GENERAL PLANNING APPLICATION FORM

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

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

APPLICANT INFORMATION

APPLICANT NAME: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

EMAIL: _____

PHONE: _____ PHONE (ALT): _____

PROPERTY OWNER NAME: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

EMAIL: _____

PHONE: _____ PHONE (ALT): _____

PROJECT INFORMATION

PROJECT SITE ADDRESS: _____

ASSESSOR'S PARCEL NUMBER(S): _____

PROJECT DESCRIPTION: _____

_____

IS THIS APPLICATION A DEVELOPMENT PROJECT*? - Y / N

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

GENERAL PLAN LAND USE DESIGNATIONS: _____

ZONING DESIGNATIONS: _____

TOTAL LOT SIZE IN SQ. FT.: _____

PROPOSED RESIDENTIAL SQ. FT.: _____

PROPOSED UNIT COUNT W/ DENSITY BONUS UNITS: _____

PROPOSED UNIT COUNT W/OUT DENSITY BONUS UNITS: _____

PROPOSED NON-RESIDENTIAL SQ. FT.: _____

APPLICATION SUBMISSION INSTRUCTIONS

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

STEP 1: CREATE AN ACA ACCOUNT.

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

STEP 2: INITIATE APPLICATION BY EMAIL.

Email a completed application form to planning@cupertino.org. This allows staff to initiate processes to establish your digital file.

STEP 3: SUBMIT DOCUMENTS IN PROJECTDOX.

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

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

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

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

IMPORTANT: 25 character maximum – abbreviations accepted. No special characters (e.g. !@#$%^&*()-=\+-*/_). PDFs cannot be encrypted, have layers, or comments.

Upload documents in the following categories in PDF format only:

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

STEP 4: PAY APPLICATION FEES

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

GENERAL PLANNING APPLICATION CHECKLIST

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SUBMITTAL REQUIREMENTS

At the time the application is submitted, the following information listed is required for a complete application. Please review this checklist with City's Planning Division staff to confirm specific requirements and to determine if other applications or permits are required. Application materials may be waived on a case-by-case basis by the Community Development Director or his/her designee.

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

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

FORMS & AUTHORIZATIONS

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

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

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

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

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

5. **INDEMNIFICATION ACKNOWLEDGEMENT.**
   Review, sign, and date the City's Indemnification Clause Acknowledgement Form.

6. **PUBLIC WORKS CONFIRMATION FORM.**
   Coordinate with the Public Works Department (engineering@cupertino.gov) to complete the Public Works Confirmation Form.

7. **C3 FORM.**
   Development/redevelopment projects (except single-family home projects) that create and/or replace 5,000 sq. ft. or more of impervious surface on the project site shall provide a completed C3 Form and

demonstrate compliance with the City's most recent Municipal Regional Permit. Single-family home projects that create and/or replace 10,000 sq. ft. or more of impervious surface on the project site must also fill out this worksheet.

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

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

8. HAZARDOUS WASTE AND SUBSTANCES STATEMENT.
Complete, date, and sign the City's Hazardous Waste and Substances Statement.

9. CLIMATE ACTION PLAN CHECKLIST.
Complete the City's CAP Consistency and CEQA GHG Emissions Compliance Checklist to provide an outline of the project's consistency with the Cupertino Climate Action Plan 2.0.

10. AB130 (PRC SECTION 21080.66) ELIGIBILITY CHECKLIST
Complete the City's AB 130 CEQA Exemption Eligibility Checklist. The checklist must be fully filled out and signed, confirming for determining whether the project qualifies for AB 130 provisions.

PROJECT REPORTS

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

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

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

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

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

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

13. ENVIRONMENTAL SITE ASSESSMENT (ESA).

Provide a Phase 1 and, if required, a Limited Phase II ESA, in accordance with CMC Chapter 17.04, prepared by a qualified environmental professional. If the Phase 1 ESA indicates that a Phase 2 ESA or additional assessment is recommended, a Phase 2 ESA report must accompany the application.

14. SOILS/GEOLOGIC REPORT.

For any tentative map applications, provide a preliminary soils report, as required by CMC Chapter 16.12. If the preliminary report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the subdivision.

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

15. TRAFFIC STUDY.

If required under CMC Chapter 17.08 or by the City's Transportation Study Guidelines, a traffic study will be prepared for the applicant by a consultant selected by the City, with City staff coordinating the review process. To determine the scope of analysis required, the City's transportation consultant will first prepare an initial trip generation analysis.

The applicant must pay the cost of this initial review before the application can be deemed complete. A full transportation analysis must be completed before the project can be found consistent with the City's Municipal Code standards, and the applicant is responsible for all associated costs and administrative fees.

16. FISCAL IMPACT ANALYSIS.

If converting office and/or commercial uses to residential or residential mixed-use, provide a fiscal impact analysis, prepared by qualified financial professional, in compliance with General Plan Strategy LU-8.2.1. An example of a Fiscal Impact Analysis can be found here.

17. VIBRATION STUDY.

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

18. NOISE STUDY.

For all multiple-family, mixed-use, and non-residential projects, provide a noise study, prepared by an acoustical engineer, demonstrating project compliance with the applicable requirements of the General Plan, CMC (including the City's Noise Ordinance), and State codes relating to sound transmission control. The study must include recommendations for mitigation of any anticipated noise impacts, both outdoor and indoor noise impacts.

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19. HEALTH RISK ASSESSMENT.
As required under CMC Section 17.04.040 and applicable State law, including AB 130, provide a Health Risk Assessment (HRA), prepared by a qualified air quality professional in accordance with applicable Bay Area Air Quality Management District (BAAQMD) and Office of Environmental Health Hazard Assessment (OEHHA) guidelines.

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

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

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

PROJECT DOCUMENTS

23. PROJECT DESCRIPTION.
Provide a written narrative describing the proposed project. The narrative shall include:

- A project overview summarizing the type, scale, and intensity of development, including site area, building floor area and square footage (see definitions), number of units by type (if applicable), building heights, and number of stories.
- The project's purpose and objectives.
- The proposed site and building program, including intended uses, layout, key design features, and any phased development. The proposed program of uses shall be mapped to the site plan and/or floor plan, as applicable, with annotations and cross-references.
- Any public benefits or community-serving features, such as affordable housing, open space, infrastructure improvements, or sustainability measures.
- A discussion of the project site context and existing conditions, including current uses, on-site improvements, and known constraints, as well as a description of surrounding land uses and adjoining properties to establish the project's relationship to the broader neighborhood.

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

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25. STATEMENT OF DESIGN INTENT.

Provide a narrative that describes:

- The design program;
- The designer's approach;
- How the architectural, landscape, and other elements have been integrated in compliance with the City's objective standards and the applicable design guidelines;
- The relationship of the project to adjacent properties and to the adjacent streets expressed in design terms;
- The site, building design, and landscape concepts in terms of site design goals and objectives, pedestrian circulation, outdoor-use areas, visual screening and enhancements, conservation of natural resources, mitigation of negative site characteristics, and off-site influences.

26. OPERATIONS PLAN.

For commercial or multi-family use proposals, provide an operations plan tailored to the specific proposed use and site context outlining:

- The total number of employees by shift, job functions, and anticipated peak staffing levels.
- The proposed hours and days of operation, including any seasonal or special event variations.
- A description of the location and extent of all operational activities, including indoor and outdoor components.
- Services provided
- Customer or client types and expected occupancy or customer volumes at typical and peak periods.
- Delivery schedules, loading and unloading activities, and service vehicle operations, including frequency, timing, and designated loading areas.
- Parking demand, valet operations (if applicable), and on-site circulation.
- A description of any noise-generating activities, use of amplified sound, outdoor operations, and any equipment or processes that could result in off-site impacts.
- Information on security measures, such as staffing, surveillance systems, and crowd management practices (if applicable).
- Procedures for trash handling, recycling, and maintenance.
- For uses involving food service or late-night operations, the plan shall describe measures to minimize potential disturbances to adjacent uses, including odor control, loitering prevention, and closing procedures. Where applicable, applicants shall identify any permits, licenses, or regulatory approvals required from other agencies.
- For any residential amenities included in a multi-family development, provide a detailed description of the proposed amenities by use, including, but not limited to, the number of employees and the maximum number of users of each space and the location of each amenity on the site and within the building. This must be cross referenced to the site plan and/or floor plan, as applicable, with annotations.

27. CONSISTENCY WITH OBJECTIVE STANDARDS.

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

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The exhibit must identify compliance, as applicable, with:

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

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

28. STATE LAW APPLICABILITY OVERVIEW.

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

29. PUBLIC OUTREACH PROGRAM.

Provide documentation verifying that public outreach has been conducted in accordance with the provided Public Outreach form.

30. AFFORDABLE HOUSING PLAN.

For projects resulting in an increase of gross floor area or net new units, consistent with Section 2.1 of the City's Below Market Rate (BMR) Housing Mitigation Manual, provide both an exhibit and a narrative Affordable Housing Plan to demonstrate how the project will provide below market rate (BMR) units as required by CMC Section 19.172.030 and is consistent with the BMR Housing Mitigation Program Procedural Manual (BMR Mitigation Manual). At a minimum, the Affordable Housing Plan shall include:

- The number of affordable units, total number of units, and a calculation showing how the requirements are met.
- The affordability level and type of units (e.g., for-sale, rental)
- Location of the units within the development.
- A calculation of any fees as required by the BMR Mitigation Manual. Refer to appropriate sections for residential, non-residential, and mixed-use projects.
- Demonstration that the BMR units will meet the design criteria in Section 2.3.4 of the BMR Mitigation Manual.
- If alternatives are proposed, provide relevant information pursuant to BMR Mitigation Manual Chapter 7.

31. DENSITY BONUS.

Projects requesting a density bonus, waivers, or concessions are required to submit documentation pursuant to CMC Chapter 19.56 to demonstrate compliance with state law and the Municipal Code. The Density Bonus materials shall include a letter that clearly identifies the requested density bonus (and associated calculations), all requested waivers and concessions, and plans that indicate the following:

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- For projects requesting additional units, location and square footage of affordable units that qualify the project for a density bonus,
- For projects requesting additional units, location and square footage of additional floor area, or units granted pursuant to Density Bonus law,
- For requested incentives/concessions: the existing development standard and the requested incentive/concession. A written narrative to demonstrate how the requested incentive/concession results in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision 65915(c) is highly encouraged.
- For waivers: the existing development standard and the requested waiver. Demonstrate how the development standard, if strictly applied, will have the effect of physically precluding the construction of the housing development with the density bonus and incentives to which the applicant is entitled.

32. PARK LAND DEDICATION PLAN.
For projects that propose new dwelling units, provide documentation and plans outlining compliance with the City's park land dedication requirements outlined in Municipal Code Chapter 13.08, including a calculation of the required park land area, as applicable.

33. PRELIMINARY CONSTRUCTION MANAGEMENT PLAN.
Use the City's Construction Management Plan template to provide an outline of anticipated construction timing and impacts. In addition to this narrative plan, drawings showing the proposed construction staging and phasing must be provided, see CONSTRUCTION STAGING AND PHASING PLAN below.

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

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

36. UTILITY WILL SERVE LETTERS.
Provide current "will-serve" letters or service confirmation from the applicable utility providers, verifying that adequate capacity and service are available to serve the proposed project. Letters shall reference the project address and scope and confirm service availability.

37. JUSTIFICATION STATEMENT.
For any requested exception or variance, provide a written justification statement that:
- Identifies the specific code section or standard from which each requested exception or variance is requested.
- Demonstrates how the request meets all required findings for the variance or exception, including how specific property or project conditions necessitate the request and how the proposal minimizes the extent of deviation from the applicable standard.

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38. LEGAL DESCRIPTION.

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

DEVELOPMENT PLAN SET

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

39. TITLE SHEET.

Provide a Title Sheet that includes:

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

40. DEVELOPMENT PROGRAM.

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

- Gross and net lot area in both square feet and acres.
- For residential development include:
  - Total floor area, number of bedrooms, and number of units, by type
  - Number of units per building
  - Total number of units
  - Net density
  - Total number of units by affordability level and tenure (rental or ownership)
  - Area in square feet of usable private open space provided for each unit
- For commercial or office development or uses include:
  - Total floor area in each building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building)
  - Total building square footage, including parking facilities, by floor.
  - Number of dining seats, number of bar seats (if applicable)
- For mixed use projects, in addition to the information outlined for residential, commercial, and office uses above, include:
  - Total square footage of residential space and related residential facilities;
  - Total square footage of non-residential uses; and

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  - Total square footage utilized by both residential and non-residential uses.
- Percentage and area in square feet of lot coverage.
- Percentage and area in square feet of total floor area.
- Percentage and area in square feet of net lot area devoted to non-hardscape landscaping, hardscape, common open space, and private useable open space.
- Required and proposed setbacks (all buildings, sides, and floors).
- Proposed and allowed maximum height and number of stories for each structure.
- Building elevations and curb elevations for the curb nearest to a building.
- Required and proposed number of parking spaces (CMC Chapter 19.124) by type (e.g., compact, EV charging, reserved, universal and ADA compliant), and supporting information used to calculate parking requirements.
- Required and proposed bicycle parking per CMC Chapter 19.124.040.

41. BOUNDARY/TOPOGRAPHIC SURVEY.

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

42. CONTEXTUAL AND CIRCULATION PLAN.

Provide a contextual and circulation plan that uses a topographic or aerial map as a base map. The plan must show the relationship of the project to the building and site features within 50 feet of the property line and must include:

- Building footprints with pad elevations and building heights.
- Land use and zoning designation of the subject site and adjacent properties.
- Property lines and dimensions of the subject site and adjacent properties showing all easements.
- Location and outline of streets, medians, curb cuts, sidewalks, driveways, and parking areas.
- Location of all creeks, waterways, and trees.
- Vicinity map indicating the site in relation to major streets.
- Pedestrian, vehicle, and bicycle routes through the project site and extending to the public right-of-way, including wayfinding signage, loading areas, etc.

43. EXISTING SITE PLAN / DEMOLITION PLAN.

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

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

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44. ARCHITECTURAL SITE PLAN.

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

- Property lines and property line dimensions.
- Outlines and labels for all existing and proposed structures, extending 50 feet beyond the property lines, including fencing, walls, decks and porches, garages and sheds, mailboxes, and trash enclosures.
- Outlines and labels of all landscaping and hardscaping.
- Setbacks dimensioned from property lines to the nearest point on a structure and between structures.
- Location of all existing and proposed adjacent streets (public and private).
- Corner triangle and/or line of sight for all intersections and driveways based on current City of Cupertino standards.
- Parking information, including the location and dimensions of parking spaces, tire stops, back-up area, safe pedestrian paths to building entrances, loading areas, parking labels (e.g., reserved, compact, EV only, etc.), location of ADA spaces (as required), and circulation patterns. Parking stall details shall be provided for each parking type.
- All existing trees on and adjacent to the site, indicating species, diameter at breast height (DBH) as defined in CMC Chapter 14.18, base elevations, and accurately plotted trunk locations and drip lines.
- Tentative location(s) for public artwork in compliance with CMC Section 19.148.050(B).
- If within 500 feet of a city gateway, as shown in General Plan Figure LU-1, the location of proposed gateway features.

45. CIVIL SITE PLAN.

Provide a Civil Site Plan, prepared and stamped by a Registered Civil Engineer, with scale noted, a graphic bar scale, and north arrow. Plans shall be drawn at a minimum 1″=20′ scale for lots of one acre or less and a minimum 1″=40′ scale for lots exceeding one acre in size. Identify the vertical datum used to ensure that the same datum is applied consistently throughout the entire site. The plan shall include the following:

- Topographic and/or Boundary survey information extending 50 feet beyond the property (as shown on the required boundary survey, see above) including:
  - Existing property lines, property line dimensions, and distance from centerline of adjacent street(s) to property line(s).
  - Topography and proposed grading at 2-foot contour intervals for slopes up to 10% or 5-foot contour intervals for slopes over 10%.
  - Spot elevations, pad elevations, and retaining walls with TOW/BOW elevations.
- Outlines and labels for all existing and proposed structures, extending 50 feet beyond the property lines, including fencing, walls, decks and porches, garages and sheds, mailboxes, and trash enclosures.
- Outlines and labels of all driveways, walkways, decks, and other hard surfaces, indicating all materials (asphalt, concrete, gravel, pavers, etc.)
- Setbacks dimensioned from property lines to the nearest point on a structure and between structures.

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- Location, dimension, and purpose (i.e., water, sewer, access, WCE, etc.) of all easements including sufficient recording data to identify the conveyance (book and page of official records).
- Location of all existing and proposed adjacent streets (public and private), showing:
  - Both sides of the streets to the next property line.
  - Street names.
  - Street width.
  - Striping.
  - Centerlines and centerline radii of all curves.
  - Median and landscape strips.
  - Bike lanes, pedestrian ways, trails, bridges, curbs, gutters, sidewalks and driveways, ramps, street trees, public fire hydrants, bus stops, concrete bus pads, etc.
  - Edge of right-of-way including any proposed or required right-of-way dedication.
  - Traffic signal poles, underground conduit for signals and interconnect, and traffic signal pull boxes, signal cabinets, service cabinets, and other related facilities.
- Corner triangle and/or line of sight for all intersections and driveways based on current City of Cupertino standards.
- Drainage information including spot elevations, pad elevations, existing catch basins, and direction of proposed drainage, including approximate street grade, existing and proposed storm drain locations, and stormwater treatment facilities.
- Location and dimensions of existing and proposed utilities, including:
  - Water supply systems and wells.
  - Sanitary sewers and laterals and septic tanks.
  - Drainage facilities.
  - Underground and overhead electrical lines and utility poles, utility vaults, cabinets and meters, transformers, electroliers.
  - Streetlights and lighting fixtures.
  - Fire hydrants.
  - Underground irrigation and drainage lines, including backflow prevention and reduced pressure devices.
  - Ground mounted AC units or heat pumps, water heaters, etc.
- Parking information, including the location and dimensions of parking spaces, tire stops, back-up area, safe pedestrian paths to building entrances, loading areas, parking labels (e.g., reserved, compact, EV only, etc.), location of ADA spaces (as required), and circulation patterns. Parking stall details shall be provided for each parking type.
- Accessible ("ADA") path-of-travel to building(s) from the public sidewalk and from accessible parking stalls.
- Location of all natural features such as creeks, ponds, drainage swales, wetlands (as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)), etc., extending 50 feet beyond the property line to show the relationship with the proposed development.
- Location on the site of any prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by Cupertino's voters.
- If any parcel is within a FEMA defined 100-year floodplain or floodway:
  - Identify the floodplain or floodway on all plan sheets depicting the existing and proposed site,

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with the base flood elevation (BFE) and flood zone type clearly labeled. In addition, show the existing site topography and finish floor elevations for all existing and proposed structures. The topographic survey shall be based on NAVD88. If FEMA has not defined a BFE, a site-specific hydraulic analysis will be required to determine the BFE prior to deeming the application complete (CMC Sec. 34-32.b2).

- Flood zone boundaries and floodwater surface elevation. If the property proposed to be developed is within or adjacent to the 100-year flood zone (Zone A or AE) or the National Flood Insurance Program, Flood Insurance Rate Map, the extent of Zone A or AE shall be clearly drawn and the 100-year flood water surface elevation shall be shown. Show the approximate location of the Floodway Boundary as shown on the latest edition of the "Flood Boundary and Floodway Map" published by the Federal Emergency Management Agency.

46.PARKING AND ACCESSIBILITY PLAN

Provide a parking and accessibility plan set that clearly demonstrates compliance with applicable parking and accessibility requirements for all multi-family, non-residential, and mixed-use developments. The plan shall be prepared by a qualified design professional (e.g., licensed architect or civil engineer) and include:

- A parking layout with each parking stall individually numbered
- Identification of parking by use through shading or color-coding (e.g., residential, guest, commercial, office, employee)
- Location and quantity of required and provided parking
- Accessible paths of travel from all buildings to the public right-of-way
- Accessible parking stalls and loading areas
- Accessible routes to common areas, including trash enclosures and open space
- Accessible electric vehicle parking (if applicable)
- Accessible dwelling units or tenant spaces, as applicable
- Details indicating compliance with the parking lot landscaping requirements in CMC Chapter 19.124.

47.FLOOR PLANS.

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

- A depiction of any walls to be removed and/or modified (existing buildings);
- Clear delineation and square footages of areas attributed to residential, non-residential, and shared use, garages, parking areas, and amenity spaces.
- Labels for any underground areas.
- Labeled affordable (BMR) units.
- Labeled use of each room (bedroom, kitchen, office, warehouse, etc.).
- Finished floor elevations.
- Seating layout (depictions of chairs, benches, bleachers, tables, etc.) for restaurants and assembly spaces.
- If structured parking is provided, include the location and dimensions of parking spaces, tire stops, back-up area, safe pedestrian paths to building entrances, loading areas, parking labels (e.g., reserved, compact, EV only, etc.), location of ADA spaces (as required), and circulation patterns. Parking stall details shall be provided for each parking type.

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48. UNIT FLOOR PLANS.

Provide floor plans for each unit type. Each unit should be labeled and fully dimensioned, with a summary of the total square footage for each area (e.g., bedrooms, living room, kitchen, etc.). Unit plans must include the dimensions and square footage of any proposed private open space and should show all functional and mechanical components of the building including kitchen appliances, fixtures, water heaters, electric vehicle chargers.

49. FLOOR AREA DIAGRAMS

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

50. BUILDING ELEVATIONS.

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

- Topography with natural, existing, and proposed grades accurately represented with elevation benchmarks to show building height to show the relationship of the building to the site and adjacent properties.
- Complete vertical and horizontal dimensions with elevation benchmarks from all points above natural, existing, and finished grade or other points specified through the applicable specific plan, including maximum structure height, wall and ceiling heights, and finished floor.
- Delineation between existing and proposed construction (for additions and alterations) through use of lines, shading, and/or notes.
- Any applicable building envelopes (CMC Section 19.28.070) or building planes (General Plan Figure LU-2).
- Window heights measured from finished floor to bottom of windowsill.
- Labels for materials, details and dimensions of features including door and window treatments, railings, stairways, handicap ramps, trim, fascia, soffits, columns, fences, parapets, visible plumbing, electrical meters, building mounted exterior lighting, vents, gutters, downspouts, scuppers, external air conditioning equipment, and method of screening of mechanical equipment.
  - Provide a section detail showing height of equipment in relation to the height of the proposed screen structure.
- Provide wall sections at scale to clarify detailing and building section details showing depth of reveals, projections, recesses, etc., as appropriate.

51. MASSING DIAGRAM (AB1214)

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

52. PHOTO-SIMULATIONS.

For all projects, provide, in color and to scale, 1) at least two digital photo-simulations of the site with and without the project, taken from various points off-site with the best visibility of the project, and 2) a streetscape drawing illustrating the proposed project and adjacent buildings on properties on either side as viewed from the public street. Include a key map showing the location where each photo was

taken.

Additionally, for projects within the Residential Hillside zoning district, provide labeled photo-simulations of the project site with and without the project, taken from the intersections listed in CMC Section 19.40.050 F, with a key/legend identifying the location where each photograph was taken.

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

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

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

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

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

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

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58. DENSITY BONUS.

For residential projects proposing a Density Bonus and/or subject to the City's Inclusionary Housing Ordinance (projects with 5 or more units), provide a Below Market Rate (BMR) Housing Plan that illustrates the proposed location of BMR units within the project site and an associated summary table specifying the total number of proposed affordable housing units by unit type (e.g., 1-bedroom, 2-bedroom, etc.), area in square feet, and affordability level(s).

59. PRELIMINARY TRASH MANAGEMENT AND MAIL DELIVERY PLAN.

Provide a preliminary trash management plan and mail delivery plan depicting the location of all refuse enclosures and showing the route and turning radius of trash collection trucks and the locations of proposed mailboxes or mail rooms, which have been approved by the local United States Postal Service Postmaster (provide written proof of USPS approval).

Refer to Chapters 6.24, 9.16, and 9.18 of the Municipal Code for requirements related to Garbage, Recycling and Organic Waste Collection. Contact the Environmental Services Division's main line at (408) 777-3236 for coordination with Recology, the City's waste collection company.

60. SITE CROSS-SECTIONS.

Provide a minimum of two perpendicular site cross-sections through critical portions of the site and extending 50 feet beyond the property line onto adjacent properties. Sections must drawn at a 1:1 scale (same scale used for both vertical and horizontal axis), with a noted and graphic bar scale, and include existing topography, slope lines, final grades, location and height of existing and proposed structures, fences, walls, roadways, parking areas, landscaping, trees, and property lines. Section locations must be identified on the Site Plan.

For sites with boundaries longer than 100 linear feet, provide one additional cross-section for each additional 100 feet of boundary length.

61. TREE SURVEY.

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

62. LANDSCAPE PLANS.

Provide landscaping plans drawn to scale by a licensed Landscape Architect. The plans must incorporate the existing and proposed property lines, proposed Grading Plan information, and shall include:

- A final planting plan showing an accurate representation of plant materials within three years for preserved and proposed trees, shrubs, lawn, groundcover areas, stormwater treatment areas,

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hardscape, and site furnishings.

- A landscape legend with a list of proposed plant materials (indicate both Latin and common name), including size, spacing, total quantities, and mature height and spread of materials.
- Size, species, trunk location, and canopy of all existing trees (6" in diameter or larger) on-site and on abutting property that could be affected by the project. Identify trees to remain and to be removed.
- Any tree proposed as mitigation for the removal of a protected tree shall be identified as a replacement tree, consistent with the requirements on CMC Chapter 14.15.
- The location of existing and proposed utility lines and utility structures screened back, but legible.
- The location, dimensions, and square footage of any proposed common open space.
- The location and screening of any above ground utilities and bio-swales or other stormwater treatment areas.
  - 1:10 scale cross sections showing the planting within the bio-swales and screening of above ground utilities.
- Location and details and/or manufacturers catalogue cuts of walls, fences, paving, decorative planters, trellises, arbors, and other related site improvements.
- Color and materials submittal for all special paving, hardscape treatment, walls, landscape lighting, and site furnishings.
  - Enlarged details (minimum of 1:10 scale) for focal points and accent areas.
- Details indicating compliance with the parking lot landscaping requirements in CMC Chapter 19.124.
- A note indicating that the proposed landscaping has been coordinated and is consistent with the Stormwater Plan.
- A note signed and dated by project Landscape Architect that plans comply with all City standards.
- A note indicating that a fully automatic irrigation system will be provided.

63. PRIVACY SCREENING PLAN.

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

64. OPEN SPACE PLAN.

Provide an open space plan identifying the "usable open space" locations and area calculations. For any amenity spaces, please include the location and type of any onsite furniture (e.g., benches, tables, chairs, etc.), trash cans, bicycle storage, bike racks, etc.

65. FENCE PLAN.

Provide a scaled fence plan showing the location, height, and type of all fences and walls. If fences exceeding allowed heights are proposed, a fence waiver shall be provided, as outlined in CMC Chapter 19.48.

66. GRADING AND DRAINAGE PLAN.

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

- All information outlined in the City's Grading and Drainage Plan Application Checklist.
- Topography, spot elevations, building, and site features within 50 feet.

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- Natural grade, as established through grading plans approved with any past subdivision or, if a new subdivision is proposed, the existing and proposed natural grades.
- Existing and proposed contours which can be easily differentiated (2ft intervals if slope is 10% or less, 5 ft intervals for slopes greater than 10%)
- Source and date of the contour and spot elevation information.
- Slope ratio.
- Existing and proposed building height.
- Limits of cut and fill and maximum depth.
- Cross-sections of the areas of greatest cut and greatest fill to scale (1":20')
- All existing and proposed retaining walls with material and top of wall /bottom of wall elevations.
- Square-footages of new impervious/pervious areas.

67. PRELIMINARY STORMWATER CONTROL PLAN.

For projects other than single family residential projects, that create or replace 5,000 square feet of impervious surface or single-family residential projects that create or replace 10,000 square feet of impervious surface, provide a preliminary stormwater control plan, prepared by a Registered Civil Engineer, that shows each drainage management area and how stormwater runoff from each area will be treated, including a summary table. The plan shall include:

- Location and size of new and replaced impervious surface.
- Directional surface flow of stormwater runoff.
- Location of proposed on-site storm drain lines.
- Type and location of proposed site design measures, source control measures, and stormwater treatment measures.
- Type and location of proposed hydromodification management measures (if applicable).
- Calculations supporting the sizing of the stormwater treatment facilities.

68. UTILITY PLAN.

Provide a utility plan, prepared by a qualified engineer, that includes:

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

69. EMERGENCY ACCESS PLAN.

Provide an emergency access plan showing fire truck access routes and points of aerial access in compliance with Santa Clara County Fire District Standards and Templates , the location of existing and proposed fire hydrant(s), and a cross section showing where points of aerial access would occur and how the fire department truck ladder would reach the required points of ingress/egress as applicable. Provide documentation of applicable fire prevention and suppression features (i.e., fire sprinklers, fire alarms, etc.) as specified by the Santa Clara County Fire District Standards and Templates.

70. CONSTRUCTION STAGING AND PHASING PLAN.

Provide a construction staging plan, coordinated with the required narrative construction management plan, depicting a proposed truck route map, types of construction equipment to be used, routing of construction vehicles, staging areas, construction fencing, and on-site construction worker parking.

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Additionally, provide a construction phasing plan depicting and describing the proposed phasing of the project, including, as applicable, the separate components of the proposed project (e.g., townhomes and apartments), and identifying major milestones (i.e., issuance of demo/grading/building permits, certificate of occupancy, etc.).

71. TENTATIVE MAP.

If a subdivision is proposed, provide a Tentative Map, prepared by a Registered Civil Engineer or Licensed Land Surveyor. The plan shall comply with the City's subdivision ordinance (CMC Title 18) and shall include:

- A title which shall contain the subdivision number, name, and type of subdivision.
- Name and address of legal owner, subdivider and person preparing the map (include professional license number).
- Date, north arrow, scale, and contour interval.
- Land Use (existing and proposed)
- Vicinity Map showing roads, adjoining subdivisions, cities, creeks, railroads, and other data sufficient to locate the proposed subdivision and show its relation to the community.
- Existing Assessor's Parcel Numbers.
- Original lot boundaries with lot numbers, as shown on earlier tracts or parcel maps (or names of record owners for unsubdivided land), within and adjacent to boundary of proposed land division.
- Existing and proposed lot line dimensions (bearings and distances) and lot line locations.
- Existing easements with widths, locations, type, and sufficient recording data to identify the conveyance (book and page of official records). Indicate whether the existing easement is to remain or to be quitclaimed. For public easements to be quitclaimed, provide letters from the appropriate public utility agency stating no objection to the proposed quitclaim.
- Locations, names, and widths of proposed easements and roadway dedications.
- Lot area with density per gross acre for each parcel (net square footage).
- The location, width, improvement status, purpose, and names of all existing or platted streets (including distance to nearest intersecting street), easements, railroad rights-of-way, other public ways, and buildings within or adjacent to the parcel.
- The cross sections of proposed streets showing roadway widths and sidewalk location and width.
- All parcels of land intended to be dedicated for public use or reserved for the use of property owners in the proposed subdivision, together with the purpose of any conditions or limitations of such reservation.
- Existing trees, type, diameter at breast height (DBH) and indicate drip line/canopy. Any trees proposed to be removed shall be clearly indicated.
- The location and outline of all existing structures, identified by type. Buildings to be removed shall be clearly indicated.
- Exhibits indicating compliance with objective zoning standards (e.g., minimum lot sizes, lot widths etc.).
- Areas subject to inundation or storm water overland flow. Width and direction of flow for each water course should be shown with approximate location.

72. PHOTOMETRIC PLAN.

Provide a photometric plan, prepared, stamped and signed by a licensed professional engineer qualified in outdoor lighting, depicting the location and heights of all existing and proposed outdoor and building-mounted lighting fixtures. The plan shall be provided as a maximum ten-foot by ten-foot

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grid of both the initial and maintained lighting levels on the site, including any impact on adjacent properties.

PLANNING APPLICATION ACKNOWLEDGEMENT FORM

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

1. Application fees are non-refundable. For applications subject to the cost recovery procedure and policy, a Reimbursement Agreement must be entered into proir to application processing, and that the initial deposit is an estimate of these charges and not the application fee.

2. Any material misrepresentation, omission of relevant information, or submission of false or misleading information may constitute grounds for denial, suspension, modification, or revocation of an approved land use entitlement, permit, or other discretionary approval.

3. If an application is deemed incomplete, revised application materials must be submitted within 90 calendar days after notification of incompleteness, or the application shall be deemed withdrawn without refund of application fees.

4. An application for a development permit is not deemed submitted for the purposes of the Permit Streamlining Act until all required materials have been received and all fees have been paid.

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

6. The application is subject to review by the Public Works Department and must include public improvement requirements associated with the proposal.

7. The Property Owner authorizes City staff to visit the project site and to take photographs and/or videotape that may be shown at a public meeting.

8. The information submitted with the development application is true and correct to the best of my knowledge.

9. I declare under penalty of perjury that I am the owner of said property or have Power of Attorney (attach copy) from said property owner.

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

X _____

Applicant's Signature | Print Applicant's Name | Date

X _____

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

INDEMNIFICATION CLAUSE ACKNOWLEDGEMENT

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

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

application, is located at the following address _____.

1. The Applicant agrees, as part of the application, to the fullest extent permitted by law, to indemnify, defend with attorneys of the City's choice, and hold harmless the City and its officers, employees, and agents (collectively, the "indemnified parties") from any liability, claim, action, cause of action, suit, damages, judgment, lien, levy, or proceeding (collectively referred to as "proceeding") brought by a third party against the one or more of the indemnified parties or one or more of the indemnified parties and the Applicant related to any Ordinance, Resolution, or action approving the project, the related entitlements, environmental review documents, finding or determinations, or any other permit or approval authorized for the project. This indemnification is intended to include but not be limited to damages, fees, and costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities, and expenses incurred in connection with such proceeding whether incurred by the Applicant, the City, or the parties initiating or bringing such proceeding.

2. The Applicant agrees to (without limitation) reimburse the City its actual attorneys' fees and costs incurred in defense of the litigation. Such attorneys' fees and costs shall include amounts paid to the City's outside counsel and shall include City Attorney time and overhead costs and other City staff overhead costs and any costs directly related to the litigation reasonably incurred by City. The applicant shall likewise indemnify, defend, and hold harmless the indemnified parties from and against any damages, attorneys' fees, or costs awards, including attorneys' fees awarded under Code of Civil Procedure section 1021.5, assessed or awarded against the indemnified parties. The Applicant shall cooperate with the City to enter a Reimbursement Agreement to govern any such reimbursement.

3. The Applicant agrees to (without limitation) reimburse the City for all costs incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by a proceeding challenging the project approvals and related environmental review, if the Applicant desires to continue to pursue the project.

4. The Applicant agrees to indemnify the City for all of the City's costs, fees, and damages incurred in enforcing this Indemnification Agreement.

5. In the event that the Applicant is required to defend the City in connection with such proceeding, the City shall retain the right to approve:
   a. The attorneys selected to defend the City;
   b. All significant decisions concerning the manner in which the defense is conducted; and
   c. Any and all settlements. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the Applicant in the defense of the proceeding.

6. The defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

7. The Applicant agrees that City shall have no liability to the Applicant for business interruption, punitive, speculative, or consequential damages.

_____
Print Name, Title

X _____
Signature

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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SECTION I

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

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

☐ The development project proposed in this application **is** contained on the lists compiled pursuant to Section 65962.5 of the CA Government Code. ***(If you checked this box, please complete Sections II, III, and IV.)***

SECTION II

APPLICANT NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROPERTY OWNER NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROJECT SITE INFORMATION:

PROJECT SITE ADDRESS: _____

LOCAL AGENCY (CITY AND COUNTY): _____

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

SECTION III

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

REGULATORY IDENTIFICATION NUMBER: _____

DATE OF LIST: _____

SECTION IV

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

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

CITY OF CUPERTINO

PUBLIC NOTICE & OUTREACH

Community Development Department
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PLEASE NOTE:

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

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

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

X _____

Applicant's Signature | Print Applicant's Name | Date