



PLANNING APPLICATION

City Use Only

Application Number: _____ Project Planner: _____

Project Description: _____

Project Address _____ APN _____

Owner Name _____

Owner Address _____

Owner Phone _____ Email _____

Applicant Name (if different than owner) _____

Applicant Address _____

Applicant Phone _____ Email _____

Project Description _____

I, the undersigned, under penalty of perjury, hereby declare that all the facts, maps, documents and other information submitted herewith are true, correct, and accurate to the best of my knowledge and belief.

I agree to indemnify, hold harmless and defend the City from any and all costs and expenses, including but not limited to attorney's fees incurred by the City or held to be the liability of City in connection with City's defense in any proceeding brought in any State or Federal Court or any administrative agency, challenging the City's actions or inaction with respect to this application and any amendments or revisions to this application including, but not limited to any claims concerning my authority to make this application.

I agree to pay all fees due and costs incurred in connection with review of this application (e.g. services required from City consultants, the City Attorney's office, and City staff in response to information needs, public requests. I understand that projects are deemed abandoned if a request from the City for payment of fees/costs or additional information goes without response for one hundred eighty days, and there is no refund of application fees for abandoned applications.

By my signature below, I certify that the foregoing statements are true and correct.

Signature of Property Owner

Date



PROPERTY OWNER AFFIDAVIT

I/we, the undersigned, under penalty of perjury, hereby declare and agree that I am/we (i) are the owner(s) of the property, or if the property is owned by a partnership corporation, LLC or trust that I/we are the authorized representative(s) of that entity, and have all authority required to sign this document; (ii) approve the filing of this application; and (iii) authorize the applicant named above to take all actions the applicant deems appropriate in connection with moving forward with this application and any amendments thereto, sign all further documents (except as otherwise required by law), communicate with City Staff, and be the recipient of all formal notices concerning this application.

I/we agree to indemnify, hold harmless and defend the City from any and all costs and expenses, including but not limited to, attorney's fees incurred by the City or held to be the liability of City in connection with City's defense in any proceeding brought in any State or Federal Court or administrative agency arising from any claims concerning my/our ownership of the property or authority to execute this affidavit.

By my/our signature(s) below, I/we certify that the foregoing statements are true and correct.

Signature of Property Owner

Date

Signature of Property Co-Owner
(If applicable)

Date



FEE DEPOSIT AGREEMENT

As the applicant/agent, for the application, I hereby agree to maintain funds on deposit with the City in connection with the City of Saratoga's application review process. I understand that application related charges include non-refundable flat fees and may include the cost of services charged by City consultants, surcharges applied for City overhead, and other fees. All fees and deposits will be charged and required only in accordance with the City's fee schedule in effect at the time the fee is charged, or deposit required.

I understand that the initial deposit amount is an estimate. One or more additional deposits may be required if the initial deposit is not sufficient to cover the time and expenses associated with processing the application.

Review Type	Initial Deposit
Arborist Review	\$1,500
Engineering Review	\$3,500
Geotechnical Review	\$5,000
Planning Consultant Review/Complex Project	\$5,000-\$20,000

The owner and agent will be notified if staff determines that additional funds will be required to continue processing the application. I understand that staff will cease processing my application when all deposit funds are used and that my application will be considered abandoned if I fail to provide the additional required funds within 180 days of the date of the notice. I understand that such abandonment is irrevocable and that any further consideration of the application will require filing a new application.

Any deposit funds not used will be returned to the owner by the City after final decision on all City applications for the project (when all related permits and projects are closed), withdrawal or abandonment of the application.

In case of change of ownership of the subject property, I will be responsible for any and all charges up to the time I notify the City of such a change and withdraw or transfer the application. Applications may be withdrawn by the applicant/owner at any time.

I hereby agree to this Fee Deposit Agreement.

Signature of Property Owner

Date



SB 1214 AUTHORIZATION

Application Number: _____

Owners of copyrighted architectural and post-architectural drawings (as defined by Government Code section 65103.5(f)(2)) may authorize the City to provide copies of such drawings to members of the public or display such drawings on the internet. This authorization is optional and the City will not compel such authorization. Please check one of the following:

_____ I hereby authorize the City to provide members of the public with copies of copyrighted drawings submitted to the City and the City is further authorized to post such drawings on the City's website.

_____ I decline to authorize the City to provide members of the public with copies of copyrighted drawings submitted to the City or authorize their posting on the internet, but I agree that I will provide a massing diagram or site plan as defined by Government Code section 65103.5(f) for copying and posting on the internet.

I certify that I am the owner of the copyrighted drawings and that I am duly authorized to execute this authorization form

Signature

Date

_____ Print Name

Government Code § 65103.5. Planning agencies; architectural drawings; massing diagrams

(a) In compliance with Section 65102, a local planning agency shall ensure architectural drawings that contain protected information are made available to the public in a manner that does not facilitate their copying, as provided in this section.

(b) A local planning agency may maintain official copies of each set of architectural drawings submitted to the agency. Unless permission is granted by the design professional or the owner of the copyright, if different from the design professional, if an official copy of the architectural drawings maintained by the planning agency contains protected information, that copy shall be subject to the following restrictions:

(1) It shall be open for inspection and public review only on the premises of the planning agency as a public record.

(2) It shall not be copied by a member of the public without the permission of the design professional or the owner of the copyright, if different from the design professional.

(3) A local planning agency shall not provide copies of architectural drawings or post-architectural drawings that contain protected information on the internet.

(c) Notwithstanding subdivision (b), a local planning agency may do any of the following regarding architectural drawings that contain protected information:



(1) Make copies of the architectural drawings for internal official review by the planning agency, legislative body, government agencies, or other government bodies responsible for the official review of architectural drawings.

(2) Distribute copies to members of the legislative body and members of the planning agency's governing body. Those copies shall not be required to be made available to the public pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(3) Display a copy on the internet and a copy physically on premise during a public hearing of the planning agency or legislative body where a development application that incorporates those architectural drawings is being considered by the planning commission or legislative body.

(d) A local planning agency may provide a copy of or post a site plan or massing diagram, or both, on the internet and may allow a site plan or massing diagram, or both, to be copied.

(e) Upon submission of an official copy of architectural drawings to a local planning agency, the design professional or the owner of the copyright, if different from the design professional, may also submit to the planning agency a site plan or a massing diagram for posting online or for distribution to the public, upon request. If the design professional or the owner of the copyright, if different from the design professional, elects not to submit a site plan or massing diagram upon submission of an official copy of architectural drawings to a local planning agency, permission is deemed granted for the purposes of subdivision (b) and the planning agency shall not be subject to any restrictions on the copying or distribution of those architectural documents. The planning agency, or other governing body, shall not compel such permission.

(f) For the purposes of this section, the following definitions apply:

(1) "Massing diagram" means a document that displays the three-dimensional form of a building and describes the general profile, bulk, setbacks, and size of the building, but does not contain specific architectural detail.

(2) "Protected information" means an architectural drawing that meets both of the following conditions:

(A) It is protected by the federal Copyright Act of 1976 (Public Law 94-553)¹ as amended by the federal Architectural Works Copyright Protection Act of 1990 (Public Law 101-650).

(B) It contains a copyright annotation indicating it is protected by the federal Copyright Act of 1976 (Public Law 94-553).

(3) "Site plan" means a document for a project that is drawn to scale and displays all of the following:

- (A) Property lines.
- (B) Setback lines.
- (C) Topographic lines.
- (D) Easements.
- (E) Drainage.
- (F) Utilities.
- (G) Lighting.
- (H) Driveways.
- (I) Surrounding streets and traffic flow.
- (J) Parking lots and parking spaces.
- (K) Landscaped areas.
- (L) Setback distance between buildings and property lines.
- (M) Outline of existing and proposed buildings and structures.
- (N) Distance between buildings.
- (O) Ground sign location.