



# SINGLE-FAMILY RESIDENTIAL APPLICATION FORM

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 (ALT): \_\_\_\_\_

PROPERTY OWNER NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

PHONE: \_\_\_\_\_ PHONE (ALT): \_\_\_\_\_

## PROJECT INFORMATION

PROJECT SITE ADDRESS: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_

PROJECT DESCRIPTION: \_\_\_\_\_

IS THIS APPLICATION A DEVELOPMENT PROJECT\*? - YES / NO

\* A DEVELOPMENT PROJECT IS DEFINED THROUGH CALIFORNIA GOVERNMENT CODE SECTION 65928 AND GENERALLY CONSISTS OF PROJECTS INVOLVING THE ISSUANCE OF A PERMIT FOR CONSTRUCTION OR RECONSTRUCTION BUT NOT A PERMIT TO OPERATE.

GENERAL PLAN LAND USE DESIGNATION: \_\_\_\_\_

ZONING DESIGNATION: \_\_\_\_\_

TOTAL LOT SIZE IN SQ. FT.: \_\_\_\_\_

PROPOSED RESIDENTIAL SQ. FT.: \_\_\_\_\_

BALCONIES PROPOSED? - YES / NO

FIRST-STORY REAR YARD SETBACK <20' - YES / NO

SECOND-STORY SIDE YARD SETBACKS <15'? YES / NO

SECOND TO FIRST STORY FLOOR AREA RATIO >66%? YES / NO

ENCROACHMENT INTO REQUIRED BUILDING ENVELOPE? - YES / NO



# APPLICATION SUBMISSION INSTRUCTIONS

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**The City of Cupertino only accepts digital submissions.**  
**Please read these important instructions to submit an online application.**

## **STEP 1: CREATE AN ACA ACCOUNT.**

Create an ACA account by visiting [www.cupertino.org/aca](http://www.cupertino.org/aca). This is required to track your application and pay application fees. **Note: Your application is not submitted until fees are paid.**

## **STEP 2: INITIATE APPLICATION BY EMAIL.**

Email a completed application form to [planning@cupertino.org](mailto: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 from "ProjectDox" requesting upload of all required application materials or visit [www.cupertino.org/projectdox](http://www.cupertino.org/projectdox). Create a unique password to allow future resubmittals, if required.

All drawing files must use the following file naming convention: "SHEET NUMBER" "SHEET TITLE." See example below:

| <u>Sheet Number</u> | <u>Sheet Title</u> | = | <u>ProjectDox File Name</u> |
|---------------------|--------------------|---|-----------------------------|
| 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:** 25 character maximum – abbreviations accepted. No special characters (e.g. !@#\$%^&\*()-= \ + - \* / \_). PDFs cannot be encrypted, have layers, or comments.

Upload documents in the following categories in PDF format only:

- **Drawings:** Each plan sheet must be a separate file and in landscape view. 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.

## **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](http://www.cupertino.org/aca) to complete online payment to allow staff to commence review of plans.



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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. Application materials may be waived on a case-by-case basis by the Community Development Director or his/her designee.

Plans and documents should be named to clearly identify which checklist item they respond to.

Incomplete application submittals may not be accepted. All application items are to be provided in accordance with the submission requirements outlined on Page 2.

## FORMS & AUTHORIZATIONS

### **1. GENERAL PLANNING APPLICATION FORM.**

Complete Page 1 of the General Planning Application Form by providing all required information, signatures, and contact information for the legal property owner and applicant or authorized agent. The property owner information must match that provided in the required Preliminary Title Report.

### **2. APPLICATION AND REVIEW FEES.**

Initial project review fees will be assessed at permit intake based on the City's current fee schedule. Additional fees and deposits may be requested based on review of submitted materials and project scope.

Projects requiring staff support beyond the regular fee schedule may be subject to Planning Staff Hourly Rate and vendor invoice fees. Applicants will be notified at the time of application if applicable and must enter into a Reimbursement Agreement with the City.

### **3. ACKNOWLEDGEMENT STATEMENT.**

Complete, sign, and date the attached Acknowledgement Statement stipulating public record, copyright, environmental, and other legal obligations and disclosures.

### **4. POWER OF ATTORNEY.**

Provide evidence of power of attorney, if the application is being made by a person other than the property owner. Additionally, individuals acting on behalf of a legal entity must provide documented, official evidence of their ability to act on behalf of that entity.

### **5. INDEMNIFICATION ACKNOWLEDGEMENT.**

Review, sign, and date the City's Indemnification Clause Acknowledgement Form.

### **6. PUBLIC WORKS CONFIRMATION FORM.**

Coordinate with the Public Works Department ([engineering@cupertino.gov](mailto:engineering@cupertino.gov)) to complete the Public Works Confirmation Form.

### **7. C3 FORM.**

Single-family home projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site must provide a completed C3 Form and demonstrate compliance with the City's most



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recent Municipal Regional Permit.

For projects that trigger stormwater treatment requirements, provide the following:

- A Preliminary Stormwater Control Plan (see #66 below).
- A Preliminary Third-Party Certification Letter from a third-party consultant on SCVURPPP's latest list of qualified consultants. The letter shall state how the project complies with the City's most recent Municipal Regional Permit.

## 8. HAZARDOUS WASTE AND SUBSTANCES STATEMENT.

Complete, date, and sign the City's Hazardous Waste and Substances Statement.

## 9. AB130 (PRC SECTION 21080.66) ELIGIBILITY CHECKLIST

Complete the City's AB 130 CEQA Exemption Eligibility Checklist. The checklist must be fully filled out and signed, confirming for determining whether the project qualifies for AB 130 provisions.

## PROJECT REPORTS

These reports will be subject to peer review by the City's consultant, at the expense of the applicant. Any deposit collected by the City for a peer review will include a non-refundable 15% administrative fee, per the adopted City fee schedule. The City reserves the right to request any of the following reports in accordance with CEQA and for the purposes of determining project consistency.

## 10. PRELIMINARY TITLE REPORT.

Provide a preliminary title report, prepared by a title company registered with the California Department of Insurance, that has been prepared within 90 days of application submission. The preliminary title report must provide live links, a legal description of the property and a listing of all easements, rights-of-way, and owners.

## 11. ARBORIST REPORT.

When a project involves the removal (as defined in CMC Chapter 14.18) or disturbance\* of a) any Protected Tree on the site or an adjacent property or b) any tree on a non-single-family residential property, provide an arborist report that has been prepared by an ISA Certified Arborist within 90 days of application submission. The arborist report shall include:

- A description of the condition of all trees to be removed, disturbed, or retained;
- A statement of the specific reasons for removal or disturbance; and
- Recommendations for safe removal of trees and the protection of retained trees.

Should the submitted arborist report not include trees that are required to be included in the study, the City may require revisions to the arborist report, which would additionally be subject to review by the City's consulting arborist.

\*Disturbance includes any work that may impact the root zone or canopy of a tree, including, but not limited to, grading, trimming, vertical construction, etc.

## 12. ENVIRONMENTAL SITE ASSESSMENT (ESA).

Provide a Phase 1 and, if required, a Limited Phase II ESA, in accordance with CMC Chapter 17.04,



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prepared by a qualified environmental professional. If the Phase 1 ESA indicates that a Phase 2 ESA or additional assessment is recommended, a Phase 2 ESA report must accompany the application.

## 13. SOILS/GEOLOGIC REPORT.

If the property is within a mapped geologic hazard zone (Cupertino General Plan Appendix E), provide a seismic, geologic, and/or geotechnical report as required by General Plan Tables HS-3 and HS-4, prepared by a state-licensed professional.

## 14. VIBRATION STUDY.

If construction activities identified in CMC Section 17.04.040(D) would occur within the identified screening distances, provide a vibration study to determine vibration levels associated with construction. The study must incorporate appropriate recommendations if the vibration thresholds identified are exceeded.

## 15. PERCOLATION TEST.

For new development in areas where direct sanitary sewer connections are unavailable, a percolation test completed within the last five years must be provided. If the percolation test has been recertified within the last 10 years, provide proof of recertification.

## 16. FLOOD ZONE REPORT.

If the project property is within a flood hazard zone (Flood Zone A) per the FEMA Flood Insurance Rate Map, provide a flood zone report, prepared by a Registered Civil Engineer within 90 days of the project application being submitted, to determine the base flood elevation.

## 17. STUDIES REQUIRED FOR CEQA REVIEW.

For all projects, the applicant must submit all technical reports and supporting documentation necessary to conduct environmental review in accordance with CEQA to directly address the criteria for exemptions or the applicable questions in the Initial Study Checklist (Appendix G of the CEQA Guidelines). Reports shall be prepared by qualified professionals and consistent with current regulatory standards and adopted thresholds of significance. Revised or supplemental reports may be required based on staff review. Final determinations for report requirements will be made following application completeness review and may be subject to change.

## PROJECT DOCUMENTS

## 18. PROJECT TEAM CONTACT INFORMATION.

Provide contact information for the legal property owner, applicant or authorized agent, Civil Engineer, Architect, Landscape Architect, and all other consultants involved with the application.

## 19. STATEMENT OF DESIGN INTENT.

For permits requiring Design Review, provide a narrative that describes:

- The design program;
- The designer's approach;
- How the architectural, landscape, and other elements have been integrated in compliance with the City's objective standards and the applicable design guidelines;
- The relationship of the project to adjacent properties and to the adjacent streets expressed in design



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terms;

- The site, building design, and landscape concepts in terms of site design goals and objectives, visual screening and enhancements, conservation of natural resources, mitigation of negative site characteristics, and off-site influences.

## 20. CONSISTENCY WITH OBJECTIVE STANDARDS.

Provide an exhibit with supporting plans or diagrams demonstrating compliance with all applicable zoning, subdivision (if applicable), and design standards. Applicable standards may include requirements in the General Plan, Cupertino Municipal Code, Specific Plans, Design Guidelines, Conceptual Plans, or other relevant City documents. Applicable standards are limited to those that are objective, measurable, and verifiable for projects subject to review under Government Code §65589.5 (Housing Accountability Act).

The exhibit must identify compliance, as applicable, with:

- Permitted use and use-specific requirements.
- Floor area and density.
- Setbacks, height, and lot coverage.
- Landscaping requirements.
- Creek setbacks.
- Tree protection.
- Stormwater requirements.

Where alternative standards are proposed on Planned Development properties, explain how each alternative standard meets the intent of the applicable requirement.

## 21. STATE LAW APPLICABILITY OVERVIEW.

Provide an exhibit identifying any State laws, programs, or statutory provisions the project proposes to utilize (e.g., Housing Accountability Act, Density Bonus Law, Govt. Code Section 65913.4, SB 330, AB 1287, etc.). The exhibit should provide a brief summary of each applicable law and indicate how the project meets the criteria for eligibility identified under each State law.

## 22. PROPERTY OWNER ASSOCIATION APPROVAL LETTER.

For projects proposed on property that is governed by a Homeowner's Association Board or Architectural Review Board, provide a letter of approval from that body indicating approval of the proposal. Provide a copy of the CC&Rs for the property for review, if applicable.

## 23. PROTECTED HOUSING REPLACEMENT COMPLIANCE PLAN.

Provide a Housing Crisis Act (SB330/SB 8) Compliance Plan identifying if any "protected units" would be demolished as part of a "housing development project," and indicating if the project would result in at least as many residential dwelling units as would be demolished.

## 24. LEGAL DESCRIPTION.

Provide the full description of the subject property, defining the boundary of the existing lot and/or proposed subdivision. The legal description shall be consistent with the most recent recorded deed or other recorded document and shall be prepared by a licensed surveyor, civil engineer, or title company, as appropriate.



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## DEVELOPMENT PLAN SET

Each page of the plan set, except any cover page that may be provided, shall include a title block, with page numbers, date prepared and/or updated, project name, address, copyright information (if copyright protection is being invoked to the extent allowed by state and federal law), north arrow, and scale.

### 25. TITLE SHEET.

Provide a Title Sheet that includes:

- Project title.
- Address and assessor's parcel number(s).
- Zoning district and General Plan land use designation.
- Applicant, property owner, and design team contact information.
- Scope of work.
- Prior development approval(s).
- Sheet index with content, page numbers for each sheet.
- A vicinity map showing (i) north arrow, (ii) the boundary of the project, and (iii) the existing street pattern in the vicinity with major cross streets labeled.

### 26. DEVELOPMENT PROGRAM.

Provide a table or, if required, tables showing the following development information (see Municipal Code Chapter 19.08 for definitions) for both existing and proposed conditions:

- Gross and net lot area in both square feet and acres.
- Percentage and area in square feet of lot coverage.
- Percentage and area in square feet of total floor area.
- Percentage and area in square feet of net lot area devoted to landscaping and hardscape.
- Required and proposed setbacks (all sides and floors).
- Proposed and allowed maximum height and number of stories.

### 27. BOUNDARY/TOPOGRAPHIC SURVEY.

Provide a boundary, topographic, or lot survey, as required in accordance with the City's Licensed Survey Policy.

### 28. EXISTING SITE PLAN / DEMOLITION PLAN.

Provide an Existing Site Plan/Demolition Plan depicting current conditions and existing structures and features. The plan should include, at minimum:

- Property line location and dimensions.
- Streets, alleys, easements, and rights-of-way, including existing public improvements (e.g., curbs, gutters, sidewalks, ramps, etc.).
- Outlines of existing structures including accessory structures (e.g., sheds).
- Outlines of site features including driveways, walkways, decks, etc., indicating all materials (e.g., asphalt, concrete, gravel, pavers, etc.).
- Location, height and materials of all walls and fences, including retaining walls.
- Location and size of existing landscaped areas.
- Trunk location, dripline, and species of any on-site or street trees.
- Front, side, and rear yard setback dimensions from property line to all existing structures.
- Structures, buildings, features, etc. identified as either "TO REMAIN" or "TO BE DEMOLISHED."



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## 29. PROPOSED SITE PLAN.

Provide an architectural Site Plan, prepared and stamped by a licensed architect or designer, with scale noted, a graphic bar scale, and north arrow. Plans shall be drawn at a minimum 1"=20' scale for lots of one acre or less and a minimum 1"=40' scale for lots exceeding one acre in size. The plan shall include the following:

- Topographic and/or Boundary survey information extending 25 feet beyond the property (as shown on the required boundary survey, see above) including:
  - Existing property lines, property line dimensions, and distance from centerline of adjacent street(s) to property line(s).
  - Topography and proposed grading at 2-foot contour intervals for slopes up to 10% or 5-foot contour intervals for slopes over 10%.
  - Spot elevations, pad elevations, and retaining walls with TOW/BOW elevations.
- Outlines and labels for all existing and proposed structures, extending 25 feet beyond the property lines, including fencing, walls, decks and porches, garages and sheds, mailboxes, and trash enclosures.
- Location, height, and type of all fences and walls. If fences exceeding allowed heights are proposed, a fence waiver shall be provided, as outlined in CMC Chapter 19.48.
- Outlines and labels of all landscaping and hardscaping.
- Setbacks dimensioned from property lines to the nearest point on a structure and between structures.
- Dimension of proposed overhangs and eaves.
- Location of all existing and proposed adjacent streets (public and private).
- Corner triangle and/or line of sight for all intersections and driveways based on current City of Cupertino standards.
- Location and dimensions of parking spaces and back-up areas.
- All existing and proposed trees on and adjacent to the site, indicating species, diameter at breast height (DBH) as defined in CMC Chapter 14.18, base elevations, and accurately plotted trunk locations and drip lines.
- Private open space locations and area calculations, in accordance with CMC Section 19.28.060.
- Location, dimension, and purpose (i.e., water, sewer, access, WCE, etc.) of all easements including sufficient recording data to identify the conveyance (book and page of official records).
- 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.
- 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.
- If any parcel is within a FEMA defined 100-year floodplain or floodway:
  - 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. The topographic survey shall be based on NAVD88. If FEMA has not defined a BFE, a site-specific hydraulic analysis will be required to determine the BFE prior to deeming the application



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complete (CMC Sec. 34-32.b2).

- 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 and the 100-year flood water surface elevation shall be shown. 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.

## 30.FLOOR PLANS.

Provide floor plans drawn by and stamped by a licensed Architect at 1/8" = 1' or larger scale. Floor plans shall be provided for all floors of all buildings and must include:

- A depiction of any walls to be removed and/or modified (existing buildings);
- Labels for any underground or basement areas.
- Labeled use of each room (bedroom, kitchen, office, warehouse, etc.).
- Finished floor elevations.
- An outline of the first story roof on the second story floor plan.
- All functional and mechanical components of the building including kitchen appliances, fixtures, water heaters, electric vehicle chargers.

## 31.FLOOR AREA DIAGRAMS

Provide a floor area diagram to verify the total floor area of the existing and/or proposed development. Provide the dimensions and tabulations of each area of each floor of each unit. Floor area is calculated as all floors and enclosed spaces measured from exterior wall faces. Refer to City Code Chapter 19.08 for the definition of floor area.

## 32.BUILDING ELEVATIONS.

Provide architectural depictions of all sides of each building, including existing buildings, drawn and stamped by a licensed Architect, to scale, with sample representations for detail areas. Elevations should not include superimposed landscaping and trees. The plans must include:

- Topography with natural, existing, and proposed grades accurately represented with elevation benchmarks to show building height to show the relationship of the building to the site and adjacent properties.
- Complete vertical and horizontal dimensions with elevation benchmarks from all points above natural, existing, and finished grade or other points specified through the applicable specific plan, including maximum structure height, wall and ceiling heights, and finished floor.
- Delineation between existing and proposed construction (for additions and alterations) through use of lines, shading, and/or notes.
- First and second story building envelopes as outlined in CMC Section 19.28.070.
- Window heights measured from finished floor to bottom of windowsill.
- Labels for materials, details, and dimensions of features addressing the requirements of CMC Section 19.28.110. Provide wall sections at scale to clarify detailing and building section details showing depth of reveals, projections, recesses, etc., as appropriate.

## 33.MASSING DIAGRAM (AB1214)

Provide a scaled massing diagram depicting views from each property line that displays the three-dimensional form of the existing and proposed building(s), and displays the general profile, bulk, setbacks, and size (e.g., height, width, and depth), of the building.



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## 34. COLOR AND MATERIALS BOARD.

Provide samples of materials and a color palette representative of actual materials and colors for all buildings and structures on site. Identify the name of the manufacturer, product, style, identification numbers, and other pertinent information on the display.

## 35. SECTION ELEVATION DRAWINGS.

Provide at least two perpendicular section elevation drawings, drawn to scale and stamped by a licensed Architect. Section locations must be identified on floor plans. The plans must include:

- Complete vertical and horizontal dimensions with elevation benchmarks from all points above natural, existing, and finished grade or other points specified through the applicable specific plan, including plate height, finished floor, total building height, attic and crawlspace height, interior dimensions, and any applicable daylight plane/building envelopes.
- Delineation between existing and proposed construction (for additions and alterations) through use of lines, shading, and/or notes.

## 36. ROOF PLAN.

Provide a roof plan, drawn to scale and stamped by a licensed Architect. The plan must include property lines, outline of building footprint, roof slopes and directions, ridgelines, valleys, flat roof areas, roof pitch, rooftop mechanical equipment, skylights, solar panels, and screening. Plans must show existing roof forms and roof forms to be added or changed.

## 37. BIRD SAFE PLAN.

For projects within the City's identified Bird Sensitivity Area, provide bird-safe compliance plans and documents including elevation drawings that include calculations of treated and untreated glass for each building facade, cross sections and details for proposed windows, window schedules, and manufacturing specifications indicating the proposed bird-safe treatment and how the proposed treatment meets the requirements of Municipal Code Section 19.102.030(B), (C), and (D). Additional information may be requested to demonstrate compliance.

## 38. DARK SKY / LIGHTING PLAN.

For projects that include new or replacement outdoor lighting, provide outdoor lighting information including a project lighting plan indicating the location of all outdoor lighting fixtures, both fixed to the building and freestanding, any and all lights for circulation, security, landscaping, building accent or other purposed, and how lighting has been coordinated with any associated landscaping plan to prevent site planning conflicts, to determine compliance with Municipal Code Section 19.102.040. Additionally, provide a description of each lighting fixture and product specifications for each light, including free standing lights.

## 39. TREE SURVEY.

Provide a tree survey prepared by an ISA Certified Arborist and overlaid on a scaled site plan showing proposed buildings, utilities, the proximity of each tree to those features, and any trees or plant materials on abutting properties that could influence site design or be affected by the project. Include an itemized table identifying each tree by number. The survey shall identify all existing trees on and adjacent to the site and, for each tree, specify the species (common and scientific name), trunk location, accurate drip line, diameter at breast height as defined in CMC Section 14.18.020, base elevation, whether the tree will be preserved or removed, and whether it qualifies as a Protected Tree under CMC



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Chapter 14.18.020. For trees to be preserved, the plan must also identify protection measures, consistent with the approved arborist recommendations or with Cupertino standards for tree protection during construction.

## 40. PRELIMINARY LANDSCAPE PLANS.

Provide a preliminary landscaping plan, drawn to scale, that outlines the location and square footage of proposed landscape and hardscape areas. If no new landscaping is proposed, please confirm that no existing landscaping will be removed or replaced as part of the project.

## 41. PRIVACY SCREENING PLAN.

Provide a privacy screening plan depicting a 30-degree privacy viewshed from all second-story windows and a 180-degree viewshed from any second story balconies. See the City's Privacy Protection Requirements handout.

## 42. GRADING AND DRAINAGE PLAN.

If required by the Public Works Department, provide a grading and drainage plan, prepared by a Registered Engineer, that complies with requirements of Chapters 16.08 and 18.52 of the Cupertino Municipal Code, as applicable. The plan shall include:

- All information outlined in the [City's Grading and Drainage Plan Application Checklist](#).
- Topography, spot elevations, building, and site features within 50 feet.
- Natural grade, as established through grading plans approved with any past subdivision or, if a new subdivision is proposed, the existing and proposed natural grades.
- 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%).
- Source and date of the contour and spot elevation information.
- Slope ratio.
- Existing and proposed building height.
- Limits of cut and fill and maximum depth.
- Cross-sections of the areas of greatest cut and greatest fill to scale (1":20').
- All existing and proposed retaining walls with material and top of wall /bottom of wall elevations.
- Square-footages of new impervious/pervious areas.

## 43. UTILITY PLAN.

If required by the Public Works Department, provide a utility plan, prepared by a qualified engineer, that includes:

- Location of all existing and proposed surface and subsurface utilities, including electrical, gas, sanitary sewer, water, and telecommunications, including junction boxes, transformers, catch basins, and manholes.
- Alignment of a proposed joint trench for subsurface utilities.
- A plan and profile of proposed sanitary and storm water sewers and other utilities, with grades and sizes indicate.



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**\*Please read carefully.\*** The statements below are legally binding and may warrant consultation with legal counsel and/or a qualified translator prior to signing. By signing below, the Applicant and Property Owner (or a duly authorized representative acting on behalf of a corporation, limited liability company, partnership, non-profit organization, homeowners association, trust, or other legal entity) acknowledge, understand, and agree to the following:

1. Application fees are non-refundable. 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.
2. Any material misrepresentation, omission of relevant information, or submission of false or misleading information may constitute grounds for denial, suspension, modification, or revocation of an approved land use entitlement, permit, or other discretionary approval.
3. If an application is deemed incomplete, revised application materials must be submitted within 90 calendar days after notification of incompleteness, or the application shall be deemed withdrawn without refund of application fees.
4. An application for a development permit is not deemed submitted for the purposes of the Permit Streamlining Act until all required materials have been received and all fees have been paid.
5. An application may be withdrawn if the authorized representative or I am not present at scheduled meeting(s), unless a written request for postponement has been presented to the applicable review body.
6. The application is subject to review by the Public Works Department and must include public improvement requirements associated with the proposal.
7. The Property Owner authorizes City staff to visit the project site and to take photographs and/or videotape that may be shown at a public meeting.
8. The information submitted with the development application is true and correct to the best of my knowledge.
9. 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.

Signature constitutes acceptance of and agreement to be bound by all applicable statements, conditions, requirements, and obligations associated with the application and any resulting approval. Such acknowledgment and acceptance shall be deemed to apply to all parties with a legal or beneficial interest in the subject property and/or proposed project.

|                            |                             |      |
|----------------------------|-----------------------------|------|
| <b>X</b>                   |                             |      |
| Applicant's Signature      | Print Applicant's Name      | Date |
| <hr/>                      |                             |      |
| <b>X</b>                   |                             |      |
| Property Owner's Signature | Print Property Owner's Name | Date |
| <hr/>                      |                             |      |



# INDEMNIFICATION CLAUSE ACKNOWLEDGEMENT

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

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  
(APPLICANT NAME)

application, is located at the following address \_\_\_\_\_  
(PROJECT 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 of Applicant or Property Owner

**X**

\_\_\_\_\_  
Signature of Applicant or Property Owner (Match above)



# HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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Cupertino, CA 95014  
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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 CA 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 CA Government Code. (*If you checked this box, please complete Sections II, III, and IV.*)

## 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

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

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 \_\_\_\_\_



# NOTIFICATION OF TIMELINES

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

planning@cupertino.org  
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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.