



SB330 PRELIMINARY APPLICATION

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

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

PLEASE NOTE:

This application is not a development application and is strictly for the purposes of Senate Bill 330, the Housing Crisis Act of 2019. To initiate project review for a development project this application may be submitted as a supplemental application along with a Preliminary Review or a General Planning Application.

Changes to Preliminary Applications

If the applicant revises the project such that the number of residential units or square footage of construction changes by 20 percent or more, the preliminary application will not be deemed to satisfy this section until the development proponent resubmits the required information.

Incomplete Preliminary Applications

If the City determines that the preliminary application for the development project is incomplete, the applicant must submit the specific information needed to complete the application within 90 days. 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.

Submittal of Formal Development Application

The applicant shall submit a formal application for a development project within 180 calendar days of submitting a complete preliminary application. If the City determines that the application for the development project is incomplete, the applicant shall submit the specific information needed to complete the application within 90 days. If the development proponent does not submit this information within the 90-day period, then the preliminary application shall expire and have no further force or effect.

Applicability of Ordinances, Clauses, and Standards

Subject to Government Code Section 65589.5 and 65941.1, a housing development project shall be subject to only the ordinances, policies, and standards adopted and in effect when a preliminary application including all of the information required by subdivision (a) of Section 65941.1 was submitted except under the following circumstances:

- The project does not commence construction within 30 months of the project's site permit being issued
- The project increases by more than 20% in the number of units or total square footage beyond the preliminary application, except as the project may be revised using the State Density Bonus
- The requirement is necessary to avoid an adverse impact to public health or safety as defined in state law
- The requirement is necessary to avoid or lessen an impact under CEQA
- Development impact fees, application and permit processing fees, capacity or connection fees, or other changes may be annually adjusted based on an independently published cost index

Fees

No additional fee will be required to submit a SB330 Housing Development Application. Fees for the associated General Planning Application shall be assessed according to the most recently adopted Planning Department Fee Schedule at time of application. Please note that associated General Planning Application may be subject to a Reimbursement Agreement. The City's Fee Schedule is available online at www.cupertino.org.

STAFF USE

APPLICATION ACCEPTED ON _____ ACCEPTED BY _____

APPLICATION NO(S): _____

FOR AMENDMENTS OR MODIFICATIONS, LIST THE ORIGINAL PERMIT _____



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APPLICANT INFORMATION

APPLICANT NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROPERTY OWNER NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

EMAIL _____

PHONE _____ PHONE (M) _____

PROJECT INFORMATION

PROJECT SITE ADDRESS _____

ASSESSOR'S PARCEL NUMBER(S) _____

GENERAL PLAN DESIGNATIONS _____

ZONING DESIGNATIONS _____

BRIEF DESCRIPTION _____

SIGNATURES

I am submitting a preliminary application for a residential or mixed-use project under the Housing Crisis Act (SB 330). I understand that the information provided pursuant to this preliminary application shall become null and void under any of the following circumstances:

- Revisions to the project cause the number of residential units or square footage of construction to change by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus;
- The City deems the preliminary application incomplete, and I do not provide the required information to make a complete application within a 90-day period of receiving the City's written identification of the necessary information;
- The City deems the preliminary application complete, and I do not submit a formal application for a development project within 180 days of submitting the complete preliminary application;
- The City deems the preliminary application complete, and I submit an incomplete formal development application and do not provide the required information to make a complete development application within 90 days of receiving the City's written identification of the necessary information.
- Construction does not commence within 30 months of building permit issuance.

X

Applicant's Signature _____ Print Applicant's Name _____ 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.

X

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



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1. Existing Use		
2. Is a site plan showing the buildings' locations on the property, and approximate square footage of each building that is to be occupied attached?	YES	NO
3. Are elevations showing the design, color, material, massing, and height attached?	YES	NO
4. Proposed Use		
5. Is any portion of the property located within any of the following? If yes to any, please describe:		
(A) A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178.	YES	NO
(B) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).	YES	NO
(C) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code.	YES	NO
(D) A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.	YES	NO
(E) A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.	YES	NO
(F) A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code.	YES	NO



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PROJECT INFORMATION	6. Will the project impact a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? If yes, provide a site map showing the stream(s) or other resource and provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.	YES	NO
	7. Is any portion of the property subject to any recorded public easement, such as easements for storm drains, water lines, and other public rights of way? If yes, provide a site map or list indicating the location of all such public easements.	YES	NO
	8. Does the project include any point of sources of air or water pollution? If so, please list them below:	YES	NO
	9. Are any species of special concern known to occur on the property? If so, please list them below:	YES	NO
	10. Are any historic or cultural resources known to exist on the property? See the list of Historic Sites, Commemorative Sites, Community Landmarks, and Historic Mention Sites in the General Plan. If so, please list them below:	YES	NO
	11. Will the project require any approvals under the Subdivision Map Act, such as a parcel map, a tentative map, or a condominium map. If yes please describe below:	YES	NO
	12. Will the project proponent seek Density Bonus units, incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915? If yes, please describe:	YES	NO



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13. GENERAL PROJECT DATA. Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals).

	Residential	Non-residential	Total
Total Units proposed			
Floor Area (Zoning)			
Sq. Ft. of Construction			

14. RESIDENTIAL DWELLING UNIT COUNT. The number of proposed below market rate units and their affordability levels. Please indicate the number of dwelling units proposed, including a breakdown of levels of affordability, set by each income category.

	Number of Units	Total Sq. Ft.
Market Rate		
Manager's Unit (s) – Indicate level of affordability: MR, ELI, VLI, Low, Moderate		
Extremely Low Income		
Very Low Income		
Low Income		
Moderate Income		
Total No of Units		
Total No of Affordable Units		
Total No of Density Bonus Units		

15. EXISTING SITE CONDITIONS. Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing			
To be demolished			

16. PARKING. The proposed number of parking spaces.

	Residential Ratio	Residential Stalls	Non-residential Ratio	Non-residential Stalls
Automobile Parking				



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OPTIONAL ADDITIONAL INFORMATION

In order to enable staff to provide useful feedback, it is recommended that additional information beyond the minimum requirements be provided for review. The following items will not be used to determine completeness. However, these items are recommended in order to enhance staff's understanding of the project and help you assess project readiness. For a comprehensive submittal and to help you prepare for the formal application submission, please also review the submittal requirements of the General Application form:

1. Additional information, to be placed on the Cover Sheet:

- A preliminary Building Code analysis, including occupancy classification and type of construction
- For multi-family residential or mixed-use residential projects, statistics: density (dwelling units per net acre), unit breakdown (percentage studio, one-bedroom, two-bedroom, etc.), common open space, private open space, storage area per unit
- A context map indicating all adjacent land uses, structures, driveways, parking areas, trees, and drainage courses on the site and within a minimum of 50 feet of the perimeter of the site.
- Additional development statistics:

Development Information	Allowed	Proposed
Gross Lot Area		
Net Lot Area		
Floor Area Ratio		
Lot Coverage		
Number of Stories		
Front Setback		
Rear Setback		
Side Yard Setbacks		
Solar Setback		

2. Additional information, to be placed on the Site Plan: Please note that illegible or inadequate plot plans cannot be accepted and must meet the following minimum standards for a formal submission.

- Property lines, including dimensions of the subject property and dimensions of all existing lot lines
- Scale of 1/8" = 1 foot. Large sites (over 2 acres) may use a scale of 1/16" = 1 foot. However, site plans at key areas must be provided at a scale of 1/8" = 1 foot.
- North Arrow oriented to the top of the page
- Location: Site address, legal description and APNs
- Use of all adjacent properties, including locations of any buildings and roads within 50 feet
- Topography – Existing topography and proposed grading extending 50 feet beyond the property at 2 foot contour intervals for slopes up to 10% and less than 5 feet in height; and contour intervals of 5 feet for slopes over 10% or greater than 5 feet in height. Include spot elevations, pad elevations, and show all retaining walls with TOW/BOW elevations.
- Area calculations – for all structures, landscape area, common and private open space, lot coverage etc.
- Floor Area calculations
- Proposed off-street parking, loading, and circulation areas; and alleys and driveways
- Proposed and existing pedestrian ways and recreation areas
- Site constraints including known earthquake faults, riparian corridors, Ridgeline, slope instability, inundation and flood prone areas.
- Adjacent street rights-of-way and proposed street improvements
- Signing and striping of street frontage
- Location of existing and proposed on-site lighting features
- Existing trees with trunk locations and accurate canopy outline shown.



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- The proposed removal of any trees. Trees proposed for removal must be clearly delineated.
 - All fire hydrants within 50 feet of the project site
3. Floor plan(s) showing the intended use of each area and the location and dimension of exterior doors and windows
 4. Elevations indicating materials used, heights of buildings and architectural details.
 5. An arborist report and tree survey plan indicating existing and proposed site features, and the following information:
 - Diameter of tree trunk(s) measured at 4.5 feet from grade (DBH) located on plan with accurate canopy outline
 - Summary table identifying botanical designation, DBH, and elevation of trees at ground level
 - Proposed disposition of all existing trees on the site
 6. A landscape plan, indicating the location, spacing, size, quantities, and botanical designations of all existing and proposed on-site landscaping; required right-of-way planting, identified as such; and all existing and proposed trees
 7. If grading is required for the project, please include grading plans. Use the grading plans approved with any past subdivision to indicate the natural grade and how the proposed project meets height requirements based on this. If a new subdivision is proposed, please indicate the existing and proposed natural grades. Grading shall comply with requirements of Chapters 16.08 and 18.52 of the Cupertino Municipal Code, as applicable. Show the relationship of the project to the building and site features within 50 feet. The plan shall include:
 - a. Proposed building footprints, pad elevations and building height
 - b. 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%)
 - c. Spot elevations of survey points
 - d. Source and date of the contour and spot elevation information
 - e. Limits of cut and fill
 - f. Grading Quantities (Cut and Fill Cubic Yards)
 - g. Cross-sections of the areas of greatest cut and greatest fill to scale (1":20')
 - h. Topography and elevation of adjoining parcels (for a minimum of 50')
 - i. Slope ratio
 - j. Show all existing and proposed retaining walls with Top Of Wall /Bottom Of Wall elevations.
 8. Drainage plans showing spot elevations, pad elevations, existing catch basins, and direction of proposed drainage, including approximate street grade, existing and proposed storm drain locations and storm water treatment facilities.
 9. Any other documentation that may be helpful to enhance staff's understanding of the project and help you prepare for the formal development application submission such as a Historic Resource Assessment, Biological Survey and Impact Assessment, Phase I or II Environmental Site Assessment, Tree Report, or Title Report.



HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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SECTION I

I have consulted the Hazardous Waste and Substances Site List compiled by the California Environmental Protection Agency and hereby 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 State 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 State Government Code. (*If you checked this box, please complete Sections II, III, and IV.*)

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

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

PROJECT SITE ADDRESS: _____
LOCAL AGENCY (CITY AND COUNTY): _____
ASSESSOR'S BOOK, PAGE, AND PARCEL NUMBER(S): _____
SPECIFY LIST(S) (PURSUANT TO SECTION 65962.5 OF THE GOVERNMENT CODE): _____

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