



# SARATOGA

California

## Community Development Department

13777 Fruitvale Avenue

Saratoga, CA 95070

408.868.1222

**City Use Only**  
 Application Number: \_\_\_\_\_  
 Project Description: \_\_\_\_\_  
 Project Planner: \_\_\_\_\_

Project Address \_\_\_\_\_ APN \_\_\_\_\_

Owner Name \_\_\_\_\_

Owner Address \_\_\_\_\_

Owner Phone \_\_\_\_\_ Email \_\_\_\_\_

Applicant Name (if different than owner) \_\_\_\_\_

Applicant Address \_\_\_\_\_

Applicant Phone \_\_\_\_\_ Email \_\_\_\_\_

I, the undersigned, under penalty of perjury, hereby declare and agree that I am the applicant for this request, that the owner of the property has approved the filing of this application and that all the facts, maps, documents and other information submitted herewith are true, correct, and accurate to the best of my knowledge and belief.

If the application is approved, the undersigned agrees that the conditions, if any, upon which the application is approved, will be carefully observed and that the project will proceed in accordance with all City, State and Federal laws. 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 and to pay all fees due and extraordinary 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, and other circumstances not ordinarily associated with applications of this type).

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**City Use Only:**

The application has been routed to the following departments and/or agencies on: \_\_\_\_\_

- Planning
- City Arborist
- Public Works
- Geotechnical Consultant
- Santa Clara Valley Water District
- Santa Clara County Fire Department
- Other \_\_\_\_\_

Please return comments to Planning on or before: \_\_\_\_\_



### SB 1214 Authorization

**Application Number:** \_\_\_\_\_

Owners of copyrighted architectural and postarchitectural 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 postarchitectural 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)<sup>1</sup> 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.