



GENERAL PLANNING APPLICATION

Community Development Department
 10300 Torre Avenue
 Cupertino, CA 95014
 (408) 777-3308 / Fax (408) 777-3333

planning@cupertino.org
 http://www.cupertino.org/planning

APPLICANT INFORMATION

APPLICANT NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROPERTY OWNER NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROJECT INFORMATION

PROJECT SITE ADDRESS _____ ASSESSOR'S PARCEL NUMBER(S) _____

THIS APPLICATION IS A DEVELOPMENT PROJECT? - Y / N

GENERAL PLAN DESIGNATIONS _____ ZONING DESIGNATIONS _____

PROPOSED UNIT COUNT WITH DENSITY BONUS UNITS, IF APPLICABLE _____ PROPOSED NON-RESIDENTIAL SQ. FT. _____

PROPOSED UNIT COUNT WITHOUT DENSITY BONUS UNITS, IF APPLICABLE _____ PROPOSED RESIDENTIAL SQ. FT. _____

BRIEF DESCRIPTION _____

SIGNATURES

Please initial to certify that the following statements are true and correct to the best of your knowledge.

_____ I understand that a misrepresentation of any submitted data may invalidate an approval by the approval body of this application.

_____ I understand that the application may be withdrawn if my authorized representative is or I am not present at the scheduled meeting(s) unless a written request for postponement has been presented to the applicable review body.

_____ I understand that application fees are nonrefundable.

_____ I understand that for applications subject to the cost recovery procedure and policy, a Reimbursement Agreement must be entered into prior to application processing, and that the initial deposit is an estimate of these charges and not the application fee.

_____ I have discussed this application with the Public Works staff and I understand the public improvement requirements associated with this proposal.

_____ I understand that failure to provide a response within 90 days of a request by the City for information may result in this application being deemed inactive and withdrawn.

X

Applicant's Signature _____ Print Applicant's Name _____ Date _____

I declare under penalty of perjury that I am the owner of said property or have Power of Attorney (attach copy) from said property owner and that I consent to the above-described application and I authorize City staff to visit the site in order to take photographs, slides and/or videotape that may be shown at a city meeting.

X

Property Owner's Signature _____ Print Property Owner's Name _____ Date _____



GENERAL PLANNING APPLICATION DESCRIPTIONS

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MINOR GENERAL PLAN AMENDMENT, USE PERMIT, DEVELOPMENT PERMIT

Ten thousand square feet or less of commercial and/or industrial and/or office and/or other non-residential use, or six or less residential units.

MAJOR GENERAL PLAN AMENDMENT, USE PERMIT, DEVELOPMENT PERMIT

More than ten thousand square feet of commercial and/or industrial and/or office and/or other non-residential use, or greater than six residential units.

MINOR ARCHITECTURAL AND SITE APPROVAL

Single family home in a planned development zoning district, minor building architectural modifications, landscaping, signs and lighting for new development, permanent supportive housing with up to 6 units subject to by-right processing as required by Government Code Section 65650 et seq., redevelopment or modification in such zones where review is required, and minor modifications of duplex and multi-family buildings.

MAJOR ARCHITECTURAL AND SITE APPROVAL

Architectural and site approval for all projects that are not a Minor Architectural and Site Approval application.

APPEAL

A request from the project applicant or interested party to reverse or amend a decision made by the approval authority. Fee Exemption for: an appointed public official serving on the board that made the decision subject to the appeal, an appointed public official serving on a board that is directly affected by the decision and City Council members. At the conclusion of a City Council appeal hearing, it may choose to, at its sole discretion, refund all, a portion of, or none of the appeal fee (CMC Chapter 19.12). By-right housing development projects are limited to one appeal, see CMC Section 19.12.030.

DIRECTOR'S APPLICATION

An application that receives final approval by staff either via a public hearing, public meeting, comment period, or no notification depending on the type of project.

TENTATIVE MAP (Subdivision into five or more parcels)

PARCEL MAP (Subdivision into four or fewer parcels)

NOTES:

Mixed-use applications will be classified based upon the highest intensity and review process. The Director of Community Development will have discretion to classify projects based upon the above criteria.

Any development of ten thousand sq. ft. or larger involving construction of new buildings and/or the expansion of existing buildings shall be subject to the requirements of Chapter 19.148 (Required Artwork in Public and Private Developments).

A housing mitigation fee may be required based on the City's BMR Manual. The fee is used to construct new affordable residential units or fund affordable housing programs for Cupertino residents and workers. The fees mitigate the need for affordable units due to the development of new commercial, office, R&D, industrial and residential development.



GENERAL INSTRUCTIONS

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STEP ONE: DISCUSS APPLICATION WITH STAFF PRIOR TO SUBMITTAL

Prior to submittal, discuss proposal with Planning, Public Works, Building Department, County Fire and County Health Department staff members. The Public Works Confirmation form, if applicable, should be signed by the Public Works Department staff prior to project submittal. Also, review applicable General Plan policies and Zoning Ordinances. For complex projects, reach out to Planning to arrange a conference with other departments to ensure that the application will be complete and consistent with relevant City requirements. A preliminary planner will be assigned to the project at this time.

STEP TWO: FILL OUT THE APPLICATION FORM

The application must be signed by the legal owner of the property or by an individual with Power of Attorney to represent the legal owner and the applicant, if different. Proof of Power of Attorney must be provided. Include the name, mailing address, e-mail address, phone number and facsimile number of the project contact person.

STEP THREE: PREPARE PLANS AND/OR SPECIAL STUDIES

Follow the instructions for submittal requirements carefully; be sure to include all required contents.

Check with your planner to see if the Architectural Consultant review and material board are required and pay the Architectural Deposit prior to application submittal. Comments from the Architectural Consultant will be routed to the applicant in approximately 2-3 weeks. Finalize plans, making necessary modifications based on the Consultant's comments.

Complex applications may require special exhibits, such as additional perspectives, or studies to describe the proposed project; consult with your planner before proceeding. The time required for these studies will be determined by time taken to submit deposits to allow the City to enter into agreements with the consultant and by the consultants assigned to the project.

STEP FOUR: PRE-APPLICATION CONFERENCE

A pre-application conference is recommended prior to submittal on all applications. The purpose of the pre-application conference is to determine if the application is ready for submittal. Application fees are non-refundable.

Please call your project manager to schedule a time for the review of your application materials. We suggest you allow enough time prior to the application deadline to prepare additional information or make changes in case any are needed.

STEP FIVE: PUBLIC NOTICE/OUTREACH

Meaningful public outreach is an essential component of facilitating successful developments in the City of Cupertino. All applicants are expected to provide meaningful outreach to neighbors, identifiable stakeholders, and other concerned parties regarding the proposed project. Failure to provide such outreach may become an impediment to the efficient processing of the project during the public hearing stage.

STEP SIX: SUBMIT APPLICATION MATERIALS

Check application materials for completeness. Incomplete applications will not be considered for a decision.

STEP SEVEN: PREPARE FOR HEARING/SITE SIGNAGE

Through the course of the review process, additional issues may arise. The planner will work with the applicant to address those issues and prepare the item for a final decision at an approval body. Note the **Public Notice/Outreach** information above in **Step Five**. Site signage must be displayed in conformance with the requirements in Chapter 19.12, Administration, of the Municipal Code and to the satisfaction of the Director of Community Development. On the Thursday or Friday prior to the hearing, a copy of the staff report and model resolution will be posted on the City's website at www.cupertino.org/agenda.



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SUBMITTAL REQUIREMENTS: At the time the application is submitted, the following information listed is required for a complete application. Please review this checklist with City's Planning Division staff to confirm specific requirements and to determine if other applications or permits are required.

- 1. APPLICATION FORM.** Include signature and contact information for the legal property owner, applicant or authorized agent, and contact information for the Civil Engineer, Architect, Landscape Architect, and all other consultants involved with the application on another sheet, if necessary.
- 2. APPLICATION AND REVIEW FEE.** See the City's Fee Schedule for current year. (*Note:* Depending on the project, it could be subject to the City's hourly staff rate and the cost of contracts plus any administrative charges. Applicant must, in this case, also enter into a reimbursement agreement. Please contact the Planning Division for the City's Reimbursement Agreement and estimated deposits to be submitted at time of application).
- 3. POWER OF ATTORNEY.** Provide evidence of power of attorney, if the application is being made by a person other than the property owner.
- 4. INDEMNIFICATION ACKNOWLEDGEMENT.** The property owner must sign and acknowledge the content of the indemnification clause.
- 5. TITLE REPORT.** Prepared within the past 90 days. The title report must include a legal description of the property and a listing of all easements, rights-of-way, and owners. Electronic copies of Title Reports must include live links.
- 6. ARBORIST REPORT.** Prepared within the last three months by an ISA Certified Arborist for the removal or disturbance of any Protected Tree on the site or on an adjacent property which could be impacted by the proposed development. Describe the condition of all Protected trees to be removed/disturbed and provide a statement of specific reasons for the proposed removal.
- 7. ENVIRONMENTAL SITE ASSESSMENT (ESA) REPORTS.** In accordance with the requirements of Cupertino Municipal Code Chapter 17.04, a Phase 1 ESA report or Limited Phase II ESA report shall be provided with the application. If the Phase 1 ESA report indicates that a Phase 2 ESA report or additional assessment is recommended, a Phase 2 ESA report must accompany the application. This report shall be subject to peer review, at the expense of the project applicant.
- 8. FISCAL IMPACT ANALYSIS.** If converting office/commercial uses to residential or residential mixed-use, provide a fiscal impact analysis in compliance with General Plan Strategy LU-8.2.1. This report shall be subject to peer review, at the expense of the project applicant. An example of a Fiscal Impact Analysis can be [found here](#) or may be requested
- 9. C3 FORM.** All development/redevelopment projects (except single-family home projects) that create and/or replace 5,000 sq. ft. or more of impervious surface on the project site must fill out this worksheet and submit it with the development project application. All large single-family home projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site must also fill out this worksheet.
- 10. PRELIMINARY CONSTRUCTION MANAGEMENT PLAN.** Use the City's Construction Management Plan to outline the anticipated construction timing and impacts.
- 11. TRAFFIC STUDY.** A traffic study shall be required as outlined by the City's Municipal Code Chapter 17.08 or by the City's Transportation division. This study will be prepared on behalf of the applicant by the City's selected consultant and review will be coordinated through the City. Cost of review must be covered by applicant.



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Coordinate with the Public Works Department to determine the level of transportation analysis required. Provide all documentation necessary to address the requirements of the Transportation Study Guidelines, as identified by Public Works.

12. **HAZARDOUS WASTE AND SUBSTANCES STATEMENT.** Complete the attached Hazardous Waste and Substances Statement.
13. **PUBLIC OUTREACH.** Public outreach shall be conducted in accordance with the provided Public Outreach form.
14. **OPERATIONS PLAN.** For commercial development proposals, provide an operations plan outlining number of employees, hours and days of operations, location of operations, etc.
15. **BIRD SAFE PLAN.** Provide bird-safe compliance plans and documents including elevation drawings, cross sections, and other exhibits indicating the bird-safe treatment and how the proposed treatment meets the requirements of Municipal Code Section 19.102.030(B), (C), and (D).
16. **DARK SKY LIGHTING PLAN.** Provide outdoor lighting information to determine compliance with the requirements of Municipal Code Section 19.102.040 including a Site Plan indicating the location of all outdoor lighting fixtures and a project lighting plan indicating how lighting has been coordinated with any associated landscaping plan to prevent site planning conflicts. Additionally, product specifications for each light, including free standing lights, shall be provided.
17. **PARKLAND DEDICATION PLAN.** Provide documentation and plans outlining compliance with the City's park land dedication requirements outlined in Municipal Code Chapter 13.08.
18. **PRELIMINARY TRASH MANAGEMENT PLAN.** Provide a preliminary trash management plan. Refer to Chapters 6.24, 9.16 and 9.18 of the Municipal Code for requirements related to Garbage, Recycling and Organic Waste Collection. Contact the Environmental Services Division's main line at (408) 777-3236 for coordination with Recology, the City's waste collection company.
19. **PROJECT DESCRIPTION.** A narrative project description that summarizes the proposed project and its purpose must be provided. Please include a discussion of the project site context, including what existing uses, if any, adjoin the project site.
20. **AFFORDABLE HOUSING PLAN.** Provide an Affordable Housing Plan describing how a housing development project will comply with the City's Below Market Rate (BMR) Program requirements set forth in the BMR Housing Mitigation Program Procedural Manual. Available online at: www.cupertino.org/housing.
21. **CONSISTENCY WITH OBJECTIVE STANDARDS.** All exhibits must indicate how the proposed project is consistent with all objective zoning, subdivision (if applicable), and design review standards applicable to the project site, including those standards included in the General Plan, Cupertino Municipal Code, Heart of the City Specific Plan, Monta Vista Design Guidelines, North De Anza Boulevard Conceptual Plan, South De Anza Conceptual Plan, Saratoga-Sunnyvale Conceptual Zoning Plan, and other applicable City documents. Particular details shall be provided to define how the project complies with use requirements, floor area standards, density, setbacks, height standards, lot coverage ratios, landscaping standards, creek setbacks, tree preservation and protection standards, water efficient landscaping requirements, stormwater requirements, and common open space, private useable open space, and public open space requirements. Where alternative standards are proposed on Planned Development property, please indicate how the alternative standard meets the spirit of the requirements.



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22. **STATEMENT OF DESIGN INTENT.** Describe the design program, the designer's approach, and how the architectural, landscape, and other elements have been integrated in compliance with the City's objective standards. The relationship of the project to adjacent properties and to the adjacent streets should be expressed in design terms. Define the site, building design, and landscape concepts in terms of site design goals and objectives, pedestrian circulation, outdoor-use areas, visual screening and enhancements, conservation of natural resources, mitigation of negative site characteristics, and off-site influences.
23. **DEVELOPMENT PLAN SETS.** The following plans shall comprise the development plan set:
24. **TITLE SHEET.** Include project name, location, assessor's parcel numbers, prior development approvals, and table of contents listing all the plan sheets with content, page numbers, and date prepared. Include a vicinity map showing north arrow, the location and boundary of the project, major cross streets and the existing street pattern in the vicinity with the following information: General Plan and Zoning designations.
25. **DEVELOPMENT PROGRAM.** The development plans shall clearly include the following in a tabular format:
 - a. Size of property including gross and net lot area (square feet and acres).
 - b. For mixed use projects, total square footage of residential space and related residential facilities, square footage of non-residential uses, and square footage utilized by both residential and non-residential uses.
 - c. For residential development, include:
 - the floor area for each unit type,
 - the number of bedrooms,
 - the number of units by type,
 - the number of units per building,
 - the total number of units,
 - the net density,
 - the unit types,
 - the total number of units by affordability level and tenure (rental or ownership), and
 - the amount of private open space provided for each unit.
 - d. For commercial development, total floor area in each building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building) and total building area, including non-residential garages, by floor.
 - e. For commercial development and/or use permits, provide the number of projected employees, number of dining seats, number of bar seats (if applicable), and hours of operations
 - f. Percent lot coverage, percent of net lot area covered by buildings (total area of site covered by roofs and eaves divided by net lot area).
 - g. Percentage of net lot area devoted to landscaping, common open space and private useable open space.
 - h. Height of structures that includes maximum height and number of stories.
 - i. Required setbacks
 - j. Building elevations, curb elevations (use curb that is nearest to a building)
 - k. Parking requirements under City of Cupertino Municipal Code Chapter 19.124.040, unless a different parking standard is allowed under state law, and tabulation of the number of parking spaces proposed by



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type (universal and ADA compliant) and proposed parking ratios.

1. Bicycle parking (required and proposed) under City of Cupertino Municipal Code Chapter 19.124.040.

26. DENSITY BONUS. In addition to the other submittal requirements, projects requesting a density bonus or concessions are required to submit a density bonus application pursuant to CMC Chapter 19.56 that clearly identify the requested density bonus (and associated calculations), all requested waivers and concessions, including plans for the project that clearly indicate the following:

- a. Location and square footage of affordable units that qualify the project for a density bonus,
- b. Location and square footage of additional floor area, or units granted pursuant to Density Bonus law,
- c. For requested **incentives/concessions**: The existing development standard and the requested incentive/concession. Also provide justification that the requested incentive/concession results in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision 65915(c), and
- d. For **waivers**: The existing development standard and the requested waiver. Also provide demonstration that the requested waiver will have the effect of physically precluding the construction of the housing development with the density bonus and incentives or concessions that the applicant is entitled to.

27. SITE PLAN. Prepared by a licensed Civil Engineer, drawn at 1"= 20' scale, with scale noted, a graphic bar scale, and north arrow. *The plan shall include the following:*

- a. Topographic and Boundary survey information, prepared by a licensed surveyor, including but not limited to, existing and proposed property lines with dimensions, bearings, radii and arc lengths, easements, and net & gross lot area for existing and proposed parcels. Benchmark based on USGS NAVD 88 vertical.
- b. Location and dimensions of all existing and proposed structures extending 50 feet beyond the property. If adjacent to a street, show the entire width of street to the next property line, including driveways. Clearly identify and label all existing and proposed structures such as fencing, walls, all building features including decks and porches, all accessory structures including garages and sheds, mailboxes, and trash enclosures. Clearly also indicate and label the structures to remain and the structures to be removed.
- c. Dimensions of setbacks from property lines and between structures.
- d. Location, dimension and purpose (i.e. water, sewer, access, etc.) of all easements including sufficient recording data to identify the conveyance (book and page of official records).
- e. Location of all adjacent streets (public and private), both existing and proposed, showing both sides of streets, street names, street width, striping, centerlines, centerline radii of all curves, median and landscape strips, bike lanes, pedestrian ways, trails, bridges, curb, gutters, sidewalks, driveways, and edge of right-of-way including any proposed or required right-of-way dedication. Show all existing and proposed improvements including traffic signal poles and traffic signs. Show line of sight for all intersections and driveways based on current City of Cupertino standards.
- f. Existing topography and proposed grading extending 50 feet beyond the property at 2 foot contour intervals for slopes up to 10% and less than 5 feet in height; and contour intervals of 5 feet for slopes over 10% or greater than 5 feet in height. Include spot elevations, pad elevations, and show all retaining walls with TOW/BOW elevations.
- g. Drainage information showing spot elevations, pad elevations, existing catch basins, and direction of proposed drainage, including approximate street grade, existing and proposed storm drain locations and



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storm water treatment facilities.

- h. Location and dimensions of existing and proposed utilities, including water supply system, sanitary sewers and laterals, drainage facilities, wells, septic tanks, underground and overhead electrical lines, utility poles, utility vaults, cabinets and meters, transformers, electroliers, street lights, lighting fixtures, underground irrigation and drainage lines, backflow prevention and reduced pressure devices, traffic signal poles, underground conduit for signals and interconnect, and traffic signal pull boxes, signal cabinets, service cabinets, and other related facilities.
- i. Location and dimensions of parking spaces, back-up, safe pedestrian paths to building entrances, loading areas, and circulation patterns.
- j. Survey of all existing trees on the site and adjacent to the site, at 1"=20' scale, indicating species, diameter at breast height (DBH) as defined in Chapter 14.18 of the Cupertino Municipal Code, and base elevation. Trunk locations and the drip line shall be accurately plotted. Identify all protected trees as defined in Chapter 14.18 of the Cupertino Municipal Code.
- k. Tentative locations for public artwork in compliance with Section 19.148.050(B) of the Municipal Code.
- l. Location of all natural features such as creeks, ponds, drainage swales, wetlands (as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)), etc., extending 50 feet beyond the property line to show the relationship with the proposed development.
- m. Location on the site of any prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by Cupertino's voters.
- n. If any parcel is within a FEMA defined 100-year floodplain or floodway:
 - i. Identify the floodplain or floodway on all plan sheets depicting the existing and proposed site, with the base flood elevation (BFE) and flood zone type clearly labeled. In addition, show the existing site topography and finish floor elevations for all existing and proposed structures. If FEMA has not defined a BFE, a site specific hydraulic analysis will be required to determine the BFE prior to deeming the application complete (CMC Sec. 34-32.b2).
 - ii. Flood zone boundaries and floodwater surface elevation. If the property proposed to be developed is within or adjacent to the 100 year flood zone (Zone A or AE) or the National Flood Insurance Program, Flood Insurance Rate Map, the extent of Zone A or AE shall be clearly drawn on the tentative map and the 100 year flood water surface elevation shall be shown. The map shall show the approximate location of the Floodway Boundary as shown on the latest edition of the "Flood Boundary and Floodway Map" published by the Federal Emergency Management Agency.

28. CONTEXTUAL PLAN. Use topographic or aerial map as base. Show the relationship of the project to the building and site features within 50 feet of the property line. *The plan shall include:*

- a. Building footprints, pad elevations and building height. Land use and zoning designation on all lots.
- b. Property lines and dimensions of the subject site and adjacent properties showing all easements.
- c. Location of streets, medians, curb cuts, sidewalks, driveways, and parking areas.
- d. Location of all creeks, waterways and trees.



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e. Vicinity map indicating site in relation to major streets.

29. BUILDING ELEVATIONS. Plans shall be drawn by a licensed Architect at 1/8"= 1' minimum scale; dimensioned vertically and horizontally with sample representations at 1/4"= 1' scale for detail areas. Elevations should not include superimposed landscaping and trees that hide the buildings. Height is measured from natural grade established at subdivision. *The plans shall include:*

- a. Fully dimensioned elevations for buildings identifying materials, details and features include visible plumbing, electrical meters and method of concealment.
- b. All four sides of all buildings.
- c. Vertical dimensions from all points above natural, existing and finished grade on all elevations.
- d. Topography with natural, existing, and proposed grades accurately represented to show building height to show the relationship of the building to the site and adjacent properties.
- e. Location, height and design of rooftop mechanical equipment and proposed screening. Provide a section detail showing height of equipment in relation to the height of the proposed screen structure.
- f. Elevations and dimensions for existing structures to remain. Location and type of building mounted exterior lighting.
- g. Detailed building sections showing depth of reveals, projections, recesses, etc.
- h. Details of vents, gutters, downspouts, scuppers, external air conditioning equipment, etc.
- i. Details including materials and dimensions of door and window treatments, railings, stairways, handicap ramps, trim, fascia, soffits, columns, fences, and other elements which affect the building. Provide wall sections at 1/2"=1' scale to clarify detailing as appropriate.

30. SECTION ELEVATION DRAWINGS. Plans shall be drawn by a licensed Architect at 1/8"= 1' minimum scale; dimensioned vertically and horizontally with sample representations at 1/4"= 1' scale for detail areas. *The plans shall include:*

- a. At least two, fully dimensioned, perpendicular section elevations for each building;
- b. Dimensions of natural grade, plate height, finished floor, total building height, attic and crawlspace height, interior dimensions, and any applicable daylight plane/building envelopes.

31. FLOOR PLANS. Plan shall be drawn by a licensed Architect at 1/8"= 1' or larger scale.

- a. Floor area diagrams must be provided with dimensions and tabulations of each area of each floor, as well as finished floor elevations set to USGS NAVD 88 Vertical datum.
- b. Floor plans shall clearly indicate areas attributed to residential, non-residential, and shared use and should show garages, parking areas, and amenity spaces, and shall indicate if any of these areas are underground.
- c. Floor plans shall include the square footage of residential space and related residential facilities, non-residential uses, and structures used by both residential and non-residential uses.
- d. Floor plans shall clearly identify affordable (BMR) units
- e. If structured parking is provided, identify compliance with requirements of Chapter 19.124 of the Municipal Code and clearly identify required pedestrian paths pursuant to General Plan Policy M-3.6.

32. ROOF PLAN. Plan shall be drawn by a licensed Architect at 1/8"= 1' or larger scale. The plan shall include property lines, outline of building footprint, ridgelines, valleys, flat roof areas, roof pitch and rooftop mechanical equipment, and screening. Plans shall show existing roof forms and roof forms to be added or changed.

33. TRUE CROSS-SECTIONS. A minimum of two cross-sections (more as needed to showing varying site conditions) drawn at 1:1 scale (same scale used for both vertical and horizontal axis), 1"=20' minimum scale, with scale noted, and a graphic bar scale, through critical portions of the site extending 50 feet beyond the property line



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onto adjacent properties or to the property lines on the opposite side of adjacent streets. Sections shall include existing topography, slope lines, final grades, location and height of existing and proposed structures, fences, walls, roadways, parking areas, landscaping, trees, and property lines. Section locations shall be identified on the Site Plan.

34. **TREE SURVEY.** Prepared by an ISA Certified Arborist, drawn at 1"=20' scale, showing accurate trunk location and drip line for all existing trees on the site and adjacent to the site. For each tree, specify the species, diameter breast height (DBH) as defined in Chapter 14.18.020, and base elevation and clearly indicate if it is to be preserved or to be removed. Identify all Protected Trees as defined in Chapter 14.18.020. Identify existing trees or plant materials on abutting properties that could influence site design or be impacted by the project.
35. **LANDSCAPE PLANS.** Plan shall be drawn at 1" = 20' or larger scale by a licensed Landscape Architect. The plan shall incorporate the existing and proposed property lines, proposed Grading and Utility Plan, showing the location of existing and proposed utility lines and utility structures screened back, but legible, and shall include the following:
 - a. Final planting plan showing proposed trees, shrubs and shrub groupings, lawn, and groundcover areas, existing trees to be saved, stormwater treatment areas, special paving, hardscape, and site furnishings. Include a landscape legend with a list of proposed plant materials (indicate both Latin and common name), including size, spacing, total quantities, ultimate height, and spread of materials.
 - b. Size, species, trunk location, and canopy of all existing trees (6" in diameter or larger) on-site and on abutting property that could be affected by the project. Identify which trees will remain and trees to be removed. Any tree proposed as mitigation for the removal of a protected tree shall be identified as a replacement tree. Replacement trees shall comply with the requirements of Chapter 14.15 of the Cupertino Municipal Code.
 - c. Show accurate representation of plant materials within three years.
 - d. Identify the location and screening of any above ground utilities and bio- swales or other stormwater treatment areas with 1:10 scale cross sections showing the planting within the bio-swales and screening of the utilities.
 - e. Provide enlarged details (minimum of 1:10 scale) for focal points and accent areas.
 - f. Location and details and/or manufacturers catalogue cuts of walls, fences, paving, decorative planters, trellises, arbors, and other related site improvements.
 - g. Landscape plans with more than two sheets shall show the plant legend with symbols for each species on every sheet.
 - h. Statement indicating that a fully automatic irrigation system will be provided.
 - i. Color and materials submittal for all special paving, hardscape treatment, walls, landscape lighting, and site furnishings.
 - j. The Landscape plan shall be coordinated and consistent with the Stormwater Plan.
 - k. Note signed and dated by project Landscape Architect that plans are in compliance with all City standards.
 - l. Provide information on landscaping used as screening for utility equipment.
 - m. Compliance with the landscaping requirements in Chapter 19.124 of the Municipal Code.
36. **FENCE PLAN.** Drawn at 1"=20' scale showing the location, height and type of all fences and walls.
37. **LIGHTING PLAN.** Location and type of exterior lighting, both fixed to the building and freestanding, any and all lights for circulation, security, landscaping, building accent or other purpose.
38. **PHOTOMETRIC PLAN.** Indicate compliance with no lighting glare. Photometric plan must indicate that lighting levels do not spill into adjacent properties.
39. **PHOTO-SIMULATIONS.** Digital photo-simulations of the site with and without the project, taken from various



GENERAL PLANNING APPLICATION CHECKLIST

Community Development Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3308 / Fax (408) 777-3333

planning@cupertino.org
<http://www.cupertino.org/planning>

points off-site with the best visibility of the project. Include a key map showing the location where each photo was taken.

40. **COLOR AND MATERIALS BOARD.** Samples of materials and color palette representative of actual materials/ colors for all buildings and structures. Identify the name of manufacturer, product, style, identification numbers and other pertinent information on the display. Displays should be no larger than 24" by 36", except where actual material samples are presented.
41. **GRADING PLAN.** Use the grading plans approved with any past subdivision to indicate the natural grade and how the proposed project meets height requirements based on this. If a new subdivision is proposed, please indicate the existing and proposed natural grades. Grading shall comply with requirements of Chapters 16.08 and 18.52 of the Cupertino Municipal Code, as applicable. Show the relationship of the project to the building and site features within 50 feet. *The plan shall include:*
- Proposed building footprints, pad elevations and building height
 - Existing and proposed contours which can be easily differentiated (2ft intervals if slope is 10% or less, 5 ft intervals for slopes greater than 10%)
 - Spot elevations of survey points
 - Source and date of the contour and spot elevation information
 - Limits of cut and fill
 - Grading Quantities (Cut and Fill Cubic Yards)
 - Cross-sections of the areas of greatest cut and greatest fill to scale (1":20')
 - Topography and elevation of adjoining parcels (for a minimum of 50')
 - Slope ratio
 - Show all existing and proposed retaining walls with Top Of Wall /Bottom Of Wall elevations.
42. **TENTATIVE MAP.** Provide a tentative map, prepared by a licensed Civil Engineer, if applicable. Please indicate compliance with the objective zoning and subdivision development standards. The plan shall comply with the City's subdivision ordinance and shall include:
- Existing Assessor's Parcel Numbers
 - A title which shall contain the subdivision number, name and type of subdivision.
 - Name and address of legal owner, subdivider and person preparing the map (include professional license number)
 - Date, north arrow, scale and contour interval
 - Land Use (existing and proposed)
 - Vicinity Map showing roads, adjoining subdivisions, Cities, creeks, railroads, and other data sufficient to locate the proposed subdivision and show its relation to the community.
 - Existing Trees, type, diameter at breast height (DBH) and indicate drip line/canopy. Any trees proposed to be removed shall be clearly indicated.
 - Existing structures, approximate location and outline identified by type. Buildings to be removed shall be clearly indicated.
 - Lot area with density per gross acre for each parcel (net square footage)
 - Existing and proposed lot line dimensions (bearings and distances) and lot line locations
 - Exhibits indicating compliance with objective zoning standards (e.g. minimum lot sizes, lot widths etc.)
 - Areas subject to inundation or storm water overland flow. Width and direction of flow for each water course should be shown with approximate location.
 - Existing easements with widths, locations, type and sufficient recording data to identify the conveyance (book and page of official records).

#end#



INDEMNIFICATION CLAUSE ACKNOWLEDGEMENT

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Cupertino, CA 95014
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planning@cupertino.org
http://www.cupertino.org/planning

On _____ an application was submitted to the City of Cupertino Planning Division, on
(DATE)

behalf of _____ (the "Applicant"). The project, which is the subject of the

application, is located at the following address _____.

1. The Applicant agrees, as part of the application, to the fullest extent permitted by law, to indemnify, defend with attorneys of the City's choice, and hold harmless the City and its officers, employees, and agents (collectively, the "indemnified parties") from any liability, claim, action, cause of action, suit, damages, judgment, lien, levy, or proceeding (collectively referred to as "proceeding") brought by a third party against the one or more of the indemnified parties or one or more of the indemnified parties and the Applicant related to any Ordinance, Resolution, or action approving the project, the related entitlements, environmental review documents, finding or determinations, or any other permit or approval authorized for the project. This indemnification is intended to include but not be limited to damages, fees, and costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities, and expenses incurred in connection with such proceeding whether incurred by the Applicant, the City, or the parties initiating or bringing such proceeding.
2. The Applicant agrees to (without limitation) reimburse the City its actual attorneys' fees and costs incurred in defense of the litigation. Such attorneys' fees and costs shall include amounts paid to the City's outside counsel and shall include City Attorney time and overhead costs and other City staff overhead costs and any costs directly related to the litigation reasonably incurred by City. The applicant shall likewise indemnify, defend, and hold harmless the indemnified parties from and against any damages, attorneys' fees, or costs awards, including attorneys' fees awarded under Code of Civil Procedure section 1021.5, assessed or awarded against the indemnified parties. The Applicant shall cooperate with the City to enter a Reimbursement Agreement to govern any such reimbursement.
3. The Applicant agrees to (without limitation) reimburse the City for all costs incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by a proceeding challenging the project approvals and related environmental review, if the Applicant desires to continue to pursue the project.
4. The Applicant agrees to indemnify the City for all of the City's costs, fees, and damages incurred in enforcing this Indemnification Agreement.
5. In the event that the Applicant is required to defend the City in connection with such proceeding, the City shall retain the right to approve:
 - a. The attorneys selected to defend the City;
 - b. All significant decisions concerning the manner in which the defense is conducted; and
 - c. Any and all settlements. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the Applicant in the defense of the proceeding.
6. The defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.
7. The Applicant agrees that City shall have no liability to the Applicant for business interruption, punitive, speculative, or consequential damages.

Print Name, Title

X

Signature



PUBLIC WORKS CONFIRMATION FORM

Public Works Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3354 / Fax (408) 777-3333

engineering@cupertino.org
<http://www.cupertino.org/publicworks>

A Public Works confirmation form, if required, must be completed **prior to project submittal** to the Planning Department. **Please refer to the current fee schedule or contact the Public Works Department to confirm fee amount.**

If a Building Permit Application is submitted within one year of the sign-off date at the bottom, the confirmation fee will be applied towards the Public Works Building Permit fee. The purpose of this confirmation is to identify preliminary Public Works issues, which may adversely affect the application. Please submit this form, the fee, and a copy of the site plan to the Public Works Department for review. The Public Works Department can be reached at (408) 777-3354.

PROJECT ADDRESS: _____ EMAIL ADDRESS: _____

APPLICANT NAME: _____ PHONE: _____

For Public Works Department Use Only (Please do not write in this section)

- Public Works Confirmation Required (\$ _____)
 Addition Single-Family Dwelling Flood Zone

REQUIREMENTS

- Dedicate Right-of-Way (road): _____
- Easement (streetlight): _____
- Offsite improvements required (*circled*): sidewalk, curb and gutter, curb ramp, driveway, pavement, street light, street tree
- Registered civil engineer required to design grading plans or improvement plans
- Clearly show all utility lines from the house/project site to the street (electric, electric panel, gas, water, sewer). Indicate as new (N) or existing (E)
- Underground all overhead utility service to new house or new electric panel
- Show onsite drainage on site plan with direction and slope percentage.
- Roof down spouts to direct storm water to landscaped areas.
- Include relevant City Standard notes and Details on plans
- Encroachment Permit or Development Agreement
- Streamside Permit
- Soils Letter/Report
- Master Storm Area Fees \$ _____
- Submit Preliminary Title Report and Quitclaim underground water rights
- Parkland Dedication In-lieu Fees \$ _____

COMMENTS: _____

SIGNATURE

TITLE

DATE



HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Community Development Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3308 / Fax (408) 777-3333

planning@cupertino.org
http://www.cupertino.org/planning

SECTION I

Per Government Code Section 65962.5, known as the '[Cortese List](#)' (AB3750), I have consulted the lists compiled by the California Environmental Protection Agency to determine if the subject property contains hazardous wastes or substances and certify that the following statement is true (*check one*):

- The development project proposed in this application **is not** contained on the lists compiled pursuant to Section 65962.5 of the State Government Code. (*If you checked this box, please complete Sections II and IV only.*)
- The development project proposed in this application **is** contained on the lists compiled pursuant to Section 65962.5 of the State Government Code. (*If you checked this box, please complete Sections II, III, and IV.*)

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

SECTION II

APPLICANT NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROPERTY OWNER NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROJECT SITE INFORMATION:

PROJECT SITE ADDRESS: _____

LOCAL AGENCY (CITY AND COUNTY): _____

ASSESSOR'S BOOK, PAGE, AND PARCEL NUMBER(S): _____

SECTION III

REGULATORY IDENTIFICATION NUMBER: _____

DATE OF LIST: _____

SECTION IV

X Applicant's Signature	Print Applicant's Name	Date
-----------------------------------	------------------------	------

X Property Owner's Signature	Print Property Owner's Name	Date
--	-----------------------------	------



PUBLIC NOTICE & OUTREACH

Community Development Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3308 / Fax (408) 777-3333

planning@cupertino.org
<http://www.cupertino.org/planning>

PLEASE NOTE:

Meaningful public outreach is an essential component in facilitating successful developments in the City of Cupertino. All applicants are expected to provide meaningful outreach to neighbors, identifiable stakeholders, and other concerned parties regarding the proposed project. Failure to provide such outreach may become an impediment to the efficient processing of the project during the public hearing stage.

For large or complex projects, your planner is available to assist you with your public notice and outreach efforts. Assistance may include, but is not limited to, providing mailing support, parcel identification, and the coordination of community meetings. It is advisable that you work with your planner to plan and document your public outreach efforts.

If you are required to conduct public outreach as part of your application; After the conducting the public outreach deemed appropriate by your planner, please sign below to indicate that you have indeed conducted said public outreach.

X

Applicant's Signature

Print Applicant's Name

Date



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255

CGC Section 65941.5 Applicant Notification of Timelines

In accordance with California Government Code (“CGC”) Section 65941.5, this serves to notify you of the review timelines, public notice requirements, and the provisions of CGC Section 65961.

Development Permit Application Completeness and Consistency Reviews

- For projects under SB330, within 180 calendar days of submitting a preliminary application with all information required by subdivision (a) of Section 65941.1 to the City, the applicant shall submit an application for a development project (“formal application”). (CGC § 65941.1(d)(1))
- Not later than 30 calendar days after the City has received a formal application, the City shall determine in writing whether the application is complete. (CGC § 65943(a))
- For projects under SB330, if the City determines that the application for the development project is not complete, the applicant shall submit the specific information needed to complete the application within 90 days of receiving the City's written identification of the necessary information. If the applicant does not submit this information within the 90-day period, then the preliminary application shall expire and have no further force or effect. (CGC § 65941.1(d)(1))
- Not later than 30 calendar days after receipt of the submitted materials, the City shall determine in writing whether the application as supplemented or amended by the submitted materials is complete. (CGC § 65943(b))
- If the application together with the submitted materials are determined not to be complete, the applicant may appeal that decision in writing to the Planning Commission. (CGC § 65943(c); CMC 19.12.040(F))
- There shall be a final written determination by the City on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. (CGC § 65943(c))
- Within 30 days of an application for a housing development project being determined to be complete, if the housing development project contains 150 or fewer housing units, or within 60 days of an application for a housing development project being determined to be complete, if the housing development project contains more than 150 units, the City shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing

development to be inconsistent, not in compliance, or not in conformity. (CGC § 65589.5(j)(2)(A))

Public Hearing Decision and Noticing

- The City shall approve or disapprove the project within the timelines outlined in CGC Section 65950.
- Public notice of hearing shall be given by publication once in a local newspaper of general circulation not less than ten days prior to the date of the hearing as provided in CGC Section 65090.
- The City shall mail written notice by first class mail to 1) Each owner of record of real property within the noticing radius identified in Section 19.12.030 of the exterior boundary of the property for which the application is made as the owner of record is shown in the last tax assessment roll pursuant to Section 65091 of the California Government Code; 2) Owner(s) of subject site or his or her authorized agent; 3) Project applicant(s); 4) Local agencies expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the proposed project; 5) Any individual or entity that has filed a written request with the City Clerk requesting notification of public hearings.
- The City shall provide noticing in accordance with Cupertino Municipal Code Section 18.16.030 and 18.16.040 for projects involving subdivision maps.
- The applicant shall install notice(s) on the subject site that is/are clearly visible and legible from the right-of-way in accord with the requirements of Cupertino Municipal Code Section 19.12.110.

SUBMITTING A PLANNING APPLICATION

The City of Cupertino only accepts digital submissions.

Please read these important instructions to submit an online application.

- **Step 1: Create an ACA account.**

If you do not already have an ACA account, create one by visiting www.cupertino.org/aca. This is required to track your application and pay application fees as the last step in the submission process.

Note: Your project application is not complete until fees are paid.

- **Step 2: Initiate Application by email.**

Email a completed application form and initial response to preliminary comments to your project Planner or, if you receive an “out-of-office” response, email planning@cupertino.org. This allows staff to initiate processes to establish your digital file.

- **Step 3: Submit Documents in ProjectDox.**

Follow the instructions in the auto-generated email you receive from “ProjectDox” requesting upload of all required application materials or visit www.cupertino.org/projectdox. Create a unique password for yourself to allow future resubmittals, if required.

All drawing files must be uploaded using the following file naming convention: “SHEET NUMBER” “SHEET TITLE.” See example below:

Sheet Number	Sheet Title	=	ProjectDox File Name
C1.0	Site Plan	=	C1.0 Site Plan
A1.0	Floor Plan	=	A1.0 Floor Plan
A2.0	Roof Plan	=	A2.0 Roof Plan

The Sheet Index on the Title/Cover Sheet of plans must match the ProjectDox File Name list.

IMPORTANT: Limit the number of characters in the file name to a maximum of 25 characters – abbreviations are acceptable. Do not use any special characters (e.g. !@#\$%^&*()-= \ +*/_). PDFs cannot be encrypted, have layers, or comments.

Upload documents in the following four categories in **PDF format only**:

- *Drawings:* Each plan sheet must be uploaded as **a separate file** and **in landscape view**.
Note: Files with multiple pages or with incorrect orientation will be rejected.
- *Submission Documents:* All files required as part of the application submission, other than drawing files (e.g., Title Report) must be uploaded as separate, multipage documents.
- *Technical Reports:* Such as, Arborist Report, Geotechnical Report, or Traffic Study must be uploaded as separate, multipage documents.
- *Review Comments Responses:* Responses to any preliminary comment letter issued must be uploaded as one separate, multipage document.

- **Step 4: Pay Application Fees.**

Once the project Planner verifies that documents have been correctly submitted, an invoice will be generated and an email will be sent requesting payment of application fees. Log in to ACA at www.cupertino.org/aca to complete online payment to allow staff to commence review of plans.