

Standards Matrix

Cupertino General Plan

Reference	General Plan Req.	Consistent?	Comment
Land Use Element			
Land Use Map	General Plan Designation: Residential – Medium/ High Density		
Policy LU-2.2	Require developments to incorporate pedestrian-scaled elements along the street and within the development such as parks, plazas, active uses along the street, active uses, entries, outdoor dining, and public art.		
Figure LU-2 (Reso. 24-039)	Minimum Residential Density: 20.01 dwelling units per acre		
Figure LU-2 (Reso. 24-039)	Maximum Residential Density: 35 dwelling units per acre		
Figure LU-2	Maximum Height: 30 feet measured from natural grade		
Strategy LU-3.3.9	In multi-family projects where residential uses may front on streets, require pedestrian-scaled elements such as entries, stoops, and porches along the street.		
Strategy LU-3.3.10	Allow construction of buildings taller than 30 feet in Neighborhoods only if the buildings abut an arterial or major collector or if allowed by State law.		
Policy LU-3.4	...No visible garages shall be permitted along the street frontage....		
Strategy LU-3.5.1	Require new development and other applicable projects to comply with the adopted ordinance standards, which provide Dark Sky regulations to reduce light pollution.		
Strategy LU-3.6.1	Require new development and other applicable projects to comply with the adopted ordinance standards, which provide Bird Safe Design regulations to reduce the potential risk of bird collisions.		
Strategy LU-4.1.1	Require implementation of sidewalk and streetscape design standards established in any approved Specific Plan, Concept Plan, Zoning, or other area plans.		
Strategy LU-27.6.1	Provide outdoor areas, both passive and active, and generous landscaping to enhance the surroundings for multi-family residents. Allow public access to the common outdoor areas whenever possible.		
Housing Element			
Strategy HE-1.3.11	Require replacement housing units subject to the requirements of Government Code, Sections 66300.5, 65583.2, and 65915(c)(3), on all sites in the City when any new development (residential, mixed-use, or nonresidential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to nonvacant sites and vacant sites with previous residential uses that have been vacated or demolished.		
Policy HE-2.1	Ensure that all new developments, including market-rate residential developments, help mitigate project related impacts on affordable housing needs.		
Strategy HE-2.3.3	Mitigation includes either the payment of the “Housing Mitigation” fee or the provision of a Below Market-Rate (BMR) unit or units. Projects of five or more for-sale units must provide on-site BMR units... For-Sale Residential Developments. Require 20 percent for-sale BMR units in all residential developments where the units can be sold individually (including single-family homes, common interest developments, and condominium conversions) or allow rental BMR units...		
Mobility Element			
Policy M-1.2	Evaluate new development and redevelopment projects pursuant to the City’s adopted Transportation Study Guidelines evaluation criteria.		
Strategy M-1.2.1	New development and redevelopment projects shall meet the VMT thresholds and reduction strategies described in the Cupertino Municipal Code.		
Strategy M-2.3.1	Require new development and redevelopment to provide inter-block connectivity to allow improved access to all sites on the block from secondary streets, access to the street network via controlled intersections, minimize conflicts with pedestrian and bicycle traffic on primary streets, and convenient access for service vehicles.		
Policy M-2.5	Ensure all new public and private streets are publicly accessible to improve walkability and reduce impacts on		

	existing streets.		
Policy M-3.2	Require new development and redevelopment to increase connectivity through direct and safe pedestrian connection to public amenities, neighborhoods, shopping, and employment destinations throughout the city.		
Policy M-3.5	Minimize the number and the width of driveway openings.		
Strategy M-3.5.2	Require properties with frontages on major and secondary streets to provide direct pedestrian and vehicular access to driveways from the secondary street.		
Policy M-3.8	Require new development and redevelopment to provide public and private bicycle parking.		
Strategy M-8.2.1	Require new development to include shared amenities that encourage the use of transit, bicycling, or walking as alternative modes of transportation.		
Strategy M-8.2.2	Require new development to provide pedestrian pathways to entrances, and orient buildings and entrances to the street, to encourage pedestrian activity.		
Strategy M-8.2.4	Require new residential or mixed-use developments to provide shared bicycle parking and bike repair stations at locations close to entrances.		
<u>Environmental Resources and Sustainability Element</u>			
Strategy ES-4.1.2	Require water application to non-polluting dust control measures during demolition and the duration of the construction period		
Strategy ES-4.3.2	Prohibit new wood-burning fireplaces, except EPA certified wood stoves as allowed by the Building Code.		
Strategy ES-5.1.2	Ensure that sustainable landscaping design is incorporated in the development of private projects with the inclusion of measures such as tree protection, stormwater treatment, and planting of native, drought tolerant landscaping that is beneficial to the environment.		
Policy ES-5.6	Provide open space linkages within and between properties for both recreational and wildlife activities, most specifically for the benefit of wildlife that is threatened, endangered or designated as species of special concern.		
Policy ES-7.1	In public and private development, use Low Impact Development (LID) principles to manage stormwater by mimicking natural hydrology, minimizing grading and protecting or restoring natural drainage systems		
Strategy ES-7.1.1	Require topographical information; identification of creeks, streams and drainage areas; and grading plans for both public and private development proposals to ensure protection and efficient use of water resources.		
Policy ES-7.2	... Use low impact development (LID) designs to treat stormwater or recharge groundwater.		
Strategy ES-7.3.1	Require LID designs such as vegetated stormwater treatment systems and green infrastructure to mitigate pollutant loads and flows.		
<u>Health and Safety Element</u>			
Policy HS-3.2	Involve the Fire Department in the early design stage of all projects requiring public review to assure Fire Department input and modifications as needed.		
Policy HS-3.7	Require on-site fire suppression materials and equipment.		
Strategy HS-4.2.2	Request County Sheriff review and comment on development applications for security and public measures.		
Policy HS-5.1	Evaluate new development proposals within mapped potential hazard zones using a formal seismic/geologic review process. Use Table HS-3 of this Element to determine the level of review required.		
Strategy HS-5.2.1	Require developers to record a covenant to tell future residents in high-risk areas about the risk and inform them that more information is in City Hall records. This is in addition to the State requirement that information on the geological report is recorded on the face of subdivision maps		
Policy HS-8.1	Use the Land Use Compatibility for Community Noise Environments chart, the Future Noise Contour Map (see Figure D-1 in Appendix D) and the City Municipal Code to evaluate land use decisions.		
Strategy HS-8.2.1	Minimize noise impacts through appropriate building and site design		
Policy HS-8.3	Require construction contractors to use the best available technology to minimize excessive noise and vibration		

	from construction equipment such as pile drivers, jack hammers, and vibratory rollers.		
Strategy HS-8.6.1	Modify street design to minimize noise impact to neighbors.		
Infrastructure Element			
Strategy INF-1.4.1	Require developers to expand or upgrade existing infrastructure to increase capacity, or pay their fair share, as appropriate.		
Strategy INF-2.4.2	Require undergrounding of all utility lines in new developments.		
Strategy INF-5.1.2	Require developers to pay their fair share of costs for, or in some cases construct, infrastructure upgrades to ensure that service levels are met.		
Policy INF-7.2	Ensure that public and private developments build new and on-site facilities and/or retrofit existing on-site facilities to meet the City's waste diversion requirements.		
Recreation, Parks, and Community Services Element			
Strategy RPC-2.2.2	Require major developments to incorporate private open space and recreational facilities.		
Cupertino Municipal Code – Zoning Ordinance (CMC Title 19)			
Reference	Municipal Code Requirement	Consistent?	City Comment
Chapter 19.12 Standards			
Section 19.12.080 (B) (1)	An application for a permit shall contain a complete legal description of the subject property and map showing the location of the property for which the permit is sought.		
Section 19.12.080 (B) (2)	An application for a permit shall contain a preliminary title report of the subject property.		
Section 19.12.080 (B) (3)	An application for a permit shall contain the proposed site development plan indicating: the location of all buildings and structures; the location and types of land uses; paved areas, such as roadways, driveways and walkways; and general landscaping scheme.		
Section 19.12.080 (B) (4)	An application for a permit shall contain architectural drawings of the proposed development, building additions or other structures. Drawings shall indicate building height, colors, materials, window treatment and other architectural features.		
Section 19.12.080 (B) (5)	An application for a permit shall contain maps showing the locations of buildings.		
Section 19.12.080 (B) (6)	An application for a permit shall contain renderings showing building heights and square footages.		
Section 19.12.080 (B) (7)	An application for a permit shall contain maps showing the precise location of roads, streets, alleys and access points.		
Section 19.12.080 (B) (8)	An application for a permit shall contain a traffic analysis.		
Section 19.12.080 (B) (9)	An application for a permit shall contain a construction plan.		
Section 19.12.080 (B) (18)	An application for a permit shall contain a grading plan that denotes the location of all nonfruit trees with a trunk diameter as identified in Chapter 14.15, the Protected Tree Ordinance and any special status plant species.		
Section 19.12.110 (F)	<p>Applicants shall install notice(s) on the subject site that is clearly visible and legible from the right-of-way in accord with the requirements of Table 19.12.030. Applicants must install a site notice in the front yard of the subject site.</p> <p>The notice shall be a weatherproof sign, firmly attached to 5 foot tall posts and shall be at least 4 feet tall and 6 feet wide.</p> <p>The notice shall be placed at least 14 days prior to the decision/public hearing and shall remain in place until an action has been taken on the application and the appeal period, if any, has passed.</p> <p>The notice shall contain:</p> <ol style="list-style-type: none"> The exact address of the property; A brief description of the proposed project, the content of which shall be at the sole discretion of the City; City contact information for public inquiries; A deadline for the submission of public comments; A color perspective drawing or three-dimensional (3-D) photographic simulation of the proposed project, in a size deemed appropriate by the Director of 		

	Community Development.		
Chapter 19.36 Standards			
Section 19.36.070 (D)	Private Outdoor Space: Minimum Size: 60 square feet per unit Minimum Clearance: 6 feet clear in any dimension		
Section 19.36.070 (F)	New multiple-family development of five or more units shall include: 1. At least one no-step entry point per building and unit; 2. Interior and exterior doors with 32 inches of clear passage for each unit; and 3. One bathroom for each unit that is able to be maneuvered in a wheelchair per Americans with Disabilities Act standards.		
Section 19.36.070 (J)	No parking shall be permitted in a setback area where the lot adjoins property located in a single-family (R-1) zoning district.		
Section 19.36.070 (L) (1)	Completion/Bonding: Improvement of the common areas shall be completed by the developer and shall be subject to bonding and other procedures in the same manner as required for street improvements by Title 18, Subdivision.		
Section 19.36.070 (L) (2)	Maintenance: a. Shall be the responsibility of the property owner or homeowners association to which the common areas are deeded. b. In the event private roads, driveways, parking areas, walkways, landscaping or buildings are not maintained to applicable City standards, the City may, after notice and advertised public hearing, effect the necessary maintenance, with the cost to be a lien on the property.		
Section 19.36.070 (L) (3)	Declaration of Covenants, Conditions and Restrictions, where applicable: a. Shall include a clause to ensure that the CC&R's shall not be modified unless required to by state law, without review of the City. b. Shall be reviewed by the City Attorney, prior to recordation, to determine its compatibility with the intent and conditions as set forth herein.		
Section 19.36.070 (L) (4)	Articles of Incorporation and Other Instruments Related to Homeowners' Association, where applicable: a. Shall be subject to the review and approval of the City Attorney. b. Shall include a clause to indicate that the Association cannot be dissolved without written approval and authorization from the City.		
Chapter 19.46 Standards			
Section 19.46.060 (B)	Maximum Lot or Air Parcel Width for each townhome (measured at front building setback line): 25 feet		
Section 19.46.070 (A)	Maximum Lot Coverage – 55% of net lot area prior to development.		
Section 19.46.070 (B)	Maximum Floor Area Ratio: 85% of net lot area prior to development		
Section 19.46.070 (C)	Maximum Height: Limited to three stories (not to exceed 30 feet)		
Section 19.36.070 (C) (1)	Front (All Floors): 20'		
Section 19.46.070 (D) (2) (a)	Interior Side (All Floors): 6'* * Additional 10 feet for third floors more than one story higher than any adjacent primary residential structures. The structures with a third floor setback of 13' are proposed adjacent to non-residential development.		
Section 19.46.070 (D) (2) (b)	Street Side (All Floors): 12'		
Section 19.46.070 (D) (3)	Rear (All Floors): 15'		
Section 19.46.070 (F)	Design Requirements: 1. Townhome design visible from or fronting the public right of way shall include at least two of the following features: c. Front Architectural Feature (e.g., stoop, front porch). d. Stairway with at least three stairs leading to the front entrance.		

	e. Pitched roof with a slope of at least 3:12. 2. Vehicular parking shall not be located along primary frontage.		
Section 19.46.070 (G)	Corner Triangle and Sidewalk Site Triangle shall remain free and clear of all buildings or portions thereof.		
Section 19.46.070 (J)	Access: No more than two vehicular entries/exits per street frontage between the residential development and the public right-of-way		
Chapter 19.48 Standards			
Section 19.48.020 (2)	Fences shall be designed in a manner to provide for sight visibility at private and public street intersections (i.e. corner triangles or any sidewalk sight triangle).		
Section 19.48.020 (5)	At no point shall fence height exceed 10 feet without a Fence Exception		
Section 19.48.040 (A)	The following materials shall be considered “Prohibited Materials” for purposes of this Chapter: 1. Unless required by law or regulation of the City, State or Federal Government, barbed wire, razor wire, chicken wire and similar small-gauge wire or mesh product, and/or electrified fencing are prohibited. 2. Fences made of non-engineered plastic, fabric membranes, cloth, canvas, plywood, uncoated cyclone/chain link, and reed or bamboo with sticks and slats smaller than four inches in width are prohibited, unless located in areas not visible from public areas or adjacent properties.		
Section 19.48.040 (B)	Allowed materials include, but are not limited to wood, engineered plastic, vinyl coated cyclone/chain link, metal (e.g. wrought iron), brick, block, stone, and other comparable (safe and commercially acceptable) materials intended for fence use.		
Section 19.48.040 (C)	Material colors shall be natural earth tone and/or vegetation colors including natural hues of brown, green and shades of gray and shall have a reflectivity value of 60 or less.		
Chapter 19.102 Standards			
Section 19.102.030 (A)	All projects that are subject to the bird-safe development requirements shall submit the following: 1. Elevation drawings indicating the bird-safe treatment and how the proposed treatment meets the requirements of Section 19.102.030(B) and (D); 2. Cross sections, if required; 3. Other exhibits indicating consideration and incorporation of the regulations in Section 19.102.030(B), (C), and (D); and 4. Biologist report in support of alternative compliance method pursuant to Section 19.102.030(B)(3), if proposed.		
Section 19.102.030 (B)	1. Façades of all projects subject to bird-safe development requirements shall have: a. No more than 10% of the surface area of the façade be untreated glass between the ground and 60 feet above ground. b. No more than 5% of the surface area of the façade be untreated glass between 60 feet above ground and up. 2. Standard Compliance Treatments: The Planning Division may maintain a list of acceptable bird-safe treatments that may be updated from time to time. The list may include, but not be limited to, permanent treatments such as opaque glass, window muntins, exterior insect screens, exterior netting, or special glass treatments such as fritting to provide visual cues and reduce the likelihood of bird collisions. Glass treatments must have high color contrast with the glass and be applied to the outermost surface. Prior to publication of the list, the Planning Division may review information available from interest groups, such as the National Audubon Society. 3. Alternative Compliance Method: Property owners/applicants may propose an alternate compliance method recommended by a qualified biologist to meet the requirements and intent of this section. The alternate compliance method shall be peer-reviewed by a third-party consultant, paid for by		

	the applicant, and subject to the approval of the Director of Community Development.		
Section 19.102.030 (D)	<p>All projects shall:</p> <ol style="list-style-type: none"> 1. Avoid the funneling of flight paths along buildings or trees towards a building façade. 2. Avoid use of highly reflective glass or highly transparent glass. 3. Not include skyways or walkways, balconies, freestanding walls, or building corners made of untreated glass or other transparent materials, or any other design elements that are untreated and through which trees, landscape areas, water features or the sky are visible from the exterior or from one side of the transparent element to the other. 		
Section 19.102.040 (A)	<p>Projects subject to outdoor lighting regulations must submit the following information:</p> <ol style="list-style-type: none"> 1. A site plan indicating the location of all outdoor lighting fixtures. 2. A description of each lighting fixture. This description may include, but not be limited to, manufacturer’s catalog cuts and drawings (including sections if requested), lamp types, and lumen outputs. 3. Photometric plans, prepared, stamped and signed by a licensed professional engineer qualified in outdoor lighting, depicting the location of all outdoor lighting fixtures and building-mounted lighting fixtures and a maximum ten-foot by ten-foot grid of both the initial and maintained lighting levels on the site, including any impact on adjacent properties. 4. The project lighting plan shall indicate how lighting has been coordinated with any associated landscaping plan to prevent site planning conflicts. 		
Section 19.102.040 (B) (1)	<p>All outdoor lighting shall be fully shielded fixtures, directed downward to meet the particular need and away from adjacent properties and rights-of way to avoid light trespass, except:</p> <ol style="list-style-type: none"> a. Low-voltage Landscape Lighting: Low-voltage landscape lighting, such as that used to illuminate fountains, shrubbery, trees, and walkways, do not have to be shielded fixtures and may use uplighting, provided that they use no more than ten (10) watt incandescent bulb or LED equivalent, or a maximum of 150 lumens (whichever is less), and not directed toward the right-of-way. b. Architectural Features: Uplighting may be used to highlight special architectural features. c. Public Art: Alternative lighting standards may be used to illuminate public art or serve as public art subject to the review and approval by the Arts and Culture Commission. d. Historic Lighting Fixtures: Lighting fixtures that are historic or that exhibit a historical period appearance, as determined by the Director of Community Development, need not be fully shielded. e. String Lighting: String Lighting may be used in compliance with Section 19.102.040 (B) (12) 		
Section 19.102.040 (B) (2)	<ol style="list-style-type: none"> a. No exterior light, combination of exterior lights, or activity shall cast light exceeding zero point one (0.1) foot-candle onto an adjacent or nearby property, with the illumination level measured at the property line between the lot on which the light is located and the adjacent lot, at the point nearest to the light source, except if two adjacent properties are non-residential, or function as a shopping center, and agree to coordinate lighting. b. No direct off-site glare from a light source shall be visible above three feet at a public right-of-way. c. The maximum light intensity on a site shall not exceed a maintained value of ten foot-candles, when measured at finished grade. d. Parking lots, sidewalks and other areas accessible to pedestrians and automobiles on properties with four or more units, mixed-use development, and non- 		

	<p>residential development shall be illuminated with uniform and adequate intensity. Typical standards to achieve uniform and adequate intensity are:</p> <ul style="list-style-type: none"> i. Average horizontal maintained illumination shall not be more than three foot-candle. ii. Maximum to minimum ratio should be between 6:1 and 10:1, but shall not be more than 10:1. <p>e. Critical areas of illumination such as stairways, ramps and main walkways may have a higher illumination.</p>		
Section 19.102.040 (B) (3)	All light sources shall have a maintained correlated color temperature of 3,000 Kelvin or less		
Section 19.102.040 (B) (4)	<p>All outdoor lighting shall be fully extinguished or be motion sensor operated by 11:00 p.m. or when people are no longer present in exterior areas, whichever is later, except for:</p> <ul style="list-style-type: none"> a. Critical lighting pursuant to section 2(e) above; b. Any lighting at building entrances, parking areas, walkways, and driveways area required to remain illuminated after 11:00 p.m. by the California Building Code or state law; c. Lighting of an appropriate intensity, allowed in conjunction with uses that are permitted to operate past 11:00 p.m., with a conditional use permit; and d. Outdoor solar powered pathway lights that are 25 lumens or less. e. Lighting that illuminates a pedestrian pathway (examples include bollard, in-place step, or building mounted), provided that such lighting is a maximum height of four (4) feet above the pathway, fully shielded, and downward directed 		
Section 19.102.040 (B) (5)	<p>Automated control systems, such as motion sensors and timers, shall be used to meet the outdoor lighting requirements.</p> <ul style="list-style-type: none"> a. Photocells or photocontrols shall be used to extinguish all outdoor lighting automatically when sufficient daylight is available. b. All lighting activated by motion sensors shall extinguish no more than 10 minutes after activation. c. Automated controls shall be full programmable and supported by battery or similar backup 		
Section 19.102.040 (B) (6)	<p>Security lighting may be provided when necessary to protect persons and property. When security lighting is utilized only the following standards shall apply:</p> <ul style="list-style-type: none"> a. Security lighting shall be controlled by a programmable motion-sensor device, except where continuous lighting is required by the California Building Code. All lighting activated by motion sensors shall extinguish no more than 10 minutes after activation. Automated controls shall be fully programmable and supported by battery or similar backup. b. Security lighting shall be downward directed, shielded, and not be mounted at a height that exceeds 12 feet, measured from the adjacent grade to the bottom of the fixture. c. Floodlights shall not be permitted. d. Security lights intended to illuminate a perimeter, such as a fence line, are permitted only if such lights do not result in light trespass. e. Motion-activated security lights shall not use lamps that exceed 100 watt incandescent bulb or LED equivalent, or a maximum of 1,600 lumens (whichever is less) 		
Section 19.102.040 (B) (7)	<ul style="list-style-type: none"> a. Lighting fixtures must be of a design that complements building and landscaping design. b. Lighting fixtures shall be appropriate in height, intensity, and scale to the use they are serving. c. Parking lot lights in non-residential zones shall not exceed a height of 21 feet, and any wall-mounted lights shall not exceed a height of 12 feet, measured from the adjacent grade to the bottom of the fixture. 		
Chapter 19.124 Standards			
Section 19.124.030 (A) (2)	Vehicles may be placed, kept or parked these areas, provided a minimum clearance of three feet is maintained from any structure.		

Section 19.124.030 (A) (5)	Enclosed garages: i. Shall consist an internal area encompassing two parking spaces measuring ten feet by twenty feet each (a total of 20 feet by 20 feet) and ii. Shall provide unobstructed (i.e., by walls, appliances, etc.) between six inches from finished floor up to six feet from finished floor.		
Section 19.124.040 (A)	Townhomes – One space per unit (1 covered or garage) of 9.5' x 20'		
Section 19.124.040 (B)	If no on-street parking is available, two additional off-street spaces are required.		
Section 19.124.040 (K)	The accessible parking requirement for the disabled is embodied in Section 1129 B of the California Building Code, as amended, is hereby incorporated into this chapter by reference.		
Section 19.124.040 (O) (1)	In order to reduce urban runoff and provide water quality benefits in parking lots, all new parking lots shall incorporate bio-swales in the required landscaping buffers meeting the following standards: i. Longitudinal slope of the swale shall be between one percent and five percent. ii. Swales of greater than three percent may be required to install check dams to reduce velocity through swale. iii. Side slope shall not exceed 3:1 (horizontal:vertical). iv. All swales shall be required to provide an adequate under-drain system to prevent ponding. Swales shall be designed to eliminate any ponding of water for more than forty-eight hours		
Section 19.124.040 (O) (2)	Use permeable or semi-permeable materials for the parking stalls.		
Section 19.124.040 (O) (1)	All lighting in parking areas shall be 3,000 Kelvin or less unless otherwise approved as part of a development plan for uniformity, not allowing any dark areas in the parking lot.		
Section 19.124.040 (O) (2)	i. The light fixtures shall be oriented and designed to preclude any light and direct glare to adjacent residential properties. ii. No direct off-site glare from a light source shall be visible above three feet at a public right-of-way.		
Section 19.124.040 (O) (3)	Parking lots, sidewalks and other areas accessible to pedestrians and automobiles shall be illuminated with a uniform and adequate intensity. Typical standards to achieve uniform and adequate intensity are: a. Average Horizontal Maintained Illumination – Between one and three foot-candles b. Average Maximum to Minimum Ratio – Should be generally between six and ten to one c. Minimum Intensity Above Parking Lot Surface – Minimum three foot-candles vertically above the parking lot surface shall be maintained.		
Section 19.124.040 (O) (4)	Critical areas such as stairways, ramps and main walkways may have a higher illumination.		
Section 19.124.040 (O) (5)	Shatter resistant lenses shall be placed over the light to deter vandalism		

Cupertino Municipal Code – Subdivision Ordinance (CMC Title 18)

Reference	Municipal Code Requirement	Consistent?	City Comment
Chapter 18.12 Standards			
Section 18.12.020 (A)	A tentative map and final map shall be required for all subdivisions of land creating five or more parcels...		
Chapter 18.16 Standards			
Section 18.16.010	The tentative map ...shall be prepared by a registered civil engineer or licensed surveyor...		
Section 18.16.030	Public utilities and agencies shall certify that the subdivision can be adequately served.		
Chapter 18.32 Standards			
Section 18.32.030	The frontage of each lot shall be improved to its ultimate adopted geometric section, including street structural section, curbs, sidewalks, driveway approaches and transitions.		
Section 18.32.040	Stormwater runoff from the subdivision shall be collected and conveyed by an approved storm drain system. The storm drain system shall be designed for ultimate development of the watershed. The storm drain system shall provide for the protection of abutting and offsite properties that would be adversely affected by any increase		

	in runoff attributed to the development; off-site storm drain improvements may be required to satisfy this requirement.		
Section 18.32.050	Each unit or lot within the subdivision shall be served by an approved sanitary sewer system.		
Section 18.32.060	Each unit or lot within the subdivision shall be served by an approved domestic water system.		
Section 18.32.070	<p>A. Each unit or lot within the subdivision shall be served by gas (if required), electric, telephone and cablevision facilities. All utilities within the subdivision and along peripheral streets shall be placed underground in accordance with Chapters 14.20 and 14.24, of this code, except those facilities exempted by the Public Utilities Commission regulations. Undergrounding shall be required for overhead lines on both sides of peripheral streets.</p> <p>B. For subdivisions of five or more parcels, the subdivider may request that the undergrounding requirement along peripheral streets be waived by the Planning Commission. The Planning Commission may, at its discretion, accept a fee in lieu of the undergrounding. The amount of fee shall be determined by the City Engineer and shall be one-half of the normal cost of undergrounding existing utilities on residential streets. The requirement for undergrounding or the acceptance of an in-lieu-of-undergrounding fee shall be made a condition of approval of the tentative map.</p> <p>C. For subdivision of five or more parcels the developer may appeal the undergrounding requirement along peripheral streets to the City Council. Such appeal shall be in accordance with Section 18.20.070 of this title. The appeal shall be accompanied by an estimate from each utility company for the approximate cost per lineal foot and total cost to underground its facilities along the peripheral street.</p> <p>The developer shall pay all fees as may be charged by each utility company to make the required estimate.</p> <p>D. The City Council or City Engineer, as the case may be, may, at its discretion, accept a fee in lieu of the undergrounding of existing facilities along peripheral streets. The amount of fee shall not be less than the amount established by the City Engineer for the normal cost of undergrounding of existing utilities along residential streets.</p> <p>E. In-lieu fees shall be deposited in a special undergrounding account to be used as approved by the City Council for future undergrounding of utilities throughout the City.</p>		
Section 18.32.110	<p>A. The design of a subdivision for which a tentative map is required, pursuant to Chapter 18.12 of this title, shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.</p> <p>B. Examples of passive or natural heating opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure in an east-west alignment for southern exposure.</p> <p>C. Examples of passive or natural cooling opportunities in subdivision design include design of lot size and configuration to permit orientation of a structure to take advantage of shade or prevailing breezes.</p> <p>D. In providing for future passive or natural heating or cooling opportunities in the design of a subdivision, consideration shall be given to local climate, to contour, to configuration of the parcel to be divided, and to other design and improvement requirements, and such provision shall not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in force at the time the tentative map is filed.</p> <p>E. The requirements of this section do not apply to condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing</p>		

	<p>building when no new structures are added.</p> <p>F. For the purpose of this section, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social and technological factors.</p>		
Section 18.32.120 (A)	The subdivision shall abut upon or have an approved access to a public street. Each unit or lot within the subdivision shall have an approved access to a public or private street. Flag lot access shall be a minimum of twenty feet in width unless approved by the City Engineer.		

Cupertino Municipal Code – Environmental Regulation Ordinance (CMC Title 17)

Reference	Municipal Code Requirement	Consistent?	City Comment
Chapter 17.04			
Section 17.04.030 (B) (1)	Compliance with the requirements shall be demonstrated for all residential projects involving the development of four or more residential units, through submittal and implementation of a construction management plan and/or permit plans, as applicable, prior to issuance of an approval to the satisfaction of the City.		
Section 17.04.040 (B) (1)	<p>The following standard environmental protection technical reports are subject to third-party peer review under the direction of the City at the applicant's cost, prior to the approval of the project.</p> <p>Retain the services of a qualified environmental consultant with experience preparing Phase I Environmental Site Assessments (ESAs) to prepare a Phase I ESA in accordance with the American Society for Testing and Materials (ASTM) Standards on Environmental Site Assessments, ASTM E 1527-13 (ASTM 1527-13) and in accordance with the U.S. Environmental Protection Agency's (EPA's) Standards and Practices for All Appropriate Inquiries (40 Code of Federal Regulations 312), published November 2005, as subsequently revised, supplemented, or replaced. The goal of an ASTM Phase I ESA is to evaluate site history, existing observable conditions, current site use, and current and former uses of surrounding properties to identify the potential presence of Recognized Environmental Conditions (RECs) as defined in ASTM E 1527-13, associated with the site. If the Phase I ESA does not identify any RECs, then no further action is needed. If the Phase I ESA identifies RECs, then a Phase II ESA shall be prepared as described in Section B.2.</p>		
Section 17.04.040 (C)	Project applicants shall prepare a vehicle miles traveled (VMT) analysis, which shall include a comparison of existing VMT and project-generated VMT, for review and approval prior to project approval, indicating that the project meets the standards in Section 17.08.040 (Vehicle Miles Traveled (VMT) Standards).		
Section 17.04.040 (D)	<p>The project applicant shall provide a vibration study to determine vibration levels due to construction to the City, prior to approval of the project, when the following activities would occur within the screening distance to buildings or structures:</p> <ul style="list-style-type: none"> • pile driving within 100 feet, • vibratory roller within 25 feet, or • other heavy equipment (e.g., bulldozer) within 15 feet; <p>For historical structures:</p> <ul style="list-style-type: none"> • pile driving within 135 feet, • vibratory roller within 40 feet, or • other heavy equipment within 20 feet <p>If vibration levels due to construction activities exceeds 0.2 inches per second peak particle velocity (in/sec PPV) at nearby buildings or structures, or 0.12 in/sec PPV at historical structures, the project shall implement the following alternative methods/equipment:</p> <ol style="list-style-type: none"> a. For pile driving, one of the following options shall be used: caisson drilling (drilled piles), vibratory pile drivers, oscillating or rotating pile installation methods, or jetting or partial jetting of piles into place using a water injection at the tip of the pile. b. For paving, use a static roller in lieu of a vibratory roller. 		

c. For grading and earthwork activities, off-road equipment that shall be limited to 100 horsepower or less.

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

Reference	Municipal Code Requirement	Consistent?	City Comment
Chapter 16.08 Standards			
Section 16.08.100	<p>The plans shall be prepared and signed by a civil engineer, and soils engineer, licensed by the State. Applicant shall provide all the following information on a site map/grading plan:</p> <ul style="list-style-type: none"> A. A vicinity sketch or other data adequately indicating the site location; B. Property lines of the site on which the work is to be performed and easements if such are required; C. Location of any buildings or structures on the property where the work is to be performed, and the location of any building, structure, or retaining wall on adjacent property which is within fifteen feet of the site; D. Existing and proposed topography of the site taken at not more than five-foot contour intervals over the entire site; ninety percent of the contours shall be plotted within one contour interval of the true location; E. Two contour intervals that extend a minimum of one hundred feet off-site, or sufficient distance to show on-site and off-site drainage; F. Location and graphic representation of all existing and proposed natural and manmade drainage facilities; G. Location and graphic representation of proposed excavations and fills, of on-site stockpiling of soil and other earth material, and of on-site disposal; H. Location of surface runoff, erosion and sediment control measures required under proposed interim erosion control plan; I. Location of existing vegetation types and the location and type of vegetation to be left undisturbed; J. Outline of the methods to be used in clearing vegetation, and in storing and disposing of the cleared vegetative matter; K. Detailed plans of all drainage devices, walls, cribbing, dams, or other protective devices to be constructed in connection with, or as a part of, the proposed work, together with a plat or sketch showing the drainage area and estimated runoff of the area served by any drains; L. An estimate of the quantity of excavation and fill involved; M. Proposed sequence and schedule of excavation, filling and other land-disturbing and filling activities, and soil or earth material storage and disposal; N. Such additional technical information as is required to clarify the above; O. Site cross-sections as required. 		
Section 16.08.110	<p>The applicant shall provide an interim plan, either integrated with the site map/grading plan or separately, at the discretion of the Director. However, at least the location of erosion control measures and erosion control planting shall be shown on the site map/grading plan. The applicant shall provide the following information with respect to conditions existing on the site during land-disturbing or filling activities or stockpiling of soil:</p> <ul style="list-style-type: none"> A. Maximum surface runoff from the site shall be calculated using a ten year design storm and the City of Cupertino intensity curves as shown in the master storm drain plan; B. The interim plan shall also contain the following information: <ul style="list-style-type: none"> 1. A delineation and brief description of the measures to be undertaken to retain sediment on the site, including, but not limited to, the designs and specifications or berms and sediment detention 		

	<p>basins, and a schedule for their maintenance and upkeep;</p> <p>2. A delineation and brief description of the surface runoff and erosion control measures to be implemented, including, but not limited, to types and methods of applying mulches, and designs and specifications for diverters, dikes and drains, and a schedule for their maintenance and upkeep;</p> <p>3. A delineation and brief description of the vegetative measures to be undertaken, including, but not limited to, seeding methods, and type, location and extent of preexisting and undisturbed vegetation types, and a schedule for maintenance and upkeep;</p> <p>C. The location of all the measures listed by the applicant under subsection B above, shall be depicted on a site map;</p> <p>D. An estimate of the cost of implementing and maintaining all interim erosion and sediment control measures must be submitted in a form acceptable to the Director.</p>		
Section 16.08.200 (E)	<p>3. All swales or ditches on drainage terraces shall be graded to provide suitable drainage and designed to prevent erosion, including a suitable lining as specified by the Director.</p> <p>4. Drainage across lot lines caused by grading is prohibited unless storm drain easements are provided.</p>		
Section 16.08.200 (G) (2)	<p>If the retained height of a wall exceeds three feet, then the following restrictions shall apply:</p> <p>a. Any vertical structural member which resists the overturning forces imposed by the retained fill shall be constructed of materials other than wood. If, however, in the opinion of the Director, the use of any wood members is a hazard, then all components shall be constructed of materials other than wood.</p> <p>b. If the retained height of a wall exceeds eight feet, then no wood material may be used in its construction, unless approved by the City Council.</p>		
Chapter 16.58 Standards			
Section 16.58.230	<p>Greater than 9 Residential Single Family and Multi-Family homes (Verified by a Third Party GPR or LEED certification as applicable Alternate Reference Standard: See Section 101.10.2):</p> <ul style="list-style-type: none"> • GPR certified at minimum 50 points or • LEED Silver or • Alternate Reference Standard per Section 101.10.2 		
Cupertino Municipal Code – Landscape Ordinance (CMC Title 14)			
Reference	Municipal Code Requirement	Consistent?	City Comment
Chapter 14.18 Standards			
Section 14.18.110 (A)	<p>An application request to remove a mature specimen tree with a single-trunk DBH of twelve inches to twenty-four inches (multi-trunk twenty-four to forty-eight inches DBH), shall provide the following:</p> <p>a. A drawing outlining the location of the tree(s) and proposed tree replacements.</p> <p>b. A written explanation of why the tree(s) should be removed.</p> <p>c. Signature of the property owner and/or homeowner’s association (where applicable) with proof of a vote of the homeowner’s association;</p> <p>d. Permit fee, where applicable.</p> <p>An application request to remove a heritage tree, privacy planting tree, approved development tree, or mature specimen tree with single-trunk DBH greater than twenty-four inches or multi-trunk greater than forty-eight inches DBH, require the following in addition to application requirements a. through d. listed above:</p> <p>a. Photograph(s) of the tree(s).</p> <p>b. An arborist report from an arborist certified by the International Society of Arboriculture.</p> <p>c. Notice and posting per Section 14.18.130.</p> <p>Other information deemed necessary by the Director of Community Development to evaluate the tree removal request.</p>		

Cupertino Municipal Code – Parks Ordinance (CMC Title 13)

Reference	Municipal Code Requirement	Consistent?	City Comment
Chapter 13.08 Standards			
Section 13.08.050 (A) - (E)	<p>Where dedication of a park or recreational facility is required pursuant to this Chapter, land shall be dedicated per the formula below.</p> <p>Park land dedication (in acres) = (Average number of persons/DU) x (Park Acreage Standard) x (Number of Dwelling Units)</p> <p>The Park Acreage Standard is three acres of property for each one thousand persons.</p> <p>Table 13.08.050 indicates the average park land dedication required per dwelling unit based on development density per the formula above (Section 13.08.050.A).</p> <p>Average number of persons/DU shall be determined pursuant to Table 13.08.050.</p> <p>The number of dwelling units is calculated consistent with Section 13.08.090.</p>		
Section 13.08.050 (F)	<p>To satisfy this dedication requirement, the park land must be:</p> <ol style="list-style-type: none"> 1. Located at ground level and dedicated to the City in fee simple ownership, to the center of the earth; 2. At least one contiguous piece of land of at least 0.27 acres in size, excluding hillsides over a ten (10) percent slope, riparian set back areas and environmental mitigation areas; 3. At least 0.25 acres of the dedicated land must be gradable to create a flat area of less than five (5) percent slope in any direction; 4. All dedicated land must be at least 50 feet wide in any horizontal dimension and 0.10 acres in contiguous size. The City Council may waive this requirement when doing so facilitates the provision of pocket parks or other desirable park amenities. 5. Located adjacent to a street in order to promote public safety and facilitate policing; and <p>Setback areas, private yards, and other open areas required by zoning and/or building ordinances or for streets and improvements that do not serve the park exclusively, shall not be included in the computation of dedicated park or recreational acreage.</p>		
Section 13.08.080 (A)	<p>Where private open space for park and recreational purposes, accessible to all residents in a development, is provided in a proposed development, fifty percent credit shall be given against the requirement of land dedication or payment of fees in lieu thereof, if the approval authority finds that it is in the public interest to do so and that all the standards in Section 13.08.080B are met and findings in Section 13.08.080C can be made.</p>		

Cupertino Housing Mitigation Manual

Reference	Housing Mitigation Manual Requirement	Consistent?	City Comment
Section 2.3.1	<p>When a development provides Ownership Below-Market-Rate (BMR) units, the affordability requirements for units shall be as follows:</p> <ol style="list-style-type: none"> 1. Fifty percent (50%) of BMR units as median-income and fifty percent (50%) as moderate-income. 		
Section 2.3.3 (A) – (C)	<p>For projects that propose BMR units, the applicant shall submit an “Affordable Housing Plan,” describing how a development project will comply with the City's BMR requirements, with the application for the first approval of the project.</p> <p>The plan shall identify the BMR units or parcels in the development.</p>		

	If alternatives are proposed in compliance with Chapter 7, the plan shall identify how the proposal is equivalent to the BMR requirements of Chapter 4.		
Section 2.3.4 (A)	BMR units shall be comparable to market rate units in terms of unit type, number of bedrooms per unit, quality of exterior appearance and overall quality of construction.		
Section 2.3.4 (D)	The BMR units shall be dispersed throughout the residential project.		
Section 4.3	New ownership projects with five or more units or lots shall provide at least 20% of the units or lots as BMR ownership units or lots per Section 2.3		