

CC 10-18-2022

Special Meeting # 1

California Code of  
Regulations Adoption  
Ordinance – Three Year  
Code Cycle

Presentation

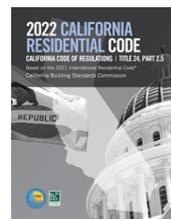
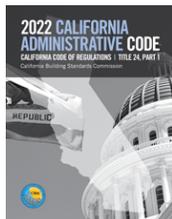
# California Code of Regulations Adoption Ordinance Three-Year Code Cycle



**CUPERTINO**

# Title-24 California Code of Regulations

- Part 1 - 2022 California Administrative Code
- Part 2 - 2022 California Building Code, Volumes 1 and 2
- Part 2.5 - 2022 California Residential Code
- Part 3 - 2022 California Electrical Code
- Part 4 - 2022 California Mechanical Code
- Part 5 - 2022 California Plumbing Code
- Part 6 - 2022 California Energy Code
- Part 7 – vacant (formerly known as the California Safety Construction Code)
- Part 8 - 2022 California Historical Code
- Part 9 - 2022 California Fire Code
- Part 10 – 2022 California Existing Building Code
- Part 11 - 2022 California Green Building Standards Code
- Part 12 – 2022 California Referenced Standards Code



# Local Amendments

- Tri-Chapter Uniform Code Committee
- Santa Clara County Fire Marshals
- Silicon Valley Clean Energy through the Bay Area Reach Codes Initiative



# Local Amendments - Changes Highlighted

## Chapter 16.02

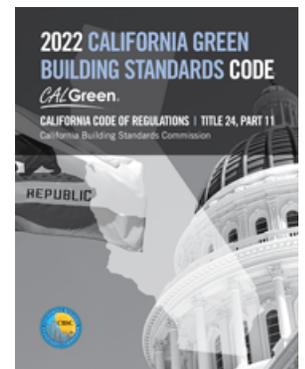
- Removes the Administrative Code requirements in the building code and places them in Chapter 16.04.
- Chapter 16.02 now acknowledges the adoption of the 2022 California Administrative Code in its entirety without local amendments.



# Local Amendments - Changes Highlighted

## Chapter 16.28

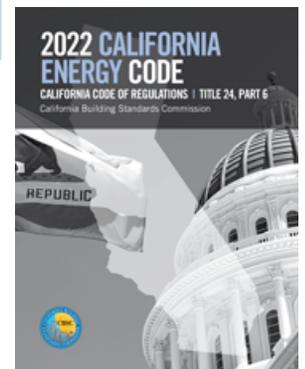
Updated to reflect the Streamlined Permitting Process for Electric Vehicle Charging Stations in compliance with AB 1236 introduced for the first reading at the October 4, 2022 City Council meeting.



# Local Amendments - Changes Highlighted

## Chapter 16.32

The All-Electric Buildings Reach Codes adopted by City Council in 2019 was relocated from the Energy Code (Chapter 16.54) to its own Chapter (Chapter 16.32) with no substantive changes made.



# Local Amendments - Changes Highlighted

## Chapter 16.40

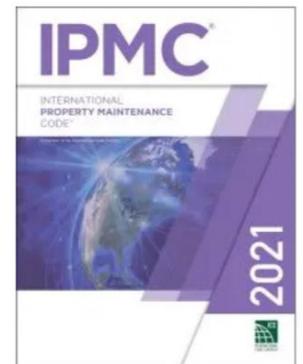
Adopts the California Fire Code with local Fire Code amendments.



# Local Amendments - Changes Highlighted

## Chapter 16.42

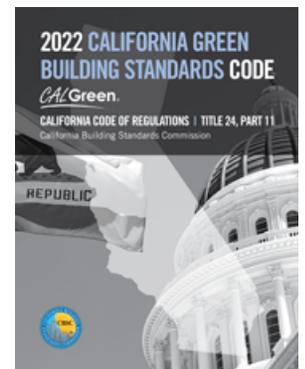
The Adoption of the 2021 International Property Maintenance Code (IPMC).



# Local Amendments - Changes Highlighted

## Chapter 16.58

Incorporates the Green Building requirements adopted by City Council in 2012 and re-adopted in 2019.





## Timelines and Next Steps...

- **July 1, 2022:** California Code of Regulations (or State Codes) were published.
- **January 1, 2023:** Eff. Date of State Codes.
- **October 18, 2022:** First reading of Ordinance.
- **November 1, 2022:** Second reading of Ordinance.
- **January 1, 2023:** Eff. Date of Local Amendments.

## Recommended Action:

1. Conduct the first reading of An Ordinance of the City Council of the City of Cupertino Amending Chapters 16.02, 16.04, 16.06, 16.16, 16.20, 16.24, 16.28, 16.32, 16.40, 16.42, 16.54, 16.58, 16.62, 16.64, and 16.68 of Title 16 of the Cupertino Municipal Code adopting the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Fire, Historical Building Code, Fire, Existing Building Code, Green Building Standards Code, Referenced Standards Code, Uniform Housing Code, and Property Maintenance Code with certain exceptions, deletions, modifications, additions and amendments”;
2. Adopt a Resolution making factual findings with respect to the local geological, topographical, and climatic conditions necessary to make local amendments to the California Building Standards Code.
3. Find the project is exempt from CEQA pursuant to 14 California Code of Regulations Sections 15061 (b)(3) and 15308.



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**Questions?**

CC 10-18-2022

Special Meeting #2

City Hall Annex

10455 Torre Ave

Presentation

# City Hall Annex

## Progress Report

18 October 2022



# OCTOBER 18

## Agenda

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1. 10455 Torre Ave, Existing Conditions
2. Programming
3. EOC program consideration
4. Contract Actions



# 1. Existing Conditions

# 10455 Torre Avenue: Existing building



# 10455 Torre Avenue: Existing building

Office



Hall



Reception desk



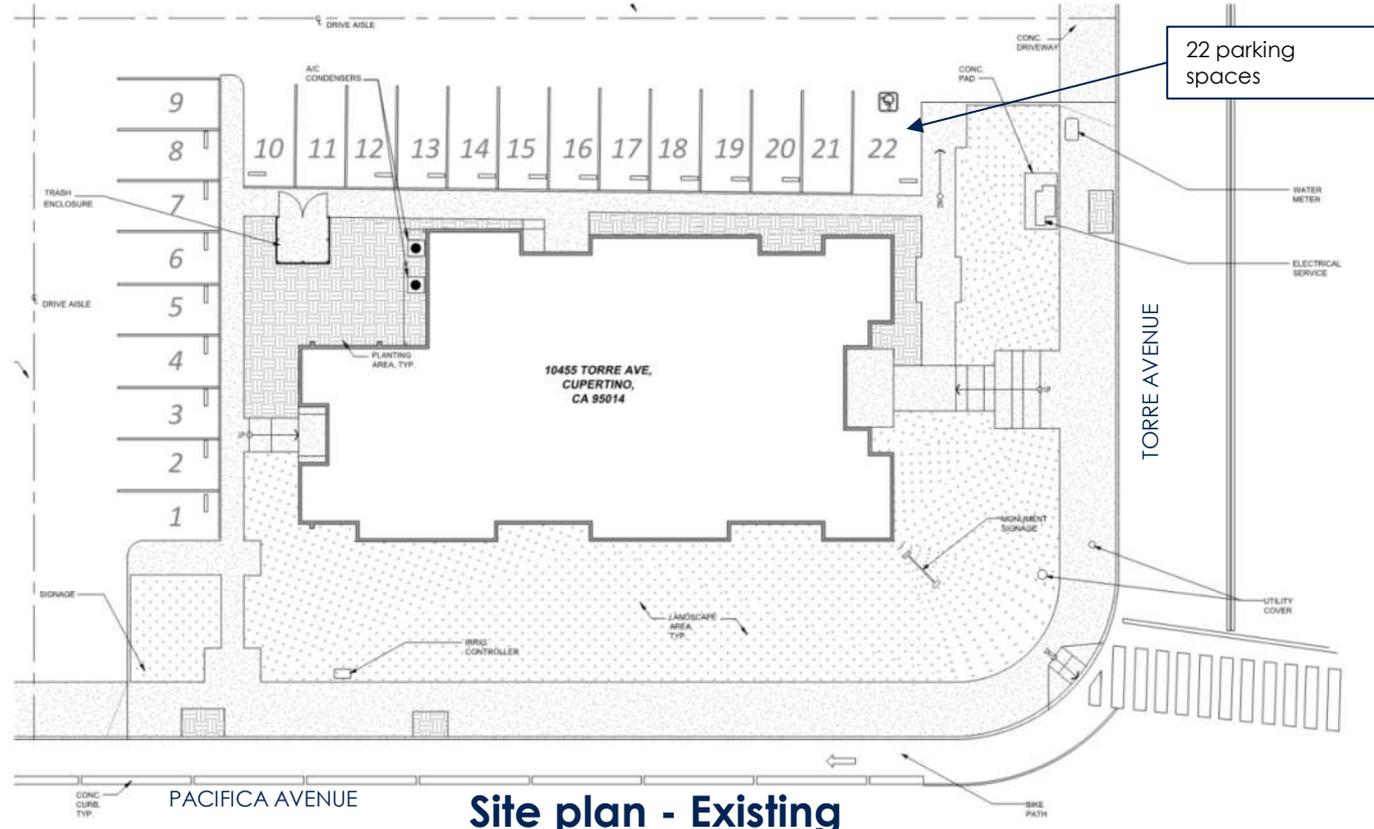
Reception lobby



# 10455 Torre Avenue: Existing building



# 10455 Torre Avenue: Off-street Parking



# 10455 Torre Avenue: Street Parking



Street parking available on Torre and Pacifica, east of Torre



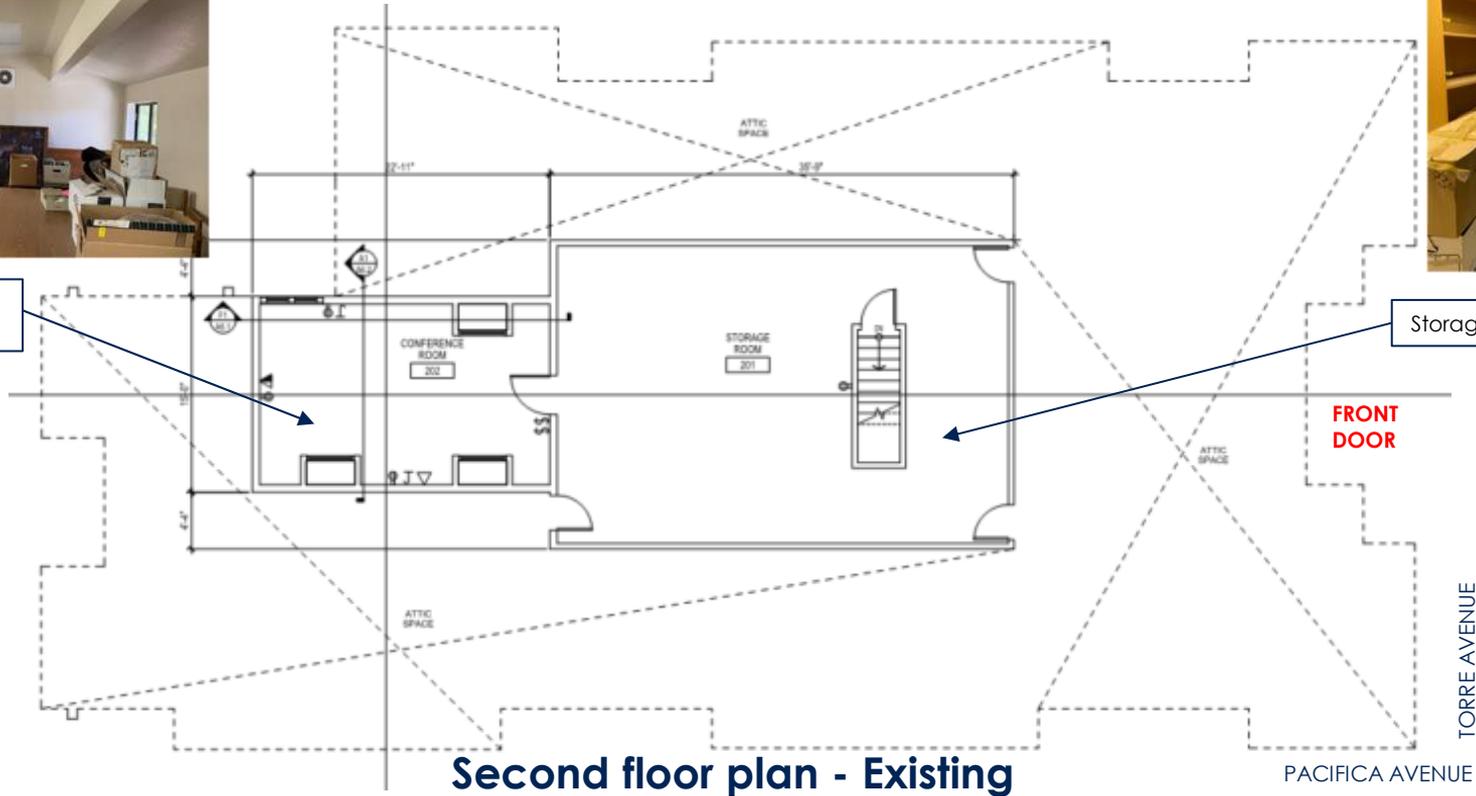
# 10455 Torre Avenue: Existing floor plans



1 conference room



Storage



Second floor plan - Existing

TORRE AVENUE  
PACIFICA AVENUE



## 2. Programming

# Recommended Action

Receive an update and direct staff on the FY 2021-22 CIP project City Hall Annex (10455 Torre Avenue Improvements) to:

- 1) Proceed with programming, design, and construction of the building as the City's Permit Center and Emergency Operations Center (EOC.)
- 2) Authorize the Director of Public Works to execute any necessary services or change orders, up to an amended contingency amount of \$166,722 for a total contract amount of \$610,202 on the design professional services agreement between the City and DIALOG Design LP (DIALOG) for the City Hall Annex Project (Project 2022-06) for the abovementioned scope.
- 3) Authorize the City Manager to (a) execute a Design Professional Services Agreement between the City and Cumming Management Group, Inc. (Cumming) to provide construction management and related services for the City Hall Annex Project (Project 2022-06) in the amount of \$359,805; and (b) authorize the Director of Public Works to execute any necessary services or change orders, up to a contingency amount of \$71,961 (20% of base services,) for a total appropriation of \$431,766.

# Programming

130 Staff (Feb 2022) + 5 Council + 5 Planning Commissioners =  
**140 occupants at City Hall.** Two main business functions:

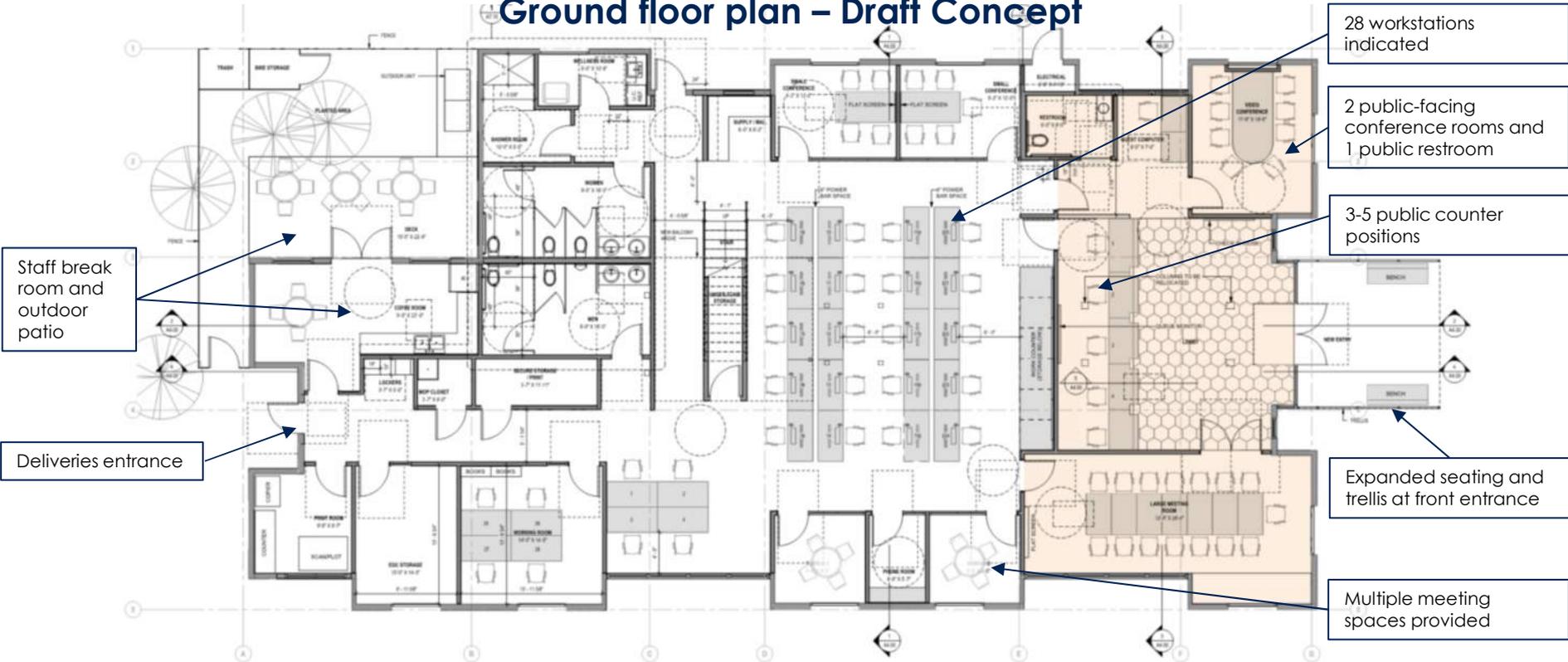
- **Permit Center/Public Counters:**  
25 workstations, flexible meeting/conference rooms, 5 counter stations
- **Executive Suite & Meetings:**  
14 offices, 22-32 workstations, support spaces including meeting/conference rooms

Spatially and Functionally, the Permit Center/Public Counters is a better fit at the new City Hall Annex.

*\*\* Notes about workstation and office requirements assume the full leverage of Telework capabilities; storage, equipment, and other technical requirements not included here.*

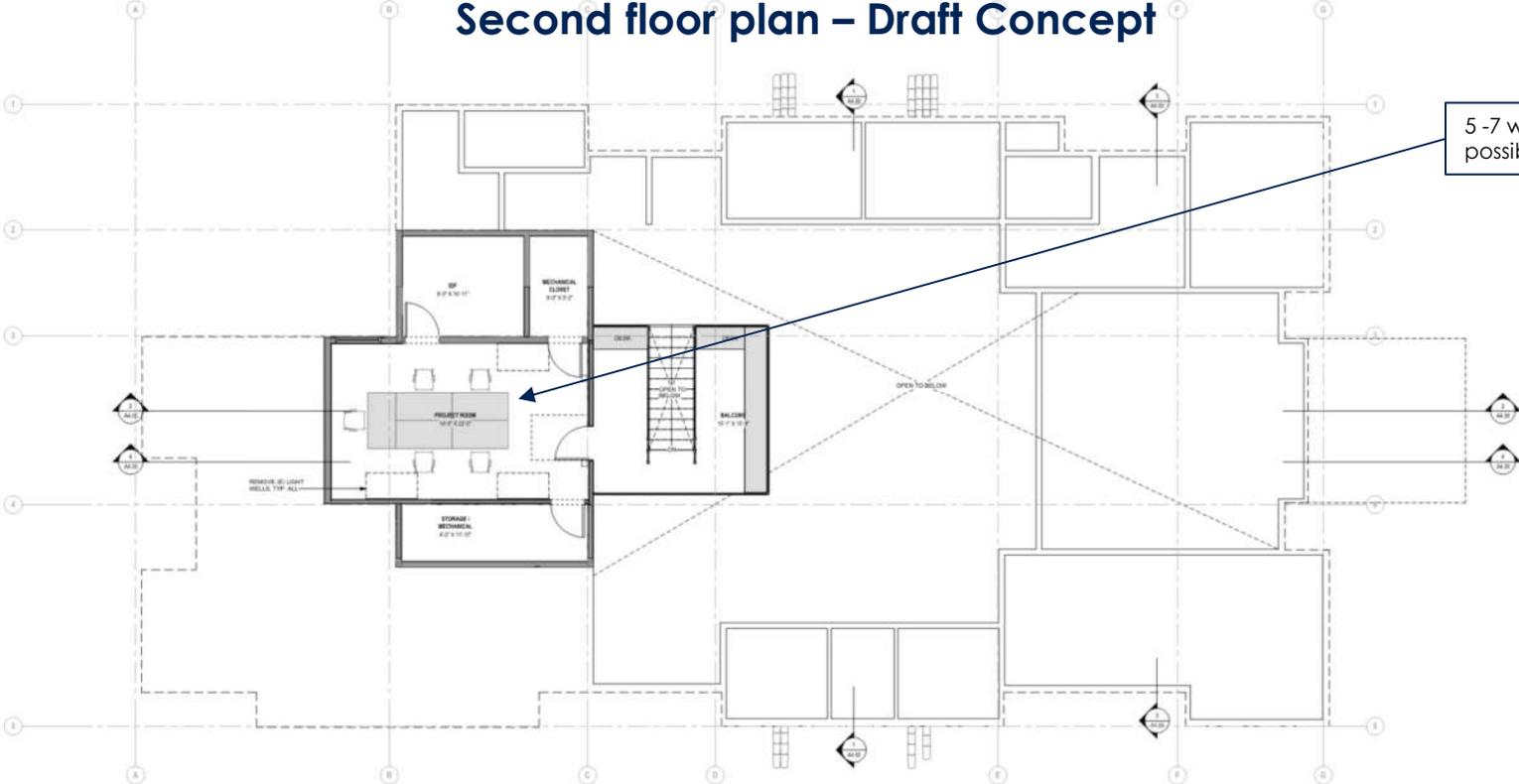
# City Hall Annex: Concept Diagram

## Ground floor plan – Draft Concept



# City Hall Annex: Concept Diagram

Second floor plan – Draft Concept





### 3. EOC

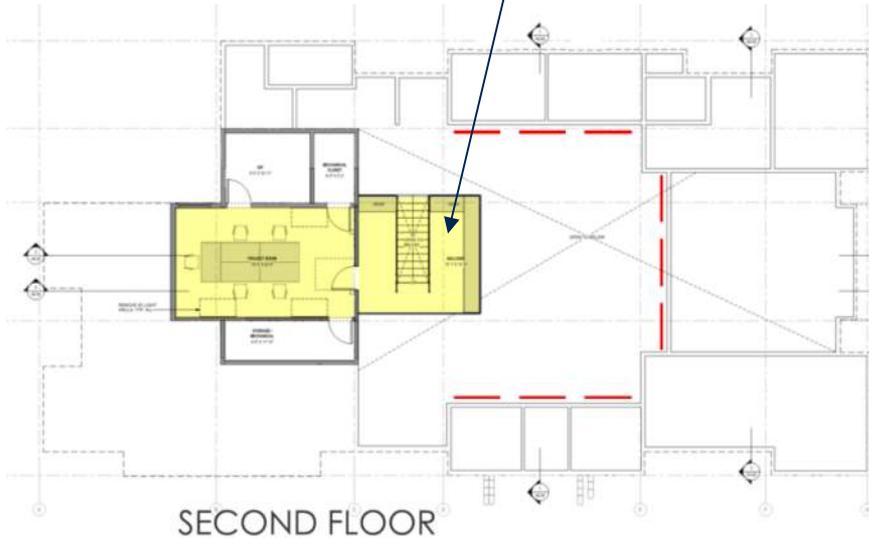
# City Hall Annex: EOC set-up

*Ground floor: 1500 square feet, Second floor: 600 square feet*

2<sup>nd</sup> floor overlook will be quite useful for EOC management

EOC storage can be easily mobilized during an event

EOC: 20 desks, 8 monitors, adjacent break-out rooms, and electrical/data on emergency power

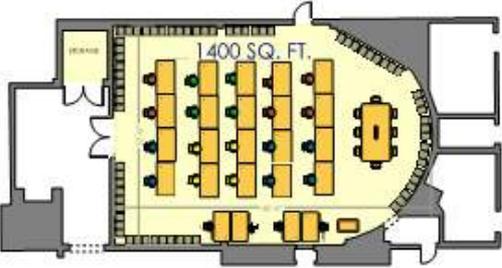


# EOC: Size comparisons

*Shown in relative scale*



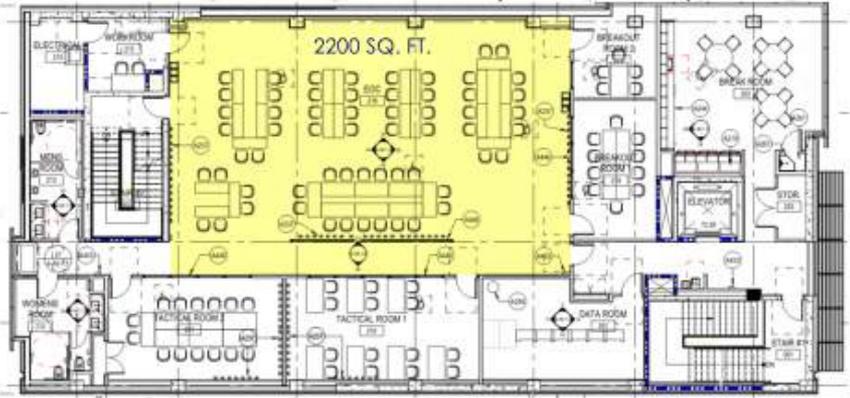
Service Center



City Hall



City Hall Annex



Sunnyvale EOC

# Cost Comparisons

Options are listed from least expensive to most expensive.

\*The projected costs of the City Hall Annex renovation project are currently higher than the approved City funding (\$3M). Staff will return to Council with more accurate cost information to request increased funding at a future date.

Location	EOC SQ FT	BLDG SQ FT	COST	COST without EOC	Notes
CURRENT City Hall location	1,400	24,000			Previously - City Council Chambers
<b>City Hall Annex</b>	<b>1,500</b>	<b>5,700</b>	<b>\$4,265,000</b>	<b>*\$3,900,000</b>	<b>\$465K differential</b>
City Hall - Renovation	1,200	24,000	\$28,000,000	\$27,000,000	\$1M differential
Service Center	675	2,900	\$1,450,000		Using \$500/SF
Senior Center	2,950	3,500	\$1,750,000		Using \$500/SF
Library	2,800	5,600	\$2,800,000		Using \$500/SF
Community Hall	2,100	6,200	\$3,100,000		Using \$500/SF
Civic Center - New building	2,400	2,400	\$3,240,000		Using \$1350/SF
City Hall - New	1,200	36,000	\$48,000,000	\$44,400,000	\$3.6M differential
Quinlan Community Center	4,200	8,100	\$4,050,000		Using \$500/SF



## 4. Contracts

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Thank You!



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#8

City Manager's Office  
Department Update

Presentation

# City Manager's Office Department Update

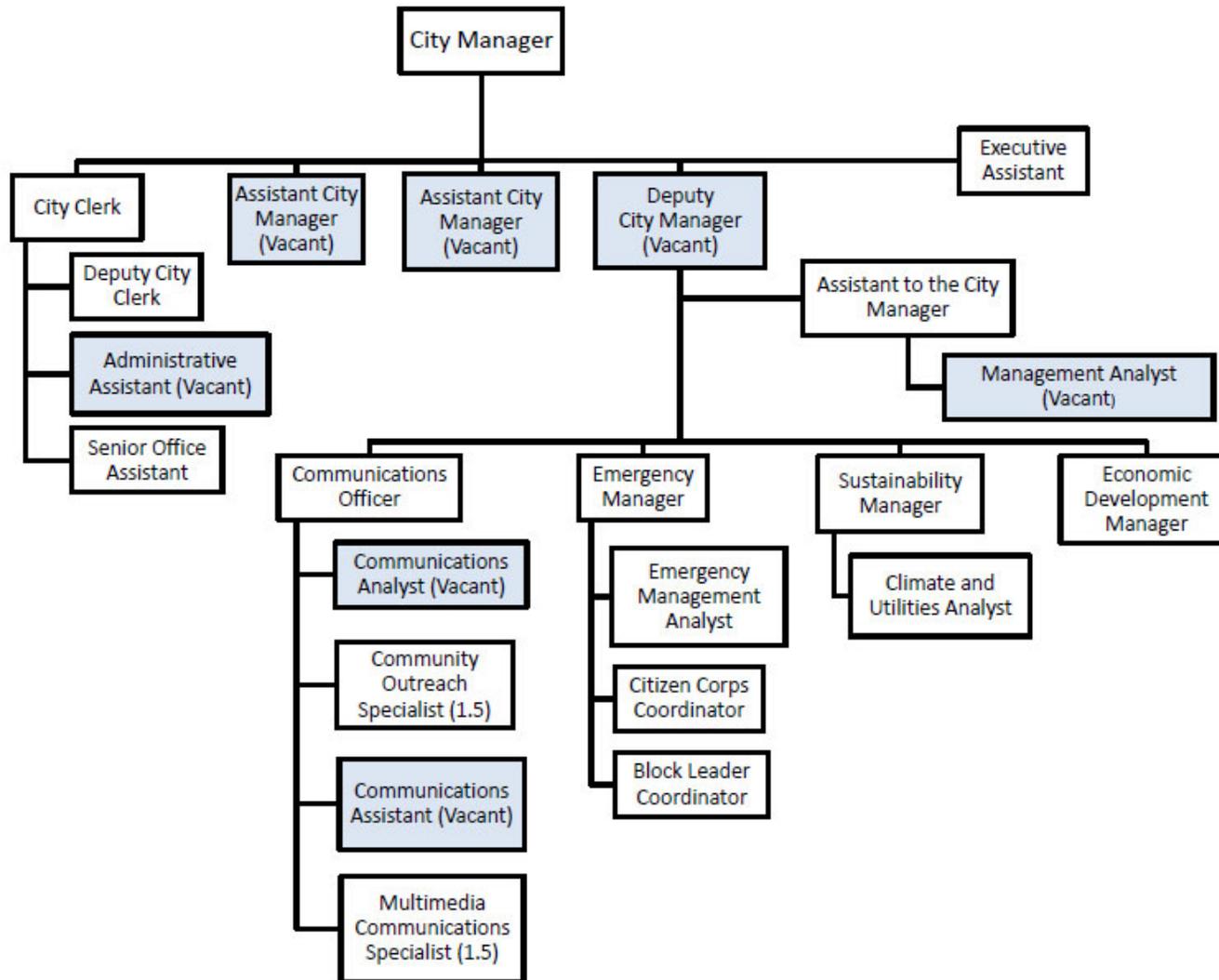
October 18, 2022

Acting Assistant to the City Manager, Astrid Robles



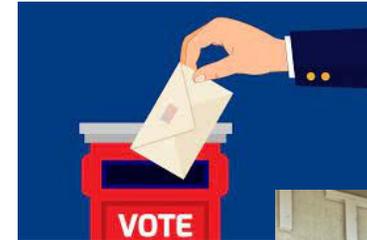
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# City Manager's Office Org Chart



# City Clerk

- Legislative Process
- Elections
- Programs
  - AB1234 ethics compliance
  - Commission/ Committee Onboarding
  - Statement of Economic Interests filings
  - FPPC campaign finance filings
  - Lobbyist registration
  - Records retention
- Other Accomplishments
  - Public Records Act Requests (PRAs)
  - City Council agendas and actions
  - Oversee all City Commission and Committee agendas
  - Commissions and Committees Recruitment



# Sustainability

- Climate Action Plan adopted August 12, 2022
- Climate Action Plan 2.0 underway
- Projects in collaboration with Public Works
  - EV charging expansion project
  - Sustainable infrastructure
  - Streetlight LED assessment
- Other Projects
  - Supporting drought resilience
  - Water conservation incentives



# Emergency Management

- Programs
  - Emergency Operations and Planning
  - Block Leader Program Coordination
  - Citizen Corps (CERT, MRC, and CARES)
- Accomplishments and Highlights
  - Quarterly EOC Section Trainings
  - Personal Emergency Preparedness Trainings
  - Quarterly tabletop exercises with partner agencies and City staff
  - Volunteer Engagement through Block Leaders and Citizen Corps
  - School Districts workshops planning for coordinated response
  - Evacuation planning for all 34 evacuation zones (AB747)
- Current Fiscal Year
  - Automatic License Plate Readers (ALPR)
  - Mass Care and Shelter Planning (AB2311, SB160)



# Office of Communications

- Public Outreach
- Community Engagement
- City Events
- Marketing and Promotion
- Citywide Support



# Economic Development

- Accomplishments and Ongoing Projects
- New Cupertino Business Outreach Program (CBOP)
- Business Connect e-Newsletter
- Focus on Small Business Support
- Permit Facilitation for businesses locating or expanding in Cupertino
- Market Research Survey
- Upcoming Initiatives
- Cupertino Online Store
- Small Business Connect Hub
- Regulating Diversified Retail Use
- Economic Development Committee
- Overall Approach
- Partnerships
- Cross-Department Collaboration
- Private Sector Listening Mechanism
- Promoting Vibrancy and Vitality



# Administration

## City Work Program

- Quarterly Updates
- Annual adoption process

## Legislative Affairs

- Working with State Lobbyists
- Legislative Review Committee

## Policies and Procedures

- No Smoking Ordinance
- Commissioner's Handbook
- FY 22-23 Safe Gun Storage Ordinance



# City Work Program FY 21-22 Q4 Update

Dashboard currently updated for Q4: [cupertino.org/cityworkprogram](http://cupertino.org/cityworkprogram)

43 projects total

- 15 projects completed
- 5 projects pending completion
- 1 project on-hold
- 1 project operational
- 21 multi-year items carried into FY 22-23



## Student Internship Program Project Update

- Mayor piloted 2022 summer internship program
- 4 high school interns participated
  - Mayor's Cup Challenge
  - Angel Island Excursion
  - Library Expansion
  - Follow-Up



**Thank you!**



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CC 10-18-2022

#16

20860 McClellan Road  
Development

Presentation

# Six Lot Subdivision and Development

20860 McClellan Road

City Council Meeting – October 18, 2022



CUPERTINO

1

## Executive Summary

- **10/22/21:** Application for rezone, TM, and Two-Story Permit received
  - Staff review and Mitigated Neg. Dec. (MND) initiated
- **5/19/22:** ERC recommends MND appropriate document
  - Directed additional soil testing prior to PC hearing
- **6/14/ 22:** Applicant invokes right under HAA to pursue GP consistent project but commits to complying with mitigation measures from MND
  - Does not need rezoning
  - Project now eligible for Infill Exemption under CEQA
- **9/13/22:** PC recommends approval of project on 3-2 vote (No: Kapil/Wang)

2

# Background

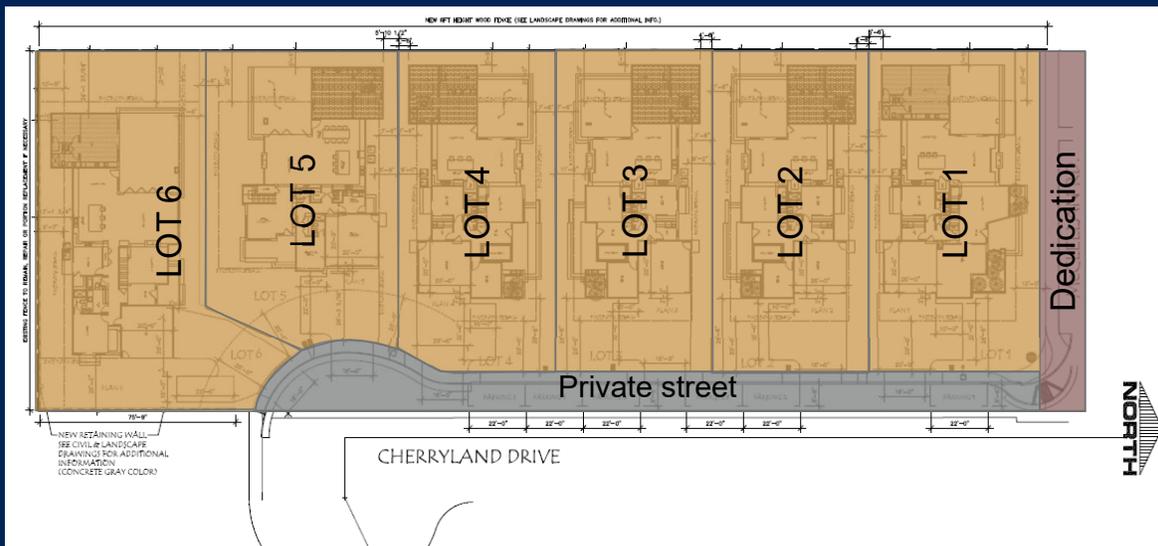
- 1.25 Acres
- SFR
- Streets:
  - North - McClellan Rd
  - East - Cherryland Dr
- Uses:
  - North, East and South: SFR
  - West: Church



3

# Project Data

- Tentative Map
- Six Homes with Balconies



4

## Analysis

	Net lot area	Lot Width	FAR (not including streamlined ADU)	Height
Lot 1	8,851 sq. ft.	69 feet	3,719 sq. ft. (43.3%)	27'
Lot 2	7,535 sq. ft.	60 feet	3,385 sq. ft. (44.9%)	26'-4"
Lot 3	7,532 sq. ft.	60 feet	3,385 sq. ft. (44.9%)	26'-11"
Lot 4	7,526 sq. ft.	63 feet	3,385 sq. ft. (44.97%)	26'-4"
Lot 5	8,469 sq. ft.	62 feet	4,745 sq. ft. (43%)	25'
Lot 6	9,615 sq. ft.	61 feet	4,025 sq. ft. (42%)	27'-1"
<b>Project Consistency</b>				
<b>General Plan</b>	Yes			
<b>Zoning</b>	Yes, pursuant to State law			
<b>Environmental Review</b>	Categorically Exempt per Section 15332			
<sup>1</sup> Pursuant to State law, rezoning not required.				

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## Traffic, Circulation, Ped & Bike Improvements



VMT: Small projects that generate less than 110 new trips per day, and do not exceed square footage thresholds.



Project complies with Chapter 19.124 parking regulations.



Pedestrian and bicycle improvements along McClellan Road.

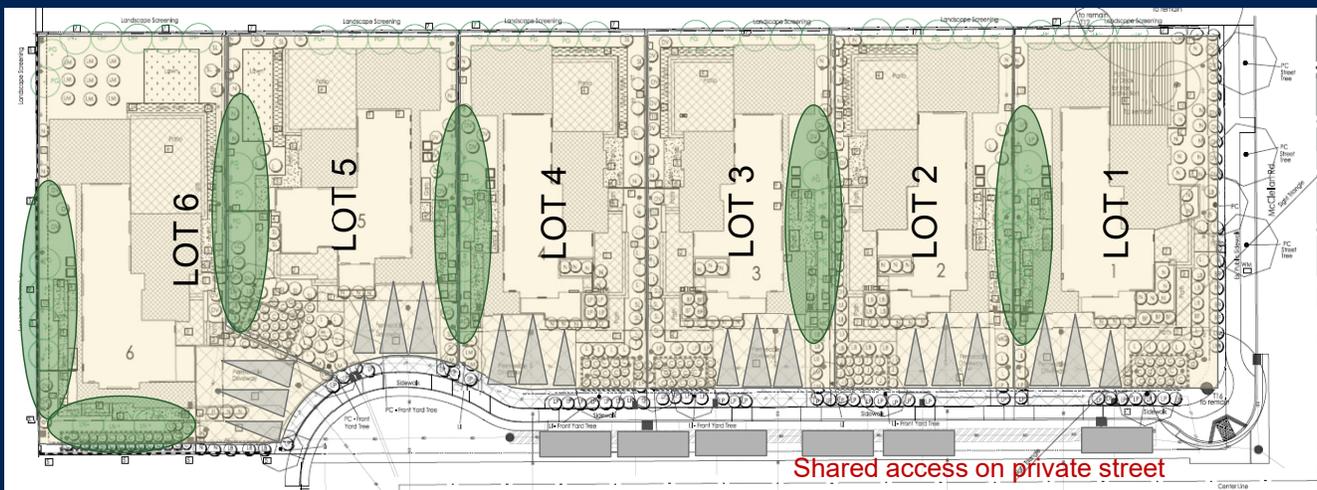
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## Planning Commission Hearing – Public Comments

- Traffic impacts and on street parking
- ADU setbacks and layout
- Housing is needed in area and should support surrounding employees working at De Anza College/adjacent commercial development
- Concerns related to access from Cherryland Drive, the existing private street, with shared ingress/egress easements
- Privacy impacts of proposed balcony on lot six
- Fence height for lot six

7

## Site Planning



8

# Architectural Design



PLAN 1



PLAN 2



PLAN 3



PLAN 4



PLAN 5



PLAN 6

9

## Noticing & Public Comment



Site Sign, Legal Ad, & Mailed Notices



Public comments received:

- \* common private street obligations;
- \* finished floor elevations discrepancies
- \* Parking impacts
- \* Garage locations

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## General Plan Policies

- Supports several General Plan goals:
  - Policy LU-3.3: Building Design
  - Strategy LU-3.3.1: Attractive Design
  - Strategy LU-3.3.5: Building Location
  - Strategy LU-3.3.6: Architecture and Articulation
  - Policy LU-27.2: Relationship to the Street
  - Strategy LU-27.7.1: Lot Size
  - Policy LU-27.4: Connections

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## Housing Accountability Act

- Development would have specific adverse impact on public health or safety unless disapproved, or approved at lower density; and
- There is no feasible method to satisfactorily mitigate or avoid specific adverse impact, other than disapproval, or approval at lower density.

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## Rezoning & HAA

- HAA: Local agency **shall** not require rezoning when project consistent with:
  - Objective General Plan standards and criteria but current zoning is inconsistent with General Plan designation

Project does not require rezoning

Project is consistent with R1-7.5 Zoning District standards

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## Recommendation

That the City Council:

1. Find actions exempt from CEQA
2. Approve Tentative Map Application (TM-2021-006);
3. Approve Two-Story Permits (R-2021-040, -041, -042, -043, -044, -045); and
4. Approve Minor Residential Permits (RM-2022-015, -016, -022, -023, -024, -025)

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CC 10-18-2022

#17

Regnart Creek Trail  
Pedestrian Walkway  
Easement Signage

Presentation

# City Council

## Regnart Creek Trail/Campo de Lozano Midblock Pedestrian Crosswalk and Public Pedestrian Walkway Easement Signage



CUPERTINO

October 18, 2022

## History

- Campo de Lozano developed early 2000's
- Included 400' Regnart Creek Trail along southern boundary
- City requested and was granted 10' wide pedestrian easement along western boundary to connect Regnart Creek Trail to public sidewalks along Rodrigues
- Trail connects to publicly accessible sidewalks at eastern end

## History

- City approved extension of Regnart Creek Trail in 2020, including a continuation westward from Campo de Lozano to Rodrigues and City Center
- HOA requested City vacate easement, due to new connectivity to the west and security concerns
- Public opening of Regnart Creek Trail anticipated late 2022

## History

- City Council discussed pathway and pedestrian access on February 1 and March 1, 2022. Directed staff to:
  - Monitor trail and pathway usage and return to Council after one year with report on whether pathway should remain
  - Return to Council sooner with crosswalk concepts, including safety, and signage suggestions

# Aerial Vicinity Map

## Available site distance:

- **Location A: West-unlimited. East-240;**
- **Location B: West-200'. East-unlimited.**
- **Location C: (70' east): West-200'. East-unlimited**
- **Location C': (170' east): West-310'. East-unlimited**



# Considerations – Midblock Crosswalk

- Midblock crosswalks discouraged
  - Difficult to channelize pedestrians
  - Unexpected by drivers
  - Site distance for approaching vehicles important
- Crosswalk at walkway not possible due to driveway, fire hydrant, storm drain, and inadequate site distance
- Minimum stopping site distance per HDM: 200 feet at 30 mph
- Any midblock crossing would need to be enhanced with high visibility striping, advance warning and pedestrian-actuated flashing beacons
- Approximate cost \$40,000

# At Pathway



Driveway, fire hydrant and storm drain conflicts

# Location A



Looking to west - unlimited



Looking to east – 240'

# Location B



Looking to west – 200'



Looking to east – unlimited'



# Location C (70' east of pathway)



Looking to west – 200'



Looking to east – unlimited'

# Location C' (170' east of pathway)



Looking to west – 310'

Looking to east – unlimited'

## Bicycle Pedestrian Commission Action

- Bicycle Pedestrian Commission considered crosswalk concepts at July 15, 2022 meeting
- Commission motion:
  - Collect data for one year following trail opening to determine need for crosswalk at locations B or C
  - Install crosswalk at location A (Rodrigues gate near City Hall) prior to trail opening
- However, Staff does not recommend installing crosswalk prior to trail opening

# Pathway Signage

- At March 1, 2022 meeting, City Council directed staff to return to Council with suggested signage for Lozano pathway
- Proposed sign, to be placed at each end of Lozano Pathway:



## Staff Recommendation

- Collect data on trail usage, walkway usage, and vehicle speeds for one year following opening of trail. Anticipated trail opening November 2022.
- Evaluate need for midblock crossings or trail access closures at that time and return to Council with recommendation. Do not install crosswalk at this time.
- Prior to trail opening, install signage at walkway entrances advising “Pedestrian Walkway – Dismount Bicycle”, or similar, along with hours of trail operation



**Questions?**

# END SLIDE

**Regnart Creek Trail/Campo de Lozano  
Midblock Pedestrian Crosswalk and Public  
Pedestrian Walkway Easement Signage**



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October 18, 2022