

CC 07-1-2025

Item No. 12

Public Hearing  
Townhome  
Development

Presentation

# Housing Development 20840 Stevens Creek Boulevard

City Council  
July 1, 2025



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## Project Site

### Address

20770, 20830, & 20840  
Stevens Creek Blvd

### Land Use

Commercial/Residential \*

### Zoning

P(CG, Res)\*,  
*Heart of the City*



\* Zoning and GP land use vested  
to January 2024 under state law

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## Project Background

### Existing Uses

Two former restaurants (Fontana's & Pizza Hut) and Staples

### Applications

- SB330 Preliminary Application - January 29, 2024
- Formal Application - July 22, 2024

### Housing Element Context

- 2023-2031 Housing Element adopted May 2024
  - Priority Housing Sites #40-43
- SB330 application submitted prior to HE adoption

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## Applicable State Housing Laws

### Housing Accountability Act (HAA)

Cannot make project infeasible or reduce density.

### Housing Crisis Act ("SB 330" or "HCA")

Streamlines permit processing and locks-in fees and standards. Vesting Date: January 29, 2024

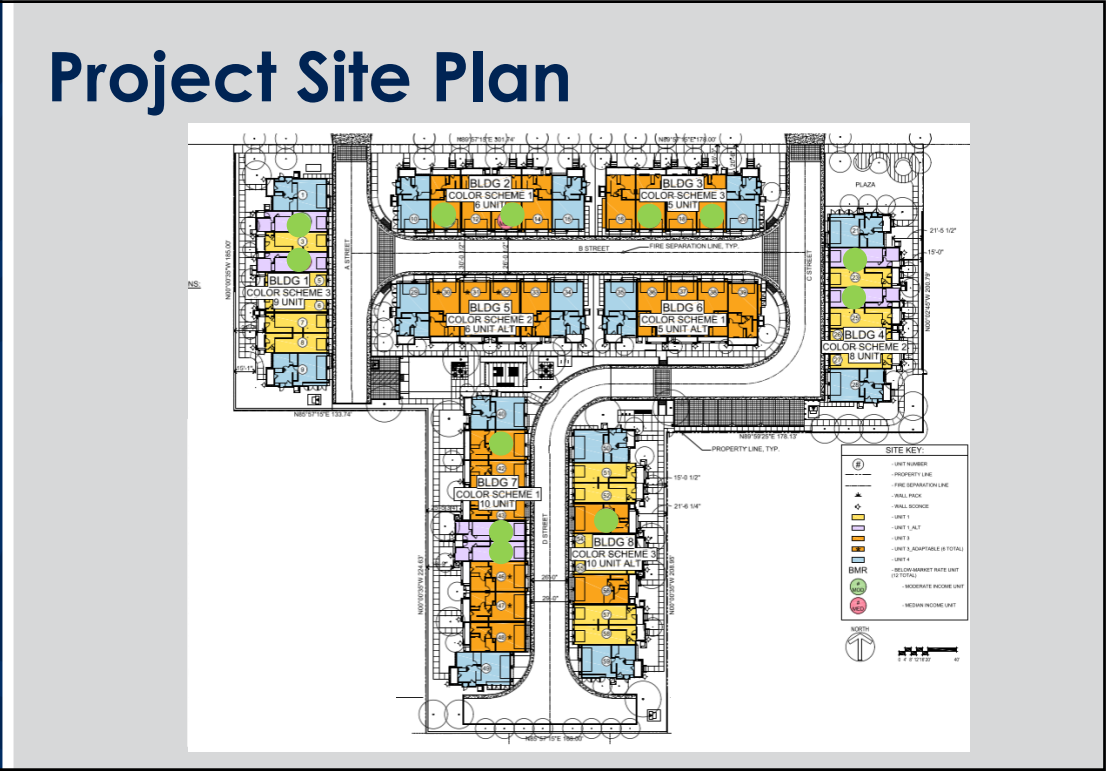
### Density Bonus Law

Allows for additional units, waivers, concessions, and reduced parking standards.

### No Net Loss (SB 166)

Sites to accommodate RHNA by income level must be available.

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# Project Design



View from Stevens Creek Boulevard



Internal open space

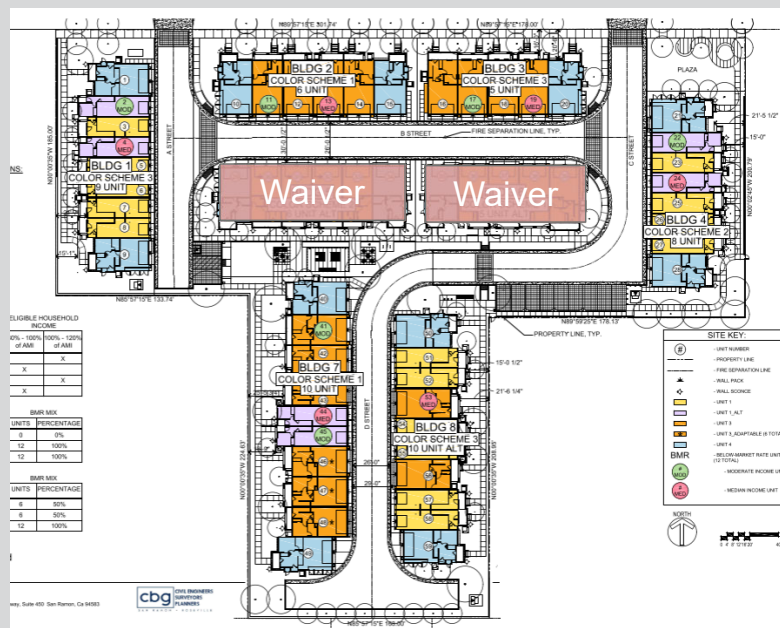


# Project Consistency Analysis

- Project is consistent with applicable objective standards as proposed under state law.
- Use Permit proposed to allow residential uses on a mixed-use zoned property.
- Two Density Bonus concessions requested to waive requirement in General Plan and Heart of the City Specific Plan for commercial component.

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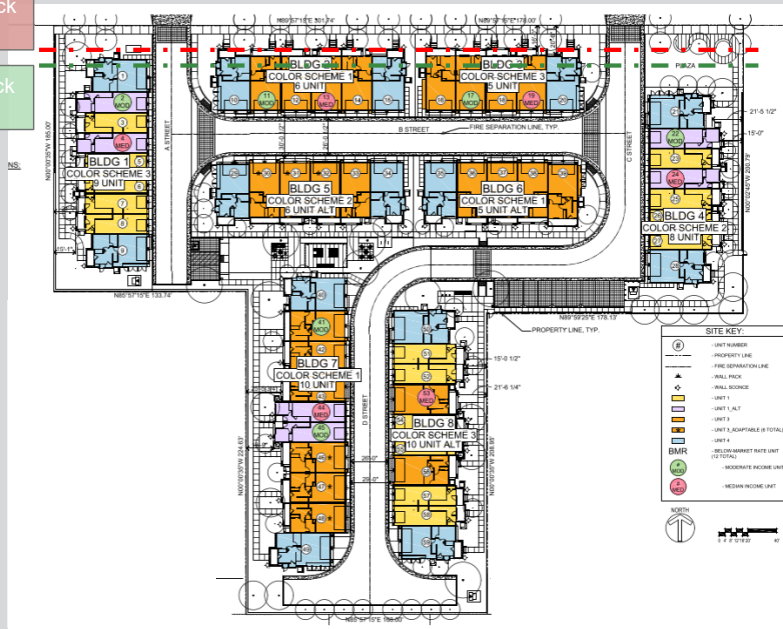
# Height Waiver



# Front Setback Waiver

Provided 26' Setback from curb

Required 35' Setback from curb

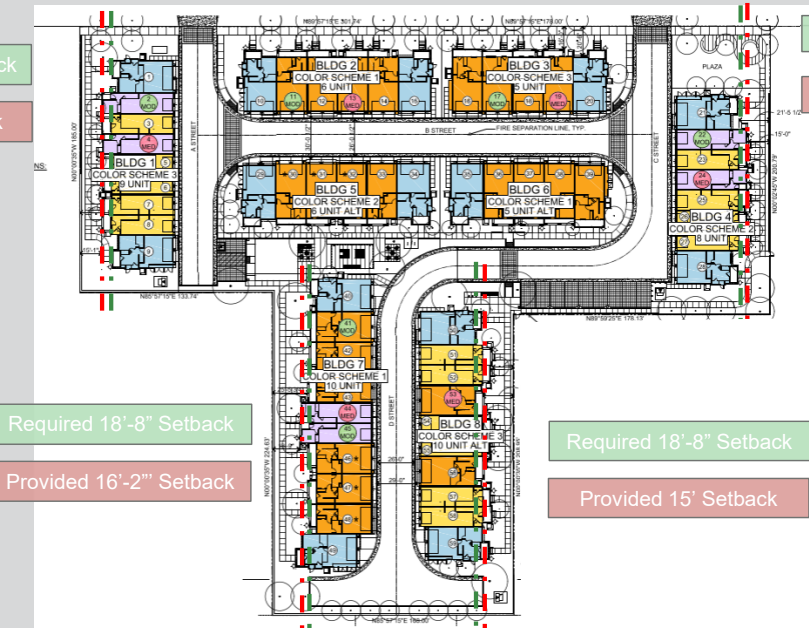


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# Side Setback Waiver

Required 18'-6" Setback

Provided 15' Setback



Required 18'-6" Setback

Provided 15' Setback

Required 18'-8" Setback

Provided 16'-2" Setback

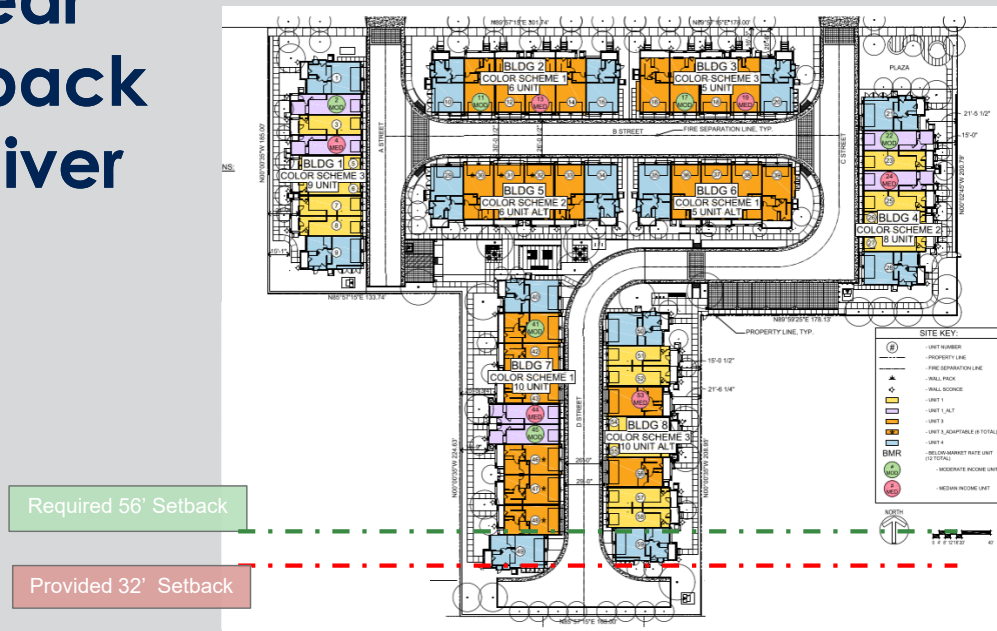
Required 18'-8" Setback

Provided 15' Setback

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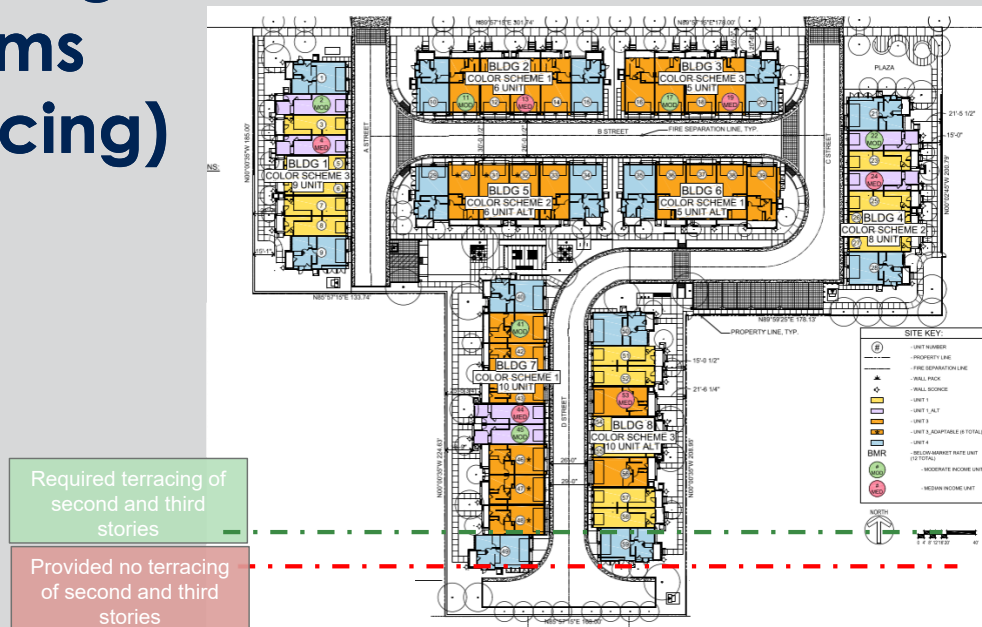


# Rear Setback Waiver



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# Building Forms (Terracing)



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# Service Access Waiver

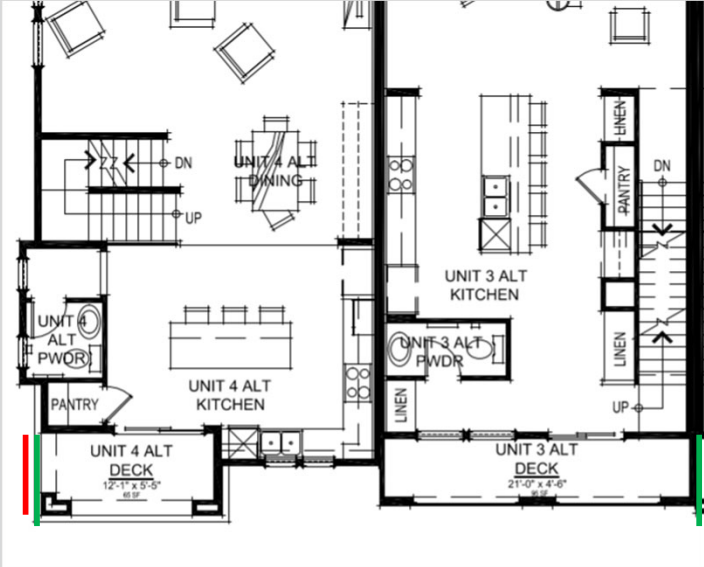
Proposed service access from Stevens Creek



Required Service Access from rear

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# Private Outdoor Space Clearance



Example of proposed 5'-5" dimension

Required 6' dimension

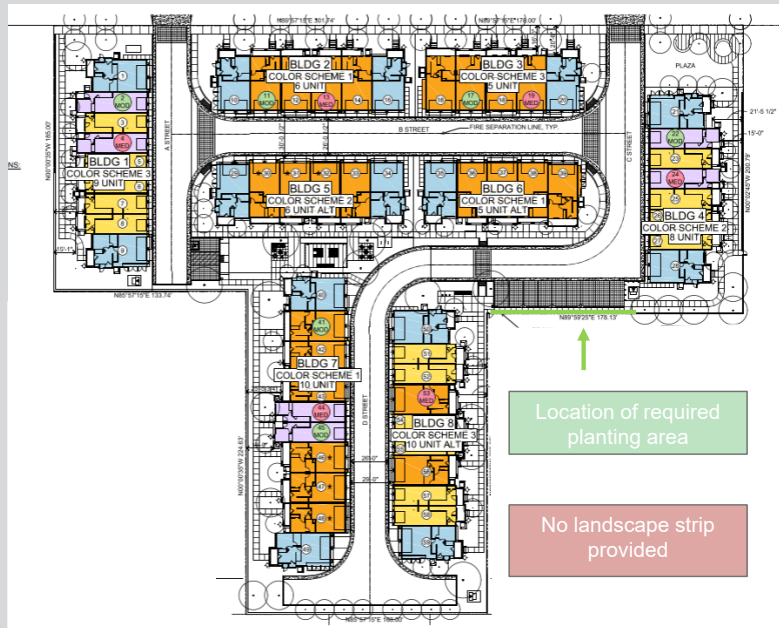
Example of proposed 4'-6" dimension

Required 6' dimension

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# Parking Planter Strip



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## Lot Coverage and Stall Size

Project Data	Required	Proposed
Lot Coverage	40% max.	43%
Parking Stall Size	10' x 20' min.	9'-10" x 18'

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# Public Art and Park Land

## Public Art Dedication

- Proposed public art plaza in the northeastern corner of property.
- To be reviewed and approved by Arts and Culture Commission after project approval.

## Park Land Dedication

- Staff recommends payment of in-lieu fee.
- Project is conditioned to pay in-lieu fee of \$2,538,000 for the 47 market rate units.

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# BMR Requirements

12 BMR units – 6 moderate and 6 median income

Proposed BMR units are comparable to market rate units in type and size:

	Number of Units	Number of Bedrooms	Average Unit Size
BMR Units	12	4	2,166 square feet
Market-Rate Units	15	3	1,799 square feet
	32	4	2,588 square feet

Average of all Market Rate Units – 2,336 sq. ft.

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## Categorical Exemption

Categorical Exemption Memorandum prepared:

- Reviewed environmental reports:
  - Biological Assessment
  - Environmental Site Assessment\*
  - Transportation Analysis
  - Arborist Report
  - Noise Assessment
  - Air Quality Analysis
- Project qualifies for a Class 32 (Infill Development) exemption based on:
  - Review of reports
  - Implementation of standard requirements of Municipal Code

\*Conditions added to ensure management of soils per ESA review.

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## Planning Commission Hearing

June 10<sup>th</sup> Planning Commission Hearing:

- Unanimous vote to recommend approval.
- Discussion:
  - Potential traffic concerns
  - Tree removals
  - Loss of retail
  - Lack of Very Low-Income housing
  - Use of stamped concrete at the driveway
  - Rear building setbacks
  - Public outreach

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## Recommended Actions

That the City Council adopt the resolutions to:

1. Find the project exempt from CEQA;
2. Make the required findings of No Net Loss; and
3. Approve the following permits:
  - a. Development Permit (DP-2024-002);
  - b. Use Permit (U-2024-007);
  - c. Architectural & Site Approval (ASA-2024-005);
  - d. Tentative Final Map (TM-2024-001); and
  - e. Tree Removal Permit (TR-2024-024).

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Item No. 13

FY 2025-26 Fee  
Schedule Update

Presentation



# FY 2025-26 Fee Schedule Update

July 1, 2025



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# Agenda

- Background
  - What is a Fee?
  - Fee Study
  - Fee Rates

- Fiscal Impact
- Staff Recommendation

## **Background - What is a Fee?**

A fee or rate charged to an individual or group that receives a *private benefit* from services provided by the City.

# **Background – Fee Study**

## **2016 & 2023 Fee Studies**

## **Cost Allocation Plan**

## **User Fee Cost Recovery Policy**

- Adopted in 2024
- Cost of Services -Sets the cap on city-provided services

# Background - Fees for City Services

Fee Schedule	Description
Schedule A - General Fees	Miscellaneous fees not associated with one department(abatement fees, false alarms, PRA request, etc.)
Schedule B - Engineering Fees	Public Works – Engineering: Design and Inspection Services
Schedule C - Planning Fees	Community Development – Planning: Current, Mid, and Long-Term Planning
Schedule D - Building Fees	Community Development – Building: General Building, Construction Plan Check, and Building Code Enforcement



# Fiscal Impact

Fee Schedule	Estimated Additional Revenue	Factor and Basis
Schedule A – General Fees	\$809	Cost-recovery plus 2.7% CPI
Schedule B – Engineering Fees	\$113,402	Cost-recovery plus -0.79% CCI, 9.7% Labor
Schedule C – Planning Fees	\$88,546	Cost-recovery plus 2.7% CPI, 9.7% Labor
Schedule D – Building Fees	\$451,812	Cost-recovery plus 9.7% Labor

# **Staff Recommendation**

Adopt Resolution approving FY 2025-26 Fee  
Schedules, effective September 1, 2025



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Item No. 14

FY 2025-26  
Internal Audit  
Work Plan

Presentation



# **City of Cupertino**

## **FY25-26 Internal Audit Program**

City Council Meeting  
July 1, 2025

# Internal Audit Overview

- The City retained Baker Tilly (Moss Adams) to serve as the designated Internal Auditor and conduct projects focusing on:
  - Risks
  - Internal controls
  - Efficiency and effectiveness
  - Best practices
  - Compliance
- Work is being completed under appropriate industry standards (IIA, GAGAS, AICPA)



# Internal Audit Program Components



# Risk Assessment Results

RISK CATEGORY	OVERALL RISK LEVEL
Funding and Economics	High
Capital Improvement Program	Moderate to High
Compliance and Financial Reporting	Moderate to High
Human Resources	Moderate to High
Planning and Strategy	Moderate to High
Asset Management	Moderate
Governance	Moderate
Internal Controls	Moderate
Management and Leadership	Moderate
Operations and Service Delivery	Moderate
Organization and Staffing	Moderate
Policies and Procedures	Moderate
Procurement and Contracting	Moderate
Reputation and Public Perception	Moderate
Risk Programs	Moderate
Accounting and Finance	Low to Moderate
Ethics and Fraud, Waste, and Abuse	Low to Moderate
Information Technology	Low to Moderate
Public Safety and Security	Low to Moderate

# Program Review

• Enterprise Risk Assessments	2021, 2024
• Internal Controls Projects Completed	3
• Performance/Efficiency Projects Completed	6
• Policies Reviewed	139
• Recommendations Delivered	52
• Ethics Hotline Reports Received	33 reports
• Recommendations Validated in FY25	45



# Recommended FY25-26 Internal Audit Projects

1. **Council-Wide Policy Review Inventory** (already approved by City Council): Review and provide recommendations to align council policies with best practices (16 weeks, \$40,000)
2. **City-Wide Internal Controls Review:** Conduct a review of the City's internal controls framework in key areas that are deemed important to protecting City assets and resources (16 weeks, \$45,000)
3. **Investment/Cash Flow Policy Review/Recommendation:** Review and provide best practices recommendations over the City's Investment/Cash Flow policy (8 weeks, \$10,000)
4. **Ongoing Internal Audit Services:** Attend Audit Committee and Council meetings, prepare status reports, recommendation validation, manage internal audit program, and monitor FWA hotline (\$25,000)

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CC 07-1-2025

Item No. 16

Study Session -  
Oversized Vehicle  
Parking

Presentation

# Oversized Vehicle Parking Ordinance Update

City Council Study Session



**CITY OF  
CUPERTINO**

Floy Andrews  
Interim City Attorney

# Oversized Vehicle Parking\*

- Consider amending Municipal Code
- Address enforcement loopholes, resident concerns, safety and aesthetics
- Balance quality of life, safety, legal risks and enforcement

\*This is a City Work Program item.

## **Municipal Code Sections Affected**

- 11.24.130 (update current 72-hour parking limit)
- 11.24.200 (vehicle removal, unchanged)
- 11.28.010 (adding definition of oversized vehicle)
- 11.28.020 (parking regulations updates,  
incorporating current restriction on living or  
sleeping in vehicles)



## Background: Current Practice

72-hour limit for all vehicles parking  
on public streets within the City  
Municipal Code Section 11.24.130

- Complaint-driven enforcement process
- Tire marking (not chalk)
- Re-inspection after 72 hours

# Challenges in Current Enforcement

- Vehicles move inches to avoid citation
- Coordinated rotations among RV owners
- Allows vehicles to stay indefinitely
- Current Areas impacted:
  - Alves between Saich & Bandlely (behind Target)
  - Stelling & Rainbow
  - Foothill/SCB and other intersections

A stylized eagle logo in dark blue, featuring a circular emblem with a star and radiating lines, positioned on the left side of the slide.

## Enforcement Statistics

- ~200 complaints annually, mostly RVs with tagging of 5+ vehicles/week
- Citations 2024-25: Only ~21 issued to RVs
- Revenue: ~\$1,700 from RV citations
- Total Revenue: ~\$180,000 from all citations



# Definition of Oversized Vehicle

Based on CA Vehicle Code § 670

Vehicles exceeding:

22 feet in length

6 feet in width, and

7 feet in height

(Includes trailers and loads)

\* would not include even the largest pickup trucks  
(Ford F-450 Super Duty or Tesla Cybertruck)

## Planning Commission Recommendations (1)

- Citywide ban on oversized vehicles, except:  
3-hour parking limit in daytime (6AM – 8PM)  
1-hour limit overnight (8PM – 6AM)
- Allow residents to obtain annual permits to park oversized vehicles on City streets  
(one/household, no charge)

## Planning Commission Recommendations (2)

- Allow nonresidents 5 permits to park annually (not within 1,500 feet of a commercial district)
- City should install signage at Alves and Bandley and other problem areas
- City should evaluate the program after one year

\* All permits require vehicles to be moved every 72 hours to a new location at least 1,500 ft away and stay away 72 hours.

# Pros & Cons of General Ban Proposal

- **Pros:**

Allows signage at only City entrances,  
clears streets, improves visibility,  
deters long-term parking on City streets

- **Cons:**

Daytime and nighttime time limit  
exceptions are difficult to manage

A stylized graphic of an eagle's head in profile, facing right, rendered in various shades of blue. It is located on the left side of the slide, partially overlapping the dark blue header bar.

## Resident Permit Program (exception)

One permit per household for vehicle owned by resident

- No charge for permit
- Park up to 72 hours, then move 1,500 ft
- Unlimited 72-hour periods allowed if moved properly

## “Resident” Defined

- Physically resides in a dwelling in a residential district within the City as their primary residence
- Provides evidence of residency, such as:
  - CA driver's license/ID card showing the resident address
  - utility bill displaying person's name and address
  - current lease or deed showing person's occupancy
  - current vehicle registration showing residential address
  - documentation acceptable to the Public Works Director
- A person need not own the dwelling unit to qualify as a resident.

# Pros & Cons of Resident Permits

- **Pros:**

Residents maintain RV use close to home,  
balances needs of residents and their  
guests, eliminates need for multiple permits

- **Cons:**

Potential near-permanent street parking  
Neighborhood aesthetic concerns

## Nonresident Permit Program (exception)

Up to 5 permits/year (15 days) for nonresidents

- Park up to 72 hours then move from City
- If using a second permit, move 1,500 ft
- No parking near commercial zones\*

\*(would need to provide map of commercial and residential zones when issuing permits)



# Signage Rules and Costs

- If City posts signs, enforcement is more efficient, initial warning not required
- ***Citywide parking regulations*** allows for signs to be placed at City entrances only: cost ~\$25,000, 50 signs
- Otherwise, signs must be posted on each City block: cost prohibitive (\$513 per sign, \$2,000 per block)

## Local Cities' Large Vehicle Solutions

Redwood City: Vehicles may not park on public streets at night, with limited exceptions.

Saratoga: Vehicles may not park in residential areas for 72+ hours; must be moved 1 mile.

Los Gatos: Vehicles may not park where posted or on designated streets.

Mountain View: Vehicles may not park on certain streets adjacent to class II bikeways or on certain narrow streets.

## Legal Context

- Mountain View litigation & settlement
- Redwood City's safe RV lot approach
- Fremont litigation – unhoused, not parking ordinance

Grants Pass Supreme Court Opinion (2024)  
Shifts rules in Ninth Circuit

# Fiscal and Operational Considerations

- Signage: \$513 per sign, \$25,000 for entrance-only signage
- Signage: one city clock \$2,000 (well over \$3M for city)
- Permit processing cost: ~\$46.50 each permit
- Anticipated volume: 3-4 permits/week (may require more staff time if volume is greater)
- FY 2024 parking citation revenue: ~\$180,000
- Uniform Citywide rules: 1) reduce confusion and cost and 2) allows for entrance signs only

# Other Local Options for Parking

We reached out to:

- West Valley Rotating Safe Car Park Program
- Amigos de Guadalupe
- 211 line
- Bill Wilson Center

None of these facilities allow RVs

We talked to West Valley Community Services manager who confirmed that they do not accept RVs, but they do allow camper vans.

## Next Steps for Council

Council to consider:

- General Ban on oversized vehicles parking
  - day/night parking windows
- Resident/Nonresident permit program
- Signage strategy
- Evaluate after first year

# Questions



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