



COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3308
CUPERTINO.GOV

CITY COUNCIL STAFF REPORT

Date: May 19, 2026

Subject

Study Session: Update to the Health and Safety Element of the Cupertino General Plan: 2015 – 2040 Community Vision

Recommended Action

Receive the presentation and provide input on the Public Draft of the Health and Safety Element of the Cupertino General Plan: 2015 – 2040 Community Vision.

Background

The Health and Safety Element is a State-mandated element of the General Plan that addresses the threats posed by natural and human-caused hazards to Cupertino and establishes goals and policies to reduce risk to the community. The current Health and Safety Element was adopted in 2014. Since that time, State law has expanded requirements related to wildfire, flooding, climate change adaptation, and evacuation planning.

The California Government Code Section 65302(g) requires all local jurisdictions to review and, as necessary, update their Safety Element upon each revision of the Housing Element or Local Hazard Mitigation Plan (LHMP), or at least once every eight years. The City adopted updates to the Housing Element and the Santa Clara County Multijurisdictional Hazard Mitigation Plan, including the City-specific LHMP section, in 2024, triggering this update.

Reasons for Recommendation and Available Options

The Public Draft Health and Safety Element ensures compliance with current State law, integrates climate vulnerability findings, incorporates detailed evacuation capacity analysis and mapping, reflects updated wildfire hazard designations, and strengthens policies addressing both new and existing developments across all major hazard categories.

In 2025, City and PlaceWorks staff presented the broad policy areas that the Health and Safety Element Update would cover to the Planning Commission and Public Safety Commission during scheduled study sessions. Commissioners and members of the public provided comments on several policy areas, many of which were incorporated into the public draft.

Details regarding the updates made to the Health and Safety Element are available in the attached memo (see Attachment A) from PlaceWorks. The Draft of the Health and Safety Element, associated appendices (Attachment B) was circulated for public review beginning February 12,

2026. Policies in the Draft Health and Safety Element were developed based upon the analysis from a background report prepared based on a review of Health and Safety Hazards (labeled “Appendix H” in Attachment B) and a technical study (Attachment C). A public comment period was open until March 13, 2026. A second public comment period was open between April 7, 2026 and May 8, 2026.

Planning Commission Study Session:

On March 9, 2026, the Planning Commission reviewed the Public Draft of the Health and Safety Element. The Commission provided input on several policy areas, including evacuation planning, wildfire risk, emergency preparedness, and climate resilience.

Consensus direction: The Planning Commission recommended that the draft Element be revised to incorporate additional supply-side evacuation strategies from the evacuation study (e.g., early detection system, phased evacuation processes, and traffic management strategies such as contra-flow/shoulder lanes) and to strengthen extreme heat-related policies by incorporating findings and strategies from the Draft 2026 update of the California Extreme Heat Action Plan.

Individual Commissioner Comments: The following comments were raised by one or more Commissioners and were discussed with no consensus or direction to staff. Staff comments are included in *italics*.

- Introduction:
 - Add emergency management and operations as a pillar in the “Looking Forward” section (page 50).
- Evacuation Access:
 - Clarify whether the evacuation access requirement means two different exit points from a development or access to two different streets.
 - Consider requiring secondary access (ingress/egress) for new development rather than encouraging it (Policy HS-2.14).
 - Be clear about the number of residential units at which specific evacuation standards apply.
- Communication:
 - Expand communication channels for emergency operations to include schools and the senior center.
 - Communicate and publish information about who Block Leaders are, as there are concerns that the Block Leader program is underrepresented and under-published.
- Flood:
 - Add language about maintaining and improving the City’s FEMA Community Rating System (CRS) score, noting that the City has recently improved its rating.
- Thresholds:
 - Clarify triggers on wildfire safety requirements related to remodels vs. new build/construction (Policy HS-3.4.1). (*Such details are typically in implementation documents such as Ordinances*)
 - Consider establishing clear thresholds on level of development which triggers evacuation route requirements, and more broadly whether clearer thresholds are needed across the Element (Policy HS-2.11). (*Such details are typically in implementation documents such as Ordinances*)

- Hazardous Materials:
 - Consider incorporating federal (EPA) standards for hazardous materials management. *(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 these.)*
- Noise:
 - Consider establishing objective noise standards for trucks in residential areas. *(While noise standards for trucks may not be practical to implement, noise standards for indoor noise may be considered to ensure that new development implements additional noise attenuation to meet indoor noise standards.)*
- Response Times:
 - Clarify emergency response standards for law enforcement response times (Policy HS-4.4). *(To the extent that law enforcement response times have been provided by the Sheriff's Department, they can be incorporated into the policy.)*
- Climate Resilience:
 - Clarify that shading requirements apply only to parking lots and commercial development, not residential development (Policy HS-9.4.2). *(Typical single family residential developments do not include parking lots, though multifamily development could have parking areas.)*

Public Comments: Public comments were also received on evacuation methodology, fire safety, and environmental standards. Written public comments received are included as Attachment D. Members of the public provided oral and written comments before, during, and following the Planning Commission's Study Session on March 9th about the following issues:

- Evacuation Routes and Planning:
 - Consider designating evacuation routes outside of Fire Hazard Severity Zones (FHSZs). *(Evacuation routes have been identified by Emergency Management personnel through a separate process and incorporated into the City's Emergency Operations Plan. This exercise is expected to occur with any future operational updates.)*
 - Consider cumulative development impacts under buildout conditions.
 - Fire safety in the Monte Vista neighborhood and its relationship to Housing Element site selection.
 - Evacuation capacity issues identified by the Evacuation Route Capacity Assessment required by state law.
 - Establish clearer, objective standards for evacuation, environmental health (consistent with State and federal standards), and public safety. *(Objective standards may be established as part of a future evacuation planning exercise at the Council's direction.)*
 - Label evacuation maps found on the City's Evacuation website. *(This comment is not related to the Health and Safety Element update. Staff has communicated this comment internally to relevant staff.)*
- Wildfire:
 - Adopt changes to wildfire standards to increase wildfire resilience for new development. *(It should be noted that the City has already adopted wildfire standards, in compliance with state law.)*
 - Incorporate the most recent CAL FIRE FHSZ mapping. *(The Draft Health and Safety Element already incorporates the updated map.)*

- City Facilities:
 - Retrofit existing City facilities to protect against hazardous conditions, especially earthquakes.
- Noise:
 - Include objective noise standards and a noise contour map in the draft Element. *(Objective noise standards at property lines are already adopted in the City's Community Noise Control Ordinance and do not need to be a part of the City's General Plan. The City could adopt indoor noise standards for new development, which would require the implementation of additional noise attenuation. A noise contour map is already a part of the City's General Plan in Appendix D. This will be updated based on updated modeling with adoption of the Health and Safety Element.)*
 - Include policies related to mitigations for freeway noise. *(Policies in the draft address freeway noise mitigation.)*

Sustainability Impact

Implementation of the policies in the Health and Safety Element will foster sustainable and resilient development in all areas of the City, including those located in a High and Very High Fire Severity Hazard Zone.

Fiscal Impact

No fiscal impact.

City Work Program (CWP) Item/Description

N/A

Council Goal:

Quality of Life

California Environmental Quality Act

This Study Session does not constitute a project under the California Environmental Quality Act.

Prepared by: Piu Ghosh, Planning Manager
 Luke Connolly, Assistant Director of Community Development

Reviewed by: Benjamin Fu, Director of City Manager
 Floy Andrews, Interim City Attorney

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

- A – PlaceWorks Memo re: Health and Safety Element Update
- B – Public Draft Health and Safety Element and Appendices E and H of General Plan
- C – Technical Study – 2025 Evacuation Route Capacity Assessment
- D – Public Comments received during public comment period