

Objective Standards Matrix		
Cupertino General Plan		
Standard	General Plan Req.	General Plan Section
Mobility Element		
Public Accessibility	Ensure all new public and private streets are publicly accessible to improve walkability and reduce impacts on existing streets.	Policy M-2.5
Development	Require new development and redevelopment to increase connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, shopping, and employment destinations throughout the city.	Policy M-3.2
Bicycle Parking	Require new development and redevelopment to provide public and private bicycle parking.	Policy M-3.8
Transit Facilities with New Development	Work with VTA and/or major developments to ensure all new development projects include amenities to support public transit including bus stop shelters, space for transit vehicles as appropriate, and attractive amenities such as trash receptables, signage, seating, and lighting.	Policy M-4.4
Environmental Resources and Sustainability Element		
Dust Control	Require water application to non-polluting dust control measures during demolition and the duration of the construction period.	Strategy ES-4.1.2
Fireplaces	Prohibit new wood-burning fireplaces, except EPA certified wood stoves as allowed by the Building Code.	Strategy ES-4.3.2
Creek and Water Course Identification	Require identification of creeks, water courses and riparian areas on site plans and require that they be protected from adjacent development.	Strategy ES-5.6.1
Development Plans	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.	Strategy ES-7.1.1
Development Review	Require LID designs such as vegetated stormwater treatment systems and green infrastructure to mitigate pollutant loads and flows.	Strategy ES-7.3.1
Health and Safety Element		
Dead-End Street Access	Allow public use of private roadways during an emergency for hillside subdivisions that have dead-end public streets longer than 1,000 feet or find a secondary means of access.	Strategy HS-3.3.2
Hillside Road Upgrades	Require new hillside development to upgrade existing access roads to meet Fire Code and City standards.	Strategy HS-3.3.4
Multi-Story Buildings	Require on-site fire suppression materials and equipment.	Policy HS-3.7
Covenant on Seismic Risk	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.	Strategy HS-5.2.1
Hillside Grading	Restrict the extent and timing of hillside grading operations to April through October except as otherwise allowed by the City. Require performance bonds during the remaining time to guarantee the repair of any erosion damage. Require planting of graded slopes as soon as practical after grading is complete.	Policy HS-7.5
Infrastructure Element		
Development	Require undergrounding of all utility lines in new developments.	Strategy INF-2.4.2
Recreation, Parks, and Community Services Element		
New Facilities	Require major developments to incorporate private open space and recreational facilities.	Strategy RPC-2.2.2
Cupertino Municipal Code – Zoning Ordinance (CMC Title 19)		
Standard	Code Requirement	Code Section
Chapter 19.12 Standards		
Traffic Analysis	An application for a permit shall contain a traffic analysis.	<a href="#">Section 19.12.080 (B) (8)</a>
Construction Plan	An application for a permit shall contain a construction plan.	<a href="#">Section 19.12.080 (B) (9)</a>
Grading Plan	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.	<a href="#">Section 19.12.080 (B) (18)</a>
Chapter 19.40 Standards		
Application Requirements	An application for any development of property in the RHS zoning district, in addition to the requirements of Chapter 19.12, shall include: <div><div>A. Site Plans that show topographical information at contour intervals not to exceed ten feet and a horizontal map scale of one inch = two hundred feet or larger and identify all areas with slopes thirty percent.</div><div>B. Identify whether the property is on a prominent ridgeline or the structure is in the fifteen percent site line from a prominent ridge line.</div></div>	<a href="#">Section 19.40.040</a>
Rounded Contours	All cut and fill shall be rounded to contour with natural contours and planted with landscaping which meets the requirements in Section 19.40.050G	<a href="#">Section 19.40.050 (E) (1) (b)</a>
Flat Yard Area	Flat yard area shall be limited to a maximum of 2,500 square feet, excluding driveways.	<a href="#">Section 19.40.050 (E) (4)</a>
Soil Erosion and Screening of Cut and Fill Slopes Plan	A licensed landscape architect shall review grading plans and shall, in consultation with the applicant and the City Engineer, submit a plan to prevent soil erosion and to screen cut and fill slopes.	<a href="#">Section 19.40.050 (E) (5)</a>
Landscape Requirements	At least 50% of the front yard area shall be landscaped (i.e., not hardscaped)	<a href="#">Section 19.40.050 (F) (2)</a>

New Development Near Prominent Ridgelines	Shall not disrupt a 15% site line from a prominent ridge as identified in Appendix A. The fifteen percent site line shall be measured from the top of ridge at the closest point from the structure.  If not practicable, alternatives may be considered through the exception process.	<a href="#">Section 19.40.050 (H)</a>
Development on Slopes of ≥ 30%	Hillside Exception required for all grading, structures and other development > 500 square feet.	<a href="#">Section 19.40.050 (I)</a>
Trail Linkages and Lots Adjoining Public Open Spaces Site Plan	a. Site plan must identify trail linkages as shown in the General Plan Trail Plan, on and adjacent to the site. b. If a trail linkage is identified across a property being developed, development shall not take place within that area unless approved through the exception process. For lots adjoining Public Open Spaces, driveways and buildings shall be located as far as feasible from the Public Open Space and designed in a manner to minimize impacts on the Public Open Space.	<a href="#">Section 19.40.050 (I)</a>
Maximum Allowable Development	The maximum allowable development shall be the lesser of: 6,500 square feet; or 4,500 square feet plus 59.59 square feet for every 1,000 square feet over 10,000 square of net lot area, times the slope adjustment factor pursuant to Section 19.40.060(A)(2)*  *Formula = (4,500 + ((Net Lot Area - 10000)/1000) (59.59)) x (Slope Adjustment Factor)	<a href="#">Section 19.40.060 (A) (1) (c)</a>
Height of Buildings and Structures	Limited to 30 feet	<a href="#">Section 19.40.060 (B)</a>
Front Yard Setbacks	First Floor: 20' if slopes <20%, 10' if slopes >20% Second Floor and Habitable Third Floor (or portions of structures taller than 20 feet): 25'	<a href="#">Section 19.40.060 (C) (1)</a>
Side Yard Setbacks	First Floor: 10' for interior side, 15' for street side of corner lot Second Floor: 15' for both interior and street sides Habitable Third Floor (or portions of structures taller than 20 feet): 25' for both interior and street sides	<a href="#">Section 19.40.060 (C) (2)</a>
Rear Yard Setbacks	First Floor: 20' Second Floor and Habitable Third Floor (or portions of structures taller than 20 feet): 25'	<a href="#">Section 19.40.060 (C) (3)</a>
Second Story Decks and Patios Minimum Setbacks	Front Yard: 17' Side Yards: 15' Rear Yard: 20'	<a href="#">Section 19.40.060 (D) (3)</a>
Second Story Downhill Facing Wall Plane Offset from First Floor Downhill Wall Plane	i. Average of 7 feet 6 inches for 75% of the second story downhill facing wall plane shall be setback and ii. Not less than a five feet offset. The remaining 25% may not extend past (cantilever over) the first story wall plane.	<a href="#">Section 19.40.060 (E) (1) (a)</a>
Multiple Downhill Facing Wall Planes	Offset shall apply only the primary setback affected.	<a href="#">Section 19.40.060 (E) (1) (b)</a>
Second Story Downhill Facing Wall Plane Offset from First Floor Roofed Porches	i. Offset may be measured from the outside perimeter of first-story roofed porches. ii. Roof of the porch must match, in pitch and style, the roof of the main structure. Porch must be at least 5 feet in width and extend the length of the wall on which it is located to be a qualifying offset feature.	<a href="#">Section 19.40.060 (E) (1) (c)</a>
Maximum Exposed Wall Height on Downhill Elevation	15'	<a href="#">Section 19.40.060 (E) (2)</a>
Maximum Height of Retaining Walls Facing Downhill	Retaining walls shall be screened with landscaping. Retaining walls taller than five feet visible from the public right of way, prominent intersections listed in Section 19.40.050(F)(1), or to adjacent properties shall additionally be faced with architectural materials such as stucco, stone, etc.	<a href="#">Section 19.40.060 (E) (3)</a>
Building Mass and Roof Pitches	The main building mass shall be on the upslope side of the building and the roof pitches shall trend downslope.	<a href="#">Section 19.40.060 (H) (1) (b)</a>
Downhill Elevation of main structure	Shall have a minimum of four offset building and roof elements to provide varied building forms to produce shadow patterns which reduce the impact of visual mass.	<a href="#">Section 19.40.060 (H) (1) (d)</a>
High Wall Planes	Wall planes exceeding one story or 20 feet in height, whichever is more restrictive, shall contain architectural elements in order to provide relief and to break up expansive wall planes	<a href="#">Section 19.40.060 (H) (1) (e)</a>
Natural Earth Tones	All structures on the lot shall use natural earth tone and/or vegetation colors which complement the natural surroundings. Natural earth-tone and vegetation colors include natural hues of brown, green and shades of gray.	<a href="#">Section 19.40.060 (H) (2) (a)</a>
Reflectivity Value	Shall not exceed 60 on a flat surface	<a href="#">Section 19.40.060 (H) (2) (b)</a>
Uncovered/ exterior staircases	Not allowed.	<a href="#">Section 19.40.060 (H) (6)</a>
Geologic and Soils Reports	A geological report prepared by a certified engineering geologist and a soils report prepared by a registered civil engineer qualified in soils mechanics by the State shall be submitted prior to issuance of permits for construction.  These reports shall contain, in addition to the requirements of Chapter 16.12 of this code, the following: a. All pertinent data, interpretations and evaluations, based upon the most current professionally recognized soils and geologic data; b. The significance of the interpretations and evaluations with respect to the actual development or implementation of the intended land use through identification of any significant geologic problems, critically expansive soils or other unstable soil conditions which if not corrected may lead to structural damage or aggravation of these geologic problems both on-and off-site;	<a href="#">Section 19.40.060 (I)</a>

	<ul style="list-style-type: none"> <li>c. Recommendations for corrective measures deemed necessary to prevent or significantly mitigate potential damages to the proposed project and adjacent properties or to otherwise insure safe development of the property;</li> <li>d. Recommendations for additional investigations that should be made to insure safe development of the property;</li> <li>e. Any other information deemed appropriate by the City Engineer.</li> </ul> <p>All building and site plans shall incorporate the above-described corrective measures and must be approved by the City Engineer, upon a third-party peer review of the reports provided, at the applicant's cost, prior to building permit issuance.</p>	
<b>Chapter 19.102 Standards</b>		
Application submittal requirements	<p>All projects that are subject to the bird-safe development requirements shall submit the following:</p> <ul style="list-style-type: none"> <li>1. Elevation drawings indicating the bird-safe treatment and how the proposed treatment meets the requirements of Section 19.102.030(B) and (D);</li> <li>2. Cross sections, if required;</li> <li>3. Other exhibits indicating consideration and incorporation of the regulations in Section 19.102.030(B), (C), and (D); and</li> <li>4. Biologist report in support of alternative compliance method pursuant to Section 19.102.030(B)(3), if proposed.</li> </ul>	<a href="#">Section 19.102.030 (A)</a>
Fenestration and Glass Requirements	<ul style="list-style-type: none"> <li>1. Façades of all projects subject to bird-safe development requirements shall have: <ul style="list-style-type: none"> <li>a. No more than 10% of the surface area of the façade be untreated glass between the ground and 60 feet above ground.</li> <li>b. No more than 5% of the surface area of the façade be untreated glass between 60 feet above ground and up.</li> </ul> </li> <li>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.</li> <li>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.</li> </ul>	<a href="#">Section 19.102.030 (B)</a>
California Building Code	All windows, doors, or other features must comply with the requirements of the California Building Code. Should a conflict exist with the provisions of this Chapter, the standards in the California Building Code shall prevail.	<a href="#">Section 19.102.030 (F)</a>
Submittal Requirements	<p>Projects subject to outdoor lighting regulations must submit the following information:</p> <ul style="list-style-type: none"> <li>1. A site plan indicating the location of all outdoor lighting fixtures.</li> <li>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.</li> <li>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.</li> <li>4. The project lighting plan shall indicate how lighting has been coordinated with any associated landscaping plan to prevent site planning conflicts.</li> </ul>	<a href="#">Section 19.102.040 (A)</a>
Outdoor Lighting Standards	<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> <ul style="list-style-type: none"> <li>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.</li> <li>b. Architectural Features: Uplighting may be used to highlight special architectural features.</li> <li>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.</li> <li>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.</li> <li>e. String Lighting: String Lighting may be used in compliance with Section 19.102.040 (B) (12)</li> </ul>	<a href="#">Section 19.102.040 (B) (1)</a>
Illumination Levels	<ul style="list-style-type: none"> <li>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.</li> <li>b. No direct off-site glare from a light source shall be visible above three feet at a public right-of-way.</li> <li>c. The maximum light intensity on a site shall not exceed a maintained value of ten foot-</li> </ul>	<a href="#">Section 19.102.040 (B) (2)</a>



	<p>candles, when measured at finished grade.</p> <p>d. Parking lots, sidewalks and other areas accessible to pedestrians and automobiles on properties with four or more units, mixed-use development, and non-residential development shall be illuminated with uniform and adequate intensity. Typical standards to achieve uniform and adequate intensity are:</p> <ol style="list-style-type: none"> <li>Average horizontal maintained illumination shall not be more than three foot-candle.</li> <li>Maximum to minimum ratio should be between 6:1 and 10:1, but shall not be more than 10:1.</li> </ol> <p>e. Critical areas of illumination such as stairways, ramps and main walkways may have a higher illumination.</p>	
Color Temperature	All light sources shall have a maintained correlated color temperature of 3,000 Kelvin or less	<a href="#">Section 19.102.040 (B) (3)</a>
Hours of Lighting	<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> <ol style="list-style-type: none"> <li>Critical lighting pursuant to section 2(e) above;</li> <li>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;</li> <li>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</li> <li>Outdoor solar powered pathway lights that are 25 lumens or less.</li> <li>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</li> </ol>	<a href="#">Section 19.102.040 (B) (4)</a>
Automated Control Systems	<p>Automated control systems, such as motion sensors and timers, shall be used to meet the outdoor lighting requirements.</p> <ol style="list-style-type: none"> <li>Photocells or photocontrols shall be used to extinguish all outdoor lighting automatically when sufficient daylight is available.</li> <li>All lighting activated by motion sensors shall extinguish no more than 10 minutes after activation.</li> <li>Automated controls shall be full programmable and supported by battery or similar backup</li> </ol>	<a href="#">Section 19.102.040 (B) (5)</a>
Security Lighting	<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> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>Floodlights shall not be permitted.</li> <li>Security lights intended to illuminate a perimeter, such as a fence line, are permitted only if such lights do not result in light trespass.</li> <li>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)</li> </ol>	<a href="#">Section 19.102.040 (B) (6)</a>
Lighting Design Standards	<ol style="list-style-type: none"> <li>Lighting fixtures must be of a design that complements building and landscaping design.</li> <li>Lighting fixtures shall be appropriate in height, intensity, and scale to the use they are serving.</li> <li>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</li> </ol>	<a href="#">Section 19.102.040 (B) (7)</a>
California Building Code	All lighting must comply with the requirements of the California Building Code. Should a conflict exist with the provisions of this Chapter, the standards in the California Building Code shall prevail	<a href="#">Section 19.102.040 (B) (10)</a>
Prohibited Lighting	<p>The following types of lighting are prohibited:</p> <ol style="list-style-type: none"> <li>Outdoor lighting that blinks, flashes, or rotates except those that may be permitted pursuant to Chapter 10.26.</li> <li>Outdoor flood lights that project above the horizontal plane.</li> <li>Lighting that unnecessarily illuminates any other lot or substantially interferes with use or enjoyment of that lot.</li> <li>High-intensity discharge lighting for recreation courts on private property.</li> <li>Spotlights.</li> </ol>	<a href="#">Section 19.102.040 (C)</a>
<b>Chapter 19.124 Standards</b>		
Maximum Number of Vehicles in Front or Street Side Setback	Six vehicles	<a href="#">Section 19.124.030 (A) (1) (a)</a>
Parking Pad Materials on Front or Street Side Setback	<ol style="list-style-type: none"> <li>All vehicles must be parked on a permanent impervious or semi-pervious surface.</li> <li>Semi-pervious surfaces include unit pavers, turf block, brick, cobbles, gravel or other like materials that must allow for partial filtration of water and must prevent direct contact with soil.</li> <li>Impervious surfaces include concrete, asphalt or other like materials that do not allow infiltration of water</li> </ol>	<a href="#">Section 19.124.030 (A) (1) (d)</a>
Front Yard Impervious Area Limitation	<ol style="list-style-type: none"> <li>Lots &gt; 60 feet in width, maximum impervious area = 40% of front yard area.</li> <li>Lots ≤ 60 feet in width, maximum impervious area = 50% of front yard area.</li> </ol>	<a href="#">Section 19.124.030 (A) (1) (e)</a>

Driveway Clearance	In new residential development, driveways shall have a minimum clearance of two feet from a building wall, fence, or property line	<a href="#">Section 19.124.030 (A) (1) (h)</a>
Orientation of Parked Vehicles	<div><div>i. All vehicles parked in the front or street yard setback area must be parked perpendicular to the street, except on lots with circular driveways which conform to the provisions of this code.</div><div>ii. On lots with circular driveways which conform to the provisions of this code, all vehicles parked in the front or street side yard setback area are limited to less than twenty feet in length, unless parked perpendicular to the street</div></div>	<a href="#">Section 19.124.030 (A) (1) (i)</a>
Enclosed Garage Size	<div><div>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</div><div>ii. Shall provide unobstructed (i.e., by walls, appliances, etc.) between six inches from finished floor up to six feet from finished floor</div></div>	<a href="#">Section 19.124.030 (A) (5)</a>
Parking Ratio and Dimensions	Single-Family Use - Four spaces per dwelling unit (2 garage and 2 open) of 10’ x 20’ each	<a href="#">Section 19.124.040 (A)</a>
Residential Lots Fronting on Public or Private Streets	If no on-street parking is available, two additional off-street spaces are required	<a href="#">Section 19.124.040 (B)</a>
Aisle Dimensions	Aisle dimension shall be as required by standard details adopted by the City Engineer and shown in Table 19.124.040(B)	<a href="#">Section 19.124.040 (D)</a>
Permeable Surfaces	Use permeable or semi-permeable materials for the parking stalls	<a href="#">Section 19.124.040 (O) (2)</a>
Bicycle Parking	Bicycle parking shall be provided in multi-family residential developments at a rate of one Class I space per two residential units.	<a href="#">Section 19.124.040 (P)</a>

**Chapter 19.148 Standards**

Applicability of Regulations	Any development of ten thousand sq. ft. or larger involving construction of new buildings and/or the expansion of existing buildings shall be subject to the requirements of this chapter.	<a href="#">Section 19.148.020 (A)</a>
Permitted Artwork	<div>Types of art that may be used to satisfy the requirements of this chapter include, but are not limited to, the following:<div><div>A. Sculpture: in-the-round, bas-relief, mobile, fountain, kinetic, electronic, or other, in any material or combination of materials;</div><div>B. Painting: all media, including portable and permanently affixed works, such as murals;</div><div>C. Graphic arts: printmaking, drawing, calligraphy and photography, but only when on a large public scale;</div><div>D. Mosaics;</div><div>E. Functional artwork created by a professional artist, such as benches, tree grates or trash receptacles;</div><div>F. Any other form of work of art determined by the Arts and Culture Commission to satisfy the intent of this chapter.</div></div></div>	<a href="#">Section 19.148.030</a>
Minimum Artwork Value	<div>The minimum expenditure for the artwork, including but not limited to design, fabrication, and installation, shall be one percent of the construction valuation, with the following tiers:<div><div>A. 1% of the first \$100 million of construction valuation.</div><div>B. 0.9% of construction valuation for valuation in excess of \$100 million.</div></div></div>	<a href="#">Section 19.148.070</a>

**Chapter 19.172 Standards**

Below Market Rate (BMR) Housing Program Requirements	Developers of housing development projects must comply with the requirements set forth in Residential Housing Mitigation Program of the City of Cupertino's Housing Element of the General Plan.	<a href="#">Section 19.172.020 (A)</a>
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**Cupertino Municipal Code – Subdivision Ordinance (CMC Title 18)**

Code Requirement	Code Requirement	General Plan Section
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**Chapter 18.12 Standards**

Division of Land–Five or More Parcels	<div>A tentative map and final map shall be required for all subdivisions of land creating five or more parcels, except where:<div><div>1. The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway and no dedications or improvements are required by the legislative body; or</div><div>2. Each parcel created by the division has a gross area of twenty acres or more and has an approved access to a maintained public street or highway; or</div><div>3. The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths; or</div><div>4. Each parcel created by the division has a gross area of not less than forty acres or is not less than a quarter of a quarter section; or</div></div>The land being subdivided is solely for the creation of an environmental subdivision pursuant to Government Code Section 66418.2.</div>	<a href="#">Section 18.12.020 (A)</a>
Fees and Deposits	All persons submitting maps as required by this title shall pay all fees and/or deposits as provided by the City's resolution establishing fees and charges, or as provided by this title.	<a href="#">Section 18.12.040</a>

**Chapter 18.32 Standards**

Frontage Requirements	The frontage of each lot shall be improved to its ultimate adopted geometric section, including street structural section, curbs, sidewalks, driveway approaches and transitions. Any street previously granted a rural or semi-rural designation under the provisions of Section 14.04.040, shall be improved to the standard adopted for that street.	<a href="#">Section 18.32.030</a>
Storm Drainage	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	<a href="#">Section 18.32.040</a>

	development; off-site storm drain improvements may be required to satisfy this requirement.	
Sanitary Sewers	Each unit or lot within the subdivision shall be served by an approved sanitary sewer system.	<a href="#">Section 18.32.050</a>
Water Supply	Each unit or lot within the subdivision shall be served by an approved domestic water system.	<a href="#">Section 18.32.060</a>
Undergrounding Utilities	<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>	<a href="#">Section 18.32.070 (A)</a>
Access to Street	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.	<a href="#">Section 18.32.120 (A)</a>
Reserve Strips	Reserve strips, or nonaccess at the end of streets or at the boundaries of subdivisions, shall be dedicated unconditionally to the City when required.	<a href="#">Section 18.32.120 (C)</a>
Improvement Plans - General	<p>A. Improvement plans shall be prepared under the direction of and signed by a registered civil engineer licensed by the State of California.</p> <p>B. Improvement plans shall include but not be limited to grading, storm drains, landscaping, streets and related facilities.</p>	<a href="#">Section 18.32.130</a>
Improvement Plans - Form	<p>A. Plans, profiles, and details shall be legibly drawn, printed or reproduced on twenty-four-inch by thirty-six-inch sheets. A border shall be made on each sheet providing one-half inch at top, bottom and right side and one-and-one-half inches on the left side.</p> <p>B. A suitable title block shall be placed in the lower right corner or along the right edge and provide adequate space for approval by the City Engineer and for approval of plan revisions.</p> <p>C. Plan and profiles shall be drawn to the scale of one inch equals forty feet or larger unless approved by the City Engineer. Details shall be drawn to such scale that clearly shows the facility being constructed. The scales for various portions of the plans shall be shown on each sheet.</p> <p>D. A vicinity map shall be shown on the first sheet of all sets of plans.</p> <p>E. A north arrow shall be shown on each sheet when applicable.</p> <p>F. Plans shall be laid out to orient north to the top or right edge of the sheet unless approved otherwise by the City Engineer.</p> <p>G. All lettering shall be one-eighth inch minimum.</p> <p>H. If the plans include three or more sheets, a cover sheet showing the streets, lots, easements, storm drains, index and vicinity map shall be included.</p> <p>I. The form of all plans shall conform to such additional requirements as may be established by the City Engineer. The final form of all plans shall be as approved by the City Engineer.</p>	<a href="#">Section 18.32.140</a>
Construction	A. The construction methods and materials for all improvements shall conform to the standard specifications of the City, as adopted by Council resolution. The general provisions of the City's standard specifications shall apply to the developer where applicable.	<a href="#">Section 18.32.320</a>
<b>Chapter 18.52 Standards</b>		
Clustering Development and Subdivisions	<p>Development lots and major subdivisions in the five to twenty acre slope density designation shall be clustered, reserving ninety percent of the land in private open space to protect the unique characteristics of the hillsides from adverse environmental impacts.</p> <p>The project shall keep the number of lot clusters minimized, and the open space area contiguous, to the greatest extent possible.</p> <p>The ninety percent private open space can be contained in individual lots regulated by an open space easement or as land held in common as dedicated open space. The project shall</p>	<a href="#">Section 18.52.030 (C) (1) (a)</a>



	keep the open space area contiguous as much as possible. A lot having common ownership, containing the designated open space, will not be counted in the total dwelling unit yield.	
Natural Features	Significant natural features shall be identified on the tentative map: riparian and native vegetation including trees, shrubs and ground cover; all topography and areas of slope over thirty percent watercourses; faults; landslides; views of prominent ridgelines; and views from adjacent properties.	<a href="#">Section 18.52.030 (C) (1) (b)</a>
Grading Plans	Preliminary or tentative grading plans will be required as specified in Chapter 16.08, Excavations, Grading and Retaining Walls, or as part of the conditional approval of the map. The extent of grading and size of building pads shall meet the requirements as specified in Chapter 19.40, Residential Hillside Zones.	<a href="#">Section 18.52.030 (D) (1)</a>
Off-Street Parking	Where lots have frontage on a public roadway or driveway having a pavement section of less than thirty feet or on a roadway or driveway which does not permit parking at the curb, each lot shall provide adequate turnaround space and four independently functional off-street parking spaces. The four parking spaces shall be in addition to the required two garage or carport spaces.	<a href="#">Section 18.52.030 (E)</a>
Frontage	All lots shall front on a public street or private driveway as provided in Section 18.32.120.	<a href="#">Section 18.52.030 (F) (1)</a>
Corridors	Where the principal frontage of a lot is by means of a corridor, such corridor shall be at least twenty feet wide. A lesser width for a corridor may be approved when a twenty-foot width would not be practical because of existing permanent structures or topography.  However, in all cases, the corridor width must be sufficient to accommodate a safe driveway of not less than twelve feet of improved width, and if the length of the corridor is over one hundred fifty feet, the usable width must be at least eighteen feet. Where two such corridors are combined, the total access width need not exceed thirty feet if each lot has right of access over the corridor of the adjoining lot and the total paved width is not less than eighteen feet.	<a href="#">Section 18.52.030 (F) (2)</a>
Watercourse Protection	Any watercourse identified in Figure 6-G of the Cupertino General Plan and its existing or potential riparian vegetation must be shown on all development plans.	<a href="#">Section 18.52.030 (G) (1)</a>
Trail Linkages	In subdivisions, if a trail linkage, as shown in the General Plan Trail Plan, is identified on the property being developed, a trail easement shall be granted in favor of the City prior to approval of the final map.	<a href="#">Section 18.52.030 (H)</a>
Street Design Standards - Alignment	In response to the General Plan Policy, public rights of way shall be aligned in a manner to avoid trees and riparian environments.	<a href="#">Section 18.52.040 (A)</a>
Urban Fringe Developments – Right of Way	The minimum right-of-way width and street sections for various functional categories of roads are as follows: a. Hillside collector right-of-way width shall be fifty feet with the pavement section to contain thirty feet with three feet of shoulders on each side. b. Major roadways are roads that primarily serve development fronting on the road and serving greater than ten dwelling units. The right-of-way shall be forty feet and the pavement width shall be twenty-four feet with three feet of level shoulder space on each side. c. Minor roadways and cul-de-sacs serving less than ten dwelling units shall be thirty feet with a twenty-foot pavement section with three feet of shoulder on each side. Private drives may be employed where five or fewer residential lots are to be served. The minimum width for a private driveway serving five or fewer dwellings is eighteen feet with three feet of shoulder on either side, with the exception that a private driveway serving one dwelling may be twelve feet.	<a href="#">Section 18.52.050 (A) (2)</a>
Dead-End Streets	The number of dwelling units served by a cul-de-sac for an urban fringe or semirural development shall normally not exceed ten. The length shall not exceed eight hundred feet except where topographic conditions require use of longer cul-de-sacs.  In cases where the length of cul-de-sacs is greater than eight hundred feet, fire hydrants shall be placed every six hundred feet with a standard pullout located adjacent to each hydrant. A secondary means of access may be required where a dead-end street is longer than one thousand feet.	<a href="#">Section 18.52.050 (C)</a>
Sewers, Storm Drains	Sanitary sewer facilities shall be installed to serve each lot. No septic tanks or cesspools will be permitted.  Storm sewers shall be installed as approved by the cognizant fire department authority.	<a href="#">Section 18.52.060 (A) (5)</a>
Street Lighting	Streetlights shall be installed by the subdivider and shall be approved by the City Engineer.	<a href="#">Section 18.52.060 (A) (7)</a>

Cupertino Municipal Code – Environmental Regulation Ordinance (CMC Title 17)		
Standard	Code Requirement	Code Section
Chapter 17.04		
Demonstration of Compliance	Compliance with the requirements shall be demonstrated for all non-residential projects, residential projects involving the development of four or more residential units, and mixed-use projects, 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.	<a href="#">Section 17.04.030 (B) (1)</a>
Hazardous Materials	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.  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	<a href="#">Section 17.04.040 (B) (1)</a>

	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.	
Vehicle Miles Traveled Technical Report Requirements	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).	<a href="#">Section 17.04.040 (C)</a>
Vibration Technical Report Requirements	<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"><li>▪ pile driving within 100 feet,</li><li>▪ vibratory roller within 25 feet, or</li><li>▪ other heavy equipment (e.g., bulldozer) within 15 feet;</li></ul> <p>For historical structures:</p> <ul style="list-style-type: none"><li>▪ pile driving within 135 feet,</li><li>▪ vibratory roller within 40 feet, or</li><li>▪ other heavy equipment within 20 feet</li></ul> <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"><li>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.</li><li>For paving, use a static roller in lieu of a vibratory roller.</li><li>For grading and earthwork activities, off-road equipment that shall be limited to 100 horsepower or less.</li></ol>	<a href="#">Section 17.04.040 (D)</a>
Standard Environmental Protection Permit Submittal Requirements	Every project shall implement the standard environmental protection permit submittal requirements outlined in Section 17.04.050 prior to the issuance of permits by the City unless they are not applicable to the project as demonstrated by a written explanation of why any standard environmental protection permit submittal requirement is not applicable to the project, subject to the review and approval of the Director of Community Development and/or the City Engineer, or his or her designee, as appropriate.	<a href="#">Section 17.04.050</a>
<b><u>Cupertino Municipal Code – Building and Construction Regulation Ordinance (CMC Title 16)</u></b>		
<b>Standard</b>	<b>Code Requirement</b>	<b>Code Section</b>
<b>Chapter 16.08 Standards</b>		
Site Map and Grading Plan	<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> <ol style="list-style-type: none"><li>A vicinity sketch or other data adequately indicating the site location;</li><li>Property lines of the site on which the work is to be performed and easements if such are required;</li><li>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;</li><li>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;</li><li>Two contour intervals that extend a minimum of one hundred feet off-site, or sufficient distance to show on-site and off-site drainage;</li><li>Location and graphic representation of all existing and proposed natural and manmade drainage facilities;</li><li>Location and graphic representation of proposed excavations and fills, of on-site stockpiling of soil and other earth material, and of on-site disposal;</li><li>Location of surface runoff, erosion and sediment control measures required under proposed interim erosion control plan;</li><li>Location of existing vegetation types and the location and type of vegetation to be left undisturbed;</li><li>Outline of the methods to be used in clearing vegetation, and in storing and disposing of the cleared vegetative matter;</li><li>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;</li><li>An estimate of the quantity of excavation and fill involved;</li><li>Proposed sequence and schedule of excavation, filling and other land-disturbing and filling activities, and soil or earth material storage and disposal;</li></ol>	<a href="#">Section 16.08.100</a>



	N. Such additional technical information as is required to clarify the above; O. Site cross-sections as required.	
Interim Erosion and Sediment Control Plan (Interim Plan)	<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> <p>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;</p> <p>B. The interim plan shall also contain the following information:</p> <ol style="list-style-type: none"><li>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 basins, and a schedule for their maintenance and upkeep;</li><li>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;</li><li>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;</li></ol> <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>	<a href="#">Section 16.08.110</a>
Grading Permit–Design Standards - Setbacks	<p>Cuts and fills shall be set back from property lines. Retaining walls may be used to reduce setbacks when approved by the Director.</p> <p>Fill placed on or above the top of an existing or proposed cut or natural slope steeper than three horizontal to one vertical shall be set back from the edge of the slope for a minimum distance of five feet.</p>	<a href="#">Section 16.08.200 (C)</a>
Grading Permit–Design Standards -Erosion Control Planting	<ol style="list-style-type: none"><li>1. The face of all cut and fill slopes shall be planted and maintained with erosion control planting approved by the Director to protect the slopes against erosion as soon as practical and prior to the final approval of the grading. Where cut slopes are not subject to erosion, this requirement may be waived by the Director.</li><li>2. An irrigation system or watering facilities may be required by the Director.</li><li>3. Building foundations shall be set back from the top of slope a minimum distance of ten feet for all slopes steeper than three horizontal to one vertical unless approved by the Director.</li><li>4. The restrictions given in this section are minimum and may be increased by the Director, after review by a civil engineer, if considered necessary for safety or stability or to prevent possible damage from water, soil, or debris.</li></ol>	<a href="#">Section 16.08.200 (D)</a>
Grading Permit–Design Standards - Drainage	<ol style="list-style-type: none"><li>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.</li><li>4. Drainage across lot lines caused by grading is prohibited unless storm drain easements are provided.</li></ol>	<a href="#">Section 16.08.200 (E)</a>
Retaining Wall Construction - Property Line Setback Material Restriction	Any retaining wall which is at or within twice its retained height (2xH) from any property line shall be constructed from materials other than wood. This restriction shall supersede any and all other provisions of this section.	<a href="#">Section 16.08.200 (G) (1)</a>
Retaining Wall Height Restrictions	<p>If the retained height of a wall exceeds three feet, then the following restrictions shall apply:</p> <ol style="list-style-type: none"><li>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.</li><li>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.</li></ol>	<a href="#">Section 16.08.200 (G) (2)</a>
Retaining Wall Construction - Special Loadings and Wheel Loadings (Fire Trucks)	Whenever retaining walls are adjacent to restricted or unrestricted vehicular traveled ways, the minimum truck wheel loadings shall be H10-44 as defined in the latest adopted "Standard Specifications for Highway Bridges" of the A.A.S.H.O. The active pressure distribution shall be subject to approval by the Director.	<a href="#">Section 16.08.200 (G) (3)</a>
Retaining Wall Screening	Retaining walls in excess of five feet shall be screened with landscape materials and/or faced with decorative materials subject to the approval of the Director of Community Development.	<a href="#">Section 16.08.200 (G) (6)</a>
Supported Parking Slabs and Decks	<p>This section shall apply only to driveway or related structures in excess of five feet from buildings.</p> <p>Any and all columns, beams or joists required or installed as load-carrying members in the support of slabs or decks, subject to vehicular loading, shall be constructed of materials as or more durable than the materials used in constructing the slab or deck. Treated or untreated wood is defined to be the least durable of concrete, steel, or concrete block construction.</p> <p>The minimum City-stipulated loadings that can be used shall be H10-44 as defined in the latest adopted, “The Standard Specifications for Highway Bridges” of the A.A.S.H.O.</p>	<a href="#">Section 16.08.200 (H)</a>
Chapter 16.58 Standards		

Minimum Green Building Requirement	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): <ul style="list-style-type: none"><li>GPR certified at minimum 50 points or</li><li>LEED Silver or</li><li>Alternate Reference Standard per Section 101.10.2</li></ul>	<a href="#">Section 16.58.230</a>
<b><u>Cupertino Municipal Code – Landscape Ordinance (CMC Title 14)</u></b>		
Standard	Code Requirement	Code Section
<b>Chapter 14.18 Standards</b>		
Plan of Protection	As part of a development application the approval authority shall adopt a maintenance plan for protected trees. It shall be the property owner(s) responsibility to protect the trees.	<a href="#">Section 14.18.060 (A)</a>
Application Requirements	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: <ul style="list-style-type: none"><li>A drawing outlining the location of the tree(s) and proposed tree replacements.</li><li>A written explanation of why the tree(s) should be removed.</li><li>Signature of the property owner and/or homeowner’s association (where applicable) with proof of a vote of the homeowner’s association;</li><li>Permit fee, where applicable.</li></ul> 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: <ul style="list-style-type: none"><li>Photograph(s) of the tree(s).</li><li>An arborist report from an arborist certified by the International Society of Arboriculture.</li><li>Notice and posting per Section 14.18.130.</li></ul> Other information deemed necessary by the Director of Community Development to evaluate the tree removal request.	<a href="#">Section 14.18.110 (A)</a>
Maximum Tree Removal Cap	In the R1, A1, A, RHS, and R2 zones, an applicant may remove up to six mature specimen trees or five percent of mature specimen trees on the property (whichever is greater) with a single-trunk between twelve and twenty-four inches (multi-trunk between twenty-four and forty-eight inches) within a thirty-six month period. The thirty-six month period will start from the date of the approved tree removal permit. Applications requesting to remove additional trees within a thirty-six month period will require an arborist report and notification per Section 14.18.130.	<a href="#">Section 14.18.110 (B)</a>
<b><u>Cupertino Municipal Code – Parks Ordinance (CMC Title 13)</u></b>		
Standard	Code Requirement	Code Section
<b>Chapter 13.08 Standards</b>		
Park Land Dedication	Where dedication of a park or recreational facility is required pursuant to this Chapter, land shall be dedicated per the formula below.  Park land dedication (in acres) = (Average number of persons/DU) x (Park Acreage Standard) x (Number of Dwelling Units)  The Park Acreage Standard is three acres of property for each one thousand persons.  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).  Average number of persons/DU shall be determined pursuant to Table 13.08.050.  The number of dwelling units is calculated consistent with Section 13.08.090.	<a href="#">Section 13.08.050 (A) - (E)</a>
Standards for Dedicated Land	To satisfy this dedication requirement, the park land must be: <ul style="list-style-type: none"><li>Located at ground level and dedicated to the City in fee simple ownership, to the center of the earth;</li><li>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;</li><li>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;</li><li>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.</li><li>Located adjacent to a street in order to promote public safety and facilitate policing; and</li></ul> 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.	<a href="#">Section 13.08.050 (F)</a>
Fees in Lieu of Park Land Dedication	Subdivisions containing fifty units or less shall pay a fee in lieu of park land dedication except as provided in Govt. Code Section 66477(a).  The amount of the fee shall be equal to the fair market value of the land prescribed for dedication pursuant to Section 13.08.050. The fee shall be calculated as follows:	<a href="#">Section 13.08.060 (A) – (C)</a>

	<p>In lieu fee = Park land Dedication (in acres)<sup>1</sup> x (Fair Market Value of land per acre)</p> <p><sup>1</sup>Calculated pursuant to Section 13.08.050.</p> <p>Fair Market Value of land per acre. The Director of Public Works shall establish the fair market value of land within the City and update the value on an annual basis in the City's Fee Schedule. The fair market value shall be determined by reference to comparable land within the City. As used herein, the term "comparable" means land of similar size and development potential as the land which would otherwise be dedicated.</p>	
Credit for Private Recreation or Open Space	<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>	<p><a href="#">Section 13.08.080 (A)</a></p>