area per [C12-409](#).

Tentative Map. Submittal shall include improvement plans including improvements to provide access and

necessary utilities each, and every, proposed parcel. All improvements and utilities shall be located within an appropriate easement as necessary.

- Energy Conservation Plan.** If the subdivision application contains one or more proposed lots under one acre, submit an Energy Conservation Plan. Include information listed in Section C12-173.2 of the County Ordinance Code.
- Survey Information.** Plans shall show proposed and existing lot boundaries and easement limits with bearings and distances. Easements for utilities, access, and otherwise shall be shown on the tentative map.
- Petition for Exemption from Environmental Assessment Form & Applicable Fee.** The project may qualify for a Categorical Exemption from the required environmental review process. Note: Project may require an Environmental Assessment/Initial Study (with applicable fees) as determined by the Department after the application is deemed complete. Additional submittal materials may be required for CEQA review. Refer to *CEQA Analysis* section below.
- Environmental Information Forms.** Include photos of the project site. An environmental assessment may be required for your project unless the County determines that the project qualifies for an exemption from environmental assessment.
- Hazardous Sites Questionnaire** . Refer to the EnviroStor [webpage](#) to fill out the questionnaire.
- Completed Well Information Questionnaire.**
- Clean Water Questionnaire / Post Construction Requirement Packet.** If located within San Francisco (SF) Bay Watershed, submit a Clean Water Questionnaire. If located within the Central Coast Watershed submit a Post Construction Requirement Packet pursuant to County Ordinance Code [B11.5-20](#). Check the [County's Property Profile](#) to determine applicable watershed. Refer to the County's Stormwater Management [webpage](#) for more information.
- Checklist for Well Construction Application.** Required by Department of Environmental Health (DEH) if new well is proposed or required.
- Drinking Water Clearance.**
[Submit Drinking Water Clearance Application](#) for individual water system, shared water system OR state small water system to Department of Environmental Health (DEH). Drinking water clearance must be obtained through DEH. DEH charges additional fees for review and site evaluation. Contact DEH at (408) 918-3400.
 - **Water Connection Letter.** If connection to an existing Public Water System is proposed, provide a will serve letter from the provider verifying potable water source and ability to connect.**NOTE:** If the proposed project serves 25 or more people per day for at least 60 days out of the year, or serves 15 or more connections, the water system is required to comply with requirements under the California State Water Resources Control Board Division of Drinking Water and cannot be cleared through DEH. In order to provide adequate access to water please comply with one of the following options below:
 - **Feasibility Study.** Please submit a feasibility study that meets the State Drinking Water requirements for adequate access to water and is consistent with the State [Preliminary Technical Report Guidance](#), and also includes a Technical, Managerial and Financial report; OR
 - **Annexation Acceptance Letter.** Provide a letter from the local jurisdiction or agency that secures support of an annexation or out of agency service connection request/application to Local Agency Formation Commission (LAFCO).
- Wastewater Treatment Information.** Include the following information as a part of the project submittal:
 - **Septic System Plan.** Reviewed and signed-off by Department of Environmental Health (DEH). If a septic system is existing or proposed, each site must be evaluated by DEH. The evaluation may entail a site assessment, soil profile trenches, and a passing percolation test prior to approval of the application. DEH charges an additional fee for site evaluations and plan review. Contact DEH at (408) 918-3400 for additional information.

- Geotechnical Report: If the proposed septic area is >20% slope or requires reduction in horizontal setbacks, a geotechnical report will be required. Refer to [Attachment D in Part 2 of the Onsite Systems Manual for more information](#).
- Hydrogeologic Report: If the proposed septic area is determined to be within a high groundwater zone, wet weather testing or a hydrogeologic report will be required. Refer to [Attachment B in Part 2 of the Onsite Systems Manual for more information](#).
- Cumulative Impact Assessment: If the project proposal and/or proposed septic area is identified as requiring a cumulative impact assessment, groundwater mounding and/or nitrate loading analysis will be required. Refer to [Attachment E in Part 2 of the Onsite Systems Manual for more information](#).
- **Sewer Connection Letter.** If the property is within 300 feet of a sanitary sewer, provide a will serve letter for sanitary sewer. This can be achieved by submitting an application to the city or district, and providing a letter from the local jurisdiction or district that secures support of a connection.
- **State Wastewater Clearance.** If a will serve letter cannot be obtained; and the maximum daily flow volume of waste produced exceeds 10,000 gallons per day, or where a community system serving multiple discharges under separate ownership is proposed, the method of treatment and dispersal must be approved by either the San Francisco Bay RWQCB or the Central Coast RWQCB, as applicable. Submit an approved permit from the San Francisco Bay RWQCB or the Central Coast RWQCB, as applicable. Alternatively, the applicant may submit a feasibility study that complies state requirements for wastewater and provides adequate access to wastewater under state law.
- Santa Clara Valley Habitat Conservation Plan (HCP) -Coverage Screening Form.** If the subject property is located within the Habitat Plan Permit Area submit a completed [Coverage Screening Form](#). The Coverage Screening Form is required to determine if the proposed project is classified as a “covered project” under the Plan. If the project is identified as a “covered project” per the Screening Form, biological surveys and landcover map may be required. Note: Prior to building permit issuance, a completed [Application for Private Projects](#) and associated fees will be required.
- Geologic Reports & Applicable Fee.** A geologic report may or may not be required, depending on the site location and the nature of the proposed project. If the site is located within an official geologic hazard zone, a geologic report will be required. **Contact County Geologist at (408) 299-5700 to discuss the scope of required report.** If a geologic report is required, submit one (1) original wet signed paper copy from a registered geotechnical engineer and one (1) electronic copy (PDF). Any modification to the application may require supplemental geology review.
- Arborist Report.** Shall be required when the development is located within the tree’s dripline and/or when the property has oak woodland. Refer to the County Ordinance [C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts](#), and [Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications](#).
- Identification of Potential Historic Resources (Part I and Part II forms).** If the project includes demolition of structures 50 years or older, submit a completed and signed Identification of Properties for Potential Historic Significance forms, a copy of the Santa Clara County Residential Unit Property Record (available from the County Assessor’s Office, 130 West Tasman Drive, San Jose, CA 95134) for the subject property, and photographs of each elevation of the subject structure and any related structures or associated features. Please note that the 50-year age reference is a discretionary guideline; there are circumstances where a property less than 50 years old may be potentially significant.
- Williamson Act/Open Space Easement (OSE) Compatible Use Determination (CUD).** Submit evidence of Williamson Act/Open Space Easement CUD for proposed use if the property is under an existing Williamson Act or OSE contract.

- Applicable fees.**
- Project Description which includes the following:**
 - Number, type, and affordability of all proposed dwelling units
 - Number of dwelling units demolished
 - Number of dwelling units to be demolished which are designated for moderate-income, lower income, very low income, or extremely low-income households; and/or was subject to rent control within the past five years,
 - Identification of whether the proposed project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined in Section 65944.
- Housing Crisis Act of 2019 – SB330 Preliminary Application Form.** Submit an updated SB330 Preliminary Application Form so staff can verify if the number of residential units or square footage of construction has changes by 20 percent or more since the initial preliminary application. If so, a new preliminary application is required.
- Stanford University.** Submit one copy of the Stanford University General Use Permit Project Checklist (8½ x 11) signed by a Stanford University LUEP Planner. Incorporate the completed checklist into the project plan set submittal.

CEQA ANALYSIS: Per the California Environmental Quality Act (CEQA); an Environmental Assessment may be required for the proposed project. The following studies may be required to address potential environmental impacts. Additional studies may be required after a review of the submitted application.

- Cultural Resources.** If the proposed project area has the possibility of containing unrecorded archaeological sites, then an archeology study is required to assess potential impacts to cultural resources.
- Biology.** If the proposed project has the potential to impact federally or state listed species (or their habitat), then a biology report and/or arborist is required.
- Noise Study.** A noise study addressing whether the project will result in temporary or permanent increase in ambient noise levels in the vicinity in excess of standards established by the Santa Clara County Noise Ordinance.
- Traffic Study.** A traffic study that addresses the potential traffic impacts of the proposed use.
- Historic.** Identification of Potential Historic Resources ([Part I](#) and [Part II](#) forms).
- Hydrology/drainage.**
- Lighting plan.**
- Other Reports/Studies.** Your project may require a detailed report or study. For example, a biological, archeological, noise, or traffic study could be required depending on the location and/or intensity of the project.

PRELIMINARY APPLICATION REQUIRED MATERIALS

The following is a list of documentation required by the Planning Office to process your application for a Builder’s Remedy preliminary review. Your application will not be accepted unless it is signed by the property owner, accompanied by the current filing fee, and includes all the pertinent items described below. Following initial distribution and review of submitted materials additional information may be required. Questions? Contact the Santa Clara County Planning Office (408) 299-570.

Yes N/A

BUILDER’S REMEDY PRELIMINARY APPLICATION

- Housing Crisis Act of 2019 – SB330 Preliminary Application Form.**