

CC 5-19-2026

#1

Study Session Health
and Safety Element
Update

Desk Item



COMMUNITY DEVELOPMENT DEPARTMENT

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CITY COUNCIL STUDY SESSION STAFF REPORT - DESK ITEM

Meeting: May 19, 2026

Agenda Item #1

Subject

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

Mayor Moore and Vice Mayor Chao have suggested various policies and strategies for evaluation/consideration in several emails on May 19, 2026. These have been aggregated in Attachment E.

Attachments Provided with Original Staff Report:

- 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

Attachment Provided with Desk Item:

- E – Aggregated comments from Mayor Moore and Vice Mayor Chao

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
Emergency Management Pillar	Not explicitly listed as a primary pillar in the "Looking Forward" section.	Add emergency management and operations as an explicit pillar in the "Looking Forward" section (page 50).	Planning Commissioner Comment
Dual Ingress/Egress Mandate	Current Policy HS-3.4.1 lists "more than one point of ingress and egress" as a plan requirement but does not specify dimensions or mandate enforcement.	<p>KM Recommendation: Adopt objective standards requiring that all new residential developments of 5 or more units in High/Very High Fire Hazard Severity Zones (FHSZs) provide a minimum of two independent, paved access points each at least 20 feet wide as a non-discretionary condition of approval.</p> <p>Overlapping Commissioner Discussion: Consider requiring secondary access (ingress/egress) for new development rather than encouraging it (Policy HS-2.14). Clarify whether this means two different exit points from a development or access to two different streets. Be clear about the specific number of residential units where this applies.</p>	<p>KM Report (#1)</p> <p>Planning Commissioner Comment</p>
Zone 0 Non-Combustible Perimeters	References defensible space generally but lacks the 5-foot ember-resistant perimeter from 2021 CAL FIRE updates.	<p>KM Recommendation: Add a strategy under Policy HS-3.4 or Policy 3.7 explicitly requiring a 5-foot Zone 0 non-combustible perimeter for all new construction and significant remodels in Moderate, High, and Very High FHSZs.</p> <p>Overlapping Commissioner Discussion: Clarify triggers on wildfire safety requirements related to remodels vs. new build/construction (Policy HS-3.4.1).</p> <p><i>Staff Comment: Such details are typically in implementation documents such as Ordinances.</i></p>	<p>KM Report (#2)</p> <p>Planning Commissioner Comment <i>(Note the staff preference for keeping specific triggers in Ordinances rather than the General Plan Element itself).</i></p>

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
<p>Evacuation Route Assessment & Modeling</p>	<p>Strategy HS-2.3.3 calls for periodic review using older planning-level V/C ratio methodology with year-2000 capacity data.</p>	<p>KM Recommendation: Require a Dynamic Traffic Assignment (DTA) evacuation study updated to reflect post-rezoning buildout conditions by 2028, and repeat it with each General Plan update. Model time-to-safety, scenario simulations (Red Flag, school-day, signal failure), and phased evacuation.</p> <p>Vice Mayor Policy Language (Policy HS-2.11A): "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." <i>(Directly captures bottlenecks on Foothill Blvd, Stevens Creek Blvd, Rainbow Dr, Bubb Rd, and McClellan Rd).</i></p>	<p>KM Report (#3)</p> <p>Vice Mayor Proposed Policy</p> <p><i>(These two items are highly complementary and reinforce the same modeling goals).</i></p>

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
<p>Development Review & Evacuation Thresholds</p>	<p>Policy HS-3.4 requires review in FHSZs but does not tie permit issuance to a finding that the affected zone retains adequate time-to-safety capacity.</p>	<p>Recommendation: For projects of 10+ units in High/Very High FHSZs, require applicants to demonstrate via traffic analysis that the project won't degrade time-to-safety performance below an established threshold (e.g., 90% of residents reaching safety within 60 minutes of a Red Flag Warning).</p> <p>Vice Mayor Policy Language (Policy HS-2.11B): "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."</p> <p>Overlapping Commissioner Discussion: Consider establishing clear thresholds on the level of development which triggers evacuation route requirements, and whether clearer thresholds are needed across the Element (Policy HS-2.11).</p> <p><i>Staff Comment: Such details are typically in implementation documents such as Ordinances.</i></p>	<p>KM Report (#7)</p> <p>Vice Mayor Proposed Policy</p> <p>Planning Commissioner Comment (Note a potential structural tension: KM recommends hard thresholds in the Element, whereas staff advises keeping specific numeric thresholds in implementation ordinances).</p>

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
Evacuation Corridor Design Standards	Not explicitly detailed for specific roadway geometric configurations.	Vice Mayor Policy Language (Policy HS-2.11E): "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." <i>(Addresses contraflow, shoulder use, and painted medians on I-280, Foothill, Stevens Creek, Bubb, and SR-85).</i>	Vice Mayor Proposed Policy
Street-Level Modeling for High V/C FHSZs	Does not distinguish between evacuation zones inside/outside FHSZs for modeling depth.	Recommendation: Add a strategy requiring street-level traffic modeling for any evacuation zone within a Moderate, High, or Very High FHSZ that has a V/C ratio exceeding 1.0, calling out Zones CUP016, CUP017, CUP029, and CUP032 for immediate priority.	KM Report (#4)
Single-Egress Parcels	Does not explicitly identify or inventory parcels with constrained single-egress access.	Recommendation: Complete a GIS-based inventory of all residential parcels in FHSZs with only a single point of vehicular egress, publish it publicly, and use it to prioritize infrastructure investments.	KM Report (#5)
School & Visitor Evacuation Coordination	Evacuation communication/coordination with school districts and visitors is not fully integrated.	Vice Mayor Policy Language (Policy HS-2.11H): "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." <i>(Captures demand from Lincoln Elementary, Tessellations, Kennedy Middle, Monta Vista High, etc.).</i> Overlapping Commissioner Discussion: Expand communication channels for emergency operations to include schools and the senior center.	Vice Mayor Proposed Policy Planning Commissioner Comment

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Evacuation Map Usability & Communication	34 PDF evacuation maps (CUP-E001 to E034) exist but lack neighborhood labels or contextual references.	<p>Recommendation: (a) Label maps with neighborhood names, major intersections, and landmarks; (b) publish an interactive, address-searchable online zone tool ; and (c) conduct annual outreach.</p> <p>Overlapping Commissioner Discussion: Communicate and publish information about who Block Leaders are, as there are concerns that the Block Leader program is underrepresented and under-published.</p>	<p>KM Report (#6)</p> <p>Planning Commissioner Comment</p>
Seismic Retrofit of City Hall / EOC	Notes that additional physical/seismic improvements "may be needed" at the EOC but sets no timeline or funding.	<p>Recommendation: Add an objective strategy to complete a full seismic retrofit of City Hall and the Torre Annex to Essential Facility standards (CBC Occupancy Category IV) with a funded capital improvement plan adopted by 2027.</p>	<p>KM Report (#8)</p>
Flood Safety & FEMA Ratings	Not specifically updated regarding recent regulatory rating improvements.	<p>Recommendation: Add language about maintaining and improving the City's FEMA Community Rating System (CRS) score, noting that the City has recently improved its rating.</p>	<p>Planning Commissioner Comment</p>
Phase I & II Environmental Site Assessments (ESAs)	Policy HS-5 calls for agency coordination but does not mandate site assessments as a condition of development approval.	<p>Recommendation: Require a Phase I ESA prior to entitlement approval for any development application on a parcel with a documented history of industrial or commercial land use, and a Phase II ESA if recognized environmental conditions are found.</p>	<p>KM Report (#9)</p>

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
Hazardous Materials Thresholds & Regulations	No numeric cleanup thresholds set in connection with development approvals.	<p>Recommendation: Prohibit certificates of occupancy for residential use on previously contaminated sites until soil/groundwater contaminants are remediated to or below California Human Health Screening Levels (CHHSL) for residential use, referencing PFAS, PCE, and TCE.</p> <p>Overlapping Commissioner Discussion: Consider incorporating federal (EPA) standards for hazardous materials management.</p> <p><i>Staff Comment: 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.</i></p>	<p>KM Report (#10)</p> <p>Planning Commissioner Comment</p> <p><i>(Note the direct staff pushback on hard-coding external federal/EPA standards).</i></p>
Artificial Turf & Synthetic Surfaces (Hazmat/Heat)	Does not mention artificial turf or synthetic surfaces.	<p>Recommendation (Hazmat): Prohibit new City-funded installations of artificial turf or poured-in-place rubberized surfaces on public property, parks, and schools ; inventory existing turf for PFAS and replace with natural/PFAS-free options at end-of-life ; discourage residential use via public education .</p> <p>Recommendation (Stormwater/Microplastics): Require microplastics impact analysis for new synthetic installations on public property; note that synthetic surfaces shed microplastics into stormwater .</p> <p>Recommendation (Heat Risk): Note surface temperature hazards (160–180°F) as an extreme heat risk under Policy HS-9.4.</p>	<p>KM Report (#11, #12, #22)</p>
Groundwater PFAS Protections	Goal HS-5 addresses hazardous materials generally but does not explicitly name PFAS.	Recommendation: Add an explicit strategy directing the City to partner with Valley Water and the RWQCB to monitor, map, and communicate PFAS contamination in Cupertino's basin, and require disclosure in CEQA/environmental review documents.	KM Report (#13)

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Truck Traffic Noise Standards	Policy HS-8.7 restricts truck hours on major boulevards but relies on 24-hour average CNEL standards, obscuring single-event peaks.	<p>Recommendation: Add a strategy establishing a Maximum Noise Level (L_{\max}) standard not to exceed 65 dB for industrial trucks operating in or adjacent to residential zones between 10 PM and 6 AM.</p> <p>Overlapping Commissioner Discussion: Consider establishing objective noise standards for trucks in residential areas.</p> <p><i>Staff Comment: 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.</i></p>	<p>KM Report (#14)</p> <p>Planning Commissioner Comment</p> <p>(Note direct contradiction: KM pushes for outdoor truck L_{\max} limits, while staff argues truck noise standards are impractical and favors interior noise attenuation standards instead).</p>
Freeway Corridor Noise Barriers	Policy HS-8.4 mentions rubberized asphalt but lacks systematic noise barrier evaluation or Caltrans advocacy language.	Recommendation: Direct the City to formally request a Caltrans eligibility evaluation under the Retrofit Noise Barrier Program for I-280 and SR-85 within 12 months. Evaluate alternative buffers (sound fences, acoustic panels, vegetation) where soundwalls are geometrically infeasible.	KM Report (#15)
Interchange Zone Noise Mitigation	Does not specifically address noise exposure gaps at freeway interchanges where soundwall geometry is interrupted by ramps.	Recommendation: Recognize freeway interchange zones as a distinct residential noise exposure category; require any future Caltrans or VTA interchange project within/adjacent to Cupertino to include a noise impact analysis and mitigation plan as a condition of City cooperation.	KM Report (#16)
VTA Rubberized Asphalt Advocacy	Encourages rubberized asphalt generally but does not name VTA as a specific advocacy target.	Recommendation: Add a strategy explicitly directing the City to formally advocate with VTA for the use of rubberized asphalt on I-280 within Cupertino's geographic limits.	KM Report (#17)

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
Noise Monitoring Program	Lacks ongoing noise monitoring or community reporting mechanisms.	Recommendation: Establish a periodic (biennial) ambient noise monitoring program at 5 to 10 noise-sensitive locations (along highways and near industrial sites) with public web dashboard reporting.	KM Report (#18)
Law Enforcement Response Times	Emergency response standard specifics are missing or unclear under Policy HS-4.4.	Recommendation: Clarify emergency response standards for law enforcement response times under Policy HS-4.4. <i>Staff Comment: To the extent that law enforcement response times have been provided by the Sheriff's Department, they can be incorporated into the policy.</i>	Planning Commissioner Comment
Cooling Center Performance Standards	Strategy HS-9.4.3 calls for a Heat Action Plan but lacks timelines, geographic targets, or hours.	Recommendation: Require completion of the Heat Action Plan within 18 months, ensuring no resident is \$>1\$ mile from a cooling center. Mandate minimum hours (8 AM–8 PM) when temperatures exceed 95°F, require ADA accessibility, incorporate transportation assistance, and partner with school districts (CUSD/FUHSD) for gym access.	KM Report (#19)
Green Roofs & Living Walls	Policy 9.9 encourages nature-based solutions but features no explicit metrics or targets.	Recommendation: Target green roofs or living walls on at least 25% of qualifying new commercial and multi-family developments of 20,000 sq ft or more, tracking citywide cool-surface coverage.	KM Report (#20)
Public Space Cooling Infrastructure	Strategies target shading at transit stops and parking lots, but skip active cooling in public gathering spots.	Recommendation: Install active cooling (misting/evaporative features) paired with shade structures in high-use public hubs like town centers, parks, and school-adjacent zones, prioritizing senior and youth traffic. Overlapping Commissioner Discussion: Clarify that shading requirements apply only to parking lots and commercial development, not residential development (Policy HS-9.4.2). <i>Staff Comment: Typical single family residential developments do not include parking lots, though multifamily development could have parking areas.</i>	KM Report (#21) Planning Commissioner Comment

Topic / Section	Current Draft Status	Proposed Change / Policy Language	Source(s) & Notes
Mandatory vs. Discretionary Language	Uses flexible, non-binding verbs like "encourage," "support," "consider," and "where feasible".	Recommendation: Systematically review and transition key safety policies from discretionary to mandatory, non-discretionary, and objective standards (e.g., dual access, Phase I ESAs, PFAS limits, and Zone 0 perimeters).	KM Report (#23)
Cumulative Health Impacts	Addresses noise, hazards, heat, and fire in separate silos without examining combined impacts on sensitive groups.	Recommendation: Add a Climate-Integrated Cumulative Health Impacts section mapping where multiple hazards overlap (e.g., freeway corridors with concurrent high noise and severe urban heat island exposure) to prioritize mitigation investments.	KM Report (#24)
Annual Element Implementation Reporting	Lacks an explicit monitoring or annual accountability reporting schedule.	Recommendation: Mandate an annual Health and Safety Element implementation report delivered publicly to the Planning Commission to track time-bound strategy completions, monitoring data, and evacuation planning progress.	KM Report (#25)

CC 5-19-2026

#5

Setting voluntary
campaign expenditure
limit of \$50,000 for the
November 3, 2026 City
Council Election

Desk Item



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CITY COUNCIL STAFF REPORT

DESK ITEM

Meeting: May 19, 2026

Agenda Item #5

Subject

Setting a voluntary campaign expenditure limit of \$50,000 for the November 3, 2026 City Council election.

Recommended Action

Adopt Resolution No. 26-054 setting a voluntary campaign expenditure limit of \$50,000 for the November 3, 2026 City Council election.

Background:

Staff's responses to questions received from councilmember are shown in italics.

Q1: Since it is voluntary, and candidates may or may not choose to limit themselves, what is the purpose of even establishing a limit?

Staff response: You are correct that the expenditure limit is voluntary and does not carry the force of law. The purpose is to establish a general benchmark for local campaigns and provide candidates with the option to voluntarily accept the limit.

The intent has been that setting a spending limit may allow candidates to spend less time fundraising and more time engaging with voters, participating in candidate forums, and discussing local issues and policy priorities.

Historically, the City has brought forward campaign expenditure limits for Council consideration prior to municipal elections, and the Council may choose whether or not to adopt one for a given election cycle.

Q2: How do you determine the limit of \$50,000?

Staff response: The proposed \$50,000 amount reflects a mid-range estimate for campaign costs associated with a medium-sized city council election. Publicly available campaign consultant cost estimates for similar local elections commonly reflect campaign budgets ranging from

approximately \$25,000 to \$75,000.

Historically, the limit has been based on Consumer Price Index (CPI) changes applied to the prior Council adopted amount and the current registered voter population. In addition to CPI adjustments this year, consideration was also given to current campaign methods, such as digital advertising, campaign websites, and consulting services, which may not be fully reflected through CPI adjustments alone.

Attachments Provided with Original Staff Report:

A. Draft Resolution (and Exhibit A)