

# Standards Matrix

## Cupertino General Plan

Standard	General Plan Req.	General Plan Section
Uses allowed	Residential - Very Low Density (5-20 Acre Slope Density Formula)	Land Use Map
<b>Density</b>		
Residential Max. Density	Unknown	Appendix F
<b>Land Use Element</b>		
Parcel Assembly	Encourage parcel assembly and discourage parcelization to ensure that infill development meets City standards and provides adequate buffers to neighborhoods.	Policy LU-1.4
Pedestrian-Oriented Public Spaces	Require developments to incorporate pedestrian-scaled elements along the street and within the development such as parks, plazas, active uses along the street, active uses, entries, outdoor dining and public art.	Policy LU-2.2
Site Planning	Ensure that project sites are planned appropriately to create a network of connected internal streets that improve pedestrian and bicycle access, provide public open space and building layouts that support city goals related to streetscape character for various Planning Areas and corridors.	Policy LU-3.1
Attractive Design	Emphasize attractive building and site design by paying careful attention to building scale, mass, placement, architecture, materials, landscaping, screening of equipment, loading areas, signage and other design considerations.	Strategy LU-3.3.1
Mass and Scale	Ensure that the scale and interrelationships of new and old development complement each other. Buildings should be grouped to create a feeling of spatial unity.	Strategy LU-3.3.2
Transitions	Buildings should be designed to avoid abrupt transitions with existing development, whether they are adjacent or across the street. Consider reduced heights, buffers and/or landscaping to transition to residential and/or low-intensity uses in order to reduce visual and privacy impacts.	Strategy LU-3.3.3
Compatibility	Ensure that the floor area ratios of multi-family residential developments are compatible with buildings in the surrounding area. Include a mix of unit types and avoid excessively large units.	Strategy LU-3.3.4
Building Location	Encourage building location and entries closer to the street while meeting appropriate landscaping and setback requirements.	Strategy LU-3.3.5
Architecture and Articulation	Promote high-quality architecture, appropriate building articulation and use of special materials and architectural detailing to enhance visual interest.	Strategy LU-3.3.6
Entrances	In multi-family projects where residential uses may front on streets, require pedestrian-scaled elements such as entries, stoops and porches along the street.	Strategy LU-3.3.10
Multiple-Story Buildings and Residential Districts	Allow construction of multiple story buildings if it is found that nearby residential districts will not suffer from privacy intrusion or be overwhelmed by the scale of a building or group of buildings.	Strategy LU-3.3.11
Ordinance and Development Review	Through building regulations and development review, limit development on ridgelines, hazardous geological areas and steep slopes. Control colors and materials and minimize the illumination of outdoor lighting. Reduce visible building mass with measures including, stepping structures down the hillside, following natural contours, and limiting the height and mass of the wall plane facing the valley floor.	Strategy LU-12.1.1
Slope Density Formula	Apply a slope-density formula to very low intensity residential development in the hillsides. Density shall be calculated based on the foothill modified, foothill modified ½ acre and the 5-20 acre slope density formula. Actual lot sizes and development areas will be determined through zoning ordinances, clustering and identification of significant natural features and geological constraints.	Strategy LU-12.1.2
Clustering Subdivisions	Cluster lots in major subdivisions and encourage clustering in minor subdivisions, for projects in the 5-20-acre slope density designation. Reserve 90 percent of the land in private open space to protect the unique characteristics of the hillsides from adverse environmental impacts. Keep the open space areas contiguous as much as possible.	Policy LU-12.2
Grading	Follow natural land contours and avoid mass of grading of sites during construction, especially in flood hazard or geologically sensitive areas. Grading hillside sites into large, flat areas shall be avoided.	Strategy LU-12.3.1
Roads	Roads should be narrowed to avoid harming trees and streambeds.	Strategy LU-12.3.2
Trees	Retain significant specimen trees, especially when they grow in groves or clusters and integrate them into the developed site.	Strategy LU-12.3.3
Provision of Outdoor Areas	Provide outdoor areas, both passive and active, and generous landscaping to enhance the surroundings for multi-family residents. Allow public access to the common outdoor areas whenever possible	Strategy LU-27.6.1
Lot Size	Ensure that subdivision and lot line adjustment requests respect the neighborhood lot size patterns. Consider revisions to lot size requirements if the neighborhood lot pattern is different from the zoning requirements.	Strategy LU-27.7.1
Flag Lots	Allow flag lots only in cases where they are the sole alternative to integrate subdivisions with the surrounding neighborhood.	Strategy LU-27.7.2
Protection	Protect residential neighborhoods from noise, traffic, light, glare, odors and visually intrusive effects from more intense development with landscape buffers, site and building design, setbacks and other appropriate measures.	Policy LU-27.8
<b>Mobility Element</b>		
Development	Require new development and redevelopment to increase connectivity through direct and	Policy M-3.2

	safe pedestrian connections to public amenities, neighborhoods, shopping and employment destinations throughout the city.	
Coordination with School Districts	Coordinate with the School Districts to develop plans and programs that encourage car/van-pooling, stagger hours of adjacent schools, establish drop-off locations, and encourage walking and bicycling to school.	Strategy M-5.1.1
<b>Environmental Resources and Sustainability Element</b>		
Urban Forest	Encourage the inclusion of additional shade trees, vegetated stormwater treatment and landscaping to reduce the “heat island effect” in development projects.	Strategy ES-2.1.5
Toxic Air Contaminants	Continue to review projects for potential generation of toxic air contaminants at the time of approval and confer with Bay Area Air Quality Management District on controls needed if impacts are uncertain.	Strategy ES-4.1.1
Dust Control	Continue to require water application to non-polluting dust control measures during demolition and the duration of the construction period.	Strategy ES-4.1.2
Planning	Ensure that land use and transportation plans support air quality goals.	Strategy ES-4.1.3
Built Environment	Ensure that sustainable landscaping design is incorporated in the development of City facilities, parks and private projects with the inclusion of measures such as tree protection, stormwater treatment and planting of native, drought tolerant landscaping that is beneficial to the environment.	Strategy ES-5.1.2
Development Near Sensitive Areas	Encourage the clustering of new development away from sensitive areas such as riparian corridors, wildlife habitat and corridors, public open space preserves and ridgelines. New developments in these areas must have a harmonious landscaping plan approved prior to development.	Policy ES-5.2
Riparian Corridor Protection	Require the protection of riparian corridors through the development approval process.	Strategy ES-5.2.1
Landscaping in and Near Natural Vegetation	Preserve and enhance existing natural vegetation, landscape features and open space when new development is proposed within existing natural areas. When development is proposed near natural vegetation, encourage the landscaping to be consistent with the palate of vegetation found in the natural vegetation.	Policy ES-5.3
Native Plants	Continue to emphasize the planting of native, drought tolerant, pest resistant, non-invasive, climate appropriate plants and ground covers, particularly for erosion control and to prevent disturbance of the natural terrain.	Strategy ES-5.3.1
Hillsides	Minimize lawn area in the hillsides.	Strategy ES-5.3.2
Recreation and Natural Vegetation	Limit recreation in natural areas to activities compatible and appropriate with preserving natural vegetation, such as hiking, horseback riding, mountain biking and camping.	Policy ES-5.5
Recreation in Depleted Mining Areas	Consider designating abandoned quarries for passive recreation to enhance plant and wildlife habitat and rehabilitate the land.	Strategy ES-6.1.2
Pervious Walkways and Driveways	Encourage the use of pervious materials for walkways and driveways.	Strategy ES-7.2.2
Maximize Infiltration	Minimize impervious surface areas, and maximize on-site filtration and the use of on-site retention facilities.	Strategy ES-7.2.3
Natural Water Courses	Retain and restore creek beds, riparian corridors, watercourses and associated vegetation in their natural state to protect wildlife habitat and recreation potential and assist in groundwater percolation. Encourage land acquisition or dedication of such areas.	Policy ES-7.8
<b>Health and Safety Element</b>		
Hillside Access Routes	Require new hillside development to have frequent grade breaks in access routes to ensure a timely response from fire personnel.	Strategy HS-3.3.3
Crime Prevention Through Building and Site Design	Consider appropriate design techniques to reduce crime and vandalism when designing public spaces and reviewing development proposals.	Policy HS-4.2
<b>Infrastructure Element</b>		
Existing Infrastructure	Require developers to expand or upgrade existing infrastructure to increase capacity, or pay their fair share, as appropriate.	Strategy INF-1.4.1
Future Infrastructure Needs	For new infrastructure, require new development to pay its fair share of, or to extend or construct, improvements to accommodate growth without impacting service levels.	Strategy INF-1.4.2
Availability	Expand the availability of a recycled water system through public infrastructure projects and development review.	Strategy INF-2.5.1
Use	Encourage private and public projects to incorporate the use of recycled water for landscaping and other uses.	Strategy INF-2.5.2
Facilities	Ensure that public and private developments build new and on-site facilities and/or retrofit existing onsite facilities to meet the City’s waste diversion requirements.	Policy INF-7.2
Construction Waste	Encourage recycling and reuse of building materials during demolition and construction of City, agency and private projects.	Strategy INF-8.1.6
Recycled Materials	Encourage the use of recycled materials and sustainably harvested materials in City, agency and private projects.	Strategy INF-8.1.7
<b>Recreation, Parks, and Community Services Element</b>		
New Facilities	Require major developments to incorporate private open space and recreational facilities and seek their cooperation in making the spaces publicly accessible.  Where feasible, ensure park space is publicly accessible (as opposed to private space).  Encourage active areas to serve community needs. However, a combination of active and passive areas can be provided based on the setting.  Integrate Park facilities into the surroundings.	Strategy RPC-2.2.2

	If public parkland is not dedicated, require park fees based on a formula that considers the extent to which the publicly accessible facilities meet community need.	
Dedicated Trail Easements	Require dedication or easements for trails, as well as their implementation, as part of the development review process, where appropriate.	Strategy RPC-5.1.3
<b><u>Cupertino Municipal Code – Zoning Ordinance (CMC Title 19)</u></b>		
Standard	Code Requirement	Code Section
<b>Chapter 19.40 Standards</b>		
Minimum Lot Area	The minimum lot area shall be 10,000 square feet for each unit in a clustered subdivision.	<a href="#">Section 19.40.050 (B) (2)</a>
Maximum Grading Quantity	Cumulative total of 2,500 cubic yards, cut plus fill. Includes: grading for building pad, yard areas, driveway and all other areas requiring grading. Excludes: basements	<a href="#">Section 19.40.050 (E) (1) (a)</a>
Graded Area	Graded area shall be limited to the building pad area to the greatest extent possible.	<a href="#">Section 19.40.050 (E) (2)</a>
Common Driveways	Grading quantities shall be divided equally among the participating lots.  E.g., two lots sharing a driveway shall divide the driveway grading quantity in half. The divided share will be charged against the grading quantity allowed for that lot development.	<a href="#">Section 19.40.050 (E) (3)</a>
Tree Planting Plan	A tree planting plan shall be prepared by a licensed landscape architect to screen the residential structures to the greatest possible extent from the following prominent intersections:  Foothill Boulevard and Cristo Rey Drive Foothill Boulevard and Alpine Way Bellevue and Carmen Road Linda Vista Drive and Hyannisport Ave Hyannisport Ave and Bubb Road Rainbow Ave and Weymoth Drive.  A visual simulation from each of the intersections above shall be provided to indicate compliance.	<a href="#">Section 19.40.050 (F) (1)</a>
Landscape Requirements	A tree planting plan shall be prepared by a licensed landscape architect to reintroduce trees on barren slopes which were denuded by prior agricultural activities. The tree planting plan must comply with the Chapter 14.15, Landscaping Ordinance and Wildland Urban Interface Fire Area (WUIFA) requirements.	<a href="#">Section 19.40.050 (F) (2)</a>
Installation of Landscape Improvements	Must be installed prior to final occupancy unless it is not practicable. If not installed, the applicant shall post a bond, cash or other security to cover the cost of installation within an 18-month period from occupancy.	<a href="#">Section 19.40.050 (F) (3)</a>
Native Trees	Native trees should be integrated into the site design to the greatest extent possible.	<a href="#">Section 19.40.050 (F) (5)</a>
Views and Privacy	It is not the responsibility of City Government to ensure the privacy protection of the building permit applicant or owners of surrounding properties that may be affected by the structure under construction. However, the Director of Community Development may confer with the building permit applicant to discuss alternate means of preventing privacy intrusion and preserving views.	<a href="#">Section 19.40.050 (K)</a>
Maximum Height of Retaining Walls Facing Downhill	The maximum height of retaining walls facing downhill slopes may be variable but every effort shall be made to stagger retaining walls to maintain heights at five feet or less.	<a href="#">Section 19.40.060 (E) (3)</a>
Natural Contours	Building shall follow as closely as possible the primary natural contour of the lot.	<a href="#">Section 19.40.060 (H) (1) (a)</a>
Garages	All projects shall strive to attain the following standards:  a. No more than 50% of the façade visible from the right of way shall comprise the garage. b. A two car garage face shall not exceed 24 feet and a one car garage face shall not exceed 12 feet. c. Garages visible from the right of way shall be setback a minimum of two feet from the livable areas of the home except if only the garage and/or the entrance to the home, and no other livable portions of the home, are accessible from the street level. d. Third car spaces shall be provided in tandem or shall be provided in a detached accessory structure.	<a href="#">Section 19.40.060 (H) (4)</a>
Entry Features	All projects shall strive to attain the following standards:  a. Only one entry feature shall be permitted per structure and only one entry feature shall be visible from the public street. b. Duplexes shall have entrances to each unit on different frontages. c. Entry features shall be limited to 14 feet in height from the natural grade to the top of wall plate.	<a href="#">Section 19.40.060 (H) (5)</a>
Reciprocal Ingress/Egress Easement and Reciprocal Maintenance Agreement	The property owner for a lot served by a private road or common driveway shall, prior to issuance of building permits, record an appropriate deed restriction guaranteeing the following, to adjoining property owners who utilize the private road or common driveway for the primary access to their lot(s):  a. Reciprocal ingress/egress easement, and b. Participation in a reciprocal maintenance agreement.	<a href="#">Section 19.40.060 (I) (2)</a>

Chapter 19.102 Standards		
Bird-safe Design Requirements	<p>All projects shall:</p> <ol style="list-style-type: none"> <li>1. Avoid the funneling of flight paths along buildings or trees towards a building façade.</li> <li>2. Avoid use of highly reflective glass or highly transparent glass.</li> <li>3. Not include skyways or walkways, balconies, freestanding walls, or building corners made of untreated glass or other transparent materials, or any other design elements that are untreated and through which trees, landscape areas, water features or the sky are visible from the exterior or from one side of the transparent element to the other.</li> </ol>	<a href="#">Section 19.102.030 (D)</a>
Submittal Requirements	<p>Projects subject to outdoor lighting regulations must submit the following information:</p> <ol style="list-style-type: none"> <li>5. Any other information the Director may determine is necessary to ensure that the proposed lighting is in compliance with the provisions of this Chapter.</li> <li>6. Any of these requirements may be waived by the Director of Community Development when determined to be unnecessary for determining compliance with the provisions of this Chapter.</li> </ol>	<a href="#">Section 19.102.040 (A)</a>
Maintenance Requirements	<p>The property owner shall maintain the artwork in good condition continuously after its installation, as determined appropriate by the City. Maintenance shall include all related landscaping, lighting, and upkeep, including the identification plaque. Artwork required or approved pursuant to this chapter cannot be removed, except for required maintenance or repair, unless approved by the City; at which time the City may require replacement or relocation of the artwork. In the event that the artwork is located in the public right-of-way, a maintenance agreement with the City shall be required.</p>	<a href="#">Section 19.148.080</a>
Design Criteria and Artist Qualifications	<p>A permit required pursuant to Section 19.148.050 shall be granted upon a showing by the applicant that the proposed artwork meets the following criteria:</p> <ol style="list-style-type: none"> <li>A. The artwork is of a nature specified in Section 19.148.030.</li> <li>B. The artwork requirement is to be satisfied with one significant piece of artwork, except that the requirement may be met with several works of art when specifically found by the Arts and Culture Commission to fulfill the intent of this chapter. The artwork shall be an integral part of the landscaping and/or architecture of the buildings.</li> <li>C. The artwork shall be easily visible from the public street and be located in an area specifically designated on the project site plan. Appropriate locations include, but are not limited to, entryways to the property, greenbelts, and building exteriors. The artwork must be in permanent view to motorists and pedestrians. Artwork located at the entrance to a development should make a major statement and be visible from the main parking lot, if any. When located in proximity to major traffic thoroughfares, the artwork should be at a motorist's scale and oriented toward the view corridor of the motorist.</li> <li>D. Artwork located along Stevens Creek Boulevard or De Anza Boulevard corridors shall be large in scale and oriented to the view corridors of the motorist. Appropriate artwork in these corridors will most likely be sculptural; however, other forms of art may be considered if consistent with the intent of this chapter. Artwork should have a visual impact upon passengers in a moving vehicle or pedestrians not less than 100 feet away.</li> <li>E. The composition of the artwork shall be of permanent materials requiring a low level of maintenance. Materials used shall be durable and resistant to graffiti and the effects of weather.</li> <li>F. The nature and style of the artwork shall be considered in the context of other artwork in the surrounding area in order to encourage a wide range of art styles and materials, and to create a balanced and interesting aesthetic appearance. The developer is encouraged to give preference to artists living or working in the San Francisco Bay area, and to avoid using artists whose work is already displayed as public art within the City of Cupertino boundaries.</li> <li>G. Because the artwork will necessarily be highly visible to the public and be associated with City requirements, expressions of obvious bad taste or profanity shall not be approved.</li> <li>H. Water and/or electronic sculpture may be permitted if adequate assurance of continued maintenance is provided.</li> <li>I. Artwork shall be identified by an appropriate plaque or monument measuring not less than eight inches by eight inches. The plaque shall be made of a durable, permanent material and shall be placed near the artwork, and shall list the date of installation, title and artist, and medium.</li> <li>J. The artwork shall be a permanent, maintained fixed asset of the property, and statements to this fact shall be attached or recorded to the existing CC&amp;R's or otherwise recorded on the property deed, to advise subsequent property owners of their obligations to maintain the artwork.</li> <li>K. The proposed artwork shall meet the criteria for review as set forth in the City of Cupertino Public Art Program Guidelines for Selection of Public Art, as originally adopted by the City Council Resolution No. 05-040, or as later amended.</li> <li>L. The artist's qualifications will be evaluated and examples of past work may be reviewed. The review, however, shall be primarily for the purpose of determining the artist's experience with artwork of monumental proportion.</li> </ol>	<a href="#">Section 19.148.060</a>



**Cupertino Municipal Code – Subdivision Ordinance (CMC Title 18)**

Standard	Code Requirement	Code Section
<b>Chapter 18.16 Standards</b>		
Form and Contents	The tentative map shall be prepared in a manner acceptable to the Department of Community Development, shall be prepared by a registered civil engineer or licensed surveyor, and shall be accompanied by those data and reports required by the Department of Community Development.	<a href="#">Section 18.16.010</a>
Submittal to Department of Community Development	<p>A. The tentative map shall be considered for filing only when such map conforms to Section 18.16.010 and when all accompanying data or reports, as required by the Department of Community Development have been submitted and accepted by the Department of Community Development.</p> <p>B. The subdivider shall file with the Department of Community Development the number of tentative maps the Director of Community Development may deem necessary.</p>	<a href="#">Section 18.16.020</a>
<b>Chapter 18.24 Standards</b>		
Dedication of Streets, Alleys, and Other Public Rights-of-Way or Easements	As a condition of approval of a final map or parcel map, the subdivider shall dedicate or make an irrevocable offer of dedication of all parcels of land within the subdivision that are needed for streets and alleys, including access rights and abutters' rights; drainage; public utility easements; bicycle paths, transit facilities, solar access easements, park land, fire stations, libraries, access to public resources and other public easements as required.	<a href="#">Section 18.24.010 (A)</a>
Park Land Dedication - Requirements	As a condition of approval of a final subdivision map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or a combination of both for park or recreational purposes at the time and according to the standards and formula contained in Chapter 13.08. The City has the discretion to determine which of the three options shall be required.	<a href="#">Section 18.24.030 (A)</a>
Park Land Dedication - Procedure	<p>A. At the time of approval of the tentative subdivision map, the City Council shall determine whether land is to be dedicated and/or fees to be paid, or a combination of both, by the subdivider pursuant to Chapter 13.08.</p> <p>B. At the time of the filing of the final subdivision map, the subdivider shall dedicate the land and/or pay the fees.</p> <p>C. Open space covenants for private park or recreational facilities shall be submitted to the City prior to approval of the final subdivision map and shall be recorded simultaneously with the final subdivision map.</p> <p>D. The City will provide a credit to the Developer for the value of any improvements installed by the Developer. This credit shall include a reduction in the amount of land dedicated or fees in-lieu thereof. Improvements and installations performed by the developer for which credits are given must be designed and constructed prior to occupancy of the development.</p>	<a href="#">Section 18.24.120</a>
Standards for Reservation of Land	Where a park, recreational facility, fire station, library, or other public use is shown on an adopted specific plan or adopted general plan containing a community facilities element, recreation and parks element and/or a public building element, the subdivider may be required by the City to reserve sites as so determined by the City or County in accordance with the definite principles and standards contained in the above specific plan or General Plan. The reserved area must be of such size and shape as to permit the balance of the property within which the reservation is located to develop in an orderly and efficient manner. The amount of land to be reserved shall not make development of the remaining land held by the subdivider economically unfeasible. The reserved area shall conform to the adopted specific plan or General Plan and shall be in such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period.	<a href="#">Section 18.24.190</a>
Waiver of Direct Street Access	The City may require as a condition of approval of any subdivision the waiver of direct access rights to proposed or existing streets from any property within the subdivision and abutting thereon.	<a href="#">Section 18.24.230 (A)</a>
<b>Chapter 18.32 Standards</b>		
General Design	The design and layout of all required improvements both on and off-site, private and public, shall conform to generally acceptable engineering standards and to such standards as approved by the City Engineer. If the subdivider or the subdivider's engineer disagrees with the standards applied in interpreting the tentative map conditions of approval by the City Engineer, the interpretation may be appealed to the Planning Commission according to procedures set forth in Section 18.20.070.	<a href="#">Section 18.32.100</a>
Energy Conservation	<p>A. The design of a subdivision for which a tentative map is required, pursuant to Chapter 18.12 of this title, shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.</p> <p>B. Examples of passive or natural heating opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure in an east-west alignment for southern exposure.</p> <p>C. Examples of passive or natural cooling opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure to take advantage of shade or prevailing breezes.</p> <p>D. In providing for future passive or natural heating or cooling opportunities in the design of a subdivision, consideration shall be given to local climate, to contour, to configuration of the parcel to be divided, and to other design and improvement requirements, and such provision shall not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in force at the time the tentative map is filed.</p> <p>F. For the purpose of this section, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time taking into account economic,</p>	<a href="#">Section 18.32.110</a>

	environmental, social and technological factors.	
Street Layout	Street layout shall be designed to provide for future access to, and not impose undue hardship upon, property adjoining the subdivision.	<a href="#">Section 18.32.120 (B)</a>
Improvement Security	A. Any improvement agreement, contract, or act required or authorized by the Subdivision Map Act, for which security is required, shall be secured in accordance with Section 66499 of the Government Code and as provided in Cupertino Municipal Code Sections 18.32.240 through 18.32.280. B. No final map or parcel map shall be signed by the City Engineer or recorded until all improvement securities required by this article have been received and approved.	<a href="#">Section 18.32.230</a>
Construction	B. Construction shall not commence until required improvement plans have been approved by the City Engineer and all required microfilm, sepias and copies of both maps and improvement plans have been received by the City.	<a href="#">Section 18.32.320</a>
Construction Inspection	All improvements are subject to inspection by the City Engineer or authorized personnel in accordance with the City's standard specifications	<a href="#">Section 18.32.330</a>
Preconstruction Conference	Prior to commencing any construction, the developer shall arrange for a preconstruction conference with the Public Works Inspector	<a href="#">Section 18.32.340</a>
Final Inspection and Deficiency List	A. Upon completion of the subdivision improvements, the developer shall apply in writing to the Public Works Inspector for a preliminary final inspection. The Public Works Inspector or authorized representative shall schedule a preliminary final inspection. B. A deficiency list shall be compiled during the inspection, noting all corrections or any additional work required. If the number of items are excessive or the subdivision appears incomplete, the preliminary final inspection may be halted and rescheduled on a date as determined by the Public Works Inspector or authorized representative. C. Upon having completed all corrections or additional work as outlined by the deficiency list, the developer shall certify in writing that all corrections have been completed satisfactorily and request a final inspection. The Public Works Inspector or authorized representative shall then make a final inspection. D. Upon finding that all items on the deficiency list have been corrected and receipt of as-built improvement plans, the subdivision shall be placed on the Council agenda for acceptance. E. The completion of corrections indicated by the deficiency list shall not relieve the developer from the responsibility of correcting any deficiency not shown on the list that may be subsequently discovered	<a href="#">Section 18.32.350</a>
Completion of Improvements	A. The subdivision improvements shall be completed by the developer within eighteen months, or such time as approved by the City Engineer, not to exceed a period of twenty-four months, from the recording of the final map, unless an extension is granted by the City Council. B. Should the subdivider fail to complete the improvements within the specified time, the City may, by resolution of the Council and at its option, cause any or all uncompleted improvements to be completed and the parties executing the surety or sureties shall be firmly bound for the payment of all necessary costs.	<a href="#">Section 18.32.360</a>
Acceptance of Improvements	A. When all improvement deficiencies have been corrected and as-built improvement plans filed, the subdivision improvements shall be considered by the City Engineer for acceptance. B. Acceptance of the improvements shall imply only that the improvements have been completed satisfactorily and that public improvements have been accepted for public use.	<a href="#">Section 18.32.390</a>
<b>Chapter 18.52 Standards</b>		
Lot Area	The area of each lot shall be of sufficient size to include the house together with required setbacks and yards, adequate space or access drives and off-street parking, septic tank systems, if permitted, and necessary cut and/or bells.	<a href="#">Section 18.52.030 (B) (1)</a>
Building Pad Locations	Each lot shall be reviewed for appropriate building pad locations. Appropriate building pad locations shall take into account the ridgeline visibility standards, views from open space, slope of the lot, location to riparian corridors, protection of natural vegetation, and wildlife migration. These issues shall be studied to determine the best building location and mitigate any negative environmental impacts and meet the building and setback requirements as established in Chapter 19.40, Residential Hillside Zones, of this code.	<a href="#">Section 18.52.030 (B) (2)</a>
Property Lines	Property lines shall reflect natural land forms to the greatest extent possible. For example, lot lines should follow the natural contour of a hillside, not straight lines drawn for engineering design and surveying convenience.	<a href="#">Section 18.52.030 (B) (3)</a>
Development Area	As a condition of the subdivision, all development except that which is allowed in Chapter 19.88, Open Space Ordinance, of this code, shall be completely contained in the ten percent development area, which should be designed to avoid adversely impacting the natural features. The lot sizes will be determined in the review process. The use of the ninety percent open space area shall be limited to their uses allowed in Chapter 19.88, Open Space Ordinance, of this code.	<a href="#">Section 18.52.030 (C) (1) (c)</a>
Final Grading Plans	A final lot grading plan and quantity estimate may be required as part of the conditional approval and as a part of the tract improvement plans with guarantee by separate performance bond of one hundred percent of cost of such lot grading and construction of driveway approaches for the entire tract.	<a href="#">Section 18.52.030 (D) (2)</a>
Retaining Walls	Retaining walls may be employed to resolve ground stability problems or minimize grading.	<a href="#">Section 18.52.030 (D) (3)</a>
Watercourse Setback	Lots in major subdivisions must be clustered so that the water course and existing or potential riparian vegetation are retained in the required ninety percent open space	<a href="#">Section 18.52.030 (G) (2)</a>

	<p>designation. Building site shall be set back from said watercourse or existing or potential riparian vegetation a minimum of fifty feet on lots which are less than one acre in size and one hundred feet on lots which are greater than one acre.</p> <p>The setback shall be measured from the top of the bank or from existing riparian vegetation, whichever is greater. The setback from riparian vegetation will be measured from the drip-line perimeter. The precise area will be established through presentation of evidence of the existing or potential riparian vegetation and wildlife habitat and by considering their relationship to all design factors.</p>	
Street Design Standards - Ridgelines	<p>In cases where it is necessary to place rights-of-way on or near ridge tops, grading for the roadways shall be minimized to reduce visual scarring. The specific, technical road alignment and section standards described in this section are based upon the following constraints:</p> <ol style="list-style-type: none"> <li>1. Volume of traffic;</li> <li>2. Topography;</li> <li>3. Public safety, particularly of fire protection;</li> <li>4. Lot size and on-street parking needs;</li> <li>5. Drainage requirements.</li> </ol>	<a href="#">Section 18.52.040 (A)</a>
Urban Fringe Developments – Street Design	<p>Developments that result in less than 2.5 acres per dwelling are labeled "urban fringe development."</p> <p>Generally, the street design standards for hillside developments on the valley floor fringe are comparable to the subdivision improvements within the typical urbanized portion of the community. However, because of varied topography, the right-of-way width and the improvement standards for roadway may vary to minimize degradation of the environment. Rights-of-way shall be of sufficient width to provide space for the road bed utilities and bicycle lanes and equestrian trails as designated by the General Plan.</p> <p>The City shall maintain slope easements for all fill slopes. The right-of-way for a slope easement shall include an area ten feet below the toe of fill.</p>	<a href="#">Section 18.52.050 (A) (1)</a>
Street Grades	All streets and highways shall be graded and surfaced to widths and grades in accordance with City standard specifications and approved by the City Engineer. The subdivider shall improve the extension of all subdivision streets, highways or public ways to the intercepting paving line of any County road, City street or State highway.	<a href="#">Section 18.52.060 (A) (1)</a>
Structures, Drainage, Access/Public Safety	Structures for drainage, access and/or public safety shall be installed as deemed necessary by the City Engineer. Such structures shall be designed and placed to locations and grades approved by the City Engineer.	<a href="#">Section 18.52.060 (A) (2)</a>
Curbs and Gutters	Vertical curbs and gutters shall be installed to locations and grades approved by the City Engineer	<a href="#">Section 18.52.060 (A) (3)</a>
Sidewalks	Sidewalks shall be installed to locations and grades approved by the City Engineer.	<a href="#">Section 18.52.060 (A) (4)</a>
Water and Gas	Water mains and gas mains shall be installed as required by the City Engineer. Fire hydrants shall be installed as approved by the City Engineer.	<a href="#">Section 18.52.060 (A) (6)</a>
Electric and Telephone	Electric and telephone lines shall be installed underground as required by the City Engineer.	<a href="#">Section 18.52.060 (A) (8)</a>
Cut and Fill Screening	A registered landscape architect shall review grading plans and in consort with the project and City Engineer, shall submit a plan to prevent soil erosion and visually screen extensive cut and fill areas. The intent of the visual screen is to soften grading scars. A one hundred percent effect is not required.	<a href="#">Section 18.52.060 (A) (9)</a>
Private Driveways for Two or More Parcels - Covenant	An appropriate deed restriction and covenant running with the land subject to the review and approval of the City Attorney shall be recorded for all parcels which share a common private drive or private roadway with one or more parcels. The deed restriction shall provide for the necessary reciprocal ingress/egress easements to and from the affected parcels. The easements shall be recorded at such time as interest in one or more of the affected parcels is initially sold or transferred to another party.	<a href="#">Section 18.52.070 (A)</a>
Reciprocal Maintenance Agreement	A reciprocal maintenance agreement to be reviewed and approved by the City Attorney, shall be required for all parcels which share a common private drive or private roadway with one or more other parcels within the tract. The agreement shall be recorded in conjunction with recordation of the final map.	<a href="#">Section 18.52.070 (B)</a>

**Cupertino Municipal Code – Building and Construction Regulation Ordinance (CMC Title 16)**

Standard	Code Requirement	Code Section
<b>Chapter 16.08 Standards</b>		
Engineering Geological Reports	Prior to issuance of a grading permit, the Director, after review by a civil engineer, may require an engineering geological investigation, based on the most recent grading plan. The engineering geological report shall include an adequate description of the geology of the site, and conclusions and recommendations regarding the effect of geologic conditions on the proposed development. All reports shall be subject to approval by the Director, and supplemental reports and data may be required as he may deem necessary. Recommendations included in the report and approved by the Director shall be incorporated in the grading plan as needed for other purposes. The cost is to be borne by the applicant.	<a href="#">Section 16.08.120</a>
Soils Engineering Reports	The Director may require after review by a civil engineer, a soils engineering investigation, based on the most recent grading plan. Such reports shall include data regarding the nature, distribution, erodibility of existing soil, strength of existing soils with particular emphasis on stability of existing and proposed cut and fill slopes, data regarding the nature,	<a href="#">Section 16.08.130</a>



	distribution and erodibility of soil to be placed on the site, if any, conclusions and recommendations for grading procedures, and design criteria for corrective measures. Recommendations included in the report and approved by the Director shall be incorporated in the grading plan or specifications. The cost is to be borne by the applicant.	
Work Schedule	The applicant must submit a master work schedule showing the following information: A. Proposed schedule of work showing timing of major operations; B. Proposed schedule for installation of all interim erosion and sediment control measures.	<a href="#">Section 16.08.140</a>
Bonds Required	A permit shall not be issued unless the permittee first posts with the Director, a bond executed by the owner and a corporate surety authorized to do business in this state as a surety in an amount sufficient to cover the cost of the project, including both grading erosion control and corrective work necessary to remove and eliminate geological hazards.  In lieu of a surety bond, the applicant may deposit a cash bond, letter of credit in a form acceptable to the City Attorney, certificate of deposit, or a passbook assigned to the city in an amount equal to that which would be required in the surety bond.  The applicant shall provide security for the performance of the work described and delineated in the interim plan in an amount to be determined by the Director but not less than one hundred percent of the approved estimated cost of performing said work, including corrective work necessary to eliminate hazardous conditions or conditions likely to result in pollution of a watercourse or drainage facility with sediment.  Every bond shall include the conditions that the permittee shall: 1. Comply with all the provisions of the chapter, applicable laws, and codes for grading and other work; 2. Complete all of the work contemplated under the permit within the time limit specified; the Director may, for sufficient cause, extend the time specified in the permit; however, the bond shall remain in full force until the end of the time extension; 3. Comply with the work schedule for the interim erosion control plan.	<a href="#">Section 16.08.150 (A) &amp; (B)</a>
Plan-Checking Fee	For excavation and fill on the same site, the fee shall be based on the volume of the excavation or fill, whichever is greater. Before accepting a set of plans and specifications for checking, the Director shall collect a plan-checking fee. Separate permits and fees shall apply to retaining walls or major drainage structures as indicated elsewhere in City ordinances. There shall be no separate charge for standard terrace drains and similar facilities. Fees will be as set forth in the latest resolution adopted by the city.	<a href="#">Section 16.08.160 (A)</a>
Grading Permit and Inspection Fees	A fee for each grading permit and inspection shall be paid to the city as set forth in the latest resolution adopted by the city.	<a href="#">Section 16.08.160 (B)</a>
Grading Permit–Design Standards - Cuts	In the absence of a civil engineer’s report, the following minimum standards shall apply: 1. Maximum Slope. Cuts shall not be steeper in slope than two horizontal to one vertical unless the owner furnishes a soils engineering or an engineering geology report, prepared by a civil engineer, certifying that the site has been investigated and indicating that the proposed deviation will not endanger any private or public property or result in the deposition of debris on any public way or interfere with any existing drainage course. The Director may require the excavation to be made with a cut face flatter in slope than two horizontal to one vertical if he finds it necessary for stability and safety. 2. Drainage Terraces. All cut slopes in excess of forty feet vertical height shall have protected drainage terraces at vertical intervals not exceeding thirty feet except that where only one terrace is required, it shall be at midheight. Such terraces shall drain into a protected gutter, pipe or other watercourse adequate to convey the water to a safe disposal area. Unless site conditions dictate otherwise the minimum terrace shall be four feet wide. 3. Benches shall be installed on all slopes over thirty feet in height as specified by the Director. 4. The top and toe of all cut slopes shall be sloperounded fifteen feet in each direction.	<a href="#">Section 16.08.200 (A)</a>
Grading Permit–Design Standards - Fills	In the absence of a civil engineer’s report, the following minimum standards shall apply: 1. Compaction. All fills shall be compacted to a minimum of ninety percent of maximum density as determined by the current ASTM standards or equivalent as approved by the Director. Field density shall be determined by the current ASTM standards or equivalent as approved by the Director. 2. Preparation of Ground. The natural ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, top soil, and, where slopes are five horizontal to one vertical or steeper, by benching and keying, as specified by the Director, into competent material. Five feet of the lowermost bench shall be exposed beyond the toe of the fill. The bench shall be sloped for sheet overflow or a paved drain shall be provided. 3. Fill Slope. No compacted fill shall be made which creates an exposed surface steeper than two horizontal to one vertical. The Director, after review by a civil engineer, may require that the fill be constructed with an exposed surface flatter than two horizontal to one vertical if he finds this necessary for stability and safety. 4. Fill Material. No organic material shall be permitted in fills. Except as permitted by the	<a href="#">Section 16.08.200 (B)</a>



	<p>Director, no rock or similar irreducible material with a maximum dimension greater than eight inches shall be buried or placed in fills within two feet of the final grade.</p> <p>5. Drainage Terraces. All fill slopes in excess of thirty feet vertical height shall have protected drainage terraces at vertical intervals not exceeding twenty-five feet except that where only one terrace is required, it shall be at midheight. Such terraces shall drain into a protected gutter, pipe or other watercourse adequate to convey the water to a safe disposal area. The terrace shall be at least four feet wide.</p> <p>6. Slopes to Receive Fill. Fills toeing out on natural slopes which are steeper than two horizontal to one vertical will not be permitted.</p> <p>7. Benches shall be installed on all slopes over thirty feet in height as specified by the Director.</p> <p>8. The top and toe of each fill slope shall be slope-rounded within fifteen feet in each direction.</p>	
Grading Permit–Design Standards - Drainage	<p>1. Drainage facilities shall be installed as specified by the Director or the soils engineer. All drainage facilities shall be designed to carry surface waters to the nearest practical street, storm drain, or natural watercourse approved by the Director and/or other appropriate governmental agency, as a safe place to deposit such waters. At least two percent grade toward the approved disposal area will be required for the area surrounding the building pads, except as waived by the Director for nonhilly terrain.</p> <p>2. Adequate provision shall be made to prevent any surface waters from damaging the face of an excavation or fill. All slopes shall be protected from surface water runoff from above by berms or channels.</p>	<a href="#">Section 16.08.200 (E)</a>
Grading Permit–Design Standards – Lot Grade	The Director, in addition to establishing grades for streets, curbs and sidewalks, shall establish lot grades for residential and all commercial and industrial developments coming within the site control provisions of the zoning ordinance of the city.	<a href="#">Section 16.08.200 (F)</a>
Grading Permit–Design Standards – Retaining Wall Construction	All retaining walls constructed within the city shall be subject to the following standards and restrictions and shall be designed in accordance with the provisions of the latest adopted Uniform Building Code and recognized soils engineering principles and shall be approved by the Director.	<a href="#">Section 16.08.200 (G)</a>
Retaining Wall Construction - Special Backfill Surcharges	The Director shall have the right to request a soils engineer to review and provide special design values for the type and magnitude of backfill loadings on retaining walls.	<a href="#">Section 16.08.200 (G) (4)</a>
Retaining Wall Construction - City Details	<p>The walls outlined in Figures 16.08.200B and 16.08.200C may be used without additional structural calculations, if in the opinion of the Director, no special site or soils conditions exist. The application of the standard wall details are subject to the restrictions outlined in subdivisions 1 and 2 of this subsection.</p> <p>See Figure 16.08.200A for clarification of subdivisions 1 through 4 of this subsection.</p>	<a href="#">Section 16.08.200 (G) (5)</a>
Retaining Wall Construction - Design and Construction Responsibility	<p>Retaining walls constructed in accordance with City Standards will be accepted without further design computations; however, it is the civil engineer's responsibility to assure himself as to the adequacy of these designs in the use for which he or she intends. Soil conditions, surcharge, and construction methods and quality are still his or her responsibility and nothing in this chapter shall be construed as relieving him or her of this responsibility.</p> <p>Nothing in this chapter shall prevent the engineer from submitting additional designs that are accompanied by design calculations and a signed certification testifying to their adequacy for intended use and durability. Such designs shall be checked and approved by the Director.</p> <p>All retaining walls must be approved by the Director prior to issuance of any building permit on the property.</p>	<a href="#">Section 16.08.200 (G) (5)</a>
Plan-Checking Retaining Wall Fee	There shall be a plan-checking fee for retaining walls as specified in the latest adopted Resolution.	<a href="#">Section 16.08.200 (G) (5)</a>

### **Cupertino Municipal Code – Landscape Ordinance (CMC Title 14)**

Standard	Code Requirement	Code Section
<b>Chapter 14.15 Standards</b>		
Landscape Documentation Package	<p>Unless otherwise specified, the following items shall be submitted to the Director of Community Development when a landscape project is subject to the requirements of this chapter, prior to final permit issuance:</p> <p>A. Water-Efficient Landscape Checklist (Appendix A).</p> <p>B. Water Budget Calculations (Appendix B) completed by a certified landscape professional.</p> <p>C. Landscape, Irrigation, and Grading Design Plans (Appendix D) completed by a certified professional.</p> <p>D. Soil Management Report (Section 14.15.080), if necessary.</p> <p>The following items shall be submitted to the Director of Community Development when a landscape project is subject to the requirements of this chapter, prior to final inspection.</p> <p>E. Certificate of Completion and Certificate of Installation, following installation of landscaping materials and irrigation hardware (Appendix C).</p> <p>F. Irrigation Schedule (Section 14.15.110 and 14.15.060 (C)).</p> <p>G. Landscape and Irrigation Maintenance Schedule (Section 14.15.120).</p> <p>H. Landscape and Irrigation Installation Report (Section 14.15.130).</p> <p>I. Landscape Maintenance Agreement (Section 14.15.140).</p>	<a href="#">Section 14.15.050</a>

Plant Material	Options to demonstrate water efficiency a. i. Total turf area shall not exceed 25% of the landscape area, or 1,250 square feet, whichever is lesser in area and ii. At least 80% of the plants within non-turf areas shall be native or low water-use b. Prepare a water budget calculation, per the provisions of Section 14.15.070.	<a href="#">Section 14.15.060 (A) (1)</a>
Turf Restrictions	a. Turf shall not be planted on slopes greater than 25%. b. Turf areas shall not be less than ten feet wide.	<a href="#">Section 14.15.060 (A) (2)</a>
Plant Arrangement	Plants shall be arranged appropriately based upon the site's climate, slopes, sun exposure, soil characteristics, wildfire susceptibility and other site conditions appropriate for the selected plants.	<a href="#">Section 14.15.060 (A) (3) (a)</a>
Horticultural Attributes	The horticultural attributes of plant species (e.g., mature plant size, invasive roots, and structural attributes) shall be considered, in order to minimize the potential for damage to property or infrastructure (e.g., buildings, septic systems, sidewalks, power lines).	<a href="#">Section 14.15.060 (A) (3) (b)</a>
Fire Prone Plants	Fire-prone plant materials and highly flammable mulches are strongly discouraged. In areas designated wildland urban interface by Chapter 16.74 of this Code, plants shall be selected, arranged and maintained to provide defensible space for wildfire protection, in conformance with California Public Resources Code Section 4291.	<a href="#">Section 14.15.060 (A) (3) (c)</a>
Invasive Plant Species/Noxious Weeds	Installation shall be prohibited. Existing within or adjacent to the proposed landscape area shall be removed prior to installation of new landscaping.	<a href="#">Section 14.15.060 (A) (3) (d)</a>
Hydrozones	Plant materials of similar water use shall be grouped in hydrozones.	<a href="#">Section 14.15.060 (B) (1)</a>
Mixed Plant Materials and Hydrozoning	If plant materials of differing water uses are mixed, for purposes of preparing a water budget use Table 14.15.060(B).  Low and moderate water use plants – Allowed. All plants classified as moderate water use for MAWA calculations.  High water use plants with low and moderate water use plants - Not allowed in any hydrozone.	<a href="#">Section 14.15.060 (B) (2)</a>
Soil Preparation	The proposed project shall incorporate soil preparation to meet the requirements outlined in Table 14.15.060(D).  Topsoil: Minimum eight inches, non-compacted topsoil shall be available for water absorption and root growth in planted areas. Minimum may be waived where a landscaped professional determines that practical limitations (e.g., slope and other geotechnical factors), necessitate a lesser soil depth that is viable for the chosen plant materials.  Compacted soils: Compacted soils shall be transformed to a friable condition prior to the planting of any materials. On engineered slopes, only amended planting holes need to meet this requirement.  Compost: Compost needs to be applied at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.  Other amendments: Compost, fertilizer or other materials, shall be added according to the soil conditions at the project site and based on what is appropriate for the chosen plant materials.  Mulch: Minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas. Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products. Not needed in areas of direct seeding application (e.g. hydro-seed).  Stabilizing mulching products: Required for use on slopes.	<a href="#">Section 14.15.060 (D)</a>
<b>Chapter 14.18 Standards</b>		
Notice and Posting	Notice and posting shall be provided as indicated in Sections 19.12.030 and 19.12.110F for the following tree removal permits: 1. Mature specimen trees with single trunk over twenty-four inches DBH or for multi-trunk over forty-eight inches DBH; 2. Heritage trees; 3. Privacy planting trees; 4. Approved development trees; and 5. Mature specimen trees exceeding the maximum tree removal cap (Section 14.18.110B).	<a href="#">Section 14.18.130 (A)</a>
Notice and Posting Duration	Where approval of a tree removal permit that is subject to the notice and posting requirements of this section is granted by the City, the property owner shall retain the posted notice on site until the tree is removed.	<a href="#">Section 14.18.130 (B)</a>
Tree Replacement	The approval authority may impose the following replacement standards for approval of each tree to be removed in conjunction with an approved tree removal permit, unless deemed otherwise by the approval authority. Table 14.18.160A may be used as a basis for this requirement.	<a href="#">Section 14.18.160 (A) (1)</a>
Location of Replacement Trees	The approval authority shall work with the applicant/property owner of the tree removal permit to determine the location of the replacement tree(s).	<a href="#">Section 14.18.160 (A) (2)</a>

Protection During Construction	Protected trees and other trees/plantings required to be retained by virtue of a development application, building permit, or tree removal permit shall be protected during demolition, grading and construction operations. The applicant shall guarantee the protection of the existing tree(s) on the site through a financial instrument acceptable to the Director of Community Development.	<a href="#">Section 14.18.200</a>
Protection Plan Before Demolition, Grading or Building Permit Granted	A plan to protect trees described in Section 14.18.200 shall be submitted to the Director of Public Works and to the Director of Community Development prior to issuance of a demolition, grading or building permit. The plan shall be prepared and signed by a licensed landscape architect or arborist certified by the International Society of Arboriculture and shall be approved by the Director of Community Development. The Director of Community Development shall evaluate the tree protection plan based upon the tree protection standards contained in Appendix A at the end of this chapter.	<a href="#">Section 14.18.210 (A)</a>