

Cupertino Health & Safety Element Update – Councilmember Comments and Responses

Topic / Section	Comments and source	Staff Comments and Recommendation
<p>Emergency Management as a Pillar</p>	<p>Commissioner: Add emergency management and operations as an explicit pillar in the “Looking Forward” section (page 50).</p>	<p>Add “Emergency Management and Operations” as a pillar in the Looking Forward section (see Page 50 of draft Element).</p>
<p>Mandatory vs. Discretionary Language</p>	<p>Public: Draft uses flexible, non-binding verbs like "encourage," "support," "consider," and "where feasible".</p> <p>Systematically review and transition key safety policies from discretionary to mandatory, non-discretionary, and objective standards (e.g., dual access, Phase I ESAs, PFAS limits, and Zone 0 perimeters).</p>	<p>While the draft was prepared with the suggested framework and does consider the mandatory vs. flexible nature of policies and strategies depending on the topic, staff has gone through the draft again and has proposed some additional edits throughout the draft as applicable (see highlighted text on various pages of draft Element).</p>
<p>Annual Element Implementation Reporting</p>	<p>Public: Mandate an annual Health and Safety Element implementation report delivered publicly to the Planning Commission to track time-bound strategy completions, monitoring data, and evacuation planning progress.</p>	<p>Such reports are already required as part of the City’s annual General Plan progress report. No changes recommended.</p>
<p>Groundwater PFAS Protections</p>	<p>Public: Goal HS-5 addresses hazardous materials generally but does not explicitly name PFAS.</p> <p>Add an explicit strategy directing the City to partner with Valley Water and the RWQCB to monitor, map, and communicate PFAS contamination in Cupertino's basin, and require disclosure in CEQA/environmental review documents.</p>	<p>The State Water Quality Control Board has established notification and response levels for multiple types of PFAS. Public water systems must conduct monitoring, publicly report results, and conduct treatment activities as needed. This regulation currently covers PFOA, PFOS, PFBS, PFHxS, and PFHxA. The State also plans to establish similar standards for PFHpA.</p> <p>Staff recommends a new Policy (HS-1.9.1) with associated strategy related to PFAS contamination. (See page 54 of the Draft Element)</p>
<p>Cumulative Health Impacts</p>	<p>Public: Draft addresses noise, hazards, heat, and fire in separate silos without examining combined impacts on sensitive groups.</p> <p>Add a Climate-Integrated Cumulative Health Impacts section mapping where multiple hazards overlap (e.g.,</p>	<p>The “Climate Change Resilience” section notes the increased risks associated with overlapping hazards. Staff will explore preparation and inclusion of figures that illustrate overlapping hazards.</p>

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	<p>freeway corridors with concurrent high noise and severe urban heat island exposure) to prioritize mitigation investments.</p>	<p>As is current practice, the City’s online mapping platform (https://gis.cupertino.org/servicefinder/) will be updated to include the updated maps in the HSE, including constrained residential parcels and all hazard maps.</p> <p>The City will also update the online mapping platform to include best available spatial data for extreme heat exposure. This has been added as a new strategy HS-2.7.6 (see page 58 of draft Element)</p>
<p>Evacuation Map Usability & Communication</p>	<p>Public: 34 PDF evacuation maps (CUP-E001 to E034) exist but lack neighborhood labels or contextual references.</p> <p>(a) Label evacuation maps with neighborhood names, major intersections, and landmarks; (b) publish an interactive, address-searchable online zone tool ; and (c) conduct annual outreach.</p> <p>Overlapping Commissioner Discussion: Communicate and publish information about who Block Leaders are, as there are concerns that the Block Leader program is underrepresented and under-published.</p>	<p>While the specific comment relates to maps found in the Emergency Operations Plan and not the proposed Health and Safety Element, staff proposes the following. The City’s online mapping platform (https://gis.cupertino.org/servicefinder/) will be updated to include the maps updated in the HSE, including constrained residential parcels, and a new strategy is proposed (HS-2.12.1) to maintain the availability of evacuation mapping information online (see Page 60 of draft element). In addition, Planning staff has shared feedback related to the mapping concerns identified in this comment with Emergency Management staff.</p> <p>Revisions proposed to address promotion of the Block Leader Program (HS-2.4.7 and HS-2.4.8). (see page 56 of the draft Element)</p>
<p>Increase public awareness</p>	<p>Fruen: Provide increased public awareness of wildfire, earthquake, and evacuation issues.</p> <p>Add a specific strategy or program to increase public awareness of wildfire</p>	<p>Staff recommends revising proposed Policy HS-2.8.and Strategy HS-2.8.1 to address outreach and resilience to all hazards for inclusion of wildfire, earthquake risk, and evacuation routes. (See page 58 of the draft Element)</p>

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	and earthquake risk and evacuation routes.	
<p>School & Visitor Evacuation Coordination</p>	<p>Chao: Evacuation communication/ coordination with school districts and visitors is not fully integrated.</p> <p>Add new Policy " School and Visitor Evacuation Coordination Coordinate with schools, parks, preserves, golf courses, and open-space managers in the evacuation area to prepare site-specific evacuation plans, parent reunification plans, bus or shuttle staging plans, and traffic-control protocols."</p> <p>Overlapping Commissioner Discussion: Expand communication channels for emergency operations to include schools and the senior center.</p>	<p>Schools are required to have evacuation plans in place, including providing sufficient transportation for students and procedures on how to handle reunification with parents or guardians. The City can continue to support coordination and education. New strategies proposed (HS-2.8.1 and HS-2.12.2) to target distribution of emergency management materials to schools and through City channels and to coordinate directly with schools, parks, golf courses, etc. (see pages 58 and 60 of the draft Element)</p>
<p>Emergency Vehicle Access, Evacuation and Infrastructure projects</p>	<p>Chao: Add standards for city infrastructure projects involving roadway changes.</p> <p>Add new policy: Emergency Access Standards for City Infrastructure Projects Involving Roadway Changes City infrastructure projects involving roadway changes, including lane narrowing, road diets, protected bike lanes, raised bike-lane dividers, medians, curb extensions, traffic calming, resurfacing, restriping, or other changes to the public right-of-way, shall maintain adequate emergency vehicle access, fire apparatus access, ambulance access, and emergency vehicle maneuvering.</p> <p>Such projects shall meet applicable California Fire Code, California Fire Safe Regulations, Santa Clara County Fire Department standards, and City standards for unobstructed roadway</p>	<p>Staff and City consultants follow applicable federal, State, and municipal requirements and guidance when designing and constructing roadway and mobility infrastructure projects. In addition to ensuring roadway and related mobility infrastructure design and construction conform to federal, State, and local regulations, policies, and codes, emergency responders serving the City currently evaluate all proposed changes to City roadways to ensure the changes do not conflict with emergency ingress and egress, including response times.</p> <p>In addition to complying with regulations, policies, codes, and professional guidance, all City projects are planned, designed, and constructed to meet multiple City goals, including those found in other elements of the General Plan; the Health and Safety</p>

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	<p>width, vertical clearance, grade, turning radius, right-turn movements, turnaround access, load-bearing surface, fire-lane parking controls, hydrant access, and emergency vehicle maneuvering.</p> <p>No raised divider, curb extension, median, traffic-calming device, or protected bike-lane barrier shall be installed where it would prevent the design fire apparatus or ambulance from meeting required turning movements, right-turn movements, turnaround movements, or minimum clear access width, unless the City Council makes findings, based on substantial evidence and after consultation with the Santa Clara County Fire Department, that equivalent or improved emergency access and emergency response performance will be maintained through other design or operational measures.</p> <p>Projects shall not reduce emergency access, fire apparatus access, ambulance access, emergency response times, or evacuation route capacity unless the City demonstrates, in consultation with the Santa Clara County Fire Department, that equivalent or improved emergency access and evacuation performance will be maintained through other design or operational measures.</p> <p>For designated evacuation routes, projects shall preserve the City’s ability to implement temporary evacuation traffic controls, including managed outbound flow, lane</p>	<p>Element must maintain consistency with other elements of the General Plan.</p> <p>Staff does not recommend the proposed changes due to the potential to conflict with adopted regulations, policies, and guidance; however, staff proposes revisions to Strategy HS-2.11.1 to reinforce the review of roadway projects (see Page 59 of draft Element), to add a new strategy HS-2.11.4 (see next item and Page 59 of draft Element) to require a citywide dynamic evacuation study, revisions to HS-3.9 regarding access for emergency response vehicles (see Page 65 of draft Element), and Policy HSE 4.4 regarding response times for emergency responders (see Page 69 of draft Element).</p>

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	<p>conversion, turn restrictions, emergency shoulder use, or other evacuation operations.</p>	
<p>Evacuation Route Assessment & Modeling</p>	<p>Moore: Strategy HS-2.3.3 calls for periodic review using older planning-level V/C ratio methodology with year-2000 capacity data.</p> <p>Require a Dynamic Traffic Assignment (DTA) evacuation study updated to reflect post-rezoning buildout conditions by 2028, and repeat it with each General Plan update. Model time-to-safety, scenario simulations (Red Flag, school-day, signal failure), and phased evacuation.</p> <p>Chao Add new Policy: "Evacuation Route Capacity and Bottleneck Reduction. Maintain and periodically update an evacuation route capacity assessment that evaluates evacuation routes, roadway capacity, safety, viability, evacuation locations, and distance to evacuation gateways under a range of emergency scenarios, including wildfire, earthquake, roadway closures, school-day conditions, visitor activity, and power outage conditions.</p> <p>For purposes of this policy, an evacuation route segment shall be considered at capacity when its V/C ratio is 1.0 or greater, over capacity when its V/C ratio is 1.5 or greater, severely over capacity when its V/C ratio is 2.0 or greater, and a critical bottleneck when its V/C ratio is 3.0 or greater under any adopted evacuation scenario.</p> <p>The City shall prioritize mitigation, operational strategies, and emergency</p>	<p>The draft does not have a Strategy HS-2.3.3. A new strategy HS-2.11.4 is proposed to conduct a Dynamic Traffic Assignment evacuation study (see Page 59 of draft Element). The study conducted under this proposed strategy would evaluate all areas of Cupertino, not only the fire hazard severity zones.</p> <p>The City’s October 2025 evacuation route study complies with the requirements of the California Government Code Section 65302.15, which requires jurisdictions to evaluate citywide evacuation routes - their capacity, safety, and viability with any update to the Safety Element, and is also consistent with guidance from the Governor’s Office of Land Use and Climate Innovation.</p>

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	<p>planning for route segments meeting these thresholds, especially routes serving neighborhoods with limited evacuation alternatives, longer distances to evacuation gateways, schools, vulnerable populations, or visitor-serving open-space areas.”</p> <p>Councilmember Comment: Councilmember Shelia Mohan comments that the evacuation report should provide evacuation solutions for all parts of Cupertino.</p>	
<p>Single-Egress Parcels</p>	<p>Public: Draft does not explicitly identify or inventory parcels with constrained single-egress access.</p> <p>Complete a GIS-based inventory of all residential parcels in FHSZs with only a single point of vehicular egress, publish it publicly, and use it to prioritize infrastructure investments.</p>	<p>A GIS-based inventory of constrained residential parcels has been completed as required by Government Code Section 65302(g)(5). This requirement applies with each review and update of the Health and Safety Element, not less than once every eight years. Most of the ingress/egress constrained parcels are located on a cul-de-sac.</p> <p>Community education is already addressed by Policy HS-2.12.</p> <p>The use of the constrained residential parcel analysis to inform infrastructure investments is proposed to be addressed in a new strategy (HS-2.11.5) (see Page 59 of the draft Element).</p>
<p>Dual Ingress/Egress Mandate</p>	<p>Moore: Current Policy HS-3.4.1 lists "more than one point of ingress and egress" as a plan requirement but does not specify dimensions or mandate enforcement.</p> <p>Adopt objective standards requiring that all new residential developments of 5 or more units in High/Very High Fire Hazard Severity Zones (FHSZs) provide a minimum of two independent, paved access points each</p>	<p>The 2025 State Building Standards Code, effective January 1, 2026, includes a new section, the Wildland-Urban Interface (WUI) Code, which bring together State requirements previously found in various regulations into a single location. The new WUI Code addresses access (ingress/egress), site plans, landscaping, irrigation, water supply, ignition-resistant exterior building materials and construction, vegetation and defensible space, and similar issues.</p>

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	<p>at least 20 feet wide as a non-discretionary condition of approval.</p> <p>Chao: Add evacuation route study and mitigation when necessary Revise language: Review in High and Very High Fire Hazard Severity Zones.</p> <p>For proposed development in High and Very High Fire Hazard Severity Zones identified by CAL FIRE, prior to issuance of the first permit, whether ministerial or discretionary, plans shall include, at a minimum:</p> <ul style="list-style-type: none"> • Site plan, planting plan, planting palette, and irrigation plan with designs to reduce the risk of fire hazards and with consideration of site conditions, including slope, structures, and adjacencies. • Development and maintenance of defensible space. • More than one point of ingress and egress to improve evacuation, emergency response, and fire equipment access, and adequate water infrastructure for water supply and fire flow that meets or exceeds the standards in the California State Minimum Fire Safe Regulations, including Subchapter 2, Articles 1–5, commencing with Section 1270, and Subchapter 3, Article 3, commencing with Section 1299.01. • An evacuation-route assessment when the project would add residential units, increase occupancy, or intensify land use in an area served by an evacuation route segment 	<p>These standards apply to structures in the relevant Fire Hazard Severity Zones, and select standards also apply to additions and remodels. Some WUI Code standards may only apply to the Very High Fire Hazard Severity Zones, while others may apply to the High zones, or to all three zones (Very High, High, and Moderate). Project applicants must comply with the applicable requirements of the building code, residential code, fire code, and WUI code in addition to other requirements in the City’s Municipal Code and General Plan. Many of the suggested revisions for development in the High and Very High FHSZ are required by one or more parts of the Building Standards Code.</p> <p>Staff recommends revisions to Policies HS-2.13, HS-2.14 and HS-2.15 to address evacuation-related recommendations not covered by the code or other proposed HSE policies or strategies (see Page 60 of the draft Element). Previous Policy HS-2.15 has been combined with HS-2.13. The proposed revisions clarify when secondary ingress/egress is required (new development in certain areas) and when it is encouraged (existing development in evacuation constrained areas and new development outside of certain areas).</p>

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	<p>classified as at capacity or over capacity under the City’s adopted evacuation route capacity assessment. For purposes of this review, an evacuation route segment shall be considered at capacity when the V/C ratio is 1.0 or greater, over capacity when the V/C ratio is 1.5 or greater, severely over capacity when the V/C ratio is 2.0 or greater, and a critical bottleneck when the V/C ratio is 3.0 or greater.</p> <ul style="list-style-type: none"> • Where a project would add evacuation demand to an at-capacity or over-capacity route, plans shall identify feasible measures to avoid, reduce, or offset added evacuation constraints, such as additional ingress and egress, emergency access improvements, site design changes, evacuation management plans, parking management, traffic-control measures, or evacuation-route improvements. • Class A roofing assemblies for new and replacement roofs. • Location and source of anticipated water supply.” <p>Overlapping Commissioner Discussion: Consider requiring secondary access (ingress/egress) for new development rather than encouraging it (Policy HS-2.14). Clarify whether this means two different exit points from a development or access to two different streets. Be clear about the specific number of residential units where this applies.</p>	

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	<p>Councilmember comment: (Shelia Mohan) suggested that Policy HS-2.13 be “encourage” rather than “require”.</p>	
<p>Street-Level Modeling for High V/C FHSZs</p>	<p>Moore: Draft Does not distinguish between evacuation zones inside/ outside FHSZs for modeling depth.</p> <p>Add a strategy requiring street-level traffic modeling for any evacuation zone within a Moderate, High, or Very High FHSZ that has a V/C ratio exceeding 1.0, calling out Zones CUP016, CUP017, CUP029, and CUP032 for immediate priority.</p>	<p>Staff recommends that this be addressed through a future dynamic traffic assignment evacuation study (see above) (see Page 59 of draft Element). No additional changes are recommended.</p>
<p>Development Review & Evacuation Thresholds</p>	<p>Public: For projects of 10+ units in High/Very High FHSZs, require applicants to demonstrate via traffic analysis that the project won't degrade time-to-safety performance below an established threshold (e.g., 90% of residents reaching safety within 60 minutes of a Red Flag Warning).</p> <p>Chao: Add new policy: "Development Review in Evacuation-Constrained Areas. Require discretionary development in wildfire hazard areas or evacuation-constrained areas to evaluate whether the project would increase evacuation demand on any evacuation route segment classified as at capacity, over capacity, severely over capacity, or a critical bottleneck under the City's adopted evacuation route capacity assessment. Where a project would add evacuation demand to such a route segment, the City shall require feasible measures to avoid, reduce, or offset added evacuation constraints, such as improved emergency access, site design changes, evacuation</p>	<p>Staff recognizes the importance of clarifying what types of projects would be required to provide more than one egress/ingress route and to conduct evacuation analyses. Staff proposes a new Policy (HS-2.16) and associated strategy related to Evacuation Route Assessment that complement proposed revisions to Strategies HS 2.11.4 and HS 2.11.5 and Policies HS-2.13, HS-2.14 and HS-2.15 (see Pages 59-61 of draft Element).</p> <p>Staff does not recommend including mitigation measures in the strategy as the best practices for addressing evacuation demand will change over time as improvements are made and community conditions change. At this time, staff recommends that the specifics of evacuation times and thresholds be evaluated and established at the time of completion of the dynamic traffic assignment evacuation study (new strategy HS-2.11.4 proposed, see Page 59 of draft Element)</p>

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	<p>management plans, traffic-control measures, parking management, transportation demand management, one-car-per-household evacuation planning, shelter-in-place or nearby shelter strategies where appropriate, or contributions to evacuation-route improvements."</p> <p>Overlapping Commissioner Discussion: Consider establishing clear thresholds on the level of development which triggers evacuation route requirements, and whether clearer thresholds are needed across the Element (Policy HS-2.11).</p>	
<p>Zone 0 Non-Combustible Perimeters</p>	<p>Moore: Draft references defensible space generally but lacks the 5-foot ember-resistant perimeter from 2021 CAL FIRE updates.</p> <p>Add a strategy under Policy HS-3.4 or Policy 3.7 explicitly requiring a 5-foot Zone 0 non-combustible perimeter for all new construction and significant remodels in Moderate, High, and Very High FHSZs.</p> <p>Overlapping Commissioner Discussion: Clarify triggers on wildfire safety requirements related to remodels vs. new build/construction (Policy HS-3.4.1).</p>	<p>These details are typically in implementation documents such as Ordinances, including Section 604 of the California Wildland-Urban Interface Code, incorporated into the Cupertino Municipal Code as Chapter 16.10.</p> <p>California law requires that Zones 1 (out to 30 feet around a home, removal of debris and flammable materials) and 2 (30 to 100 feet around a home, removal of debris and limits to flammable materials) defensible space be established by new development and maintained by existing development. The Zone 0 (ember-resistant zone, out to 5 feet around a home) requirements, which are currently being developed by the California Board of Forestry and Fire Protection, would require Zone 0 to be established and maintained for all new development immediately, and would have to be established and maintained for all existing development within 3-5 years.</p>

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		<p>A new Policy HS-3.9.2 (see Page 65 of draft Element) is recommended to reinforce the City’s commitment to apply State and Municipal Code requirements in the various Fire Hazard Severity Zones.</p>
<p>Wildfire Development Standards</p>	<p>Mohan: Prohibiting or avoiding additional residential developments in Fire Severity Zones may contradict State Housing laws. Suggest the report include the reality that laws may be contrary to City policy.</p>	<p>The City’s General Plan is the appropriate policy document to direct where and how the City should develop, and how resources should be used to support that development.</p> <p>To ensure that the proposed Health and Safety Element does not contradict State regulations in place now or in the future, staff proposes revisions to Policies HS-3.5 and HS-3.6. (see Page 64 of the draft Element) Staff also proposes revisions to HSE Policies 3.4, 3.8, and 3.9 to remove unnecessary detail and to ensure compliance with State and Municipal Code requirements in Fire Hazard Severity Zones (see Pages 63-65 of the draft Element).</p>
<p>Support for Defensible Space and Home Hardening</p>	<p>Fruen: Include a home-hardening, defensible space, and wildfire resilience strategy that commits the city to exploring means for providing financial assistance to residents, especially those on restricted incomes, to improve their homes' resistance to wildfire spread. Such a strategy could include direct grants, the establishment of a low-interest loan fund, and subsidies for brush abatement, among other options.</p>	<p>Staff recommends the addition of a new strategy (see Page 64 of draft Element).</p>
<p>Emergency Vehicle Access</p>	<p>Chao: Revise language: Require proposed development to provide adequate access for fire and emergency vehicles and equipment that meets or exceeds the California</p>	<p>It is not recommended that all current requirements of the relevant state standards be listed in General Plan policies since these state requirements may change over time.</p>

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	<p>State Fire Safe Regulation standards, Santa Clara County Fire Department standards, and City standards. These standards are found in two parts of the California Fire Safe Regulations (California Code of Regulations, Title 14, Division 1.5, Chapter 7): Subchapter 2, Articles 1-5 (commencing with Section 1270, SRA Fire Safe Regulations); and Subchapter 3, Article 3 (commencing with Section 1299.01, Fire Hazard Reduction Around Buildings and Structures Regulations). Developments must also comply with the applicable provisions of the California Fire Code (California Code of Regulations, Title 24, Part 9) to ensure fire safety measures, including emergency access, fire protection systems, and defensible space requirements, align with statewide fire prevention standards and include adequate unobstructed roadway width, vertical clearance, grade, turning radius, turnarounds, load-bearing surface, fire lane parking controls, and emergency access easements, as applicable, to allow fire engines and aerial apparatus to safely access and maneuver, including right-turn and turnaround movements, as approved by the Fire Code Official.</p> <p>For development in Fire Hazard Severity Zones, hillside areas, evacuation-constrained areas, or areas served by private or dead-end roads, require confirmation that fire engines and aerial apparatus can safely access and maneuver on-site and off-site, including right-turn and turnaround movements, through compliance with</p>	<p>When the draft Element was prepared in late 2025, the updated Wildland Urban Interface (WUI) Code had not yet been adopted by the State, which is why several separate and various sections of the Fire Code were referenced in the proposed policy, based on the Consultant’s prior experience with Cal Fire staff’s review. However, the WUI Code was adopted by the State in January 2026. As a result, staff proposes revisions to simplify Policy HS-3.9 (see Page 65 of draft Element).</p> <p>Policy HS-3.14 and associated strategies (see Page 67 of draft Element) already address fire safe roadways. No other changes are recommended.</p>

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	<p>adopted fire access standards or a turning-movement analysis approved by the Fire Code Official.</p>	
<p>Firefighting infrastructure</p>	<p>Wang: Specify a minimum flow rate for fire hydrants of 1,000 gallons per minute at 20 pounds per square inch with a dual port “steamer” connection, that hydrants be “steamer” hydrants with 4 ½-inch and 2 ½-inch outlets, that water suppliers upgrade pipes as needed to accommodate these hydrants, that hydrants be spaced apart 500-800 feet as density demands, that the hydrants be positioned on a hard all-weather surface with a clear radius around it, and that hydrant locations be marked with a reflective blue marker in the center of the road or other location</p>	<p>Policies HS-3.11, HS-3.12, and HS-3.13 (see Pages 66-67 of draft Element) and associated strategies already address and require adequate water supply by referencing the standards and requirements of the Fire Department. Adequate water supply and minimum flow are also a requirement of the California WUI Code, incorporated into the Cupertino Municipal Code as Chapter 16.10. No changes are recommended.</p>
<p>Evacuation Corridor Design Standards</p>	<p>Chao: Evacuation Corridor Design Standards not explicitly detailed for specific roadway geometric configurations.</p> <p>Add new policy: Evacuation Corridor Design Standards. When resurfacing, redesigning, or improving critical evacuation corridors, evaluate design treatments that preserve or increase emergency evacuation capacity, such as mountable or painted medians, emergency shoulder use, emergency vehicle access features, traffic signal backup power, and designs that can support temporary traffic control during evacuations.</p>	<p>Staff and City consultants follow applicable federal, State, and municipal requirements and guidance when designing and constructing roadway and mobility infrastructure projects. In addition to ensuring roadway and related mobility infrastructure design and construction conform to federal, State, and local regulations, policies, and codes, emergency responders serving the City currently evaluate all proposed changes to City roadways to ensure the changes do not conflict with emergency ingress and egress, including response times. No changes are recommended.</p>
<p>New Public Safety Facilities</p>	<p>Mohan: Remove Strategy HS-1.3.4, as infrastructure and operational issues for the Santa Clara County Fire Department and the Sheriff’s Department are not evaluated by the City. Both fall under the authority of</p>	<p>The strategy does not suggest that the City has any direct authority or decision-making abilities on these items. It calls for coordination with relevant agencies. No changes are recommended.</p>

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	the County. HS 1.3 refers to Public Agency Cooperation, but it is not realistic to assume the City will have a role in decision making pertaining to infrastructure.	
Law Enforcement Response Times	Commissioner comment: Clarify emergency response standards for law enforcement response times under Policy HS-4.4.	<p>Staff prepared the policies and strategies related to response times in coordination with the Santa Clara Sheriff’s office and Fire Department, based on information provided by those agencies. Details on the current response times are provided in the text on pages 5, 6, and 8 of the draft Element.</p> <p>Staff recommends a revision to Policy HS-4.4 (see Pages 69-70 of draft Element) to focus on police services and move Fire Department response time language to Policy 3.2 (see Page 62 of draft Element).</p>
Carbon-neutral resilience	Fruen: Provide a specific strategy to offset any loss to carbon-fixing vegetation as part of the creation of defensible space in FHSZs to align HSE policies, strategies, and programs with the city's Climate Action Plan 2.0, and the city's planned tree canopy council work program item.	<p>The City’s Climate Action Plan (CAP) includes several specific measures to improve health and safety by reducing greenhouse gas emissions to enhance climate resilience.</p> <p>Staff recommends a new policy HS-9.11 and two new strategies (see Page 83 of the draft Element) to align the General Plan Health and Safety Element with the CAP 2.0 (see Page 88 of draft Element). The proposed policy and draft strategies aim to enhance carbon sequestration.</p>
Seismic Retrofit of City Hall / EOC	Public: Seismic Retrofit of City Hall/EOC is not “required.” Add an objective strategy to complete a full seismic retrofit of City Hall and the Torre Annex to Essential Facility standards (CBC Occupancy Category IV) with a funded capital improvement plan adopted by 2027.	Recommend revising Strategy HS-2.3.1 related to seismic retrofits of City facilities, including City Hall and the Torre Annex (see Page 55 of draft Element).
Phase I & II Environmental	Public: Policy HS-5 calls for agency coordination but does not mandate	Strategy HS-6.2.1 in the draft Element already requires that environmental site

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<p>Site Assessments (ESAs)</p>	<p>site assessments as a condition of development approval. Require a Phase I ESA prior to entitlement approval for any development application on a parcel with a documented history of industrial or commercial land use, and a Phase II ESA if recognized environmental conditions are found.</p>	<p>assessment, which includes Phase I and Phase II ESA (if required), be completed prior to project approval for all properties.</p> <p>Staff recommends new language to clarify the intention and application of the strategy (see Page 73 of the draft Element).</p>
<p>Hazardous Materials Thresholds & Regulations</p>	<p>Public: No numeric cleanup thresholds set in connection with development approvals.</p> <p>Prohibit certificates of occupancy for residential use on previously contaminated sites until soil/groundwater contaminants are remediated to or below California Human Health Screening Levels (CHHSL) for residential use, referencing PFAS, PCE, and TCE.</p> <p>Overlapping Commissioner Discussion: Consider incorporating federal (EPA) standards for hazardous materials management.</p>	<p>The City is obligated to implement federal, State, and County regulations related to hazardous materials management. These regulations may change and it is not advisable to add the requested prohibition of uses. Staff recommends a new strategy that continues the City’s enforcements of these requirements (see Page 74 of draft Element).</p>
<p>Flood Safety & FEMA Ratings</p>	<p>Commissioner Comment: Add language about maintaining and improving the City’s FEMA Community Rating System (CRS) score, noting that the City has recently improved its rating.</p>	<p>Page 35 of draft Element includes a paragraph about the CRS program. Staff recommends adding information about the City’s updated CRS rating in the paragraph as requested (see edits on page 35 and 36 of draft Element).</p> <p>Strategy HS-7.4.3 directs the City to continue participation in the National Flood Insurance Program CRS rating system. No changes are proposed to policies and strategies.</p>
<p>State Extreme Heat Action Plan</p>	<p>Commissioner Comment: Integrate appropriate actions from the 2026 draft California Extreme Heat Action Plan into the Health and Safety Element.</p>	<p>Staff reviewed the State’s draft update of the Extreme Heat Action Plan. Most actions are focused on State authorities and programs. It is recommended that only those new actions that do not</p>

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		<p>overlap with other existing policies, address matters that are within the City’s purview, and are of appropriate scope for the General Plan be integrated into the Health and Safety Element. (see Policies 9.4 revised or new Strategies 9.4.1, 9.4.2, and 9.4.3 on Page 81 of the draft Element</p> <p>While the Vulnerability Assessment prepared for this Health and Safety Element update relied on best, currently, available data and identified populations and assets vulnerable to extreme heat, spatial data for identification of vulnerable populations is limited due to limited data sources. However, as the State expands its resources for extreme heat, staff expect future updates of the Vulnerability Assessment will include better spatial data on vulnerable populations and neighborhoods, allowing for more tailored policy and program responses.</p>
<p>Artificial Turf & Synthetic Surfaces (Hazmat/Heat) -</p>	<p>Moore/Public: Draft Element does not mention artificial turf or synthetic surfaces.</p> <p>Hazmat: Prohibit new City-funded installations of artificial turf or poured-in-place rubberized surfaces on public property, parks, and schools; inventory existing turf for PFAS and replace with natural/PFAS-free options at end-of-life; discourage residential use via public education.</p> <p>Moore: Stormwater/Microplastics: Require microplastics impact analysis for new synthetic installations on public property; note that synthetic surfaces shed microplastics into stormwater.</p>	<p>Staff recommends adding a new strategy HS-9.5.5 (see Page 82 of draft Element) that would direct City resources to assess the impacts and considerations with use of artificial turf or poured-in-place rubberized surfaces and to then update the municipal code or City policies, as needed. The assessment of artificial turf and specific triggers is outside the scope of this update.</p>

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	<p>Moore: Heat Risk: Note surface temperature hazards (160–180°F) as an extreme heat risk under Policy HS-9.4.</p>	
<p>Cooling Center Performance Standards</p>	<p>Moore: Require completion of the Heat Action Plan within 18 months, ensuring no resident is >1 mile from a cooling center. Mandate minimum hours (8 AM–8 PM) when temperatures exceed 95°F, require ADA accessibility, incorporate transportation assistance, and partner with school districts (CUSD/FUHSD) for gym access.</p>	<p>A source of state climate data, the California 5th Climate Change Assessment will be available in Fall 2026, and it is recommended that the City wait on this updated information before establishing extreme temperature thresholds.</p> <p>Revisions are proposed to Strategy HS-9.4.1 to clarify the Heat Action Plan would be an annex of the Emergency Operations Plan to allow an assessment of a temperature threshold, operation of cooling centers, and coordination with community service providers, emergency managers, and public health staff (see Page 81 of draft Element).</p>
<p>Green Roofs & Living Walls</p>	<p>Moore: Policy 9.9 encourages nature-based solutions but features no explicit metrics or targets</p> <p>Target green roofs or living walls on at least 25% of qualifying new commercial and multi-family developments of 20,000 sq ft or more, tracking citywide cool-surface coverage.</p>	<p>California law requires that all new roofs meet minimum thermal requirements to minimize heat absorption and their contributions to heat islands (Title 24, Part 6, Sections 110.8, 120.7, 140.3, and 160.1, among others). There are also voluntary standards for vegetated roofs and walls in Title 24, Part 11. No changes are recommended.</p>
<p>Public Space Cooling Infrastructure</p>	<p>Moore: Strategies target shading at transit stops and parking lots, but skip active cooling in public gathering spots.</p> <p>Install active cooling (misting/ evaporative features) paired with shade structures in high-use public hubs like town centers, parks, and school-adjacent zones, prioritizing senior and youth traffic.</p>	<p>Typical single family residential developments do not include parking lots, though multifamily development could have parking areas. Staff recommends revisions that would align development related strategies with a new policy for clarify and to split the previous strategy into three strategies to address different development types – new non-residential and multi-family development, existing non-residential</p>

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	<p>Overlapping Commissioner Discussion: Clarify that shading requirements apply only to parking lots and commercial development, not residential development (Policy HS-9.4.2).</p>	<p>and multi-family development, and existing parking lots (see Page 81 of draft Element).</p>
<p>VTA Rubberized Asphalt Advocacy</p>	<p>Moore: Add a strategy explicitly directing the City to formally advocate with VTA for the use of rubberized asphalt on I-280 within Cupertino’s geographic limits.</p>	<p>The draft Element has a policy to minimize noise when the freeways are designed or improved. However, to address this comment Staff recommends revising Policy HS-8.4 (see page 78 of draft Element).</p>
<p>Truck Traffic Noise Standards</p>	<p>Moore: Policy HS-8.7 restricts truck hours on major boulevards but relies on 24-hour average CNEL standards, obscuring single-event peaks.</p> <p>Add a strategy establishing a Maximum Noise Level (L_{max}) standard not to exceed 65 dB for industrial trucks operating in or adjacent to residential zones between 10 PM and 6 AM.</p> <p>Overlapping Commissioner Discussion: Consider establishing objective noise standards for trucks in residential areas.</p>	<p>Policy HS-8.7 does not reference 24-hour average CNEL standards. Also, while noise standards for trucks may not be practical to implement and enforce, ensuring that new development is designed to implement indoor noise standards in the Building Code is more practical.</p> <p>The draft Health and Safety Element includes a policy to post signage in the right of way for routes accessible to quarry trucks to establish “quiet hours.” This could be used to regulate truck activity to the extent permitted by state law. Revisions are proposed to Policy HS-8.2.2 to ensure that Building Code requirements are implemented related to interior noise standards (see page 77 in draft Element).</p>
<p>Noise Environment</p>	<p>Mohan: Mention lawn mowers and leaf blowers in the Noise section.</p>	<p>The City’s Municipal Code includes regulations regarding noise generating lawn equipment, including lawn mowers and leaf blowers. A new policy HS-8.9 is proposed to reference these standards (see page 79 of draft Element).</p>
<p>Freeway Corridor Noise Barriers -</p>	<p>Moore: Policy HS-8.4 mentions rubberized asphalt but lacks systematic</p>	<p>The sponsorship process for evaluation related to soundwalls is established by VTA and Caltrans. Two new strategies</p>

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	<p>noise barrier evaluation or Caltrans advocacy language.</p> <p>Direct the City to formally request a Caltrans eligibility evaluation under the Retrofit Noise Barrier Program for I-280 and SR-85 within 12 months.</p> <p>Evaluate alternative buffers (sound fences, acoustic panels, vegetation) where soundwalls are geometrically infeasible.</p>	<p>are proposed to be added to address freeway soundwalls (see Page 78 of draft Element).</p>
<p>Interchange Zone Noise Mitigation</p>	<p>Public: Does not specifically address noise exposure gaps at freeway interchanges where soundwall geometry is interrupted by ramps.</p> <p>Recognize freeway interchange zones as a distinct residential noise exposure category; require any future Caltrans or VTA interchange project within/adjacent to Cupertino to include a noise impact analysis and mitigation plan as a condition of City cooperation.</p>	<p>Noise impact analysis is already required under both NEPA and CEQA requirements, and the City has historically coordinated with VTA and Caltrans on freeway, including interchange, projects. A new strategy is proposed to support continued participation and coordination with Caltrans and VTA on future interchange projects in the city.</p>
<p>Noise Monitoring Program</p>	<p>Moore: Lacks ongoing noise monitoring or community reporting mechanisms.</p> <p>Establish a periodic (biennial) ambient noise monitoring program at 5 to 10 noise-sensitive locations (along highways and near industrial sites) with public web dashboard reporting.</p>	<p>A noise monitoring program without any targets does not achieve any goals. No changes recommended.</p>
<p>Exemptions for Existing Development.</p>	<p>PC Rao (Email 3/9/26): Draft lacks explicit language to exempt Single Family Residential Remodels from requirements of the Building and WUI Codes and from Geotechnical Review standards. Request to include the following exceptions for single-family remodels:</p> <p>Existing Non-Conforming Use Protection: “Legally established uses</p>	<p>The requested changes to exempt existing single-family residential structures and potential remodels or renovations from proposed HS policies and strategies could conflict with the requirements of the California Building Standards Code (Cal. Code Regs., Title 24), including the WUI Code – particularly in the Very High and High Fire Hazard Severity Zones. The City</p>

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	<p>and structures existing prior to the adoption of this General Plan or subsequent amendments shall be considered conforming and may continue provided they are maintained in accordance with applicable codes. Minor repairs and maintenance to existing structures shall not trigger compliance with new development standards.”</p> <p>Substantial Improvement Threshold Exemption: “Remodels or additions comprising less than 50% of the existing structure’s assessed valuation or floor area, as determined by the Building Official, shall be exempt from full compliance with current seismic, fire, and geologic standards applicable to new construction.”</p> <p>Hillside Grandfathering Precedent: “Single-family residences constructed prior to [effective date] in the Residential Hillside (RHS) overlay zone shall be grandfathered from new grading, access, and vegetation management requirements unless the project constitutes a substantial remodel exceeding 50% of the original floor area.”</p> <p>Code Compliance Trigger Language: “Routine maintenance, replacement in-kind, and interior remodels not expanding habitable space or exterior wall area shall not trigger review under Policies HS-5.1, HS-3.4, or HS-3.7. Only substantial improvements exceeding 50% of assessed value or creating new safety risks shall require full code compliance.”</p> <p>Floodplain Existing Structures: “Existing residential structures in the</p>	<p>adopted the 2025 BSC, which became effective in January 2026.</p> <p>As presented in previous responses, the City may not adopt standards that are less stringent than the minimum standards established in the BSC. However, revisions are suggested to multiple policies and actions to clarify application as indicated in earlier responses. No additional changes recommended.</p>

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	<p>100-year floodplain legally constructed prior to current Flood Damage Prevention Ordinance amendments shall continue to be permitted for maintenance and minor improvements without elevation requirements, provided no increase in flood risk to surrounding properties occurs.”</p>	
<p>Public Health and Vulnerable Populations.</p>	<p>City staff identified opportunities to add clarifying text and a strategy to further emphasize issues of importance to vulnerable populations, including air quality, health, and food security during the event of an emergency.</p>	<p>Revise Policy HS-2.7, Hazard Preparedness, (see Page 57 of draft Element)) to include “poor air quality” in the list of hazard scenarios which would include impacts from wildfire smoke, among other harmful pollutants.</p> <p>A new Policy HS-2.7.5, Critical Needs for Vulnerable Populations During Emergencies, is proposed to emphasize the role of the City and community service providers in meeting the critical needs of vulnerable residents during emergencies. (see Page 58 of draft Element).</p>
<p>Climate Change Resilience and Climate Action Plan</p>	<p>Staff identified opportunities to:</p> <ol style="list-style-type: none"> 1. Align the draft Health and Safety Element with policies from the CAP 2.0 in the Water Conservation area. 2. Suggest modified language regarding electrification. 	<p>Two new strategies have been added to Policy HS-9.3 related to water conservation for consistency with CAP 2.0. (see Page 85 of draft Element)</p> <p>Strategy HS-9.6.1 related to decarbonization has been updated to more modern language and to be consistent with CAP 2.0 (see Page 87 of draft Element).</p>