



PUBLIC WORKS DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333
CUPERTINO.ORG

PLANNING COMMISSION STAFF REPORT

Meeting: April 22, 2025

Subject

Review of the new projects proposed in the Fiscal Year 2025 - 2026 Capital Improvement Program for consistency with the General Plan.

Recommended Action

Adopt a Resolution (Attachment 1) finding that the new project in the Fiscal Year 2025 - 2026 Capital Improvement Program is consistent with the General Plan.

Discussion

Each year the City Council adopts a spending plan for capital improvements throughout the City. This process prioritizes significant City expenditures on capital projects that are of importance to the City for a five-year horizon – known as the Capital Improvement Program (CIP). The City then appropriates funding for the first year of the CIP as part of the adoption of the budget each fiscal year, as the Capital Improvement Budget. Therefore, while the CIP is a five-year program, funding is not committed for years two through five of the program, since project priorities may change, and project schedules may accelerate or decelerate.

The City Council is responsible for adopting the CIP Program and funding priorities. Pursuant to Government Code section 65401¹ and Chapter 2.32.070.C of the Cupertino Municipal Code, the Planning Commission is responsible for annually reviewing the adopted Capital Improvement Program for consistency with the City's General Plan (Attachment 2).

Attachment 3 contains a brief description of the current and new projects proposed in the Fiscal Year (FY) 2025-2026 CIP. In FY 2025-2026, only one new project has been proposed. All other projects in the FY 2025-2026 CIP have been reviewed by the Planning Commission in prior years and found to be in conformance with the General Plan.

¹ CA Government Code Section 65401: "...a coordinated program of proposed public works for the ensuing fiscal year... shall be submitted to the county or city planning agency for review and report to [the] official agency as to conformity with the adopted general plan or part thereof."

The FY 2025 – 2026 CIP includes the following new project:

1. Storm Drain Outfalls Repairs

This proposed project, Storm Drain Outfalls Repairs, can be found consistent with the General Plan: Community Vision 2015– 2040 through reference to the pertinent goals, policies, and strategies as indicated in Attachment 4. The project also aligns with the Guiding Principles to “Preserve the Environment” (#10) in that it strengthens environmental protections to the creeks and waterways of our City. Another relevant Guiding Principle is “Ensure Fiscal Self Reliance” (#11) by protecting “the City’s ability to deliver essential, high-quality municipal operations and facilities to the community.”

Environmental Impact

Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code section 21000 et seq.) (“CEQA,”) together with the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) (hereinafter, “CEQA Guidelines,”) City staff has independently studied the proposed action and has determined that the finding of consistency with the General Plan is exempt from CEQA pursuant to CEQA Guideline section 15061(b)(3) in that “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” Furthermore, the finding of consistency with the General Plan is not a “project” in that it has no “potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment” (CEQA Guidelines § 15378(a).) Therefore, it is recommended that the Planning Commission find that this action is exempt from CEQA.

Next Steps

The Planning Commission’s determination will be considered by the City Council as part of the Council’s review of the City’s Annual Budget, which includes the CIP budget. The City’s Annual Budget will be proposed at meetings in May 2025.

Prepared by: Susan Michael, Capital Improvement Programs Manager

Reviewed by: Gian Martire, Senior Planner
Piu Ghosh, Planning Manager

Approved by: Luke Connolly, Assistant Director of Community Development

Attachments:

- 1 - Draft Resolution
- 2 - FY 2025-26 CIP General Plan Conformance-Relevant Codes
- 3 - FY 2025-26 CIP Project Narratives
- 4 - FY 2025-26 CIP Matrix of General Plan Consistency