





CUPERTINO

# 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

Project Address	APN(s)
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PROPERTY OWNER		APPLICANT	
Name		Contact Person / Company	
Address		Address	
City		City	
State	Zip	State	Zip
Phone ( )	Email	Phone ( )	Email
Property Owner Signature _____ Date _____		Applicant Signature _____ Date _____	

### Brief Project Description

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*I certify that the foregoing statements are true and correct to the best of my knowledge. I understand that a misrepresentation of any submitted data may invalidate an approval by the Director of Community Development, Design Review Committee, Planning Commission or City Council of this application. I understand that the application may be withdrawn if my authorized representative or I am not present at the scheduled meeting(s) unless a written request for postponement has been presented to the applicable review body. I have discussed this application with the Public Works staff and I understand the public improvement requirements associated with this proposal. I understand application fees are nonrefundable.*

**X**

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

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

**X**

Property Owner's Signature \_\_\_\_\_ Print Property Owner's Name \_\_\_\_\_ Date \_\_\_\_\_

### Staff use only:

Application accepted by \_\_\_\_\_ on \_\_\_\_\_ File No.(s): \_\_\_\_\_

Application type: \_\_\_\_\_

For Amendments or Modifications, list the original permit: \_\_\_\_\_



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# DEVELOPMENT REGULATIONS AND PROJECT DATA

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## Application Type

- Two Story Permit
  Residential Design Review  
 Minor Residential Permit  
 Extn. LNC
  Gable/Env.
  R/Y Setback
  2nd Story Deck Solar
  Slope Lot > 35% FAR

## Project Data

Existing	Proposed		
_____	_____	Net Parcel Size	_____ Zoning
_____	_____	Building Square Footage	_____ General Plan Designation
_____	_____	First Floor (includes garage and accessory structures)	
_____	_____	Second Floor (includes first floor area >16' in height from floor to rafters)	
_____	_____	Second Floor Side Setbacks (side setbacks <15' require Residential Design Review)	
_____ %	_____ %	Ratio of 2 <sup>nd</sup> Floor to 1 <sup>st</sup> Floor Area (Ratios >66% require Residential Design Review)	
_____ %	_____ %	Floor Area Ratio	
_____	_____	Landscape Area (SF)	

## Residential (R1) Development Standards

Zoning District (a)	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback (b)		Minimum Rear Yard Setback		Minimum Side Setback				Maximum Building Height	
			First Story (c)	Second Story	First Story (d)	Second Story	Interior Lot Side Setbacks					
							First Story		Second Story (e)			
							Minimum	Total	Minimum	Total		
R1-5	5,000 sq. ft.	50'	20'	25'	20'	25'	5'	10'	15'	30'	12'	28'
R1-6	6,000 sq. ft.	60'	20'	25'	20'	25'	5'	15'	15'	30'	12'	28'
R1-7.5	7,500 sq. ft.	60'	20'	25'	20'	25'	5'	15'	15'	30'	12'	28'
R1-10	10,000 sq. ft.	60'	20'	25'	20'	25'	5'	15'	15'	30'	12'	28'
R1-6e	6,000 sq. ft.	60'	20'	25'	20'	25'	5'	15'	15'	30'	12'	28'
R1-10a	10,000 sq. ft.	75'	30'	30'	20'	40'	10'	20'	15'	35'	15'	28'

- (a) Buildings in an 'i' zoning designation are limited to one story and restricted to 18'.
- (b) Recorded easements in a Title Report or Parcel/Tentative Map that result in larger setbacks take precedence over setbacks stipulated in the Ordinances.
- (c) The front yard setback for a side-loading garage with a curved driveway may be reduced to 15' (CMC Chapters 19.08.030 and 19.28.070 (E)(1)(b)).
- (d) First story rear yard setback may be reduced to 10' with approval of a Minor Residential Permit provided that the area of the rear yard is equal to or exceeds 20 times the width of the lot at the front setback line. The width of the lot is measured at 20' from the front property line (CMC Chapter 19.28.070 (E)(3)(a)(i)).
- (e) Interior side yard setbacks may be reduced to 10' subject to Residential Design Review approval (CMC Chapter 19.28.040(E)(2)).

If your applicable Zoning District is not listed above, please contact the Planning Division for additional information.



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## RESIDENTIAL FEE SCHEDULE

Community Development Department  
10300 Torre Avenue  
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(408) 777-3308 / Fax (408) 777-3333  
planning@cupertino.org  
<http://www.cupertino.org/planning>

### General Information:

Please note that permit fees are cumulative. Categorical Exemptions and Public Noticing fees are applied only once per application. An additional Filing Fee is required for every applied permit.

For example, if a project requires a Two Story Permit and a Minor Residential Permit, the fee is:

- Two Story Permit: \$4,477
- Minor Residential Permit: \$3,448
- Public Noticing: \$400
- Categorical Exemption: \$344
- County Filing Fee: \$50 x (2) = \$100

- *Estimated Total: \$8,769*

- Two Story Permit.....\$4,477
  - Two Story Permit w/ Residential Design Review.....\$5,373\*
- \*Fee requires an additional \$2,400 Architectural Consultant Deposit and a 15% City administrative fee per consultant invoice (not included in the amount shown).

- Minor Residential Permit.....\$3,448
- Indicate Type:
- Extn. LNC     Gable/Env.     R/Y Setback     2nd Story Deck Solar     Slope Lot > 35% FAR

### Miscellaneous

- Categorical Exemption.....\$344
- County Filing Fee (per permit).....\$50
- Public Noticing (min.).....\$400



# PUBLIC WORKS CONFIRMATION FORM

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

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

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

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

PROJECT ADDRESS: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

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

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

## REQUIREMENTS

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

COMMENTS: \_\_\_\_\_

SIGNATURE

TITLE

DATE



# INDEMNIFICATION CLAUSE ACKNOWLEDGEMENT

Community Development Department  
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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