

**DRAFT**



**City of Cupertino**  
2023-2031 Housing Element  
Adoption Draft  
May 2024





## Table of Contents

<b>1. Introduction .....</b>	<b>HE-1</b>
Role and Content of the Housing Element .....	HE-1
California’s Housing Crisis.....	HE-2
Summary of Key Facts .....	HE-2
Affirmatively Furthering Fair Housing .....	HE-4
Regional Housing Needs Allocation .....	HE-5
<b>2. Goals, Policies, and Strategies.....</b>	<b>HE-9</b>
Quantified Objectives .....	HE-55

## Tables

Table H-1	Regional Housing Need Allocation - Cupertino.....	HE-5
Table H-2	Quantified Objectives Summary .....	HE-55



# 1. INTRODUCTION

The City of Cupertino (herein after “City”) is a community with a high quality of life, a renowned school system, and a robust high-technology economy. The long-term vitality of the City and the local economy depend upon the availability of all types of housing to meet the community’s diverse housing needs. As Cupertino looks towards the future, increasing the range and diversity of housing options will be integral to the City’s success. Consistent with the goal of being a balanced community, this Housing Element continues the City’s commitment to ensuring new opportunities for residential development, as well as for preserving and enhancing our existing neighborhoods.

This 2023-2031 Housing Element represents the City of Cupertino's intent to plan for the housing needs of the Cupertino community while meeting the State's housing goals as set forth in Article 10.6 of the California Government Code. The California State Legislature has identified the attainment of a decent home and a suitable living environment for every Californian as the State's major housing goal. The Cupertino Housing Element represents a sincere and creative effort to meet local and regional housing needs within the constraints of being a fully established built-out community with limited land availability and extraordinarily high costs of land and housing.

## ROLE AND CONTENT OF THE HOUSING ELEMENT

This Housing Element is a comprehensive eight-year plan to address the housing needs in Cupertino. The Housing Element is the City’s primary policy document regarding the development, rehabilitation, and preservation of housing for all economic segments of the population.

Per State Housing Element law, the document must be periodically updated to:

- Outline the community’s housing production objectives consistent with State and regional growth projections;
- Describe goals, policies and implementation strategies to achieve local housing objectives;
- Examine the local need for housing with a focus on special needs populations;
- Identify adequate sites for the production of housing serving various income levels;
- Analyze potential constraints to new housing production;
- Evaluate the Housing Element for consistency with other General Plan elements; and
- Evaluate Affirmatively Furthering Fair Housing.

This 6th Cycle Housing Element covers an eight-year planning period, from January 31, 2023 through January 31, 2031 and replaces the City's 5th Cycle Housing Element that covered January 31, 2015 through January 31, 2023 planning period.

## CALIFORNIA'S HOUSING CRISIS

The 6<sup>th</sup> Cycle Housing Element update comes at a critical time because California is experiencing a housing crisis, and as is the case for all jurisdictions in California, Cupertino must play its part in meeting the growing demand for housing. In the coming 20-year period, Santa Clara County is projected to add 169,450 jobs,<sup>1</sup> which represents a 15 percent increase. These changes will increase demand for housing across all income levels, and if the region can't identify ways to significantly increase housing production, it risks worsening the burden for existing lower-income households, many of whom don't have the luxury or skill set to move to new a job center but that are nonetheless faced with unsustainable increases in housing cost.

If the region becomes less competitive in attracting high-skilled workers and increasingly unaffordable to lower-income workers and seniors, then social and economic segregation will worsen, only exacerbating historic patterns of housing discrimination, racial bias, and segregation. This potentiality has become so acute in recent years that the California Legislature addressed the issue with new legislation in 2018. SB 686 requires all state and local agencies to explicitly address, combat, and relieve disparities resulting from past patterns of housing segregation to foster more inclusive communities. This is commonly referred to as Affirmative Furthering Fair Housing, or AFFH.

Cupertino has had modest success in meeting its housing needs. During the 2015–2023 planning period, Cupertino added 546 new units to its housing stock, achieving approximately 51 percent of the City's Regional Housing Needs Allocation (RHNA), which called for the construction of 1,064 housing units. Of the units built, approximately 41 percent (225 units) were affordable to lower- and moderate-income households,<sup>2</sup> and 59 percent were affordable to above moderate-income households.

## SUMMARY OF KEY FACTS

Cupertino is renowned as a center of innovation in Silicon Valley that far surpasses its moderate size. Around the world, Cupertino is famous as the home of high-tech giant Apple Inc. In the San Francisco Bay Area, Cupertino is known as one of the founding cities of Silicon Valley and as a city with excellent public schools. Quality schools and closeness to technology jobs make Cupertino a desirable address for a highly educated and culturally diverse population. The following is a summary of key demographic and economic facts about Cupertino:

## POPULATION

- Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Cupertino increased by 17.7 percent from 2000 to 2020, which is above the growth rate of the Bay Area, primarily due to annexations of large portions of County unincorporated areas;

---

<sup>1</sup> Source: Plan Bay Area, Projections 2040. Association of Bay Area Governments and Metropolitan Transportation Commission, November 2018.

<sup>2</sup> Source: City of Cupertino post construction surveys.

- Population growth in Cupertino began leveling off in 2014, with the county and regional growth index rates increasing, albeit slowly, while Cupertino's growth has stagnated;
- Cupertino has a higher Asian population compared to the county (68 percent of residents identify as Asian). The City's residents have grown less racially diverse since 2000 with the Asian population increasing by 22 percentage points.

## EMPLOYMENT

- Cupertino residents most commonly work in the Financial & Professional Services industry. From January 2010 to January 2021, the unemployment rate in Cupertino decreased by 5.0 percentage points. Between 2010 and 2018, the number of jobs located in the jurisdiction increased by 19,322 (59.1 percent).

## HOUSEHOLDS

- Most households in Cupertino earn more than 100 percent of the regional Area Median Income (AMI), and this is true across most racial and ethnic groups. Hispanic and non-Hispanic White households have the most income diversity.
- Poverty rates highlight the disparity in income and opportunities by race, with the Hispanic (16.7 percent) and Black/African American (16.9 percent) populations experiencing disproportionately higher poverty rates. No other group is above 7 percent.
- The City is home to very high performing schools. According to educational opportunity indices, every census tract in Cupertino scores higher than 0.75—indicating the highest positive educational outcomes.

## HOUSING STOCK

- Close to 550 residential permits were issued between 2015 and 2022. Jobs have grown significantly since 2004, with nearly all of the growth due to a boost in manufacturing and wholesale jobs (likely technology related jobs), which increased by 19,322 since 2010. At two jobs per household, housing these new workers would have required construction of more than 9,000 housing units. Cupertino's jobs to household ratio is 2.60—higher than Santa Clara County overall (1.71) or the Bay Area (1.47).
- Access to Cupertino is limited by housing pricing and supply. Eighty-three percent (83 percent) of houses in the area are valued over \$1 million. Zillow reports an average market value of \$2.25 million, significantly above the county's and Bay area's market values. Fifty-seven percent (57 percent) of Cupertino's housing units are single family units. The next closest share is multifamily at 21 percent of units, followed by 12 percent attached units and 10 percent du/tri/fourplexes. While owners mostly occupy 3- to 4-bedroom homes (72 percent), 68 percent of renters occupy 1- or 2-bedroom units.
- Renters, who make up 40 percent of all households in the City, are facing the same cost pressures as owners with 87 percent of units renting for more than \$2,000 per month, and 52 percent renting for \$3,000 and more. Just 14 percent of the City's rental units rent for \$2,000

per month and less. The County has almost three times the proportion of rentals priced under \$2,000 than the City.

- Regionally, mortgage denial rates are modest (14 percent to 17 percent of loans denied) and vary little across races and ethnicities except for Black/African American applicants, who are more frequently denied.

## OVERPAYMENT

- There are disparities in housing cost burden in Cupertino by race and ethnicity—and minimally by tenure (renters/owners). Hispanic households experience by far the highest rates of cost burden in the City (43.8 percent) followed by Asian households at 28.1 percent, White households at 26.6 percent, and Black/African American households at 11 percent. CHAS data did not report any American Indian and Alaska Native households overpaying for housing.
- Barriers to housing choice are largely related to the City’s very high costs of housing and lack of production of sufficient affordable housing. Since 2015, while the City has not denied any housing developments, housing for which building permits have been requested to accommodate growth has largely been priced for above moderate-income households (321 units or 58.8 percent of all units), followed by moderate income households (158 or 28.9 percent). Forty-eight (48) building permit applications were received and issued for low-income units and 19 building permit applications were received and issued for very low-income units, totaling 546 permits.

## SPECIAL NEEDS GROUPS

- Cupertino has a lower proportion of residents with disabilities than the county. However, unemployment among residents with disabilities is higher relative to those without a disability, with 16 percent of Cupertino residents with a disability unemployed, compared to 3 percent of residents without a disability.

## AFFIRMATIVELY FURTHERING FAIR HOUSING

In 2018, Assembly Bill 686 (AB 686), signed in 2018, established an independent state mandate to AFFH. AB 686 extends requirements for federal grantees and contractors to “affirmatively further fair housing,” including requirements in the federal Fair Housing Act, to public agencies in California. Affirmatively furthering fair housing is defined specifically as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity by replacing segregated living patterns with truly integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and fostering and maintaining compliance with civil rights and fair housing laws.

AB 686 requires public agencies to:

- Administer their programs and activities relating to housing and community development in a manner to affirmatively further fair housing;



- Not take any action that is materially inconsistent with the obligation to affirmatively further fair housing;
- Ensure that the program and actions to achieve the goals and objectives of the Housing Element affirmatively further fair housing; and
- Include an assessment of fair housing in the Housing Element.

The AFFH requirement AFFH is derived from The Fair Housing Act of 1968, which prohibited discrimination concerning the sale, rental, and financing of housing based on race, color, religion, national origin, or sex—and was later amended to include familial status and disability. The 2015 U.S. Department of Housing and Urban Development (HUD) Rule to Affirmatively Further Fair Housing and California Assembly Bill 686 (2018) mandate that each jurisdiction takes meaningful action to address significant disparities in housing needs and access to opportunity. AB 686 requires that jurisdictions incorporate AFFH into their Housing Elements, which includes inclusive community participation, an assessment of fair housing, a site inventory reflective of AFFH, and the development of goals, policies, and programs to meaningfully address local fair housing issues.

## REGIONAL HOUSING NEEDS ALLOCATION

Pursuant to California Government Code Section 65584, the State, regional councils of government (in this case, ABAG), and local governments must collectively determine each locality’s share of regional housing need allocation (RHNA). In conjunction with the State mandated housing element update cycle that requires Bay Area jurisdictions to update their elements by January 31, 2023, ABAG has determined housing unit production needs for each jurisdiction within the Bay Area. These allocations set housing production goals for the planning period that runs from January 31, 2023 through January 31, 2031 ([Table H-1](#)).

<b>Income Group</b>	<b>Unit Allocation</b>	<b>Percent</b>
Very Low Income (<50% of AMI)	1,193	26.0%
Low Income (50%-80% of AMI)	687	15.0%
Moderate Income (80%-120% of AMI)	755	16.5%
Above Mod. Income (>120% of AMI)	1,953	42.6%
<b>Total</b>	<b>4,588</b>	<b>100.0%</b>

SOURCE: California Department of Housing and Community Development, 6th Cycle Regional Housing Needs Allocation, Final Methodology, 2021

\*It is assumed that 50 percent of the very low- income category (596 units) is allocated to the extremely low-income category.

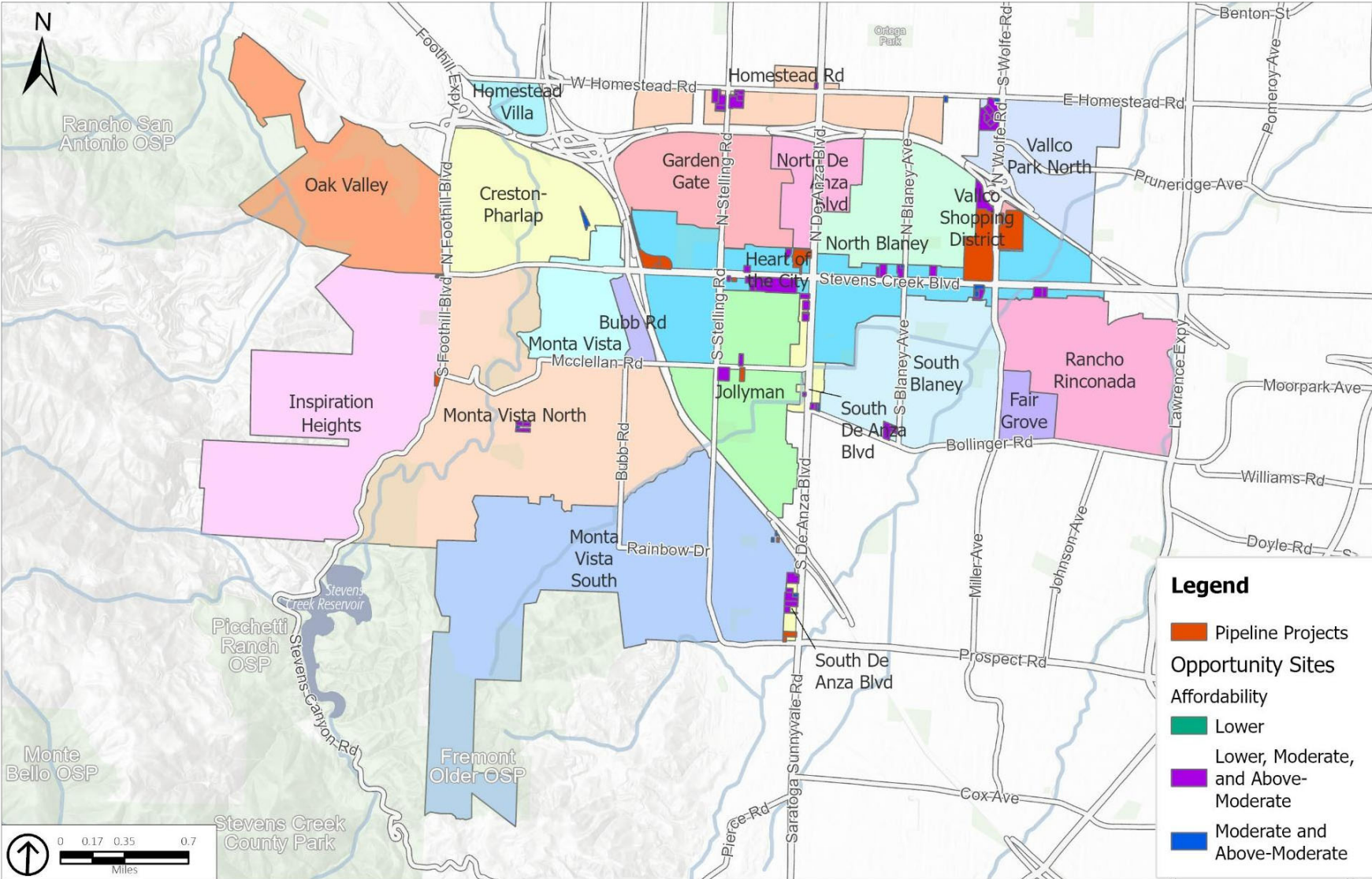
AMI = Area Median Income

## OVERVIEW OF AVAILABLE SITES FOR HOUSING

The purpose of the adequate sites analysis is to demonstrate that a sufficient supply of land exists in the City to accommodate the fair share of the region’s housing needs during the Housing Element planning period (January 31, 2023 – January 31, 2031). The Government Code requires that the Housing Element include an “inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment” ((Section 65583[a][3]). It further requires that the Element analyze zoning and infrastructure on these sites to ensure housing development is feasible during the planning period.

Figure HE-1 indicates the potential opportunity sites to meet the identified regional housing need pursuant. More detailed maps are available in **Appendix B4**.

Figure HE-1 Priority Housing Sites Map



Source: City of Cupertino, 2023  
 Note: Maps reflect the current parcel boundaries rather than the developable area assumed for redevelopment.

**CHAPTER 4: HOUSING ELEMENT | General Plan (community vision 2015 - 2040)**

This page intentionally left blank.

## 2. GOALS, POLICIES, AND STRATEGIES

The City is responsible for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations. To enable the construction of quality housing, the City has identified the following goals:

- Goal HE-1: An adequate supply of residential units for all economic segments;
- Goal HE-2: Housing is affordable for a diversity of Cupertino households;
- Goal HE-3: Stable and physically sound residential neighborhoods;
- Goal HE-4: Energy and water conservation;
- Goal HE-5: Special services for lower-income and special-needs households;
- Goal HE-6: Equal access to housing opportunities; and
- Goal HE-7: Coordination with regional organizations, local school districts, and colleges.

## GOAL HE-1 AN ADEQUATE SUPPLY OF RESIDENTIAL UNITS FOR ALL ECONOMIC SEGMENTS

### Policies

**Policy HE-1.1** **Provision of Adequate Capacity for New Construction Need.** Designate sufficient land at appropriate densities to accommodate Cupertino's Regional Housing Needs Allocation of 4,588 units for the 2023-2031 planning period.

(Formerly Policy HE-1.1)

**Policy HE-1.2** **Housing Densities.** Provide a full range of densities for ownership and rental housing.

(Formerly Policy HE-1.2)

**Policy HE-1.3** **Mixed-Use Development.** Encourage mixed-use development near transportation facilities and employment centers.

(Formerly Policy HE-1.3)

## Strategies

**Strategy HE-1.3.1 Land Use Policy and Zoning Provisions.** To accommodate the Regional Housing Needs Allocation (RHNA), the City will continue to:

- Provide adequate capacity through the Land Use Element and Zoning Ordinance to accommodate the RHNA while maintaining a balanced land use plan that offers opportunities for employment growth, commercial/retail activities, services, and amenities.
- Amend development standards for housing as required to provide objective standards that are adequate and appropriate to facilitate a range of housing in the community.
- Monitor the sites inventory and make it available on the City’s website.

*Responsibility: Cupertino Department of Community Development Planning Division*

*Timeframe: Ongoing;*

*Funding Sources: None required.*

*Objectives: 4,588 units (596 extremely low-, 597 very low-, 687 low-, 755 moderate-, and 1,953 above moderate-income units). Prioritize projects for lower-income households in areas with high rates of housing cost burden, such as the city’s north side, and areas with high risk for displacement, such as the South Blaney neighborhood, and the Garden Gate neighborhood if sites become available. Additionally, target development for lower-income households in high-opportunity areas, such as the Rancho Rinconada and Oak Valley neighborhoods, as well as lower-density neighborhoods, as sites become available. (Formerly HE-1.3.1)*

**Strategy HE-1.3.2 Rezoning to Achieve RHNA.** To ensure that the City has sufficient sites zoned appropriately to achieve the City’s Regional Housing Needs Allocation (RHNA), rezone sites listed in **Table B4-7** and **B4-9 (Appendix B4)**. The rezone will include 33.52 acres of residential land that will allow for a realistic capacity of 1,855 units, and 32.67 acres of commercial/residential land that will allow for a realistic capacity of 1,727 units.

The City will ensure compliance with Government Code Sections 65583 (c)(1) and 65583.2(h) and 65583.2(i), as listed below.

- Permit owner-occupied and rental multifamily uses by right and not require a conditional use permit or other discretionary review or approval for developments in which 20 percent or more of the total units are affordable to lower-income households.
- Ensure that each site can accommodate at least 16 units per site and require that all residential development achieve a minimum density of 20 dwelling units per acre on sites designated for lower income housing.
- Ensure (a) at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses, or (b) if accommodating more than 50 percent of the low- and very low-income regional housing need on sites designated for mixed uses, all sites designated for mixed uses must allow 100 percent residential use and require residential use to occupy at least 50 percent of the floor area in a mixed-use project.

Ensure sites will be available for development during the planning period where water and sewer can be provided.

*Responsibility:* Cupertino Department of Community Development Planning Division

*Timeframe:* Complete rezoning concurrently with adoption of the Housing Element.

*Funding Sources:* None required.

*Objectives:* Create opportunity for 4,588 units, including 1,880 units for lower-income households that will be within close proximity to services, employment opportunities, frequent transit and other resources in high-opportunity areas, such as in the Heart of the City Special Area.

**Strategy HE-1.3.3 New Residential Zoning Districts and Land Use Designations.** To ensure the City can meet the RHNA, the following actions will be taken:

**Zoning.** Create a new R4 Zoning District that will align with the two new General Plan Land Use designations, High/Very High Density allowing 50.01 to 65 units per acre, and Very High Density allowing 65.01 to 80 units per acre. The City will create development standards that will allow the maximum



density of this district to be achieved. This will include increased height limits to allow at least three stories, reduced setbacks, reduced lot coverage, and reduced parking requirements.

**General Plan Land Use Designations.** Create two new General Plan Land Use Designations – High/Very High Density, which will allow for 50.01–65 units per acre, and Very High Density, which will allow for 65.01–80 units per acre. The City will also revise the Commercial/Residential designation to identify different densities at which residential development could occur on property zoned for Residential mixed uses for clarity, and allow 100 percent residential on sites with a General Plan Land Use designation of Commercial/Residential, if the project is affordable.

*Responsible Agency: Cupertino Department of Community Development Planning Division*

*Timeframe: Create new R4 Zoning District and General Plan Land Use designations and development standards concurrently with adoption of the Housing Element.*

*Funding Sources: General Fund*

*Quantified Objective: Create opportunity for 600 units, including 300 units for lower-income households that will be within close proximity to services and other resources in high-opportunity areas. Prioritize projects for lower-income households in areas with high rates of housing cost burden, such as the city's north side, and areas with high risk for displacement, such as the South De Anza Special Area, Homestead Special Area, Heart of the City Special Area, and in the South Blaney neighborhood, and, if sites become available, in the Garden Gate and Rancho Rinconada neighborhoods.*

**Strategy HE-1.3.4 Development on Nonvacant Sites.** Establish an outreach and coordination program to connect developers, builders, and owners of nonvacant sites. The program shall:

- a. Emphasize reaching out to owners of nonvacant sites to discuss any interest in redeveloping and available incentives.
- b. Market and advertise these sites to the development community along with any incentives that might be available.

- c. Establish biennial meetings with developers and builders to discuss development opportunities.

If no projects are proposed on non-vacant sites within the first half of Housing Element planning period, the City will provide additional incentives, which will include, but are not limited to:

- a. Priority project processing
- b. Waive development impact or delay permit fees for affordable units
- c. Flexibility in development standards, such as parking, setbacks, and landscaping requirements
- d. Support grant application requests for funding made by developers for infrastructure upgrades.
- e. Assist developers of 100 percent affordable housing developments with securing additional financing.

*Responsible Agency: Cupertino Department of Community Development Housing Division*

*Timeframe: Initiate by June 2024 and maintain throughout planning period on a biennial basis.*

*Funding Source: None required.*

*Quantified Objective: Engage with three property owners of high-potential nonvacant sites each year. Create opportunity for 500 units, including 300 units for lower-income households that will be within close proximity to services, frequent transit and other resources in high-opportunity areas. Prioritize sites in areas with high rates of housing cost burden, such as the city's north side, and areas with high risk for displacement, such as the South Blaney neighborhood, and, if sites become available, in the Garden Gate and Rancho Rinconada neighborhoods and other lower-density neighborhoods. Additionally, target sites with high unit potential, such as sites in the De Anza Boulevard corridor and the sites with the highest allowable densities. If no projects are proposed on non-vacant sites within the first half of the Housing Element planning period, the City will adopt additional incentives as described above beginning in the third year.*

**Strategy HE-1.3.5 Encourage Mixed-Use Projects and Residential in Commercial Zones.**

The City will incentivize development of residential units in mixed-use projects that include affordable units (at least 20 percent), by providing incentives, which will include, but are not limited to:

- Priority project processing
- Delay payment of development impact or permit fees for affordable units
- Flexibility in development standards, such as parking, setbacks, and landscaping requirements
- Support grant application requests for funding made by developers for infrastructure upgrades.
- Assist developers of 100 percent affordable housing developments with securing additional financing.

*Responsible Agency:* Cupertino Department of Community Development Planning Division

*Timeframe:* Annually reach out to developers to inform them of the available incentives and obtain feedback by December 2025 on the provided incentives, review annually and amend as needed. Offer alternative incentives within six months of receiving feedback.

*Funding Source:* None required.

*Quantified Objective:* 150 extremely low-income units, 150 very low-income units, and 300 low-income units. Prioritize projects for lower-income households in areas with close proximity to job opportunities, such as the Heart of the City Special area; areas with high rates of housing cost burden, such as the city's north side (in and in the proximity of the Homestead Special Area); and areas with high risk for displacement, such as the South Blaney neighborhood and the Garden Gate neighborhood if sites become available.

**Strategy HE-1.3.6 Encourage Missing-Middle Housing Developments to Affirmatively Further Fair Housing.** The City will encourage the development of missing-middle housing types that are affordable by design that can provide opportunities for housing that can accommodate the needs, preferences, and financial capabilities of current and future residents in terms of different housing types, tenures, density, sizes, and costs.

Missing middle housing is typically multiple rental units on a single parcel (whether attached or detached) that are compatible in scale and form with traditional single-family homes with one- or two- story forms. Examples include duplexes, triplexes, courtyard apartments. Allowing the development of units in this form will help the incorporation of rental housing within the

existing, primarily single-family ownership units within neighborhoods. The City will accomplish this by:

- Allowing corner lots in R1 zoning districts to develop as multi-family rental housing using R23 zoning regulations to encourage missing-middle developments.
- Allowing lots zoned for single-family residential uses that abut (either shares a property line or is directly across the street from) property that fronts an arterial or major collector and is zoned and used for commercial or mixed-use development, to develop with rental multi-family housing using R23 zoning regulations to encourage missing middle housing.
- Pursuing the establishment of maximum average unit size as a tool to moderate unit sizes for such developments.

The City will promote the missing middle strategy through City publications and online newsletters, and via the City’s website

*Responsibility: Cupertino Department of Community Development Planning Division*

*Timeframe: Complete zoning code changes by December 2025, outreach at least twice in the planning period, and track annual planning applications received.*

*Funding Sources: None required.*

*Objectives: Facilitate the development of 250 lower- and 250 moderate-income households, prioritizing projects in areas with high levels of renter overpayment, including the Creston-Pharlap and South Blaney neighborhoods and lower-density neighborhoods.*

**Strategy HE-1.3.7**

**Lot Consolidation.** The City will help facilitate lot consolidations to combine small residential lots (lots 0.5 acres or smaller) into larger developable lots. The City will continue the following actions to accomplish this:

- Facilitate and approve lot consolidation when contiguous smaller, underutilized parcels are to be redeveloped.
- Encourage master plans for such sites with coordinated access and circulation.
- Provide technical assistance to property owners of adjacent parcels to facilitate coordinated redevelopment where appropriate.

**CHAPTER 4: HOUSING ELEMENT | General Plan (community vision 2015 - 2040)**

- Facilitate intra- and interagency cooperation in working with applicants at no cost prior to application submittal for assistance with preliminary plan review.
- Provide information on the City’s website about development opportunities and incentives for lot consolidation to accommodate affordable housing units and discuss these opportunities and incentives with interested developers. As developers/owners interested in lot consolidation and the development of affordable housing projects on small lots approach the City, the City will offer the following incentives:
  - Allow affordable projects to exceed the maximum height limits,
  - Reduce setbacks,
  - Reduce parking requirements, and/or
  - Offset fees (when financially feasible) and offer concurrent/fast tracking of project application reviews to developers who provide 100 percent affordable housing.

*Responsibility: Cupertino Department of Community Development Planning Division*

*Timeframe: Identify incentives by December 2025, offer incentives by June 2026. Ongoing thereafter, as projects are processed through the Planning Department. Annually meet with local developers to discuss development opportunities and incentives for lot consolidation.*

*Funding Sources: None required.*

*Objectives: 27 moderate-income units, and 48 above moderate-income units. Prioritize projects for lower-income households in areas with high rates of housing cost burden, such as the city’s north side (in and in proximity of the Homestead Special Area), and areas with high risk for displacement, such as the South Blaney neighborhood and the Garden Gate neighborhood if sites become available. Additionally, target development for lower-income households in high-opportunity areas, such as the Homestead, Heart of the City Special Area, South De Anza Special Area, and North and South Monta Vista Village neighborhoods, as well as other lower-density neighborhoods.*

(Formerly HE-1.3.3)

**Strategy HE-1.3.8 Accessory Dwelling Units.** The City will encourage the construction of accessory dwelling units (ADUs) throughout the city through the following actions, which are aimed at providing an increased supply of units affordable to very low, low, and moderate-income households and therefore provide affordable housing in high opportunity neighborhoods and help reduce displacement risk for low-income households resulting from overpayment:

- Amend the municipal code to be consistent with the latest State legislation related to ADUs, in accordance with California Government Code Sections 65852.2 *et seq.*
- Continue to provide guidance and educational materials for building ADUs on the City’s website, including permitting procedures. Additionally, the City will biennially present homeowner associations with information about the community and neighborhood benefits of ADUs, and inform them that covenants, conditions, and restrictions (CC&Rs) prohibiting ADUs are contrary to State law.
- To increase mobility for lower income households, proactively advertise the benefits of ADUs by distributing multilingual informational materials in areas of high opportunity and a limited number of renter households, including the Monta Vista North and Oak Valley neighborhoods, to increase mobility for low-income households by posting flyers in community gathering places and providing information to community groups and homeowners’ associations at least annually.
- Continue to offer the pre-approved ADU program and post links to approved plans as available.
- Annually monitor ADU production and affordability as a part of the Annual Progress Report process and adjust or expand the focus of the education and outreach efforts.
- Apply annually, if grants are available, for funding to provide incentives, for homeowners to construct ADUs affordable to very low, low, and moderate-income tenants.
- Permit up to a maximum of three, 800 s.f. attached or detached ADUs, JADUs, or conversion ADUs on all single family zoned properties and a maximum of up to two 800 s.f. attached or detached ADUs, JADUs or conversion ADUs on all duplex zoned properties, which is in excess of the number of ADUs allowed under state law.

- Identify incentives for construction of affordable ADUs with new development, which may include deferring collection of impact fees for the square footage associated with the ADU until issuance of the certificate of occupancy.

*Responsibility:* Cupertino Department of Community Development Planning and Housing Divisions.

*Timeframe:* Amend the municipal code by June 2024 and update ADU materials available by June 2024. Allow ADUs ongoing beyond State law requirements, Present proposed code amendment within six months of Housing Element adoption. Identify incentives by June 2025, and apply annually for funding to support ADU incentives. Evaluate effectiveness of ADU approvals annually, starting April 2024, and identify additional incentives within one year if ADU targets are not being met.

*Funding Sources:* Below Market Rate Affordable Housing Fund

*Objectives:* 60 ADUs to improve housing mobility and improve proximity to services and employment opportunities for lower- and moderate-income households, with targeted outreach in high-opportunity areas with high rates of renter overpayment, such as the Rancho Rinconada neighborhood, and areas in close proximity to jobs, such as the North Blaney and Garden Gate neighborhoods, as well as lower-density neighborhoods. (40 ADUs are assumed to address the displacement risk).

(Formerly HE-1.3.2)

**Strategy HE-1.3.9 Review Development Standards.** The City recognizes the need to encourage a range of housing options in the community. The City will review and revise its zoning code to:

- Review and revise design and development standards (setbacks, height limits, lot coverage, etc.) and guidelines for multifamily housing, specifically in the R4 Zone and the Priority Development Area (PDA) to ensure standards are objective and that maximum densities can be achieved.
- Provide flexibility in development standards to accommodate new models and approaches to providing housing, such as live/work housing to allow housing to adapt to the needs of occupants.

- Offer flexible residential development standards in planned residential zoning districts, such as smaller lot sizes, lot widths, setbacks, and higher floor-area ratios particularly for higher-density and attached housing developments.
- Consider granting reductions in off-street parking for senior housing. Analyze local parking standards compared to those of neighboring jurisdictions with similar characteristics and reduce parking standards to ensure parking is not a constraint on development. Specifically, reduce parking requirements for studio apartments, senior housing, and single-room occupancy (SRO) units and others as required by the analysis.
- Require implementation of universal design standards for new multifamily development to provide disabled access. These standards would require the adoption of features like at least one “no-step” entry point, interior and exterior doors with 32 inches of clear passage, and one bathroom on the main floor that is able to be maneuvered in a wheelchair. Encourage the implementation of universal design standards for new single-family homes.
- Remove the following bolded text from the major development permit findings. The proposed housing developments and/or use, at the proposed location, **will not be detrimental or injurious to property or improvements in the vicinity**, and will not be detrimental to the public health, safety, general welfare, **or convenience**.

*Responsibility:*                      *Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe:*                         *Analyze parking standards by December 2025 and revise standards by June 2025. Review and revise standards by June 2025; annually review objective design standards and amend as needed.*

*Funding Sources:*                *None required.*

*Objectives:*                         *Development of 150 units for lower-income households, 150 units for moderate-income households, and 500 for above-moderate income households by revising development standards.*

(Formerly HE-1.3.4)



**Strategy HE-1.3.10 Innovative and Family-Friendly Housing Options.** Explore innovative and alternative housing options that provide greater flexibility and affordability in the housing stock that would address housing needs for intergenerational households, students, special-needs groups, and lower-income households. The City will implement the following:

- Promote housing designs and unit mix to attract multigenerational households by encouraging housing features and more bedrooms (including four-bedroom units), as well as other on-site amenities, such as usable outdoor open space for multigenerational use to promote place-based revitalization, and multipurpose rooms that can be used for after-school homework clubs, computer, art, or other resident activities. Facilitate at least one partnership with social service organizations to provide programming in community spaces within a 100 percent affordable project during the planning period.
- Research the possibility of a Home Sharing program that would help to match “providers” with a spare room or rooms with “seekers” who are looking for an affordable place to live. This could either be done at a countywide level or the City could consider partnering with De Anza Community College to facilitate a home-sharing program to account for the high number of empty rooms across Cupertino’s single-family home supply. If the program is determined to be feasible, implement within one year of feasibility determination. Priority outreach for program implementation will focus on the city’s lower-density neighborhoods including, but not limited to, Ranchoada, Fair Grove, Monta Vista North, and Inspiration Heights.

The City will use the findings of this program to target development of a variety of housing types in areas of concentrated overpayment to reduce displacement risk as well as promote inclusion and support integration of housing types based on income to facilitate mobility opportunities in high resource areas and areas of high median income.

*Responsibility:* Cupertino Department of Community Development Planning and Housing Divisions

*Timeframe:* Explore innovative and alternative housing options to help further housing production by December 2025, amend the zoning code as needed by October 2024.

*Funding:* None required.

*Quantified Objective:* 200 lower-income units to improve housing mobility and reduce displacement risk, aiming for at least 50 in close proximity to jobs, transit, open space, and other services and 50 integrated into predominantly single-family, and higher-income areas, and 10 – 4 bedroom units.

**Strategy HE-1.3.11 Replacement Housing.** To facilitate place-based revitalization for households at risk of displacement due to new development, the City will require replacement housing units subject to the requirements of Government Code, Sections 66300.5, 65583.2, and 65915(c)(3), on all sites in the City when any new development (residential, mixed-use, or nonresidential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to nonvacant sites and vacant sites with previous residential uses that have been vacated or demolished.

*Responsible Agency:* Cupertino Department of Community Development Planning Division

*Timeframe:* The replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.

*Funding Source:* None required.

*Quantified Objective:* Replace any units identified in the sites inventory if:  
(a) they are planned to be demolished or have been demolished in the past 5 years, and  
(b) they are "protected units" as defined in the statutes. Ensure that housing development projects create at least as many total units as are planned to be demolished.

**Strategy HE-1.3.12 Track Housing Production.** The City will monitor housing production throughout the planning period and ensure the Pipeline Projects (**Table B4-2**) and sites identified to meet the RHNA (**Tables B4-7** and **B4-9**), maintain sufficient housing capacity to meet the RHNA target by income level. The city will not adopt reductions in allowable residential densities for Pipeline Projects in the Appendix B4 through General Plan update/amendment or rezone or approve development or building permits for sites identified in the inventory with fewer units or affordable to a different income category than identified in the inventory, unless findings are made that the remaining capacity is sufficient

to accommodate remaining unmet RHNA for each income level. The City will track and report on:

- Pipeline projects (**Table B4-2**) and progress towards completion;
- Unit count and income/affordability assumed on parcels in the sites inventory (**Tables B4-7 and B4-9**);
- Actual number of units permitted and constructed by income/affordability;
- Net change in capacity and summary of remaining capacity by income level in meeting remaining RHNA;

In accordance with No Net Loss law, if project approval results in the remaining sites capacity becoming inadequate to accommodate RHNA by income category, the City will identify or rezone sufficient sites to accommodate the shortfall within 180 days of approval. Further, the City will track progress of pending projects towards completion and if projects are not assumed to be completed in the planning period, the City will evaluate whether there are sufficient sites available to accommodate the RHNA. If sufficient sites are not available, the City will take necessary actions (e.g., rezoning or identify additional sites) to maintain adequate sites within one year. The results of the tracking will be reported in the Housing Element Annual Progress Report reported annually to the City Council and posted online for public review.

*Responsible Agency: Cupertino Department of Community Development Planning Division*

*Timeframe: Ongoing. If projects are approved on inventory sites with fewer units or at a different income level than shown in the Housing Element, make no net loss findings as required by Section 65863. If insufficient sites remain by income category, designate additional sites within 180 days. Complete a mid-term evaluation of the City's pipeline projects to review progress towards completion and if additional actions are necessary, complete additional actions within one year.*

*Funding Source: None required.*

*Quantified Objective: Ensure sufficient capacity is maintained to accommodate the RHNA.*

**Strategy HE-1.3.13 Housing Element Monitoring and General Plan Consistency.** As required by State law, the City will review the status of Housing Element programs annually. Annual review will cover consistency between the Housing Element and the other General Plan Elements. As portions of the General Plan are amended, the Housing Element will be reviewed and revised to ensure that internal consistency is maintained.

*Responsible Agency:* Cupertino Department of Community Development Planning Division

*Timeframe:* Review and revise as elements are updated.

*Funding Source:* None required.

## GOAL HE-2

## HOUSING IS AFFORDABLE FOR A DIVERSITY OF CUPERTINO HOUSEHOLDS

### Policies

#### Policy HE-2.1

**Housing Mitigation.** Ensure that all new developments, including market-rate residential developments, help mitigate project-related impacts on affordable housing needs.

(Formerly Policy HE-2.1)

#### Policy HE-2.2

**Range of Housing Types.** Encourage the development of diverse housing stock that provides a range of housing types (including smaller, moderate-cost housing) and affordability levels. Emphasize the provision of housing for lower- and moderate-income households, including wage earners who provide essential public services (e.g., school district employees, municipal and public safety employees, etc.). (Formerly Policy HE-2.1)

#### Policy HE-2.3

**Development of Affordable Housing and Housing for Persons with Special Needs.** Make every reasonable effort to disperse affordable units throughout the community but not at the expense of undermining the fundamental goal of providing affordable units. Ensure that the City's development standards accommodate housing needed by persons with special needs.

(Formerly Policy HE-2.1)

## Strategies

**Strategy HE-2.3.1 Support Affordable Housing Development.** Work with housing developers to expand opportunities for affordable lower-income housing for special-needs groups, including persons with physical and developmental disabilities, female-headed households, large families, extremely low-income households, and persons experiencing homelessness by creating partnerships, providing incentives, and pursuing funding opportunities.

- Prioritize projects that are in areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood. Additionally, prioritize projects in areas with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area).
- Support affordable housing development and give priority to permit processing for projects providing 100 percent affordable housing for special-needs groups throughout the city, including in areas that are predominantly single-family residential. The target populations include seniors; persons with disabilities, including developmental disabilities; female-headed households; and persons experiencing homelessness to reduce the displacement risk for these residents from their existing homes and communities.
- Promote the use of the density bonus ordinance, application process streamlining, fee deferrals, and consider development fee exemption for projects that are 100 percent affordable to encourage affordable housing, with an emphasis on encouraging affordable housing in high-resource areas and areas with limited rental opportunities currently.
- Facilitate the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable 50 percent (of the total number of units) affordable housing development and process fee deferrals related to the subdivision for 50 percent (of the total number of units) affordable projects.
- Work with public or private sponsors to identify candidate sites for new construction of housing for special needs, including transitional and supportive households, and take all actions necessary to expedite processing of such projects.
- Encourage residential development near transit routes, civic uses, social services, grocery stores, parks, open space, and other health resources.

- Partner with nonprofit and for-profit affordable housing developers to support their financing applications for State and federal grant programs, tax-exempt bonds, and other programs that become available.
- Pursue federal, State, and private funding for low- and moderate-income housing by applying for State and federal monies for direct support of lower-income housing construction and rehabilitation, specifically for development of housing affordable to extremely low-income households.

*Responsibility: Cupertino Department of Community Development Planning and Housing Divisions*

*Time Frame: Ongoing, as projects are processed by the City. Annually apply for funding and engage with housing developers.*

*Funding: Where feasible, leverage State and federal financing, including Low-Income Housing Tax Credits, CHFA multifamily housing assistance programs, HCD Multifamily Housing Loans, CDBG funds, HOME funds, and other available financing.*

*Quantified Objective: Create opportunity for 450 units for lower-income households that will be within close proximity to services and other resources in high-opportunity areas. Include development of 250 units affordable to special-needs, lower-income households to reduce displacement risk for these populations. Target 100 units in close proximity to services and transit, and 100 in higher-income, predominantly single-family neighborhoods to promote mobility opportunities. Opportunity areas for targeting include the Monta Vista North neighborhood. Additionally, target areas with high rates of housing cost burden, such as the city’s north side (in and in proximity of the Homestead Special Area)*

**Strategy HE-2.3.2 Office and Industrial Housing Mitigation Program.** The City will continue to implement the Office and Industrial Housing Mitigation Program. This program requires that developers of office, commercial, and industrial space pay a mitigation fee, which will then be used to support affordable housing in Cupertino. These mitigation fees are collected and deposited in the City’s Below Market-Rate Affordable Housing Fund (BMR AHF).

*Responsibility: Cupertino Department of Community Development Planning Division*

*Timeframe:* Ongoing

*Funding Sources:* BMR AHF

*Objectives:* With limited office and industrial development, facilitate development of 20 units for very low- and low-income households.

(Formerly HE-2.3.1)

**Strategy HE-2.3.3 Residential Housing Mitigation Program.** The City will continue to implement the Residential Housing Mitigation Program to mitigate the need for affordable housing created by new market-rate residential development. This program applies to new residential development. Mitigation includes either the payment of the “Housing Mitigation” fee or the provision of a Below Market-Rate (BMR) unit or units. Projects of five or more for-sale units must provide on-site BMR units. Projects of four units or fewer for-sale units can either build one BMR unit or pay the Housing Mitigation fee. Developers of market-rate rental units, where the units cannot be sold individually, must pay the Housing Mitigation fee to the BMR AHF. The BMR program specifies the following:

- **Priority.** To the extent permitted by law, priority for occupancy is given to Cupertino residents, Cupertino full-time employees, and Cupertino public service employees, as defined in Cupertino’s Residential Housing Mitigation Manual.
- **For-Sale Residential Developments.** Require 20 percent for-sale BMR units in all residential developments where the units can be sold individually (including single-family homes, common interest developments, and condominium conversions) or allow rental BMR units.
- **Rental Residential Developments.** Require 15 percent 1 very low- and low-income BMR units in all rental residential developments.
- **Rental Alternative.** Allow rental BMR units in for-sale residential developments and allow developers of market-rate rental developments to provide on-site rental BMR units, if the developer: (1) enters into an agreement limiting rents in exchange for a financial contribution or a type of assistance specified in density bonus law (which includes a variety of regulatory relief); and (2) provides very low-income and low-income BMR rental units.

- **Affordable Prices and Rents.** Continue to implement guidelines for affordable sales prices and affordable rents for new affordable housing and update the guidelines each year as new income guidelines are received.
- **Development of BMR Units Off Site.** Allow developers to meet all or a portion of their BMR or Housing Mitigation fee requirement by making land available for the City or a nonprofit housing developer to construct affordable housing or allow developers to construct the required BMR units off site, in partnership with a nonprofit. The criteria for land donation or off-site BMR units (or combination of the two options) will be identified in the Residential Housing Mitigation Manual.
- **BMR Term.** Require BMR units to remain affordable for a minimum of 99 years; enforce the City’s first right of refusal for BMR units and other means to ensure that BMR units remain affordable.
- Monitor the affordable for-sale inventory by requiring BMR homeowners to submit proof of occupancy, such as utility bills, mortgage loan documentation, homeowner’s insurance, and property tax bills.

*Responsibility:* *Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe:* *Annually monitor program to ensure that it is not acting as a constraint on development. Conduct economic feasibility study if it appears to be a constraint and make any required changes within one years.*

*Funding Sources:* *BHR AHF*

*Objectives:* *200 BMR units over eight years in areas with high rates of housing cost burden, such as the city’s north side (in and in proximity of the Homestead Special Area), and areas with high risk for displacement, such as the South Blaney neighborhood and Garden Gate neighborhood if sites become available.*

(Formerly HE-2.3.2)

**Strategy HE-2.3.4 Below-Market Rate (BMR) Affordable Housing Fund (AHF).** The City’s BMR AHF will continue to support affordable housing projects, strategies, and services, including, but not limited to:

- BMR Program Administration
- Substantial rehabilitation
- Land acquisition



- Acquisition and/or rehabilitation of buildings for permanent affordability
- New construction
- Preserving “at-risk” BMR units
- Rental operating subsidies
- Down payment assistance
- Direct gap financing
- Fair housing

The City will target a portion of the BMR AHF to benefit extremely low-income households and persons with special needs (such as the elderly, victims of domestic violence, and the disabled, including persons with developmental disabilities), to the extent that these target populations are found to be consistent with the needs identified in the nexus study the City prepares to identify the connection, or “nexus” between new developments and the need for affordable housing. Additionally, development of housing for lower-income households will be facilitated citywide, but priority will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood. Additionally, priority will also be given to areas with high rates of cost burden, such as the city’s north side (in and in proximity of the Homestead Special Area).

*Responsibility:*                      *Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe:*                              *Ongoing/annually publish requests for proposals (RFPs) to solicit projects.*

*Funding Sources:*                      *BMR AHF*

*Objectives:*                              *Facilitate the development of 50 units affordable to very low- and low-income households.*

(Formerly HE-2.3.3)

**Strategy HE-2.3.5 Housing Resources.** Cupertino residents and developers interested in providing affordable housing in the city have access to a variety of resources administered by other agencies. The City will continue to provide information on housing resources and services offered by the County and other outside agencies. These include, but are not limited to:

- Mortgage Credit Certificate (MCC) – Santa Clara County Housing and Community Development Department.
- First-Time Homebuyer Assistance and Developer Loans for Multifamily Development - Housing Trust Silicon Valley (HTSV).
- Housing Choice Vouchers (Section 8) - Housing Authority of Santa Clara County (HASCC).
- Affordable housing development - Santa Clara County HOME Consortium.

The City will also continue to identify and pursue various affordable housing resources available at the local, regional, state, and federal levels that could be used to address housing needs in the community. Outreach on these programs will be conducted citywide, but extra focus will be given to areas with historically higher areas of income segregation, such as the areas along the Interstate (I-) 280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of the Creston-Pharlap neighborhood), and along Miller Avenue, north of Creekside Park.

*Responsibility: Cupertino Department of Community Development Housing Division*

*Timeframe: Annually identify and pursue various housing resources and inform residents and developers on available programs, update website as funding is available.*

*Funding Sources: None required.*

*Objectives: Provide information about available programs to 50 households each year, with targeted outreach to areas with historically higher areas of income segregation, such as the areas along the I-280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of Creston-Pharlap neighborhood), and along Miller Avenue, north of Creekside Park.*

(Formerly HE-2.3.4)

**Strategy HE-2.3.6 Surplus Properties for Housing and Faith-Based Housing.** The City will partner with local developers or organizations to purchase surplus properties, infill lots, and other green fields within the city to use for the development of affordable housing. Encourage mixed-use development (i.e., retail on ground floor with residential on the upper levels) as a pull factor for individuals to live in the new development as follows:

- Work with local public agencies, school districts, and churches to identify surplus properties or underutilized properties that have the potential for residential development.
- Compile and maintain an inventory of vacant properties owned by the City or other public entities. The inventory will include land donated and accepted by the City for donation, and land otherwise acquired by the city. The City will then undertake steps leading to release of RFP to solicit developer interest, which may include declaration of land as ‘surplus’. The City will publicize the inventory, post it on the website, make it available to non-profit developers, and prioritize affordable housing on these sites in accordance with the Surplus Lands Act (Government Code sections 54220-54234). To create housing mobility opportunities for lower-income households, conduct outreach to religious institutions to inform them of their development rights under SB 4 and encourage housing proposals within one year of Housing Element adoption. If no application for housing on a religious institution/faith-based site is received within twelve months after outreach is completed, the City will expand outreach efforts to be conducted annually. This will include direct mailings to faith-based sites highlighting successful affordable housing units on other faith-based sites, as well as available City resources and programs to support such projects if available. Additional outreach focus will be given to religious institutions located in lower-density neighborhoods to promote housing mobility in these areas.
- Encourage long-term land leases of properties from churches, school districts, and corporations for construction of affordable units.
- Evaluate the feasibility of developing special housing for teachers or other employee groups on the surplus properties.
- Research other jurisdictions’ housing programs for teachers for their potential applicability in Cupertino.

*Responsibility: Cupertino Department of Community Development Planning and Housing Divisions*

*Timeframe:* Ongoing, Reach out to affordable housing developers biennially to discuss opportunities. Review and update City-owned properties list annually. Conduct initial outreach within one year of Housing Element adoption and additional outreach as new legislation is passed. If no applications for housing projects on religious sites are received by December 2025, conduct outreach annually.

*Funding Sources:* BMR AHF

*Objectives:* Facilitate the development of 5 new affordable housing projects on sites owned by religious institutions.

(Formerly HE-2.3.5)

**Strategy HE-2.3.7 Incentives for Affordable Housing Development.** The City will continue to offer a range of incentives to facilitate the development of affordable housing. These include:

- Financial assistance through the City’s Below-Market Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds.
- Partner with CDBG and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low-Income Housing Tax Credits (LIHTC), and mortgage revenue bonds.
- Density bonus incentives (see **Strategy HE-2.3.8**).
- Flexible development standards
- Technical assistance.
- Waiver of park dedication fees and construction tax.
- Parking ordinance waivers.
- Expedited permit processing.

Development of housing for lower-income households will be facilitated citywide, but extra focus will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood. Additionally, focus will be given to areas with high rates of housing cost burden, such as the city’s north side (in and in proximity of the Homestead Special Area).

*Responsibility:* Cupertino Department of Community Development Planning Division and Housing Division

*Timeframe:* Annually review incentives and include additional incentives as needed to facilitate affordable housing development, annually publish RFPs to solicit projects. If additional incentives are found to be needed and feasible, implement within one year of determination.

*Funding Sources:* BMR AHF, CDBG, HOME, General Fund

*Objectives:* Facilitate development of 400 units available to very low-income households and 250 units affordable to low-income households.

(Formerly HE-2.3.6)

**Strategy HE-2.3.8 Density Bonus Ordinance.** The City will continue to review and revise the Zoning Code to be consistent with State density bonus law. Although most housing developers are familiar with density bonus law and frequently request bonuses, concessions, waivers, and parking reductions, the city will provide available guidelines and other information to developers regarding the statute. The City currently allows a 100% bonus for all affordable housing developments.

*Responsibility:* Cupertino Department of Community Development Planning Division

*Timeframe:* Update ordinance to comply with state law by June 2025. Annually review and revise ordinance as needed to comply with State law. *Funding Sources:* None required.

*Objectives:* Facilitate the development of 200 units of housing affordable to very low-income households and 300 units affordable to low-income households. Ensure density bonus ordinance complies with state law and target citywide. (Formerly HE-2.3.7)

**Strategy HE-2.3.9 Review Impact Fees.** To ensure that impact fees are not a constraint on the development of housing, the City will:

- Review and revise impact fees by researching surrounding jurisdictions to determine other possible fee structures, grant funding opportunities and similar funding sources, review of average persons per unit at higher densities of development and will consider:

- Alternatives, such as privately owned, publicly accessible (POPA) areas, or allowing parkland credit for pedestrian connections and trails.
- Incorporating priority processing, granting fee waivers or deferrals for 100 percent affordable projects, and modifying development standards,

*Responsibility:* Cupertino Department of Finance; City Manager's Office, Department of Community Development – Housing and Planning Divisions

*Timeframe:* Review current fees by December 2025, revise based on research outcome by June 2026.

*Funding Sources:* None required.

*Objectives:* Through revised fees or fee alternatives, facilitate the development of 500 units affordable to lower-income households, 300 units affordable to moderate-income households, and 500 units affordable to above moderate-income households.

### **Strategy HE-2.3.10 Extremely Low-Income Housing**

The City will continue to encourage the development of adequate housing to meet the needs of extremely low-income households particularly for seniors, victims of domestic violence, and persons with disabilities (including persons with developmental disabilities), through a variety of actions. The development of housing for extremely low-income households will be facilitated citywide, but priority will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood. Additionally, priority will be given to areas with high rates of housing cost burden, such as the city's north side.

- Provide financing assistance using the Below-Market Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds.
- Review available State and Federal NOFAs on an annual basis and support funding applications for affordable housing projects as funding becomes available.
- Adopt a priority processing procedure for projects with extremely low-income units within one year of Housing Element adoption.

- Grant reductions in off-street parking as required by density bonus law and other state statutes.
- Expand regulatory incentives for the development of units affordable to extremely low-income households and housing for special-needs groups, including persons with disabilities (including developmental disabilities), and individuals and families in need of emergency/transitional housing. The City will work with developers and evaluate additional proposed development standards reductions for projects that include housing for extremely low-income households, and will present findings and proposed code amendments to the Planning Commission and City Council for adoption within nine months of identified findings.
- Partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low-Income Housing Tax Credits (LIHTC), and mortgage revenue bond.
- Amend the Zoning Code to define single-room occupancy (SRO) units and allow them in the R4 zoning districts with a use permit, in compliance with Government Code Section 65583(c)(1).

*Responsibility:* Cupertino Department of Community Development Planning Division and Housing Division

*Timeframe:* Adopt zoning code amendments within 18 months after Housing Element adoption. Ongoing, as projects are processed by the Planning Division. By June 2025 outreach to organizations that support extremely low-income residents to understand funding needs, and review and prioritize local funding at least twice in the planning period, and support expediting applications as they are submitted. Annually coordinate to address and identify the needs and inform developers of available funding and incentives. Present findings and proposed code amendments for adoption within nine months of identified findings.

*Funding Sources:* BMR AHF, CDBG, HOME, LIHTC.

*Objectives:* Assist 250 extremely low-income households to reduce overpayment and displacement risk for special-needs groups, as identified in the program.

(Formerly HE-2.3.8)

**Strategy HE-2.3.11 Assistance for Persons with Developmental Disabilities.** To increase housing mobility opportunities and support persons with developmental disabilities, the City will:

- Provide referrals to the San Andreas Regional Center to inform families with persons with developmental disabilities of the resources available to them.
- Continue to support the development of small group homes that serve developmentally disabled adults; adopt a policy to establish priority processing and offer fee waivers or deferrals within one year of Housing Element adoption.
- Work with the nonprofit community to encourage the inclusion of units for persons with developmental disabilities in future affordable housing developments.
- Encourage housing providers to pursue funding sources designated for persons with special needs and disabilities and notify housing providers of available funding opportunities as they become available. Offer technical assistance to project developers on funding applications.
- Encourage housing providers to designate a portion of new affordable housing developments for persons with disabilities, including persons with developmental disabilities, to increase housing mobility opportunities and pursue funding sources designated for persons with special needs and disabilities.

*Responsibility: Cupertino Department of Community Development Housing Division*

*Timeframe: Ongoing; Meet with disability providers by December 2025 and annually coordinate with regional offices and developers to pursue housing opportunities and help facilitate the development of housing for persons with disabilities. Adopt priority processing and fee deferral/waiver policy within one year of Housing Element adoption.*

*Funding Sources: None required.*

*Objectives: 10 housing units for persons with disabilities to reduce displacement risk. Prioritize areas with high risk for displacement, such as the South Blaney neighborhood, and areas with higher concentrations of residents with disabilities, such as*



*the Rancho Rinconada and Fairgrove neighborhoods, as sites become available.*

**Strategy HE-2.3.12 Live/Work Units.** Encourage the development or conversion of affordable live/workspace units to reduce displacement of residents and employees, specifically when replacing older strip mall type developments along busier streets (e.g., S. De Anza Boulevard and Stevens Creek Boulevard) to preserve the more urban and mixed-use character of the street. This would allow the street frontage to remain commercial use while the residential portion of the units would be located towards the rear of the site or in upper floors.

The City will also help to market the Homeownership Assistance Programs offered by Housing Trust Silicon Valley (HTSV) in an effort to expand affordable homeownership options.

*Responsibility: Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe: Conduct outreach to commercial property owners by June 2025. . Adopt any required zoning amendments by December 2025. Annually monitor applications and modify program if required. Funding Sources: None required.*

*Objectives: 10 live-work units to reduce displacement risk. Prioritize development in areas with high risk for displacement, such as the South Blaney neighborhood.*

## GOAL HE-3 STABLE AND PHYSICALLY SOUND RESIDENTIAL NEIGHBORHOODS

### Policies

**Policy HE-3.1** **Housing Rehabilitation.** Pursue and/or provide funding for the acquisition/rehabilitation of housing that is affordable to very low-, low-, and moderate-income households. Actively support and assist nonprofit and for-profit developers in producing affordable units.

(Formerly Policy HE-3.1)

**Policy HE-3.2** **Maintenance and Repair.** Assist lower-income homeowners and rental property owners in maintaining and repairing their housing units.

(Formerly Policy HE-3.2)

**Policy HE-3.3** **Conservation of Housing Stock.** The City's existing multifamily units provide opportunities for households of varied income levels. Preserve existing multifamily housing stock, including existing duplexes, triplexes, and fourplexes, by preventing the net loss of multifamily housing units upon remodeling, with new development and the existing inventory of affordable housing units that are at risk of converting to market-rate housing.

(Formerly Policy HE-3.3)

### Strategies

**Strategy HE-3.3.1** **Residential Rehabilitation.** The City will continue to:

- Use its Below-Market Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds to support residential rehabilitation efforts in the community. These include:
  - Acquisition/rehabilitation of rental housing.
  - Rehabilitation of owner-occupied housing.
- Provide assistance for home safety repairs and mobility/accessibility improvements to income-qualified owner-occupants using CDBG funds. The focus of this strategy is on the correction of safety hazards.
- Partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low-Income Housing Tax Credits (LIHTC), and mortgage revenue bonds.

*Responsibility:* Cupertino Department of Community Development Housing Division

*Timeframe:* Ongoing/annually publish RFPs to solicit projects. Provide information on the City's website as funding is available.

*Funding Sources:* BMR AHF, CDBG, HOME, LIHTC

*Objectives:* 100 households assisted with home safety repairs and mobility/accessibility improvements. Target outreach in areas with higher rates of older housing stock, including the South Blaney neighborhood, as well as higher rates of households with disabilities, such as the Fair Grove neighborhood.

(Formerly HE-3.3.1)

**Strategy HE-3.3.2**

**Preservation of At-Risk Housing Units.** Beardon Drive (8 units), WVCS Transitional Housing (4 units), and Sunny View West (100 units), as well as several below-market rate (BMR) units are considered at risk of converting to market-rate housing in the next 10 years. For units at risk of converting to market rate, the City shall:

- Contact property owners of units at risk of converting to market-rate housing three years before affordability expiration to discuss the City's commitment to preserve these units as affordable housing.
- Coordinate with owners of expiring subsidies to ensure the required notices to tenants and to affordable housing developers are sent out at 3 years, 12 months, and 6 months or otherwise as required by state law.
- Reach out to agencies and to nonprofit housing developers interested in purchasing or otherwise preserving at-risk units.
- Work with tenants and other organizations to reduce displacement and refer residents to an agency that can assist in providing alternative housing, if preservation is not possible. Ensure that tenants have received all required notices and other information regarding conversion procedures.
- The City will further monitor its affordable for-sale inventory by ordering title company lot books, reviewing property profile reports, and updating its public database annually.
- The City will monitor its affordable rental inventory by verifying proof of occupancy and performing annual rental income certifications for each BMR tenant. To help further preserve the City's affordable housing stock,

the City may consider providing assistance to rehabilitate and upgrade the affordable units as well.

*Responsibility:* *Cupertino Department of Community Development Housing Division*

*Timeframe:* *Annually monitor status of affordable projects to ensure noticing is provided as required per California law. In addition, contact property owners and tenants of at-risk project, at least three years in advance of potential conversion date to provide time for conservation. and to avoid displacement of current tenants.*  
*Funding Sources:* *BMR AHF, CDBG, HOME*

*Objectives:* *Preserve existing affordable housing units in the City's BMR inventory and attempt to preserve rental units at risk of loss. (Formerly HE-3.3.2)*

**Strategy HE-3.3.3 Condominium Conversion.** The existing Condominium Conversion Ordinance regulates the conversion of rental units in multifamily housing development to preserve the rental housing stock. Condominium conversions are not allowed if the rental vacancy rate in Cupertino and certain adjacent areas is less than 5 percent at the time of the application for conversion and has averaged 5 percent over the past six months. The City will continue to monitor the effectiveness of this ordinance in providing opportunities for homeownership while preserving a balanced housing stock with rental housing.

*Responsibility:* *Cupertino Department of Community Development Planning Division*

*Timeframe:* *Monitor annually and as projects come forward.*

*Funding Sources:* *None required*

*Objectives:* *N/A*

(Formerly HE-3.3.3)

**Strategy HE-3.3.4 Multifamily Housing Preservation Program.** When a proposed development or redevelopment of a site would cause a loss of multifamily housing, the City will grant approval only if:

- The project will comply with the City’s Below Market Rate Housing Mitigation Program Procedural Manual;
- The number of units provided on the site is at least equal to the number of existing units;
- Adverse impacts on displaced tenants, in developments with four or more units, are mitigated; and
- The project replaces existing units at the same or deeper affordability, with the same number of bedrooms and bathrooms, and comparable square footage to the units demolished and provides displaced tenants with right of first refusal to rent new comparable units at the same rent as demolished units.

The City will review the program biannually and revise as needed; if revisions are needed, they will be adopted within one year of determination of need. In addition, indirect displacement may be caused by factors such as increased market rents as areas become more desirable. The City will participate, as appropriate, in studies of regional housing need and displacement, and consider policies or programs to address the indirect displacement of lower-income residents as appropriate.

*Responsibility: Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe: Ongoing, as projects come forward. Review program biannually; if revisions are needed, adopt revisions within one year of determination of need.*

*Funding Sources: None required.*

*Objectives: Prevent displacement of 50 households during the Housing Element period.*

(Formerly HE-3.3.4)

**Strategy HE-3.3.5 Park Land Ordinance** The City will review and revise its Park Land Ordinance to reduce any potential constraints on residential development while maintaining access to quality open space. The City will review requirements for higher-density projects and evaluate the possibility of open space credits.

*Responsibility:* *Cupertino Department of Community Development and Cupertino Department of Public Works, Development Services Division*

*Timeframe:* *Review by December 2025, revise by June 2026.*

*Funding Sources:* *General Fund*

*Objectives:* *Facilitate the development of 350 units of housing affordable to lower-income households and 100 units affordable to moderate-income households by removing constraints, as needed.*

**Strategy HE-3.3.6 Tenant Protections.** Study rent stabilization and tenant protection ordinances in California and displacement in Cupertino due to rising rents and evictions. Work with relevant stakeholders to establish tenant protection and/or a rent stabilization to ensure protection for renters, as appropriate based on findings.

*Responsibility:* *Cupertino Department of Community Development Housing Division*

*Timeframe:* *Complete a study by December 2025; present implementing ordinance to Council by June 2026.*

*Funding Sources:* *General Fund*

*Objectives:* *Present an implementation plan for a rent stabilization or tenant protection ordinances to City Council. Prevent displacement of 100 households during the Housing Element period and work with relevant stakeholders to establish tenant protection and/or a rent stabilization to ensure protection for renters, as appropriate based on findings.*

**Strategy HE-3.3.7 Monitor Nongovernmental Constraints Impeding Residential Development.** The City will monitor residential developments that have been approved by the City and where building permits or final maps have not been obtained, the City will make diligent efforts to contact applicants to discover why units have not been constructed within two years after approval. If due to nongovernmental constraints, such as rapid increases in construction costs, shortages of labor or materials, or rising interest rates, to the extent appropriate and legally possible, the City will seek to identify actions that may help to reduce or remove these constraints. Additionally, the City will proactively work

**CHAPTER 4: HOUSING ELEMENT | General Plan (community vision 2015 - 2040)**

with stakeholders to identify nongovernmental constraints or other considerations that may impede the construction of housing in Cupertino and work collaboratively to find strategies and actions that can eliminate or reduce identified constraints.

*Responsibility:* Cupertino Department of Community Development

*Timeframe:* Monitor two years after project approval, implement as needed.

*Funding Sources:* General Fund

## GOAL HE-4 ENERGY AND WATER CONSERVATION

### Policies

**Policy HE-4.1** **Energy and Water Conservation.** Encourage energy and water conservation in all existing and new residential development.

(Formerly Policy HE-4.1)

### Strategies

**Strategy HE-4.1.1** **Enforcement of Title 24.** The City will continue to enforce Title 24 requirements for energy conservation and will evaluate using some of the other suggestions as identified in the Environmental Resources/Sustainability Element.

*Responsibility:* Cupertino Department of Community Development Building Division

*Timeframe:* Ongoing, as projects come forward.

*Funding Sources:* None required.

(Formerly HE-4.1.1)

**Strategy HE-4.1.2** **Sustainable Practices.** The City will continue to implement the Landscape Ordinance for water conservation and the Green Building Ordinance (adopted in 2013) that applies primarily to new residential and nonresidential development, additions, renovations, and tenant improvements of 10 or more units. To further the objectives of the Green Building Ordinance, the City will evaluate the potential to provide incentives, such as waiving or reducing fees, for energy conservation improvements at affordable housing projects (existing or new) with fewer than 10 units to exceed the minimum requirements of the California Green Building Code. The City will also implement the policies in its climate action plan to achieve residential-focused greenhouse gas emission reductions and further these community energy and water conservation goals.

*Responsibility:* Cupertino Department of Community Development Planning Division and Building Division

*Timeframe:* Ongoing; consider further incentives in Fiscal Year 2024-25 to encourage green building practices in smaller developments

*Funding Sources:* None required.

(Formerly HE-4.1.2)



**Strategy HE-4.1.3 Sustainable, Energy-Efficient Housing.** The City will work with and support housing developers to develop sustainable, energy-efficient housing. Such development should include solar panels, green roofs, energy-efficient lighting, and other features that aim toward carbon-neutral impacts while lowering energy costs.

*Responsibility:* Cupertino Department of Community Development Planning Division and Building Division

*Timeframe:* Ongoing

*Funding Sources:* None required, as projects come forward.

*Objectives:* Facilitate the development of energy-efficient measures in all projects, approximately 2,000 units over the Housing Element period.

**Strategy HE-4.1.4 Water and Wastewater Priority.** Consistent with the provisions of Government Code Section 65589.7 (Senate Bill 1087), the City will immediately forward its adopted Housing Element to its water and wastewater providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households.

*Responsibility:* Cupertino Department of Community Development Planning Division and Building Division

*Timeframe:* Forward the Housing Element following adoption.

*Funding Sources:* None required.

## GOAL HE-5 SPECIAL SERVICES FOR LOWER-INCOME AND SPECIAL-NEEDS HOUSEHOLDS

### Policies

**Policy HE-5.1 Lower-Income and Special-Needs Households.** Support organizations that provide services to lower-income and special-need households in the city, such as persons experiencing homelessness, extremely low-income households, seniors, large households, persons with disabilities, and single-parent households.

(Formerly Policy HE-4.1)

### Strategies

**Strategy HE-5.1.1 Emergency Shelters.** The City commits to complying with the requirements of AB 2339 regarding emergency shelters. As part of this compliance, the City will:

- Continue to facilitate housing opportunities for special-needs persons by allowing emergency shelters as a permitted use, without discretionary review in the R4 zoning district and continuing to permit emergency shelters in the Quasi Public (BQ) zoning district.
- Amend the definition of emergency shelters to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care.
- Amend the Zoning Code to allow emergency shelters as a permitted use, without discretionary review, in the new R4 zoning district.
- Review and revise managerial standards, consistent with State law.

*Responsibility:* Cupertino Department of Community Development Planning Division

*Timeframe:* Ongoing; amend the Zoning Code by December 2024. Review and revise standards by June 2025 and amend the Zoning Code as needed.

*Funding Sources:* None required

(Formerly HE-5.1.1)

**Strategy HE-5.1.2 Supportive Services for Lower-Income Households and Persons with Special Needs.** The City will continue to use its Below-Market Rate Affordable Housing Fund (BMR AHF), Community Development Block Grant (CDBG) funds, and General Fund Human Service Grants (HSG) funds to provide for a range of supportive services for lower-income households and persons with special needs.

*Responsibility:* Cupertino Department of Community Development Housing Division

*Timeframe:* Through the annual Notice of Funding Availability (NOFA) process, allocate CDBG, BMR AHF, and HSG funding to organizations that cater to the needs of lower-income and special-needs households.

*Funding Sources:* BMR AHF, CDBG, HSG.

*Objectives:* Facilitate the provision of supportive services to 1,500 residents over the Housing Element period. Funding will be used to facilitate services citywide, but extra focus will be given to areas with historically higher areas of income segregation, such as the areas along the Interstate 280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.

(Formerly HE-5.1.2)

**Strategy HE-5.1.3 Rotating Safe Car Park.** The City will continue to support the operation of a Rotating Safe Car Park program in collaboration with local nonprofit service providers, such as West Valley Community Services.

*Responsibility:* Cupertino Department of Community Development Housing Division

*Timeframe:* Ongoing

*Funding Sources:* None required.

*Objectives:* Support the operation of a rotating safe car park program to serve at least 100 unboxed community members who are living in their vehicles.

(Formerly HE-5.1.3)

**Strategy HE-5.1.4 Low-Barrier Navigation Center and Supportive Housing.** The City will amend the Zoning Ordinance to allow supportive housing and low-barrier navigation centers for the homeless by right in mixed-use and nonresidential zoning districts where multifamily uses are permitted, per Government Code Sections 65650 et seq. and 65660 et seq.

*Responsibility:* *Cupertino Department of Community Development Planning Division*

*Timeframe:* *Amend the Zoning Code by June 2025.*

*Funding Sources:* *None required.*

**Strategy HE-5.1.5 Residential Care Facilities.** The Zoning Ordinance now allows residential care facilities for six clients or fewer to be treated as a single-family use consistent with California Health and Safety Code (HSC) Sections . The City will amend the Zoning Ordinance to allow larger residential care facilities that operate as a single housekeeping unit in all zones that permit residential uses, with objective standards similar to those applied to other residential uses permitted in that zoning district.

*Responsibility:* *Cupertino Department of Community Development Planning Division*

*Timeframe:* *Amend the Zoning Code by June 2025.*

*Funding Sources:* *None required.*

**Strategy HE-5.1.6 Manufactured Homes.** The City will amend the Zoning Code to permit manufactured homes, as defined in Government Code Section 65852.3, in the same manner and in the same zoning districts as conventional or stick-built structures are permitted.

*Responsibility:* *Cupertino Department of Community Development Planning Division*

*Timeframe:* *Amend the Zoning Code by June 2025.*

*Funding Sources:* *None required.*

## GOAL HE-6

## EQUAL ACCESS TO HOUSING OPPORTUNITIES

### Policies

#### Policy HE-6.1

**Housing Discrimination.** The City will work to eliminate on a citywide basis all unlawful discrimination in housing with respect to age, race, sex, sexual orientation, marital or familial status, ethnic background, medical condition, or other arbitrary factors, so that all persons can obtain decent housing.

(Formerly Policy HE-6.1)

#### Policy HE-6.2

**Housing Equity Education.** The City will work to create opportunities for public education around the issue of housing equity and education about the history of racial segregation to build community and raise awareness. This should include more opportunities for community dialogue and shared experiences. Outreach about these programs will be conducted citywide, but extra focus will be given to areas where long-term patterns income segregation may be more prevalent, such as the areas along the Interstate 280 corridor, areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (the western edge of Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.

### Strategies

#### Strategy HE-6.1.1

Fair Housing Services. The City will continue to:

- Partner with a local fair housing service provider, such as Project Sentinel, to provide fair housing services, which include outreach, education, counseling, and investigation of fair housing complaints.
- Partner with a local fair housing service provider, such as Project Sentinel, to provide direct services for residents, landlords, and other housing professionals. Among other things, this should address issues related to the use of HUD-VASH vouchers, so that veterans may use such vouchers without discrimination.
- Partner with a local fair housing service provider, such as Project Sentinel, to assist individuals with housing problems such as discrimination and rental issues including repairs, and provide information and counseling regarding rights and responsibilities under California tenant landlord law. Additionally, provide annual training to landlords on fair housing rights and responsibilities with the intent of reducing, or eliminating, discrimination.

- Coordinate with efforts of the Santa Clara County Fair Housing Consortium to affirmatively further fair housing.
- Distribute fair housing materials produced by various organizations at public counters and public events.

*Responsibility:*                      *Cupertino Department of Community Development Housing Division*

*Timeframe:*                      *Continue to partner with a local fair housing service provider, such as Project Sentinel, to provide fair housing services on an ongoing basis, and conduct citywide outreach at least twice during the Housing Element cycle. Provide annual fair housing trainings for landlords.*

*Funding Sources:*                      *BMR AHF; CDBG*

*Objectives:*                      *Distribute fair housing materials at two community events per year. Assist five households per year in obtaining fair housing counseling services. Fair housing outreach will be conducted citywide, but extra focus will be given to areas with higher potential for income segregation due to zoning patterns, such as the areas along the Interstate 280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (in the western edge of the Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.*

(Formerly HE-6.1.1)

**Strategy HE-6.1.2 Affirmative Marketing.** The City will work with affordable housing developers to ensure that affordable housing is affirmatively marketed to households with disproportionate housing needs, including Hispanic and Black households who work in and live outside of Cupertino (e.g., materials in Spanish and English, distributed through employers).

*Responsibility:*                      *Cupertino Department of Community Development Housing Division*

*Timeframe:*                      *Ongoing*

*Funding Sources:*                      *None required*

*Objectives:* Housing staff will identify at least 50 local employers, in collaboration with Economic Development staff, to develop a distribution list for marketing materials. Outreach will be conducted citywide, but extra marketing efforts will be requested of developers working in or around areas with historically higher areas of potential income segregation, such as the areas along the Interstate 280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (in the western edge of the Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.

**Strategy HE-6.1.3 Housing Mobility.** Work with a local fair housing service provider, such as Project Sentinel, to contact rental property owners and managers of multifamily apartment complexes to provide fair housing information and assistance. This outreach will include promoting the Housing Choice Voucher (Section 8) program to landlords that have not previously participated in the program and will target use of multi-lingual materials. Target additional outreach to higher-income neighborhoods, including, but not limited to, the Monta Vista and Height of the City neighborhoods.

*Responsibility:* Cupertino Department of Community Development Housing Division

*Timeframe:* At least twice during the planning period.

*Funding Sources:* BMR AHF; CDBG

*Objectives:* Promote housing mobility and expanded opportunity for 100 lower income households.

**Strategy HE-6.1.4 Housing Project Coordinator.** To support the implementation of the multiple new and expanded housing programs and policies identified in the Housing Element, assign a member of City staff as the housing project coordinator. This position would assist with developing outreach programs, writing and pursuing grant applications, ongoing monitoring of affordable housing production, preservation and rehabilitation, coordination between affordable housing developers, the City, and partner agencies and tracking progress on the many initiatives identified in this Housing Element.

*Responsibility:* Cupertino Department of Community Development Housing Division

*Timeframe:* By 2025

*Funding Sources:* General Fund



## GOAL HE-7 COORDINATION WITH REGIONAL ORGANIZATIONS, LOCAL SCHOOL DISTRICTS, AND COLLEGES

### Policies

**Policy HE-7.1** **Coordination with Local School Districts.** The Cupertino community places a high value on the excellent quality of education provided by the three public school districts that serve residents. To ensure the long-term sustainability of the schools, teachers, and faculty, in tandem with the preservation and development of vibrant residential areas, the City will continue to coordinate with the Cupertino Union School District (CUSD), Fremont Union High School District (FUHSD), and Santa Clara Unified School District (SCUSD).

(Formerly Policy HE-7.1)

**Policy HE-7.2** **Coordination Regional Efforts to Address Housing-Related Issues.** Coordinate efforts with regional organizations, including Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD), as well as neighboring jurisdictions, to address housing and related quality of life issues (such as air quality and transportation).

(Formerly Policy HE-7.2)

**Policy HE-7.3** **Public-Private Partnerships.** Promote public-private partnerships to address housing needs in the community, especially housing for the workforce.

(Formerly Policy HE-7.3)

### Strategies

**Strategy HE-7.3.1** **Coordinate with Outside Agencies and Organizations.** The City recognizes the importance of partnering with outside agencies and organizations in addressing local and regional housing issues. These may include, but are not limited to, the following:

- School districts
- De Anza College
- Housing providers
- Neighboring jurisdictions
- Association of Bay Area Governments (ABAG)
- Air Quality Management District

- Housing Trust Silicon Valley
- Santa Clara County Fair Housing Consortium
- Santa Clara County HOME Consortium
- Santa Clara County Continuum of Care (COC)
- Housing Authority of Santa Clara County (HASCC)
- Valley Transportation Authority (VTA)

Specifically, the City will meet with these agencies/organizations periodically to discuss the changing needs, development trends, alternative approaches, and partnering opportunities.

*Responsibility:*                      *Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe:*                              *Ongoing*

*Funding Sources:*                      *None required.*

(Formerly HE-7.3.)

**Strategy HE-7.3.2 Coordination with Local School Districts.** To ensure the long-term sustainability of public schools, teachers, and faculty, in tandem with the preservation and development of vibrant residential areas, the City will coordinate biennially with the local school districts and colleges to identify housing needs and concerns. The City will discuss potential partnerships for affordable housing developments for school district employees and college students, including on school district properties, on a biannual basis. Depending on the outcome of these discussions with school districts and college leadership, the City will notify districts and partner developers about relevant funding opportunities as they become available, coordinate technical assistance on grant applications and offer other incentives listed in **Strategy HE-1.3.11.**

*Responsibility:*                              *Cupertino Department of Community Development Planning Division and Housing Division*

*Timeframe:*                                      *Biennially meet with school districts. Provide information about funding opportunities as they become available, coordinate technical assistance and incentives as needed.*

*Funding Sources:*                              *None required.*

*Objectives: Assist with the development of 25 teacher/school district employee housing units to improve housing mobility opportunities for district staff and promote place-based revitalization. Focus will be given to areas with lower rates of renter households, such as the Monta Vista North neighborhood.*

## QUANTIFIED OBJECTIVES

Quantified objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period based on optimal implementation of each program. The quantified objectives do not set a ceiling on development; rather, they set a target goal for the jurisdiction to achieve based on needs, resources, and constraints. Each quantified objective is detailed by income level, as shown in [Table H-2, Quantified Objectives Summary](#).

Table H-2 Quantified Objectives Summary						
Strategy	Income Category					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
<b>New Construction</b>						
HE-1.3.1: Land Use Policy and Zoning Provisions	596	597	687	755	1,953	4,588
HE-1.3.2: Rezoning to Achieve RHNA	596	597	687	755	1,953	4,588
HE-1.3.3: New Residential Zoning Districts and Land Use Designations	75	75	150	200	100	600
HE-1.3.4: Development on Non-Vacant Sites	100	100	100	100	100	500
Strategy HE-1.3.5: Encourage Mixed-Use Projects and Residential in Commercial Zones	150	150	300			600
Strategy HE-1.3.6: Encourage Missing-Middle Housing Developments to Affirmatively Further Fair Housing	50	75	125	250		500
Strategy HE-1.3.7: Lot Consolidation		10	17		48	75
Strategy HE-1.3.8: Accessory Dwelling Units	5	10	25	10	10	60
Strategy HE-1.3.9: Review Development Standards	25	25	125	150	500	825
Strategy HE-1.3.10: Innovative and Family-Friendly Housing Options	50	50	100			200
Strategy HE-1.3.12: Support Affordable Housing Development	100	100	250			450
Strategy HE-2.3.1: Office and Industrial Housing Mitigation Program		20	20			40
Strategy HE-2.3.2: Residential Housing Mitigation Program	50	50	150			250
Strategy HE-2.3.3: Below Market-Rate (BMR) Affordable Housing Fund (AHF)		25	25			50
Strategy HE-2.3.4: Housing Resources	10	10	30			50
Strategy HE-2.3.6: Incentives for Affordable Housing Development		400	250			650
Strategy HE-2.3.7: Density Bonus Ordinance		200	300			500

Table H-2 Quantified Objectives Summary						
Strategy	Income Category					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
Strategy HE-2.3.8: Review Impact Fees	75	100	325	300	500	1,300
Strategy HE-2.3.9: Review Parking Standards	250					250
<b>Rehabilitation</b>						
Strategy HE-3.3.1: Residential Rehabilitation			150	50		200
Strategy HE-3.3.5: Park Land Ordinance	50	50	250	100		450
<b>Preservation</b>						
Strategy HE-2.3.10: Assistance for Persons with Developmental Disabilities		5	5			10
Strategy HE-2.3.11: Live/Work Units				10		10
Strategy HE-3.3.2: Preservation of At-Risk Housing Units			209			209
Strategy HE-3.3.6: Rent Control Ordinance		25	25	25	25	100
Strategy HE-4.1.3: Sustainable, Energy-Efficient Housing	100	100	300	500	1000	2000
Strategy HE-5.1.2: Supportive Services for Lower-Income Households and Persons with Special Needs	200	300	600	400		1500
Strategy HE-5.1.3: Rotating Safe Car Park	100					
Strategy HE-6.1.1: Fair Housing Services			3	2		
Strategy HE-6.1.2: Affirmative Marketing			25	25		
Strategy HE-6.1.3: Housing Mobility	20	30	50			
Strategy HE-7.3.2: Coordination with Local School Districts				25		

Source: City of Cupertino, September 2023