

CC 05-19-2026

Oral
Communications

Written Comments

From: [Richard Fu](#)
To: [Kitty Moore](#); jchao@cupertino.gov; [Sheila Mohan](#); [J.R. Fruen](#); [R."Ray" Wang](#); [Tina Kapoor](#); [Chad Mosley](#); [Public Comments](#); [Rachelle Sander](#)
Subject: Opposition to Proposed Memorial Park Pickleball Restrictions
Date: Wednesday, May 13, 2026 9:04:32 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Cupertino City Council,

My fiancée and I are long-time Cupertino residents who strongly oppose the proposed additional restrictions on pickleball court usage at Memorial Park, namely:

- banning pickleball on Mondays,
- prohibiting play before 9am and after 7pm, and
- requesting “quiet paddles” at all times.

While I understand that a small number of nearby residents have raised concerns regarding noise, these proposed restrictions go far beyond what is reasonable and would disproportionately impact the broader Cupertino community that actively uses and benefits from these public courts.

The city has already significantly restricted access over time. Court hours were previously reduced from 10pm to 9pm. Now, the proposal would further reduce weekday access to effectively only daytime and early evening hours. For many working residents with standard work schedules, this would make weekday pickleball participation nearly impossible.

Pickleball is one of the few highly social, accessible, and intergenerational recreational activities available to residents of all ages. These courts are heavily used because they provide substantial community value through:

- physical exercise,
- social connection,
- mental health benefits, and
- active use of public recreational infrastructure funded by taxpayers.

It is deeply concerning that access for hundreds of residents may be curtailed based on complaints from only a small number of adjacent households. Public parks and recreational facilities necessarily generate some level of activity and noise. That is an expected part of living near a community park.

I also urge the city to carefully consider whether these restrictions are evidence-based and

proportionate. The progression from 10pm to 9pm, and now potentially to 7pm plus additional closures, suggests a continual ratcheting of restrictions without a clear limiting principle. If these changes are approved, what prevents further reductions in the future?

Importantly, the Cupertino Pickleball Club has already proposed balanced, good-faith alternatives intended to address neighbor concerns while preserving reasonable public access, including:

- construction of noise screens along the north side of the pickleball courts this summer, and
- adoption of quiet paddles during the early morning hours of 7am–9am in consideration of nearby residents.

These proposals represent a far more balanced compromise than broad restrictions that would effectively eliminate weekday evening access for many working residents.

I respectfully urge the City Council to reject these additional restrictions and preserve reasonable court access for the many Cupertino residents who rely on these courts for recreation, exercise, and community engagement.

Additionally, I respectfully request that this email be included in the City Council informational packet and public record associated with the proposed pickleball court restrictions at Memorial Park.

Sincerely,
Richard Fu
10235 Parkwood Dr., Apt 6
Cupertino, CA 95014

Jennifer Shieh
10318 Norwich Ave,
Cupertino, CA 95014

From: [Jennifer Griffin](#)
To: [City Clerk](#)
Cc: grenna5000@yahoo.com; [City Council](#)
Subject: Fwd: New SB 330 at Stevens Creek Blvd. & Foothill Blvd.
Date: Wednesday, May 13, 2026 10:10:02 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk:

Please consider the following as public input for the Cupertino City Council meeting on May 19, 2026.

Thank you.

----- Original Message -----

Subject: New SB 330 at Stevens Creek Blvd. & Foothill Blvd.
From: Jennifer Griffin <grenna5000@yahoo.com>
Sent: Wednesday, May 13, 2026, 10:07 AM
To: citycouncil@cupertino.org
CC: grenna5000@yahoo.com, cityclerk@cupertino.org

Dear City Council:

(Please consider the following as public input for the May 19, Cupertino City Council meeting.)

There is a new SB 330 Townhouse project proposed for the NW corner of Foothill Blvd. and Stevens Creek Blvd. The project will take up the whole corner next to the Senior Community. I have some questions and concerns about the project.

1. Community Meetings: Are there any community meetings proposed for this project? This is a high visibility project and residents need to know about any meetings. My husband and I saw

A bike accident near this area several months ago. Could you please let me know about the meetings?

2. Traffic Concerns: This is a high traffic area with many roads and traffic from the quarry etc. There is a Senior Facility adjacent to the proposed construction site.

There needs to be traffic studies done. We cannot depend on AB 130 to address all the CEQA issues.

AB 130 is useless when it comes to addressing pertinent CEQA issues. There will need to be appropriate

LOS Traffic studies done to make sure all the traffic issues are addressed.

3. Evacuation Routes: This intersection is part of a major evacuation route corridor and is often limited

In its ability to carry load during evacuation situations.

When the bike accident happened on Foothill Blvd. several months ago, traffic was stuck on Foothill Blvd.

and Stevens Creek Blvd. intersection and could not get out. People were stuck coming down the hill

By the Blue Pheasant in heavy traffic. No one could come up Foothill Blvd. from 280.

Proper evacuation procedures need to be addressed with alternate routes indicated because of limited

Access to roads. Stevens Creek Canyon Road is a major evacuation route in case of wildfire or dam

collapse for the whole area up to Stevens Creek Canyon and Parks area and up to Mount Eden Road.

This is an evacuation route for Monta Vista, Saratoga and Los Altos.

The big quarry trucks go up and down Foothill Blvd. and these need to be part of the traffic equation also.

Major upgrades are going to need to be made to the Foothill Blvd. and Stevens Creek Blvd. intersection,

including new signals etc.

There is too much load on this intersection already and adding more will require significant upgrades.

We need to make sure this intersection is safe if this SB 330 goes in.

Thank you very much.

Best regards,

Jennifer Griffin

From: [Jennifer Griffin](#)
To: [City Clerk](#)
Cc: grenna5000@yahoo.com; [City Council](#)
Subject: Fwd: Challenge to AB 130
Date: Tuesday, May 12, 2026 9:03:32 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk:

Please consider the following as public input for the May 19, 2026 Cupertino City Council meeting.

Thank you.

----- Original Message -----

Subject: Challenge to AB 130
From: Jennifer Griffin <grenna5000@yahoo.com>
Sent: Tuesday, May 12, 2026, 9:00 PM
To: citycouncil@cupertino.org, cityclerk@cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

(Please consider the following as public input for the Cupertino City Council meeting on May 19, 2026.)

It is becoming apparent that AB 130 (implemented by Governor Newsom on June 30/July 1, 2025) is not working well. The law was implemented immediately and never studied as to the ramifications of its implementation. The public was clueless as to what was being implemented

by the governor, and it was just put into law by putting it in the state budget which is a very Strange way to enact a bill. The governor never explained what was being done or why.

Environmental groups and the public protested AB 130 immediately, but nothing was done to explain

The bill or why it was even implemented.

AB 130 is having a very rocky rollout in the ten months since its birth from the governor putting it in the state budget. It is being used to exempt CEQA studies in projects in the city and it is showing to

Have a lot of "holes" in its usage or abilities to try to use it.

Its use is allowing serious safety "holes" in process and ignoring previously important areas like
Safety, transportation, noise, traffic, timing of effects from successive projects etc.

I think that the city should challenge the use of AB 130 in attempting to over ride CEQA in building projects.

The city should tell the state AB 130 is not appropriate for trying to over ride CEQA because the law is not usable in its current form and it allows safety issues to not be addressed. The law was implemented in an extremely vague manner and it is showing to be lacking in its ability to adequately satisfy the demands of CEQA. AB 130 dumbs down the importance of CEQA.

AB 130 is not a good law and the city should protest the state demanding the city's use of it.

Thank you.

Best regards,

Jennifer Griffin

From: [Jennifer Griffin](#)
To: [City Clerk](#)
Cc: grenna5000@yahoo.com; [City Council](#)
Subject: Fwd: Transportation Report for CEQA on SB 330 Projects
Date: Tuesday, May 12, 2026 8:34:13 PM

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Dear City Clerk:

Please consider the following as public input for the May 19, 2026 Cupertino City Council meeting.

Thank you.

----- Original Message -----

Subject: Transportation Report for CEQA on SB 330 Projects
From: Jennifer Griffin <grenna5000@yahoo.com>
Sent: Tuesday, May 12, 2026, 8:31 PM
To: citycouncil@cupertino.org, cityclerk@cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

(Please consider the following as public input for the Cupertino City Council meeting on May 19, 2026.)

I am very concerned that the AB 130 (no CEQA) requirement for the SB 330 projects ignores The Transportation Plan and Mobility Plan. The Bandlely Townhouse Project didn't have a plan for children walking to school within the large tech park. I don't think the CEQA plan adequately addressed the safety of children walking to school or pedestrians trying to walk throughout this tech park.

The current loss of CEQA analysis due to AB 130 is providing safety gaps in the process of trying to vet SB 330 projects and allow the projects to be certified for construction. I feel like we are missing the boat with AB 130 ignoring CEQA. Many things are being left by the wayside in terms of safety.

AB 130 is becoming a giant boat anchor, limiting our ability to ask thoughtful questions and get
Pertinent answers to our many inquiries about water.

I think AB 130 is a dangerous piece of legislation that ignores safety issues in our community.

Thank you.

Best regards,

Jennifer Griffin

From: [Jennifer Griffin](#)
To: [City Clerk](#)
Cc: grenna5000@yahoo.com; [City Council](#)
Subject: Fwd: AB 1751: Housing Bill to Ministerially Approve Townhouse Projects
Date: Tuesday, May 12, 2026 5:25:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk:

Please consider the following as public input for the Cupertino City Council on May 19, 2026.

Thank you.

----- Original Message -----

Subject: AB 1751: Housing Bill to Ministerially Approve Townhouse Projects
From: Jennifer Griffin <grenna5000@yahoo.com>
Sent: Tuesday, May 12, 2026, 5:22 PM
To: citycouncil@cupertino.org, cityclerk@cupertino.org
CC: grenna5000@yahoo.com

Dear City Council:

(Please consider the following as public input for the Cupertino City Council on May 19, 2026).

I am very concerned about a proposed housing bill by Assembly members Buffy Wicks and Sharon Quirk-Silva called AB 1751. This bill was introduced in April, 2026 and it seeks to allow ministerial approval of Townhouse projects and will not allow the public to have any input on the Townhouse projects. It actually says that in the bill text. I was very insulted when I read the bill text last night and called my assemblyman and my senator and Ms Quirk-Silva's offices this morning to voice my outrage at the bill text. That a housing bill would actually say the public can't give input on The Townhouse project or any project is very insulting. Who do they think reads these bill texts anyway?

Do they think the public doesn't read the text of these bills? Who are they writing them for anyway? I think it is very presumptive to tell the public they can't give input. Ms Wicks and Ms

Quirk-Silva are not my representatives, but I did tell my representatives what I thought of this very insulting bill AB 1751.

The bill is called The Townhouse Missing Middle Housing Bill. Townhouses projects are not Missing

Middle Housing. They are market rate housing and often sell for above market rate. I think this

bill needs a big overhaul and rewrite and redo. I hope it is shut down as soon as possible because

As currently written appears to be a give away. Obviously, they think the public will never read it. I don't think giving Townhouse projects ministerial approval and not letting the public give input on Townhouse projects and not having Townhouse projects have to go through CEQA

is the basis for a very good housing bill, now or ever.

Thank you.

Best regards,

Jennifer Griffin

From: [Rhoda Fry](#)
To: [Public Comments](#)
Subject: 5/19/2026 non-agenda pickleball
Date: Tuesday, May 19, 2026 1:01:03 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi City Council,

I am seeing more and more of the pickleball lobby.

I've heard the noise.

I would not want to live near it or frequent a park with it.

Luckily I don't.

But please consider that many people do.

About 1 in 30 or so people in our community have autism these days and are more sensitive to noise. And many others are sensitive to noise. That adds up to a lot of people.

Pickleball is a relatively new phenomenon.

Did you know that the City of Carmel has banned pickleball?

Please locate pickleball in a place that won't impact our most sensitive residents.

Thanks,

Rhoda

Cupertino Copertino

Sister City Exchange Program



Welcome to
Cupertino, CA
...and beyond!



We arrive in Copertino, Italy!





Pugliese Food Experiences

Mangia!



Living with my Italian Family



St. Giuseppe of Copertino School



Visiting the Surrounding Areas

Alberobello



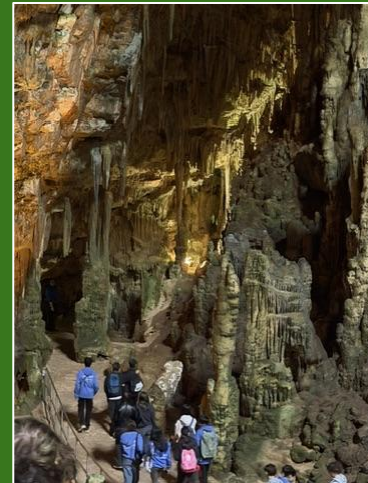
Lecce



Otranto



Santa Catarina



Grotte di Castellana

Ciao!

Speaking the Language





Thank you to:

Cupertino City Council, CUSD, St. Joseph's School, Sister City Organizers and the families that made this exchange possible.



CC 05-19-2026


#1

Study Session: Health and
Safety Element Update

Written Communications

From: [Lauren Sapudar](#)
To: [Tina Kapoor](#); [Michael Woo](#); [Kirsten Squarcia](#); [Benjamin Fu](#); [Luke Connolly](#); [Piu Ghosh \(she/her\)](#)
Cc: [City Clerk](#)
Subject: FW: Written Communications Study Session Item 1
Date: Tuesday, May 19, 2026 1:32:27 PM
Attachments: [KM SUGGESTED IMPROVEMENTS TO THE DRAFT ELEMENT.pdf](#)

FYI



Lauren Sapudar
City Clerk
City Manager's Office
LaurenS@cupertino.gov
[\(408\) 777-1312](tel:(408)777-1312)

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From: Kitty Moore <KMoore@cupertino.gov>
Sent: Tuesday, May 19, 2026 1:30 PM
To: Lauren Sapudar <LaurenS@cupertino.gov>
Subject: Written Communications Study Session Item 1

Dear City Clerk,

Please include the attached document for Written Communications, Item 1, Study Session.

Thank you,

Kitty Moore



Kitty Moore
Mayor
City Council
KMoore@cupertino.gov
[\(408\) 777-1389](tel:(408)777-1389)

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SUGGESTED IMPROVEMENTS TO THE DRAFT ELEMENT

KM, 20260519

FIRE SAFETY & EVACUATION

1. Upgrade Dual Ingress/Egress from Discretionary to Mandatory

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.

Recommended: Adopt objective standards requiring that all new residential developments of 5 or more units in High or Very High Fire Hazard Severity Zones provide a minimum of two independent, paved access points each at least 20 feet wide. Make this a non-discretionary condition of project approval, consistent with California Government Code §65302(g)(5). Cities such as San Jose and Marin County have codified minimum widths in their Safety Elements.

2. Mandate Zone 0 Non-Combustible Perimeters

Current: The element references defensible space and California Fire Safe Regulations but does not explicitly require the 5-foot Zone 0 ember-resistant perimeter called for in 2021 CAL FIRE regulation updates.

Recommended: 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 Fire Hazard Severity Zones, consistent with current CAL FIRE guidance. Reference PRC §4291 and the updated 2021 defensible space regulations by name.

3. Adopt a Total Evacuation-to-Safety Framework with Dynamic Traffic Assignment

Current: Strategy HS-2.3.3 (Evacuation Route Assessment) calls for periodic review but uses planning-level V/C ratio methodology with year-2000 capacity data that predates current rezoning.

Recommended: Add a new strategy requiring the City to conduct a Dynamic Traffic Assignment (DTA) evacuation study updated to reflect post-rezoning buildout conditions by 2028, and to repeat this study with each subsequent General Plan update. The study

should model time-to-safety (not merely bottleneck identification), scenario-based simulations (Red Flag Warning conditions, school-day evacuation, signal failure), departure behavior, and phased evacuation by zone. This matches the approach already adopted by Marin County and recommended by the Fehr & Peers consultant guidance cited in public testimony.

4. Street-Level Modeling for FHSZ Evacuation Zones

Current: The element does not distinguish between evacuation zones located inside and outside Fire Hazard Severity Zones for the purposes of modeling depth.

Recommended: Add a strategy requiring street-level traffic modeling for any evacuation zone that (a) lies within a Moderate, High, or Very High FHSZ and (b) has a V/C ratio exceeding 1.0 under the current analysis. Zones CUP016, CUP017, CUP029, and CUP032 should be called out for immediate priority study. Results should be integrated into phased evacuation planning and real-time traffic management protocols.

5. Identify and Map Single-Egress Parcels

Current: The element does not explicitly identify parcels with constrained single-egress access as required by California Government Code §65302(g)(5).

Recommended: Add a strategy requiring the City to complete a GIS-based inventory of all residential parcels in Fire Hazard Severity Zones with only a single point of vehicular egress, publish this inventory publicly, and use it to prioritize capital investments in secondary access routes or turn-around facilities. Sunnyvale's Safety Element includes a similar parcel-level access constraint inventory.

6. Improve Evacuation Map Usability and Public Communication

Current: The City maintains 34 evacuation zone maps (CUP-E001 through CUP-E034) available as PDFs but without neighborhood labels or contextual geographic references, making them difficult for residents to use.

Recommended: Add a strategy requiring the City to (a) label all evacuation zone maps with neighborhood names, major street intersections, and school or park landmarks; (b) publish an interactive online version allowing residents to enter their address and see their zone; and (c) conduct annual community outreach to ensure residents know their zone.

Mountain View's Emergency Preparedness section sets a good precedent for interactive, address-specific evacuation zone tools.

7. Require Wildfire-Updated Evacuation Modeling Before Ministerial Approvals in FHSZs

Current: Policy HS-3.4 requires review of new development in Fire Hazard Severity Zones but does not tie permit issuance to a finding that the affected evacuation zone retains adequate time-to-safety capacity.

Recommended: Add language requiring that, for projects of 10 or more units in High or Very High FHSZs, the applicant demonstrate through traffic analysis that the project will not degrade the time-to-safety performance of the affected evacuation zone below an established threshold (e.g., 90% of residents reaching safety within 60 minutes of a Red Flag Warning). This mirrors objective standards used in Marin County's Community Wildfire Protection Plan integration.

8. Seismic Retrofit of City Hall and EOC — Time-Bound Objective Goal

Current: The element notes that "there may be additional physical and seismic improvements" needed at the EOC but sets no timeline or funding commitment.

Recommended: 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) within a defined timeframe, with a funded capital improvement plan adopted by 2027. City records from 1985, 2005, and 2014 document this need. An EOC that fails in the first hours of a major earthquake eliminates the City's emergency coordination capacity. Oakland's Safety Element contains explicit seismic retrofit timelines for critical public facilities.

HAZARDOUS MATERIALS

9. Require Phase I Environmental Site Assessments for Historically Industrial/Commercial Parcels

Current: Policy HS-5 (Hazardous Waste and Materials) calls for coordination with state and federal agencies but does not require site assessments as a condition of development approval on potentially contaminated parcels.

Recommended: Add a strategy requiring that any development application on a parcel with a documented history of industrial or commercial land use must include a Phase I ESA prior to entitlement approval, and a Phase II ESA if Phase I identifies recognized environmental conditions. This is standard practice in San Jose, Sunnyvale, and Santa Clara's Safety Elements and is especially relevant given Cupertino's proximity to Silicon Valley semiconductor and industrial sites along with historic dry cleaners.

10. Adopt Numeric PFAS/PCE Cleanup Thresholds Referenced to California EPA CHHSL

Current: The element does not set numeric thresholds for contaminant cleanup in connection with development approvals.

Recommended: Add a strategy stating that no certificate of occupancy shall be issued for residential use on a previously contaminated site until soil and groundwater contaminant levels have been remediated to or below California Human Health Screening Levels (CHHSL) for residential land use, with specific reference to PFAS and chlorinated solvents (PCE, TCE) given their documented presence in South Bay groundwater. Mountain View's Safety Element (which addresses the Superfund site history in that city) provides useful precedent for CHHSL-referenced occupancy standards.

11. Address Artificial Turf as a Hazardous Material and Heat Hazard

Current: The element does not mention artificial turf, despite Cupertino having approximately 18 acres of it at its three high schools alone, and despite California's DTSC designating PFAS-containing artificial turf as a Priority Product in 2025–2026.

Recommended: Add a new strategy under Goal HS-5 (Hazardous Materials) and cross-reference under Policy HS-9.4 (Extreme Heat) that: (a) prohibits new City-funded installation of artificial turf or poured-in-place rubberized surfaces on public property, parks, and school grounds, consistent with DTSC Priority Product findings; (b) requires existing turf to be inventoried for PFAS content and replaced with natural or certified PFAS-free surfaces upon end-of-life; and (c) discourages residential artificial turf installation through public education. Note surface temperature hazards (160–180°F) as a heat risk consistent with Policy HS-9.4. Several Bay Area cities including Berkeley have adopted similar restrictions.

12. Microplastics and Stormwater from Synthetic Surfaces

Current: The element addresses stormwater and permeable pavement (HS-9.3.2) but does not address microplastic runoff from synthetic surfaces.

Recommended: Add language under the stormwater or hazardous materials sections noting that synthetic surfaces including artificial turf shed microplastics into stormwater, the Bay, and ultimately drinking water sources, and that this is inconsistent with the City's water quality and environmental health goals. Require microplastics impact analysis for any new synthetic surface installation on public property.

13. Strengthen PFAS Policy in Groundwater Protection

Current: Goal HS-5 addresses hazardous materials generally but does not mention PFAS, which is the most widespread emerging contaminant in Santa Clara County groundwater.

Recommended: Add an explicit strategy directing the City to partner with Santa Clara Valley Water District and the Regional Water Quality Control Board to monitor, map, and communicate PFAS contamination status across Cupertino's groundwater basin. Require disclosure of PFAS contamination status in project environmental review documents where applicable. This reflects the approach taken in Sunnyvale and Santa Clara's recently updated Safety Elements.

NOISE

14. Add Nighttime Lmax Standards for Industrial Truck Traffic

Current: Policy HS-8.7 addresses trucking noise through coordination with the County and restricting truck hours on Foothill and Stevens Creek Boulevards, but relies on CNEL (24-hour average) standards that do not capture sleep disturbance from peak single-event noise levels.

Recommended: Add a strategy establishing a Maximum Noise Level (Lmax) standard — not to exceed 65 dB — for industrial trucks operating in or adjacent to residential zones between 10 PM and 6 AM. CNEL averages mathematically obscure late-night Lmax peaks; the WHO recommends single-event nighttime Lmax as a more health-relevant metric. San Jose's Noise Element includes both CNEL and Lmax standards for sensitive receivers.

15. Formally Advocate for I-280/SR-85 Noise Barrier Eligibility Review

Current: Policy HS-8.4 mentions rubberized asphalt along SR-85 and I-280 but does not call for systematic noise barrier evaluation or advocacy with Caltrans.

Recommended: Add a strategy directing the City to formally request that Caltrans evaluate the I-280 and SR-85 corridors, including the Foothill Expressway interchange, for eligibility under the Caltrans Retrofit Noise Barrier Program. Include a timeline for initiating this request (within 12 months of element adoption). Where soundwalls are infeasible due to ramp geometry, the strategy should require evaluation of alternatives including sound-attenuating fences, acoustic panels on chain-link fencing, and noise-reducing vegetation buffers. Neighboring cities including Los Altos and Sunnyvale have pursued similar formal Caltrans requests for retrofit noise barrier studies.

16. Require Noise Mitigation Analysis for Interchange Improvement Projects

Current: The element does not specifically address the noise exposure gaps that occur at freeway interchange zones where soundwall geometry is interrupted by ramp configurations.

Recommended: Add a strategy recognizing freeway interchange zones as a distinct and underaddressed category of residential noise exposure, and requiring that any future Caltrans or VTA interchange improvement project within or adjacent to Cupertino include a noise impact analysis and mitigation plan as a condition of City comment and cooperation. This directly addresses the gap at the I-280/Foothill/SR-85 interchange identified by a resident whose neighborhood experiences 70 dB levels — above both EPA (65 dB) and WHO (40 dB) daytime thresholds.

17. Adopt VTA Rubberized Asphalt Advocacy as a Named Strategy

Current: Policy HS-8.4 calls for roads to be "designed and improved" to minimize neighborhood noise, including rubberized asphalt, but does not name VTA as a specific advocacy target.

Recommended: Add a strategy explicitly directing the City to formally advocate with VTA for use of rubberized asphalt on I-280 within Cupertino's geographic limits. Rubberized asphalt can reduce traffic noise by 4–6 dB — a meaningful, cost-effective reduction. Given VTA's jurisdiction over portions of this roadway, formal City advocacy is the appropriate mechanism.

18. Establish a Noise Monitoring Program with Public Reporting

Current: The element does not include any ongoing noise monitoring or community reporting mechanism.

Recommended: Add a strategy directing the City to establish a periodic (biennial) ambient noise monitoring program at five to ten representative noise-sensitive locations, including sites along I-280, SR-85, and adjacent to major industrial operations. Results should be published on the City's website and used to evaluate the effectiveness of noise mitigation strategies. Oakland and San Jose both include noise monitoring programs in their Noise Elements with public-facing dashboards.

EXTREME HEAT AND CLIMATE RESILIENCE

19. Designate and Expand Official Cooling Center Network with Performance Standards

Current: Strategy HS-9.4.3 calls for developing a Heat Action Plan and identifying cooling centers but sets no timeline, minimum number, geographic distribution requirement, or operating hour standards.

Recommended: Add specific performance criteria: the Heat Action Plan (to be completed within 18 months of element adoption) should identify a minimum number of publicly accessible cooling centers distributed across the city such that no resident is more than one mile from a designated site; specify extended hours (minimum 8 AM–8 PM) on days when temperature exceeds 95°F; ensure ADA accessibility; and include a transportation strategy for residents without vehicles. Partner with CUSD and FUHSD to make school gyms available during heat emergencies. This mirrors standards in the City of San Jose's Extreme Heat Action Plan and Sunnyvale's updated Climate Resilience chapter.

20. Set Measurable Green Roof and Living Wall Targets

Current: Policy 9.9 (Nature-Based Solutions) encourages green roofs and living walls but sets no goals, timelines, or metrics.

Recommended: Add a strategy establishing a target — for example, green roof or living wall features incorporated into at least 25% of qualifying new commercial and multi-family developments of 20,000 sq ft or more — and a monitoring mechanism to track citywide cool-surface coverage. Reference the cooling benefit quantification methods used in Oakland's Urban Heat Island Reduction Strategy.

21. Install Cooling Infrastructure in High-Use Public Spaces

Current: Strategy HS-9.4.1 and HS-9.4.2 address shading at transit stops and parking lots but do not address active cooling in crowded public gathering spaces.

Recommended: Add a strategy directing the City to install misting or evaporative cooling features combined with shading structures in high-use public spaces such as town centers, parks, and school-adjacent areas where residents congregate during hot weather. Prioritize spaces with high youth and senior foot traffic. This aligns with heat mitigation approaches used in Phoenix, Sacramento, and parts of San Jose.

22. Integrate Artificial Turf Prohibition into Climate Resilience Policies

Current: Policy HS-9.4 (Extreme Heat) promotes shading and vegetation but does not address heat-intensifying synthetic surfaces as a counterproductive practice.

Recommended: Add cross-reference language within the Extreme Heat section noting that synthetic impervious surfaces such as artificial turf contribute to the urban heat island effect and are inconsistent with the City's extreme heat reduction goals. Direct that city capital projects avoid these surfaces and that private development projects in areas subject to urban heat island mitigation requirements use vegetated or high-albedo alternatives. This directly aligns with the CAP's vulnerability assessment (Table 2) identifying extreme heat as Cupertino's highest risk.

OVERARCHING STRUCTURAL IMPROVEMENTS

23. Transition Key Safety Standards from Discretionary to Objective and Non-Discretionary

Current: Much of the element uses language such as "encourage," "support," "consider," and "where feasible" — discretionary language that can be preempted or ignored.

Recommended: Conduct a systematic review of all fire, evacuation, and hazardous materials policies to identify which should be converted to mandatory objective standards. Priority candidates for mandatory language include: dual access requirements in FHSZs, Phase I ESA requirements, PFAS cleanup thresholds, and Zone 0 perimeter requirements. Objective standards in Safety Elements provide regulatory certainty and are more

defensible under state housing streamlining laws. This reflects best practices in Marin County and City of Oakland Safety Elements.

24. Add a Climate-Integrated Cumulative Health Impacts Section

Current: The element addresses noise, hazardous materials, heat, and fire as separate sections without explicitly assessing their cumulative health impact on sensitive populations (seniors, children, low-income residents, residents with chronic illness).

Recommended: Add a brief section or strategy identifying locations in Cupertino where multiple hazards overlap — for example, areas near I-280 that experience both high noise levels and urban heat island effects — and direct the City to prioritize these areas for cumulative mitigation investment. This approach is used in Oakland's Environmental Justice chapter of its Safety Element and is consistent with California's SB 1000 environmental justice requirements.

25. Establish Annual Health and Safety Element Implementation Reporting

Current: The element does not include a monitoring or annual reporting requirement for its strategies.

Recommended: Add a strategy requiring an annual Health and Safety Element implementation report to the Planning Commission, tracking completion status of all time-bound strategies, outcomes of monitoring programs (noise, hazardous materials, heat), and evacuation planning progress. Make this report publicly available. San Jose and Sunnyvale both include monitoring frameworks in their Safety Elements, providing a clear model.

APPENDIX: BENCHMARK CITIES

The following Northern California city Safety/Health Elements were used as benchmarks for the recommendations above:

City	Notable Strength
Marin County	Dynamic Traffic Assignment evacuation modeling; wildfire FHSZ objective standards

City	Notable Strength
San Jose	Lmax nighttime noise standards; PFAS/ESA hazmat requirements; heat action plan metrics
Sunnyvale	CHHSL numeric cleanup thresholds; biennial noise monitoring; Phase I ESA requirements
Mountain View	Interactive evacuation zone tools; contaminated site occupancy standards
Oakland	Cumulative health impact mapping; seismic retrofit timelines; urban heat island targets
Berkeley	Artificial turf restrictions; nature-based cooling mandates

From: [Liang Chao](#)
To: [City Clerk](#)
Subject: Written Communication for the Health and Safety Element update
Date: Tuesday, May 19, 2026 3:43:27 PM

Here is a list of suggestions I have made to the City Staff through the City Manager. They are summarized here as a written communication on this item for the reference by the public.

Part A: Proposed revision for the Policy HS-3.4.1 and HS-3.9 in the draft to add evacuation route study and mitigation when necessary:

HS-3.4.1 (Recised) : Review in High and Very High Fire Hazard Severity Zones.

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:

- 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 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.
- 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.

Policy HS-3.9 (Revised): Access for Fire and Emergency Vehicles and Equipment

Require proposed development to provide adequate access for fire and emergency vehicles and equipment that meets or exceeds the California 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.

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 adopted fire access standards or a turning-movement analysis approved by the Fire Code Official.

Part B: Proposed policies on Evacuation routes

Policy HS-2.11A: 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.

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.

The City shall prioritize mitigation, operational strategies, and emergency 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.

Policy HS-2.11B: 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 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.

Policy HS-2.11E: 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.

Policy HS-2.11H: 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.

Part C: Proposed Policy to provide standards for city infrastructure projects involving roadway changes

Policy HS-3.X: 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.

Such projects shall meet applicable California Fire Code, California Fire Safe Regulations, Santa Clara County Fire Department standards, and City standards for unobstructed roadway width, vertical clearance, grade, turning radius, right-turn movements, turnaround access, load-bearing surface, fire-lane parking controls, hydrant access, and emergency vehicle maneuvering.

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.

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.

For designated evacuation routes, projects shall preserve the City's ability to implement temporary evacuation traffic controls, including managed outbound flow, lane conversion, turn restrictions, emergency shoulder use, or other evacuation operations.



Liang Chao

Vice Mayor

City Council

LChao@cupertino.gov

408-777-3192



From: [Liang Chao](#)
To: [City Clerk](#)
Cc: [Tina Kapoor](#)
Subject: Re: Written Communication on truck noise issue in the Health and Safety element
Date: Tuesday, May 19, 2026 5:12:04 PM

Sorry for the late submission.

I'd appreciate it if this could be printed out too if possible.

But I know you must be busy now.

I can easily screenshare too since this is just one policy.

Liang



Liang Chao
Vice Mayor
City Council
LChao@cupertino.gov
408-777-3192



From: Liang Chao <LChao@cupertino.gov>
Sent: Tuesday, May 19, 2026 5:05 PM
To: City Clerk <CityClerk@cupertino.gov>
Cc: Kitty Moore <KMoore@cupertino.gov>
Subject: Written Communication on truck noise issue in the Health and Safety element

Please consider a new strategy to specifically address the nighttime truck noise issue.

=====

New Strategy HS-8.7.X: Nighttime Industrial Truck Noise

Coordinate with Santa Clara County and other responsible agencies to establish and enforce objective nighttime noise standards for industrial truck operations on Foothill Boulevard, Stevens Creek Boulevard, and other truck routes adjacent to residential areas. Between 10:00 p.m. and 6:00 a.m., industrial truck operations shall not exceed 65 dBA Lmax, measured using the A-weighted fast response setting, at the receiving residential property line, or the City's adopted nighttime maximum-noise standard, whichever is more protective.

Consistent with the World Health Organization (WHO) Night Noise Guidelines, which recognize that nighttime sleep disturbance can result from single noise events and the

number and level of those events, not only from 24-hour averaged CNEL/Ldn exposure, the City shall evaluate nighttime truck pass-by events, engine braking, acceleration, backup alarms, and other short-duration peak noise events using the Lmax standard. A violation shall include any truck-related nighttime noise event exceeding the applicable Lmax standard, or recurring nighttime truck events that exceed the standard during a monitoring period established by the City. Where the Lmax standard is exceeded, require mitigation necessary to meet the standard, including truck-hour restrictions, truck-speed controls, routing changes, engine-brake restrictions, quieter backup alarms, enforcement measures, and alternatives to truck transport, including rail where feasible.

	Liang Chao						
	Vice Mayor City Council LChao@cupertino.gov 408-777-3192						
							

From: [Liang Chao](#)
To: [City Clerk](#)
Cc: [Kitty Moore](#)
Subject: Written Communication on truck noise issue in the Health and Safety element
Date: Tuesday, May 19, 2026 5:05:57 PM

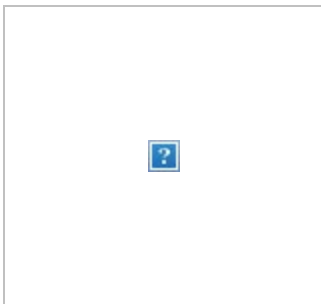
Please consider a new strategy to specifically address the nighttime truck noise issue.

=====

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Consistent with the World Health Organization (WHO) Night Noise Guidelines, which recognize that nighttime sleep disturbance can result from single noise events and the number and level of those events, not only from 24-hour averaged CNEL/Ldn exposure, the City shall evaluate nighttime truck pass-by events, engine braking, acceleration, backup alarms, and other short-duration peak noise events using the Lmax standard. A violation shall include any truck-related nighttime noise event exceeding the applicable Lmax standard, or recurring nighttime truck events that exceed the standard during a monitoring period established by the City. Where the Lmax standard is exceeded, require mitigation necessary to meet the standard, including truck-hour restrictions, truck-speed controls, routing changes, engine-brake restrictions, quieter backup alarms, enforcement measures, and alternatives to truck transport, including rail where feasible.



Liang Chao

Vice Mayor
City Council
LChao@cupertino.gov
408-777-3192



From: [Liang Chao](#)
To: [Tina Kapoor](#); [Kitty Moore](#); [City Clerk](#)
Cc: [Benjamin Fu](#); [Luke Connolly](#)
Subject: Re: Written Communication for the Health and Safety Element update - noise
Date: Tuesday, May 19, 2026 4:53:03 PM

Adding the City Clerk.

This is the second of my written communication, in case of any confusion since the Subject is similar, except one word at the end "noise".

I would appreciate if you could print a copy of this to share with all of the councilmembers for easier reference.

Thanks,

Liang

	Liang Chao Vice Mayor City Council LChao@cupertino.gov 408-777-3192
	

From: Liang Chao <LChao@cupertino.gov>
Sent: Tuesday, May 19, 2026 4:49 PM
To: Tina Kapoor <TinaK@cupertino.gov>; Kitty Moore <KMoore@cupertino.gov>
Cc: Benjamin Fu <BenjaminF@cupertino.gov>; Luke Connolly <LukeC@cupertino.gov>
Subject: Fw: Written Communication for the Health and Safety Element update - noise

FYI.

I would appreciate if you could print a copy of this to share with all of the councilmembers for easier reference.

Thanks,

Liang

Liang Chao
Vice Mayor



City Council
LChao@cupertino.gov
408-777-3192



From: Liang Chao <LChao@cupertino.gov>
Sent: Tuesday, May 19, 2026 4:48 PM
To: City Clerk <CityClerk@cupertino.gov>
Subject: Written Communication for the Health and Safety Element update - noise

Recent State laws and planning guidance have increasingly emphasized the need for **objective, measurable standards** in General Plan policies and development review, so that requirements can be applied consistently, transparently, and enforceably.

With that in mind, I suggest strengthening the Noise section by adding clearer objective standards and review triggers. The current draft includes important general direction, but several policies rely on terms such as “minimize,” “adequate mitigation,” or “substantial disturbance,” which may be difficult to enforce without measurable thresholds. The suggested revisions below are intended to make the policies more objective while preserving the City’s flexibility to require appropriate mitigation based on site-specific conditions.

The recommended changes focus on four areas: interior noise standards, construction and vibration impacts, tonal/impulsive/repetitive noise, and traffic-calming or street-design noise. These standards are especially important because noise impacts are not limited to residential areas; offices, schools, parks, open space, habitat areas, and other sensitive uses may also be affected by recurring or high-frequency noise sources such as recreational uses, mechanical equipment, construction activity, or roadway design changes.

This is a comment from an individual councilmember for your reference.

====

Part A: New policy on interior noise standards

Policy HS-8.X: Interior Noise Standards

Require new residential development and other noise-sensitive uses to

demonstrate consistency with the California Building Code interior noise standard of 45 dBA CNEL or Ldn, or the City's adopted interior noise standard, whichever is more protective, in habitable rooms. An acoustical analysis shall be required when exterior noise levels are projected to exceed 60 dBA CNEL or Ldn, or when required by the California Building Code, the City's Noise Ordinance, or the City's land use compatibility standards.

The acoustical analysis shall identify building and site design measures necessary to meet the applicable interior noise standard, including sound-rated windows and doors, enhanced wall or roof assemblies, building orientation, setbacks, barriers, and mechanical or fresh-air ventilation systems that allow windows to remain closed, where needed. Prior to building permit issuance, the applicant shall demonstrate that the project design will meet the applicable interior noise standard, and the City may require post-construction verification before occupancy where compliance depends on specialized construction assemblies or mechanical ventilation.

Part B. Strengthen HS-8.3 construction noise and vibration

Revised HS-8.3: Construction and Maintenance Activities

Regulate construction and maintenance activities by establishing and enforcing allowable hours, maximum noise levels, and vibration limits for weekday, weekend, and holiday work. Require construction contractors to use best available noise and vibration reduction technology, including mufflers, equipment shielding, staging-location controls, quieter equipment, and limits on high-impact equipment near sensitive receptors. For construction near homes, schools, childcare facilities, senior housing, or historic structures, require vibration analysis and monitoring where heavy equipment, pile driving, jackhammers, or vibratory rollers may exceed adopted vibration thresholds.

Part C. Add objective standards for tonal, impulsive, and repetitive noise

New Policy HS-8.X: Tonal, Impulsive, and Repetitive Noise

Regulate construction and maintenance activities by establishing and enforcing allowable hours, maximum noise levels, and vibration limits for weekday, weekend, and holiday work, consistent with the Municipal Code and adopted City standards. Construction and maintenance activities shall not exceed adopted City noise and vibration standards at receiving properties, except where a temporary

exemption or permit is approved under the Municipal Code.

For construction within **500 feet** of homes, schools, childcare facilities, senior housing, hospitals, offices, or historic structures, require a construction noise and vibration control plan when heavy equipment, pile driving, jackhammers, vibratory rollers, concrete saws, or similar high-impact equipment will be used. The plan shall identify measures necessary to meet applicable standards, including mufflers, equipment shielding, staging-location controls, quieter equipment, limits on high-impact equipment, notification procedures, and noise or vibration monitoring where needed.

For vibration, the City shall require analysis and monitoring where construction activity may exceed the City's adopted vibration limits, or, if no City standard is adopted, generally accepted thresholds such as 0.30 in/sec PPV for conventional structures and 0.08 in/sec PPV for historic or vibration-sensitive structures.

Part D. Strengthen HS-8.8 for recreational uses

Policy HS-8.8: Noise-Generating Uses

Prior to approving noise-generating uses, including public or private recreational uses, require the proposed use to demonstrate compliance with the City's adopted noise standards and to avoid substantial noise disturbance to nearby land uses, including residential, office, commercial, school, park, open space, and habitat areas.

For noise-generating uses located within or near residential areas, schools, offices, commercial areas, parks, open space, habitat areas, or other sensitive receptors, require a noise study when the use may generate recurring, impulsive, tonal, or high-frequency noise. The study shall evaluate average noise levels, maximum noise levels, tonal noise, impulsive noise, repetitive noise, frequency characteristics, hours of operation, and cumulative noise events. Required mitigation may include setbacks, acoustic barriers, surface or equipment standards, operational limits, posted rules, limits on amplified sound, reduced hours of operation, and post-installation monitoring.

Part E. Strengthen street-design noise policy

Revised HS-8.6: Traffic-Calming and Street-Design Noise

Require traffic-calming and street-design changes, including speed humps, raised

crosswalks, rumble features, textured pavement, curb extensions, lane narrowing, medians, and truck-route changes, to avoid creating new or increased noise from braking, acceleration, vehicle impacts, pavement texture, rumble features, or truck movements at nearby receiving properties.

For projects located within **500 feet** of homes, schools, childcare facilities, senior housing, parks, open space, offices, or other noise-sensitive uses, require a noise analysis when the project would introduce a new physical feature or traffic-control measure that may generate recurring impact, vibration, braking, acceleration, tonal, or impulsive noise. The project shall not increase traffic-related noise by **3 dBA CNEL/Ldn or more where existing noise levels already exceed City standards**, or by **5 dBA CNEL/Ldn or more where existing noise levels are below City standards**, unless feasible design modifications or mitigation are incorporated to meet the applicable standard.

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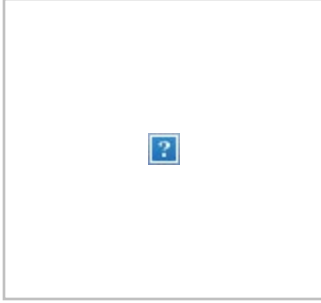
Here is a general comments made by ChatGPT after comparing Cupertino's draft element with those in other jurisdictions:

Main gaps in Cupertino's draft

The main issue is not that the policies are wrong. The issue is that many are **not objective enough**.

The biggest gaps are:

- 1. No explicit threshold for construction vibration.**
HS-8.3 mentions vibration but does not set PPV limits or require monitoring.
- 2. No clear standard for impulsive, repetitive, tonal, or low-frequency noise.**
This matters for sounds that may be more disturbing than their average dBA suggests, such as pickleball impacts, backup beepers, loading docks, mechanical hum, bass, and repeated construction impacts.
- 3. HS-8.8 is too general for recreational noise.**
It says recreational uses need mitigation to meet adopted standards, but does not require acoustic studies, operational limits, setbacks, barriers, surface/material review, or post-installation monitoring.
- 4. Traffic-calming and street-design noise are only "evaluated."**
If speed humps, raised crosswalks, rumble features, or curb changes create braking/acceleration noise near homes, the policy should require avoidance or mitigation, not just evaluation.



Liang Chao

Vice Mayor
City Council
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408-777-3192



From: [Liang Chao](#)
To: [City Clerk](#)
Cc: [Kitty Moore](#)
Subject: Re: Written Communication for the Health and Safety Element update
Date: Tuesday, May 19, 2026 4:50:49 PM

I would appreciate if you could print a copy of this to share with all of the councilmembers for easier reference.



From: Liang Chao <LChao@cupertino.gov>
Sent: Tuesday, May 19, 2026 3:43 PM
To: City Clerk <CityClerk@cupertino.gov>
Subject: Written Communication for the Health and Safety Element update

Here is a list of suggestions I have made to the City Staff through the City Manager. They are summarized here as a written communication on this item for the reference by the public.

Part A: Proposed revision for the Policy HS-3.4.1 and HS-3.9 in the draft to add evacuation route study and mitigation when necessary:

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- 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 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.
- 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.

Policy HS-3.9 (Revised): Access for Fire and Emergency Vehicles and Equipment

Require proposed development to provide adequate access for fire and emergency vehicles and equipment that meets or exceeds the California 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.

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 adopted fire access standards or a turning-movement analysis approved by the Fire Code Official.

Part B: Proposed policies on Evacuation routes

Policy HS-2.11A: 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.

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.

The City shall prioritize mitigation, operational strategies, and emergency 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.

Policy HS-2.11B: 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 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.

Policy HS-2.11E: 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.

Policy HS-2.11H: 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.

Part C: Proposed Policy to provide standards for city infrastructure projects involving roadway changes

Policy HS-3.X: 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.

Such projects shall meet applicable California Fire Code, California Fire Safe Regulations, Santa Clara County Fire Department standards, and City standards for unobstructed roadway width, vertical clearance, grade, turning radius, right-turn movements, turnaround access, load-bearing surface, fire-lane parking controls, hydrant access, and emergency vehicle maneuvering.

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.

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.

For designated evacuation routes, projects shall preserve the City's ability to implement temporary evacuation traffic controls, including managed outbound flow, lane conversion, turn restrictions, emergency shoulder use, or other evacuation operations.



Liang Chao

Vice Mayor
City Council
LChao@cupertino.gov
408-777-3192



From: [Liang Chao](#)
To: [City Clerk](#)
Subject: Written Communication for the Health and Safety Element update - noise
Date: Tuesday, May 19, 2026 4:48:25 PM

Recent State laws and planning guidance have increasingly emphasized the need for **objective, measurable standards** in General Plan policies and development review, so that requirements can be applied consistently, transparently, and enforceably.

With that in mind, I suggest strengthening the Noise section by adding clearer objective standards and review triggers. The current draft includes important general direction, but several policies rely on terms such as “minimize,” “adequate mitigation,” or “substantial disturbance,” which may be difficult to enforce without measurable thresholds. The suggested revisions below are intended to make the policies more objective while preserving the City’s flexibility to require appropriate mitigation based on site-specific conditions.

The recommended changes focus on four areas: interior noise standards, construction and vibration impacts, tonal/impulsive/repetitive noise, and traffic-calming or street-design noise. These standards are especially important because noise impacts are not limited to residential areas; offices, schools, parks, open space, habitat areas, and other sensitive uses may also be affected by recurring or high-frequency noise sources such as recreational uses, mechanical equipment, construction activity, or roadway design changes.

This is a comment from an individual councilmember for your reference.

====

Part A: New policy on interior noise standards

Policy HS-8.X: Interior Noise Standards

Require new residential development and other noise-sensitive uses to demonstrate consistency with the California Building Code interior noise standard of 45 dBA CNEL or Ldn, or the City’s adopted interior noise standard, whichever is more protective, in habitable rooms. An acoustical analysis shall be required when exterior noise levels are projected to exceed 60 dBA CNEL or Ldn, or when required by the California Building Code, the City’s Noise Ordinance, or the City’s land use compatibility standards.

The acoustical analysis shall identify building and site design measures necessary to meet the applicable interior noise standard, including sound-rated windows and

doors, enhanced wall or roof assemblies, building orientation, setbacks, barriers, and mechanical or fresh-air ventilation systems that allow windows to remain closed, where needed. Prior to building permit issuance, the applicant shall demonstrate that the project design will meet the applicable interior noise standard, and the City may require post-construction verification before occupancy where compliance depends on specialized construction assemblies or mechanical ventilation.

Part B. Strengthen HS-8.3 construction noise and vibration

Revised HS-8.3: Construction and Maintenance Activities

Regulate construction and maintenance activities by establishing and enforcing allowable hours, maximum noise levels, and vibration limits for weekday, weekend, and holiday work. Require construction contractors to use best available noise and vibration reduction technology, including mufflers, equipment shielding, staging-location controls, quieter equipment, and limits on high-impact equipment near sensitive receptors. For construction near homes, schools, childcare facilities, senior housing, or historic structures, require vibration analysis and monitoring where heavy equipment, pile driving, jackhammers, or vibratory rollers may exceed adopted vibration thresholds.

Part C. Add objective standards for tonal, impulsive, and repetitive noise

New Policy HS-8.X: Tonal, Impulsive, and Repetitive Noise

Regulate construction and maintenance activities by establishing and enforcing allowable hours, maximum noise levels, and vibration limits for weekday, weekend, and holiday work, consistent with the Municipal Code and adopted City standards. Construction and maintenance activities shall not exceed adopted City noise and vibration standards at receiving properties, except where a temporary exemption or permit is approved under the Municipal Code.

For construction within **500 feet** of homes, schools, childcare facilities, senior housing, hospitals, offices, or historic structures, require a construction noise and vibration control plan when heavy equipment, pile driving, jackhammers, vibratory rollers, concrete saws, or similar high-impact equipment will be used. The plan shall identify measures necessary to meet applicable standards, including mufflers, equipment shielding, staging-location controls, quieter equipment, limits on high-impact equipment, notification procedures, and noise or vibration

monitoring where needed.

For vibration, the City shall require analysis and monitoring where construction activity may exceed the City's adopted vibration limits, or, if no City standard is adopted, generally accepted thresholds such as 0.30 in/sec PPV for conventional structures and 0.08 in/sec PPV for historic or vibration-sensitive structures.

Part D. Strengthen HS-8.8 for recreational uses

Policy HS-8.8: Noise-Generating Uses

Prior to approving noise-generating uses, including public or private recreational uses, require the proposed use to demonstrate compliance with the City's adopted noise standards and to avoid substantial noise disturbance to nearby land uses, including residential, office, commercial, school, park, open space, and habitat areas.

For noise-generating uses located within or near residential areas, schools, offices, commercial areas, parks, open space, habitat areas, or other sensitive receptors, require a noise study when the use may generate recurring, impulsive, tonal, or high-frequency noise. The study shall evaluate average noise levels, maximum noise levels, tonal noise, impulsive noise, repetitive noise, frequency characteristics, hours of operation, and cumulative noise events. Required mitigation may include setbacks, acoustic barriers, surface or equipment standards, operational limits, posted rules, limits on amplified sound, reduced hours of operation, and post-installation monitoring.

Part E. Strengthen street-design noise policy

Revised HS-8.6: Traffic-Calming and Street-Design Noise

Require traffic-calming and street-design changes, including speed humps, raised crosswalks, rumble features, textured pavement, curb extensions, lane narrowing, medians, and truck-route changes, to avoid creating new or increased noise from braking, acceleration, vehicle impacts, pavement texture, rumble features, or truck movements at nearby receiving properties.

For projects located within **500 feet** of homes, schools, childcare facilities, senior housing, parks, open space, offices, or other noise-sensitive uses, require a noise analysis when the project would introduce a new physical feature or traffic-control measure that may generate recurring impact, vibration, braking, acceleration,

tonal, or impulsive noise. The project shall not increase traffic-related noise by **3 dBA CNEL/Ldn or more where existing noise levels already exceed City standards**, or by **5 dBA CNEL/Ldn or more where existing noise levels are below City standards**, unless feasible design modifications or mitigation are incorporated to meet the applicable standard.

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Here is a general comments made by ChatGPT after comparing Cupertino's draft element with those in other jurisdictions:

Main gaps in Cupertino’s draft

The main issue is not that the policies are wrong. The issue is that many are **not objective enough**.

The biggest gaps are:

- 1. No explicit threshold for construction vibration.**
HS-8.3 mentions vibration but does not set PPV limits or require monitoring.
- 2. No clear standard for impulsive, repetitive, tonal, or low-frequency noise.**
This matters for sounds that may be more disturbing than their average dBA suggests, such as pickleball impacts, backup beepers, loading docks, mechanical hum, bass, and repeated construction impacts.
- 3. HS-8.8 is too general for recreational noise.**
It says recreational uses need mitigation to meet adopted standards, but does not require acoustic studies, operational limits, setbacks, barriers, surface/material review, or post-installation monitoring.
- 4. Traffic-calming and street-design noise are only “evaluated.”**
If speed humps, raised crosswalks, rumble features, or curb changes create braking/acceleration noise near homes, the policy should require avoidance or mitigation, not just evaluation.

Liang Chao

Vice Mayor

City Council

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CC 05-19-2026

#5

Campaign Expenditure Limit
for November 3, 2026 City
Council Election

Written Communications

From: [Rhoda Fry](#)
To: [Public Comments](#)
Cc: [City Council](#); [City Clerk](#)
Subject: Agenda Item #5 - Please Abolish Campaign Expenditure Limit
Date: Tuesday, May 19, 2026 12:55:02 PM

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Dear City Council,

Agenda Item #5 - Please Abolish Campaign Expenditure Limit

This was a good idea back when. It was about disclosure. But I don't think that start next to someone's name is really understandable to most voters. The voters who care about campaign expenditures will see out campaign expenditures and disclosures. It costs staff time (= money) and the registrar time (= money) to handle these disclosures and one year they were messed up. It just doesn't make sense to have it. Additionally, there are plenty of independent expenditure committees that can spend money too which effectively support individual campaigns.

Let's keep it simple and get rid of the campaign expenditure disclosure once and for all.

Thanks,
Rhoda Fry
40+ year resident

PS – I was surprised to see this item on the consent calendar and I was also surprised by the extraordinary proposed increase.