



**COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

CITY HALL  
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255

**MEMORANDUM**

To: Applicant for TM-2024-004, ASA-2024-009, TR-2024-031  
From: Gian Paolo Martire, Senior Planner  
Date: 9/12/2024

Subject: CGC Section 65941.5 Applicant Notification of Timelines

In accordance with California Government Code (“CGC”) Section 65941.5, this letter serves to notify you of the review timelines, public notice requirements for this project, and the provisions of CGC Section 65961.

**Development Permit Application Completeness and Consistency Reviews**

- Within 180 calendar days of submitting a preliminary application with all information required by subdivision (a) of Section 65941.1 to the City, the applicant shall submit an application for a development project (“formal application”). (CGC § 65941.1(d)(1))
- Not later than 30 calendar days after the City has received a formal application, the City shall determine in writing whether the application is complete. (CGC § 65943(a))
- If the City determines that the application for the development project is not complete, the applicant shall submit the specific information needed to complete the application within 90 days of receiving the City's written identification of the necessary information. If the applicant does not submit this information within the 90-day period, then the preliminary application shall expire and have no further force or effect. (CGC § 65941.1(d)(1))
- Not later than 30 calendar days after receipt of the submitted materials, the City shall determine in writing whether the application as supplemented or amended by the submitted materials is complete. (CGC § 65943(b))
- If the application together with the submitted materials are determined not to be complete, the applicant may appeal that decision in writing to the Planning Commission. (CGC § 65943(c); CMC 19.12.040(F))
- There shall be a final written determination by the City on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. (CGC § 65943(c))
- Within 30 days of an application for a housing development project being determined to be complete, if the housing development project contains 150 or fewer housing units, or

within 60 days of an application for a housing development project being determined to be complete, if the housing development project contains more than 150 units, the City shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity. (CGC § 65589.5(j)(2)(A))

### **Public Hearing Decision and Noticing**

- The City shall approve or disapprove the project within the timelines outlined in CGC Section 65950.
- Public notice of hearing shall be given by publication once in a local newspaper of general circulation not less than ten days prior to the date of the hearing as provided in CGC Section 65090.
- The City shall mail written notice by first class mail to 1) Each owner of record of real property within the noticing radius identified in Section 19.12.030 of the exterior boundary of the property for which the application is made as the owner of record is shown in the last tax assessment roll pursuant to Section 65091 of the California Government Code; 2) Owner(s) of subject site or his or her authorized agent; 3) Project applicant(s); 4) Local agencies expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the proposed project; 5) Any individual or entity that has filed a written request with the City Clerk requesting notification of public hearings.
- The City shall provide noticing in accordance with Cupertino Municipal Code Section 18.16.030 and 18.16.040 for projects involving subdivision maps.
- The applicant shall install notice(s) on the subject site that is/are clearly visible and legible from the right-of-way in accord with the requirements of Cupertino Municipal Code Section 19.12.110.