

CC 3-16-2021

#1

Drafting Cupertino's Future
Essay Contest Recognition
of Winner

Presentation

Drafting Cupertino's Future Essay Contest

Recognition of Winners

March 16, 2021



CUPERTINO



Contest Information

- Open to 7th and 8th graders
- Theme:
 - *What would you do if you could improve or change life in Cupertino?*



Judges

- **Neesha Tambe**, Parks and Recreation Commission
- **Rahul Vasanth**, Library Commission
- **Rushil Jayant**, Cupertino Teen Commission

Judging Criteria: Creativity, Explanation, Claims, Evidence, Organization, and Grammar



RUNNER-UP WINNER!

**DRAFTING CUPERTINO'S FUTURE ESSAY
CONTEST FOR 7TH AND 8TH GRADERS**

Congratulations EMMA KOCH!
Ms. Vasquez, 7th Grade
Kennedy Middle School



CONTEST WINNER!

DRAFTING CUPERTINO'S FUTURE ESSAY
CONTEST FOR 7TH AND 8TH GRADERS

Congratulations VICTORIA HUNT!

Mr. Jezyk, 7th Grade
Miller Middle School

Thank --- You!



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#14

Bird-Safe and Dark Sky

Presentation

Bird-Safe and Dark Sky

March 16, 2021



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Background

- FY 19/20 Council Work Program
- Outreach and meetings
 - Community meetings
 - Public hearings
 - 1-1 meetings
 - Economic Development Committee
 - Legislative Action Committee

Options for Council

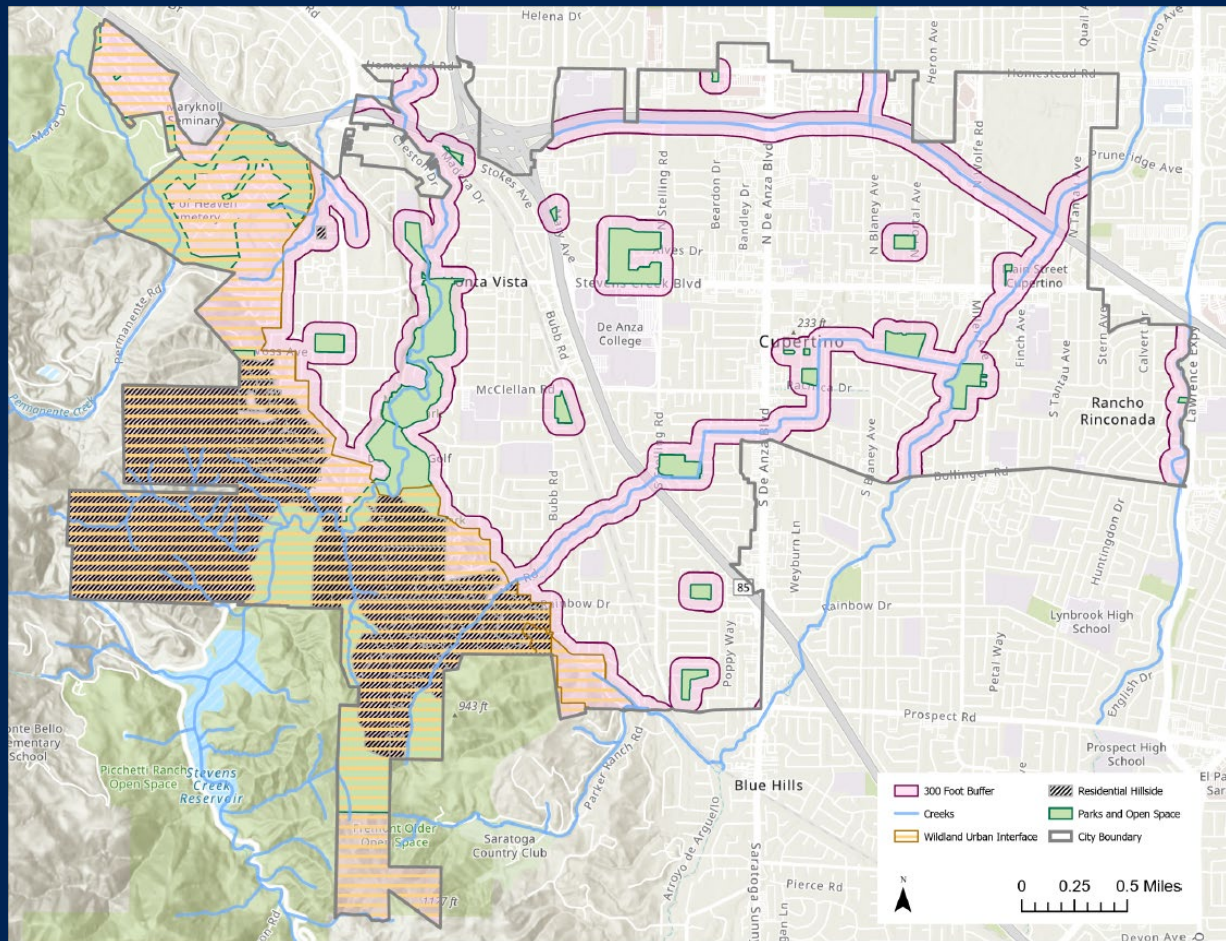
- Conduct first reading of Bird-safe AND dark sky ordinance

OR

- Conduct second reading for Bird-safe only ordinance (Ordinance No. 21-2219) AND
- Conduct first reading for Dark sky regulations (incorporate into Bird-safe ordinance)

Proposed

- Exemption for R1 residences outside of “*Bird-Sensitive*” areas



Applicability – Alternative

- Adopt Screening criteria:
 - Windows 12 s.f. or less exempt and/or
 - Windows impeded by a building wall within 10 feet exempt

Bird-Safe Treatments

Examples of Compliance Methods

Example 1: Fritted/Patterned Glass



Example 2: Frosted/Opaque Glass



Example 3: Window Netting/Screens



Example 4: Vertical and Horizontal Mullions



Example 5:
Permanent Exterior Architectural Elements



Alternative Compliance Methods

Property owners and applicants may propose an alternate compliance method as recommended by a qualified biologist, in order to meet the requirements and intent of this ordinance, subject to review and approval by the City.



Other

- Commercial vs. Residential
 - Could be resolved by adoption of exemption for R1 outside Bird-sensitive areas
- Existing Non-Conforming
 - Retain non-conformity to extent allowed by Chapter 19.140



Clarification Edits

- Plan design/certification
- Illumination levels – ext. lights only
- Illumination levels for service station canopies clarified
- Defer to Building Code if conflicts
- Clarify ambiguities

Environmental Review

- Exempt from CEQA by:
 - Section 15308
 - Section 15301
 - Section 15305
 - Section 15061 (b) (3)
 - Section 15300.2

Public Noticing and Outreach

Notice of Public Hearing, Site Notice & Legal Ad	Agenda
▪ Legal ad placed in newspaper (at least 10 days prior to hearing) ▪ Display ad placed in newspaper (at least 10 days prior to hearing)	▪ Posted on the City's official notice bulletin board (four days prior to hearing) ▪ Posted on the City of Cupertino's Web site (four days prior to hearing)

Recommended Action

- Conduct public hearing and
- Conduct first reading for Ordinance No. 21-2255 “An Ordinance of the City Council of the City of Cupertino Amending City Code to add 19.102: Glass and Lighting Standards and to Amend Chapter 19.40 Residential Hillside (RHS) Zones, Chapter 19.60 General Commercial (GC) Zones, Chapter 19.72 Light Industrial (ML) and Industrial Park (MP) Zones, and Chapter 19.124 Parking Regulations to Implement Birdsafe and Dark Sky Policies.” (Attachment A) which includes a finding that the proposed actions are exempt from CEQA.



Alternatively:

- Conduct the Public Hearing, and
- 2nd Reading of Bird-Safe Ord.
- 1st Reading of Dark-Sky with Bird-Safe

CC 3-16-2021

#16

2020 General Plan Annual
Report and Annual
Housing Element Progress
Report

Presentation

General Plan Annual Review Report

City Council
March 16, 2021



**CITY OF
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General Plan Annual Update

- Required by State Law
- Two parts
 - Progress on the General Plan policies
 - Housing Element APR on forms from CA HCD

Elements of General Plan

Mandatory Elements	Optional Elements
Land Use (Chapter 3)	Infrastructure (Chapter 8)
Circulation (Chapter 5)	
Housing (Chapter 4)	
Conservation (Chapter 6)	
Open-space (Chapter 9)	
Health and Safety (Chapter 7) • Noise • Safety	
Environmental Justice (new) • “Disadvantaged Communities” • May need policies in future	



Why Annual Report?

- Identify Work Program items based on action items in the General plan
- Ensure appropriate funding is made available for these action items



2020 Annual Report

- Reviewed by Planning Commission over 3 meetings in 2019/2020

Draft 2020 Annual Report

- No changes to past format
 - **Green** action items that City has acted on.
 - **Yellow** items currently in progress.
 - **Orange** identified as action items, but no action has been initiated.
 - **Grey** ongoing implementation of policies/strategies through Municipal Code, daily activities of staff or City programs.
- Time frame identified – Long Range, Immediate etc. for policies and strategies
- Updates for 2020 are identified in **bold** text

PC suggestions

- Generic pandemic policies related to employee density and common areas (not COVID specific)
- Require ground floor retail along Vallco Parkway (at Vallco Special Area) (Fung – no)
- Re-evaluate mix of uses in N. De Anza, S. De Anza and Bubba Road Special Areas
- Amend LU-27.1 to specify which massing and form would apply in the event of densification required by state law in neighborhoods



PC suggestions

- Revise LOS standards for consistency with VMT thresholds
- Establish consistent aesthetic standards for 5G infrastructure for all carriers.

	Development Type			
	Commercial	Office	Hotel	Residential
Special Areas				
<i>Heart of the City</i>	862,487 s.f.	17,113 s.f.		79
<i>Vallco Shopping District</i>	1,122,774 s.f.		191	0
<i>Homestead</i>	1,093 s.f.			150
<i>N. De Anza</i>				97
<i>N. Vallco</i>				
<i>S. De Anza</i>				
<i>Bubb</i>				
<i>Monta Vista</i>	4,657 s.f.	13,595 s.f.		47
All Other Areas				
<i>Other</i>				96
Major Employer		523,118 s.f.		
Total citywide Available	1,991,011 s.f.	553,826 s.f.	191 rooms	469 units

General Plan Annual Housing Element Progress Report



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Background

State law requires CA cities to have an adopted General Plan with a Housing Element

- Cities must adequately plan to meet existing and projected housing needs of people at all income levels
- Cupertino Housing Element 2014-2022
 - Certified by HCD on February 5, 2015
 - Adopted by City Council on May 19, 2015

Background

- Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its Housing Element
- Each jurisdiction must prepare an annual progress report on the status and progress in implementing its Housing Element

RHNA Entitlements By City

		Extremely Low/Very Low (0-50% of AMI)	Low (51-80% of AMI)	Moderate (81-120% of AMI)	Above Moderate (over 120% AMI)	Total Units
Projected Need (RHNA)		356	207	231	270	1,064
Total RHNA Entitled & Produced* (2014 - 2020)		19	-	93	216	328
Projects Entitled by City (Not Yet Produced)	Hamptons	-	7	30	563	600
	Marina	16	-	2	170	188
	Vallco (SB35)	361	840	-	1,201	2402
Total Projects Entitled by City (Not Yet Produced)		377	847	32	1934	3190
Balance		-	-	106	-	106

**Produced means building permits issued*

RHNA Generation by Developers

		Extremely Low/Very Low (0-50% of AMI)	Low (51-80% of AMI)	Moderate (81-120% of AMI)	Above Moderate (over 120% AMI)	Total Units
Projected Need (RHNA)		356	207	231	270	1,064
Total Projects Entitled by City (Not Yet Produced)		377	847	32	1934	3190
Building Permits Applied for By Developers and Issued	2015 APR*	-	-	14	164	178
	2016 APR	-	-	18	9	27
	2017 APR	-	-	12	16	28
	2018 APR	19	-	15	2	36
	2019 APR	-	-	15	24	39
	2020 APR	-	-	19	1	20
Total RHNA Production (2014-2020)		19	-	93	216	328
Balance		337	207	138	54	736
* Includes 2014 production						



2020 Report

- Reporting Year: Jan. 1 – Dec. 31, 2020
- Must report building permits issued towards RHNA
- Due April 1, 2021



Table A- Housing Development Applications Submitted

- Data on housing units and developments for applications submitted and deemed complete
- “Application” is formal submittal of project for approval, either for:
 - Discretionary entitlement, or
 - If only ministerial process required (e.g., zoned by right), building permit application
- **The Bateh Brothers Property application was submitted in 2020.**



Applications in Review

- Canyon Crossing: 18 units
 - 13 townhomes (for-sale)
 - 5 apartments (rental)



Table A2- Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

- Requires information for very-low, low, moderate and above moderate-income housing and for mixed-income projects
- Data on net new housing units and developments that have received an entitlement, a building permit or a certificate of occupancy or other form of readiness



Table B- RHNA Progress – Permitted Units by Affordability

- Summary of prior permitting activity in current planning cycle, including permitting activity for 2020
- Auto-populated



Table C- Sites Identified or Rezoned to Accommodate Shortfall Housing Need

- Required when a city or county identified an unaccommodated need of sites from the previous planning period
- N/A. Cupertino has more than sufficient sites zoned to accommodate RHNA numbers.



Table D- Program Implementation Status

- Status/Progress of housing element program and policy implementation for all programs described in the housing element
- Cupertino is currently implementing all 26 programs and policies in the Housing Element



Table E- Commercial Development Bonus Approved

- Required if jurisdiction has approved any commercial development bonuses during the reporting year
- N/A



Table F- Units Rehabilitated, Preserved and Acquired for Alternate Adequate Sites

- Report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved
- Projects must be mentioned in Housing Element as a program specific site to be listed
- N/A. But City has gone beyond Housing Element and provided \$1,400,000 in loans/grants for rehabilitation projects from 2014 – 2020



Table G- Locally Owned Lands included in Housing Element Sites Inventory

- Report sites that are owned by the reporting jurisdiction and have been sold, leased, or otherwise disposed of during the reporting year
- Sites must be included in the Housing Element Sites Inventory
- N/A



Questions?