



June 18, 2024

Cupertino City Council,
10350 Torre Avenue Cupertino, California 95014

RE: Planning Commission - Agenda Item 2 - Draft MCA Resolution

Dear Cupertino City Council and to whom it may concern,

Thank you for expediting the rezoning process given the City's short timeline. However, we were surprised and disappointed to see that the proposed changes do not reflect an ambitious program we had hoped for, but instead, the draft seems aimed at achieving minimum compliance rather than laying the foundation for a Housing Element that truly facilitates housing development and provides flexibility amidst challenging current market conditions in order to truly promote affordable homes for all income levels.

Specifically, we would like to highlight the following concerns:

1. **Height Limits:** The 5-story limitation on new R4 zoned parcels is unnecessary, given the 70-foot height limit. This story limit should be removed to avoid imposing needless constraints.
2. **Restrictive Zoning - Unnecessary Setbacks and Parking Standards:** The initial implementation of Strategy HE 1.3.6 is extremely disappointing. It fails to support those wishing to develop duplexes in single-family zones due to unresolved issues in our R2 zoning districts. These issues include restrictive lot coverage (40%) and setbacks-which should be adjusted to a simple 5-foot minimum on each side for interior lots-as well as the high parking standards, which remain unaddressed. The document does not appear to modify R2 zoning standards effectively; instead, the draft imposes new, unnecessary restrictions on duplex definitions, limiting size differences between units (200 square feet) and FAR restrictions that do not exist in the current zoning code.

3. **R3 Standards:** R3 standards should also be improved by removing story restrictions, reviewing the height limit (a modest increase to at least 35 feet, expanding the lot coverage standard (40%), and expanding or abolishing the FAR restriction altogether.
4. **Parking Standards:** We urge further modifications to parking standards. Parking continues to be one of the greatest barriers for the actual building cost of affordable housing and is not in alignment with the ambitious climate change mitigation goals that Cupertino believes in, such as the Climate Action Plan 2.0, and moreover, contradicts the spirit of CAP 2.0 Updates that called for revising parking standards.

Without these essential changes, particularly those related to Strategy HE 1.3.6 and the associated R2 standards, this zoning code update fails to address the moment and significantly misses the mark on AFFH (Affirmatively Furthering Fair Housing).

We request that these changes are incorporated into the document. This will ensure that we, along with the rest of our community, can support it.

Regards,

Steering Committee
[Cupertino For All](#)