

CITY OF CUPERTINO

AGENDA

PLANNING COMMISSION

This will be a teleconference meeting with no physical location Tuesday, January 25, 2022 6:45 PM

TELECONFERENCE / PUBLIC PARTICIPATION INFORMATION TO HELP STOP THE SPREAD OF COVID-19

In accordance with Government Code 54953(e), this will be a teleconference meeting without a physical location to help stop the spread of COVID-19.

Members of the public wishing comment on an item on the agenda may do so in the following ways:

- 1) E-mail comments by 5:00 p.m. on Tuesday, January 25 to the Commission at planningcommission@cupertino.org. These e-mail comments will be received by the Commission members before the meeting and posted to the City's website after the meeting.
- 2) E-mail comments during the times for public comment during the meeting to the Commission at planningcommission@cupertino.org. The staff liaison will read the emails into the record, and display any attachments on the screen, for up to 3 minutes (subject to the Chair's discretion to shorten time for public comments). Members of the public that wish to share a document must email planningcommission@cupertino.org prior to speaking.

3) Teleconferencing Instructions

Members of the public may observe the teleconference meeting or provide oral public comments as follows:

Oral public comments will be accepted during the teleconference meeting. Comments may be made during "oral communications" for matters not on the agenda, and during the public comment period for each agenda item.

To address the Commission, click on the link below to register in advance and access the meeting:

January 25, 2022

Online

Please click the link below to join the webinar:

https://cityofcupertino.zoom.us/webinar/register/WN_9nuq4VpFTPWmvy_2UKBZ8Q

Phone

Dial: (669) 900 6833 and enter Webinar ID: 955 0932 2015 (Type *9 to raise hand to speak) Unregistered participants will be called on by the last four digits of their phone number.

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

162.255.36.11 (US East)

Meeting ID: 955 0932 2015

SIP: 95509322015@zoomcrc.com

After registering, you will receive a confirmation email containing information about joining the webinar.

Please read the following instructions carefully:

- 1. You can directly download the teleconference software or connect to the meeting in your internet browser. If you are using your browser, make sure you are using a current and up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers, including Internet Explorer.
- 2. You will be asked to enter an email address and a name, followed by an email with instructions on how to connect to the meeting. Your email address will not be disclosed to the public. If you wish to make an oral public comment but do not wish to provide your name, you may enter "Cupertino Resident" or similar designation.
- 3. When the Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.
- 4. When called, please limit your remarks to the time allotted and the specific agenda topic.

ROLL CALL

APPROVAL OF MINUTES

1. <u>Subject</u>: Approve the January 11 Planning Commission minutes

Recommended Action: Approve the January 11 Planning Commission minutes

1 - Draft Minutes

POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for persons wishing to address the Commission on any matter within the jurisdiction of the Commission and not on the agenda. Speakers are limited to three (3) minutes. In most cases, State law will prohibit the Commission from making any decisions with respect to a matter not on the agenda.

WRITTEN COMMUNICATIONS

CONSENT CALENDAR

Unless there are separate discussions and/or actions requested by council, staff or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously.

STUDY SESSION

2. <u>Subject</u>: Housing Element Update study session focusing on the establishment of a housing sites inventory

<u>Recommended Action</u>: That the Planning Commission receive the report and presentation and provide input to staff on the Housing Element Priority Housing sites inventory.

Staff Report

- 1 EMC Sites Inventory Initial Analysis Memorandum
- 2 Map 1: Interested Property Owners for Housing Element Sites
- 3 Map 2: Qualifying Properties Based Upon Lot Size
- 4 Map 3: Potential Housing Opportunity Sites
- 5 Map 4: Corridor Idea Sites for Future Housing Consideration
- 6 Map 5: Cupertino Housing Simulator Maps, Tables, and Comments

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

3. <u>Subject</u>: Election of Planning Commission Chair and Vice Chair, and Committee representatives

<u>Recommended Action</u>: Elect Planning Commission Chair and Vice Chair, appoint representatives and alternates for the Environmental Review Committee (ERC), Design Review Committee (DRC), Housing Commission, Economic Development Committee (EDC), and discuss Hearing schedule for 2022.

Staff Report

- <u>1 2022 Planning Commission Committee Assignments</u>
- 2 2021 Planning Commission Committee Assignments
- 3 Municipal Code chapter 2.32 Planning Commission
- <u>4 Municipal Code chapter 2.84 Environmental Review Committee</u>
- 5 Municipal Code chapter 2.90 Design Review Committee

STAFF AND COMMISSION REPORTS

4. <u>Subject</u>: 2022 Planning Commissioners Academy

Recommended Action: Accept information on Planning Commissioners Academy

registration

1 - 2022 Planning Commissioner Academy Flyer

FUTURE AGENDA SETTING

ADJOURNMENT

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City of Cupertino at, or prior to, the public hearing. In the event an action taken by the Planning Commission is deemed objectionable, the matter may be officially appealed to the City Council in writing within fourteen (14) days of the date of the Commission's decision. Said appeal is filed with the City Clerk (Ordinance 632).

In compliance with the Americans with Disabilities Act (ADA), anyone who is planning to attend this teleconference meeting who is visually or hearing impaired or has any disability that needs special assistance should call the City Clerk's Office at 408-777-3223, at least 48 hours in advance of the meeting to arrange for assistance. In addition, upon request, in advance, by a person with a disability, meeting agendas and writings distributed for the meeting that are public records will be made available in the appropriate alternative format.

Any writings or documents provided to a majority of the Planning Commission after publication of the packet will be made available for public inspection in the Community Development Department located at City Hall, 10300 Torre Avenue, Cupertino, California 95014, during normal business hours; and in Planning packet archives linked from the agenda/minutes page on the Cupertino web site.

IMPORTANT NOTICE: Please be advised that pursuant to Cupertino Municipal Code section 2.08.100 written communications sent to the Cupertino City Council, Commissioners or City staff concerning a matter on the agenda are included as supplemental material to the agendized item. These written communications are accessible to the public through the City's website and kept in packet archives. Do not include any personal or private information in written communications to the City that you do not wish to make public, as written communications are considered public records and will

be made publicly available on the City website.

Members of the public are entitled to address the Planning Commission concerning any item that is described in the notice or agenda for this meeting, before or during consideration of that item. If you wish to address the Planning Commission on any issue that is on this agenda, please complete a speaker request card located in front of the Commission, and deliver it to the City Staff prior to discussion of the item. When you are called, proceed to the podium and the Chair will recognize you. If you wish to address the Planning Commission on any other item not on the agenda, you may do so by during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

For questions on any items in the agenda, or for documents related to any of the items on the agenda, contact the Planning Department at (408) 777 3308 or planning@cupertino.org.



CITY OF CUPERTINO

Agenda Item

22-10369 Agenda Date: 1/25/2022

Agenda #: 1.

Subject: Approve the January 11 Planning Commission minutes

Approve the January 11 Planning Commission minutes



DRAFT MINUTES CUPERTINO PLANNING COMMISSION

Tuesday, January 11, 2022

REGULAR MEETING

At 6:45 p.m. Chair Wang called the Regular Planning Commission meeting to order. This was a teleconference meeting with no physical location.

ROLL CALL

Present: Chair R Wang, Vice Chair Steven Scharf (6:54 p.m.), Commissioners Sanjiv Kapil, Muni Madhdhipatla, Vikram Saxena. Absent: None. All Commissioners teleconferenced for the meeting.

APPROVAL OF MINUTES

1. <u>Subject:</u> Approve the December 14 Planning Commission minutes <u>Recommended Action:</u> Approve the December 14 Planning Commission minutes

Vice Chair Scharf moved and Commissioner Madhdhipatla seconded to approve the December 14 Planning Commission minutes with correction to the votes in item #2. Ayes: Wang, Scharf, Kapil, Madhdhipatla, Saxena. Noes: None. Abstain: None. Absent: None.

POSTPONEMENTS – None

ORAL COMMUNICATIONS – None

WRITTEN COMMUNICATIONS – None

CONSENT CALENDAR – None

PUBLIC HEARINGS – None

OLD BUSINESS – None

NEW BUSINESS

2. <u>Subject:</u> 2021 General Plan Annual Review/ Implementation Plan <u>Recommended Action:</u> Provide direction on the General Plan Annual Review/ Implementation Plan

Planning Manager Piu Ghosh led a discussion on the draft General Plan Annual Review and Implementation Plan to obtain input from the Commission. Feedback received during this discussion will help identify future City Work Plan items to ensure General Plan policies and strategies from development project reviews are implemented and appropriate funding is allocated.

Written Communications for this item included an email from Peggy Griffin that was received before the meeting and was read to the Commission.

Chair Wang opened the public comment period four times during the discussion and the following people spoke:

Jennifer Griffin

Ms. Ghosh and City Attorney Chris Jensen answered questions from the Commission.

Commissioner Saxena left the meeting at 7:49 and returned at 8:31.

City Staff received comments from the Planning Commission, and this item will be brought back for review at a future Planning Commission meeting for approval to be presented to City Council in March 2022.

3. <u>Subject:</u> 2022 Mayor's Meeting with Commissioners

<u>Recommended Action:</u> Appoint representatives for monthly Mayor's Meeting with Commissioners

Administrative Assistant Cyrah Caburian led discussion on appointing Planning Commission representatives for the 2022 monthly Mayor's Meeting with Commissioners.

STAFF AND COMMISSION REPORTS

Ms. Ghosh reported that in-person Building and Planning counter appointments have been suspended until further notice; this decision is due to the impact of COVID-19 on staffing levels and to help further reduce the transmission of the disease locally. Phone and teleconference

Minutes

December 14, 2021

appointments are not affected.

The election of the chair and vice chair, as well as Committee assignments for 2022, will be determined at the next Planning Commission meeting.

FUTURE AGENDA SETTING – None

ADJOURNMENT

At 8:37 p.m., Chair Wang adjourned the meeting.

/s/Cyrah Caburian

Cyrah Caburian, Administrative Assistant



CITY OF CUPERTINO

Agenda Item

21-10292 Agenda Date: 1/25/2022

Agenda #: 2.

<u>Subject</u>: Housing Element Update study session focusing on the establishment of a housing sites inventory

That the Planning Commission receive the report and presentation and provide input to staff on the Housing Element Priority Housing sites inventory.



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

CITY HALL 10300 TORRE AVENUE • CUPERTINO, CA 95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333 CUPERTINO.ORG

PLANNING COMMISSION STAFF REPORT

Meeting: January 25, 2022

<u>Subject</u>

Housing Element update study session focusing on the establishment of a housing sites inventory.

Recommended Action

That the Planning Commission receive the report and presentation and provide input to staff on the Housing Element Priority Housing sites inventory.

Discussion

Background

The City is currently preparing its 6th Cycle Housing Element update, which covers the planning period of 2023 to 2031. The Housing Element is part of Cupertino's General Plan and identifies policies and programs intended to meet the housing needs of the City's current and future residents, at all levels of income. State law requires that every city and county in California adopt a Housing Element every eight years to reflect the Regional Housing Needs Allocation (RHNA) established for each jurisdiction. The City's RHNA is 4,588 units for the 2023-2031 planning period.

Once a jurisdiction's RHNA has been determined, cities must demonstrate that they have adequate housing sites to accommodate their RHNA. There are specific requirements on site selection, ensuring that the City has policies in place to support the development of housing for persons at all income levels, as specified by State law. On September 21, 2021, the City Council awarded a consultant agreement to prepare the 6th Cycle Housing Element update to EMC Planning Group (EMC). Since that time EMC and City staff have held two City Council study sessions, on September 28 and November 16, 2021, focusing on the overall Housing Element update process and State requirements that have greatly expanded the role and extent of public outreach required for the 6th Cycle. Additionally,

a Housing Commission study session and community workshop were held on December 9, 2021.

<u>Analysis</u>

The City and EMC are presently in the process of refining and identifying an inventory of sites, which is the focus of this first Planning Commission study session. Given the amount of information to be covered and public input anticipated, a second Planning Commission study session is scheduled for February 22, 2022.

Attached to this brief staff report is a memorandum prepared by EMC that discusses the current status of the Housing Element update process and focuses on the site selection inventory, which is the key next step in advancing the Housing Element update toward completion. The purpose of this initial site inventory is to allow the City to commence environmental review on a list of potential sites in order to meet the deadline set by State law. The Planning Commission and the City Council will review the initial list again prior to adopting the final site inventory list.

Next Steps

EMC's scope of work includes a robust public engagement plan, including public meetings and study sessions, community workshops, stakeholder group meetings, online engagement, and translation/interpretation services to be completed in a manner ensuring that a State-compliant Housing Element can be presented to the City Council by the State's January 31, 2023 deadline.

The next immediate step in the Housing Element update process is a second Planning Commission work session scheduled for February 22, 2022.

Sustainability Impact

No sustainability impacts.

Fiscal Impact

No fiscal impact.

<u>Prepared by</u>: Luke Connolly, Senior Planner

Erika Poveda, Associate Planner

Kerri Heusler, Housing Planning Manager

Reviewed by: Piu Ghosh, Planning Manager

Christopher Jensen, City Attorney

Approved by: Benjamin Fu, Director of Community Development

Attachment A – EMC Sites Inventory Initial Analysis Memorandum



To: Planning Commission

From: Ande Flower, Principal Planner, EMC Planning Group

Date: January 18, 2022

Re: Sites Inventory Initial Analysis Study Session

SUMMARY

This memorandum initiates the Sites Inventory process and reports results for the Cupertino Housing Simulator Tool, which was demonstrated at the Cupertino Community Workshop on December 9, 2021.

ACTION REQUEST

A first of a two-part meeting, this is a process-focused approach to assess goals and strategy for next steps with the Sites Inventory Analysis. A second upcoming Planning Commission meeting will involve a request for recommendation of an initial sites list necessary for environmental review.

BACKGROUND

The Housing Element of the General Plan must include an inventory of land suitable and available for residential development required by state law and guided by target numbers. The Housing Element chapter of the General Plan must be updated every 8 years. The City is responsible for making sure that the zoning in place enables the capacity for the number of housing units allocated to the City. As a policy action, the sites selected for future housing areas must meet criteria for Affirmatively Furthering Fair Housing (AFFH). Access to resources like good schools, open space, and transit options are examples of factors that must be considered when selecting sites that meet affordability standards. In terms of resources such as these, all of Cupertino is classified as a high opportunity resource area by the State. Choices made during this step of the Housing Element update process may be consequential for individuals and families for the near future and for generations to come.

The purpose of the Housing Element's site inventory is to identify and analyze specific land (sites) that is available and suitable for residential development in order to determine the jurisdiction's capacity to accommodate residential development and reconcile that capacity with the jurisdiction's Regional Housing Needs Allocation (RHNA). Sites are suitable for residential development if the City's regulations (zoning) allow enough residential development to accommodate its RHNA during the Housing Element Cycle 6 planning period (2023-2031). If there are not enough existing sites to accommodate the RHNA for each income category, the City must identify additional sites until there are enough sites. Changes to the City's regulations (rezoning) and/or adopting programs and policies may be necessary to accommodate the full amount of housing needs allocated with RHNA.

The sites inventory analysis is the first step in the update process because it will help us understand what kind of environmental review may be necessary for the Housing Element update. Our process must enable enough time for a potential Environmental Impact Report (EIR), and all the technical reports that accompany that effort, to be prepared and certified.

DISCUSSION

A set of maps are included as attachments to this memorandum to be used as discussion motivators. Review and consideration of these maps by Planning Commissioners will guide staff's approach to this Sites Inventory Analysis process. Discussion of the following attached maps during the January 25, 2022 Planning Commission study session will be focused on discovering shared goals as criteria guidance for next steps with site selection, and overall strategy.

MAP 1: INTERESTED PROPERTY OWNERS FOR HOUSING ELEMENT SITES

Staff has collected information over time from property owners who have expressed an interest in possibly contributing additional housing towards the overall number of housing units needed in the community. Property owner interest is an important consideration that is new to the Sites Inventory analysis for the Cycle 6 update.

State review of a proposed housing update now includes deep analysis for sites included on the Sites Inventory. Being able to report that an owner has expressed interest in developing new housing within this next eight-year cycle may make a significant impact in the defensibility of the proposed Housing Element update. This is particularly true if potential housing sites have either been counted in prior cycles or if sites are outside the parameters of the generalized range of site sizes, that is between half an acre and ten acres. The state recognizes that affordable housing developments are more difficult to construct than market-rate projects, and therefore, less likely on sites that are larger or smaller than this generalized range of site sizes.

If a property owner is interested in being added to this Property Owner Interest list and map, they can fill out a form linked here: https://forms.gle/F7td3SE9bXLjyAPW9. Also available by visiting the project website at www.engagecupertino.org.

MAP 2: QUALIFYING PROPERTIES BASED UPON LOT SIZE

Staff has created a GIS map expressing the number and distribution of properties that meet the generalized size qualification, between 0.5 acre – 10 acres; and further, that these sites are located in non-geohazard zones. Property owners of these sites have recently been sent a letter that invites them to consider whether they might like to express an interest in becoming a potential Housing Element site by filling out the form mentioned above, and again linked here: https://forms.gle/F7td3SE9bXLjyAPW9.

MAP 3: POTENTIAL HOUSING OPPORTUNITY SITES

Staff has compiled a list and map of sites that have been entitled for future housing units, used as Opportunity Sites in prior Housing Element Cycles, or where there is enough evidence of a combination of owner interest and present regulatory conditions for sites to potentially be added to the Sites Inventory. Some of these sites may have the potential for increased density. This may in turn lead to the preparation of outreach maps with development scenario questions related to the specific sites as we move forward with this inventory analysis. A scenario question within the Cupertino Housing Simulator

(Balancing Act public outreach map) enables members of the public to contemplate and comment about different development scenarios, or options, for each unique site displayed on the map.

MAP 4: CORRIDOR IDEA SITES FOR FUTURE HOUSING CONSIDERATION

Opportunities to meet a wide range of community goals exist with this sites' analysis process. Desired aspects for growth within the community can be considered, such as increased neighborhood walkability. When thinking about which sites to add to the inventory, goals focused on specific community desires may lead to options that can leverage and improve beloved existing retail districts. Commercial properties along corridors, with access to existing and future transit opportunities, may be well-positioned for receiving residents and incorporating more people to contribute to a liveliness in those areas. This would also support the City's goals to further reduce of Greenhouse Gas emissions. This map is intended to capture for consideration those sites that may not have had attention with past Housing Element updates and may layer well with the broader Map 2. Inclusion with this map may become a prompt for property owners to join the discussion to become included with sites referenced on Map 1.

MAP 5: CUPERTINO HOUSING SIMULATOR MAPS, TABLES, AND COMMENTS

The Cupertino Housing Simulator welcomes the public to participate in an initial mapping exercise, based on expressing general preferences for where future housing may be located according to commercial and neighborhood areas. Approximately 30 people attended the Cupertino Community Workshop, and seven responses have been submitted from the mapping exercise. Of these seven participants, all but one person described themselves as a Cupertino resident; two were between the ages of 18-29, three were between the ages of 30-49, and two were over the age of 70. Several site-specific comments were shared from a single participant, and a general strategy was stated by a second participant.

This initial map will remain open to public participation throughout the Housing Element update process. Guidance received from the Planning Commission will be expressed through the design of future mapping exercises for continued opportunities of public involvement in this sites' selection process. Summaries of comments and mapping exercise outputs will continue to be incorporated into future reports to decision-makers.

Following is a link to the Cupertino Housing Simulator: https://city-of-cupertino.abalancingact.com/housingsimulator

PUBLIC ENGAGEMENT OPPORTUNITIES

This is a great time for community-members to become engaged with the process and share their ideas, comments, and concerns. The Housing Element website is available for the community to learn about the Housing Element Update process, find out about upcoming events, and participate in online engagement opportunities, such as surveys, polls, and the Balancing Act mapping tool. The website is available in five languages: Mandarin, Spanish, Vietnamese, Russian, and English. Emails will be sent to all who sign up for Housing updates on the City website, and several social media blasts will direct individuals to visit www.engagecupertino.org/housingelement.

Those who would like to be more engaged with the process are encouraged to apply to become part of the Stakeholder group. Criteria to qualify is broad and inclusive, in order to welcome and incorporate participation from a diversity of community members, particularly those who may have not contributed to policy development in the past. All are encouraged to join this group and create meaningful actions

and proactive changes to promote more inclusive communities. It is anticipated that three to five Stakeholder group meetings will be arranged, with an expectation that members may need to prepare for up to eight (8) hours prior to each meeting discuss the many different aspects of the Housing Element update. The deadline to apply for this position as a Stakeholder is January 31, 2022, and a link to the application form is: https://forms.gle/DwWGZfqybuj2sgNaA

ATTACHMENTS:

Study maps:

- Map 1: Interested Property Owners for Housing Element Sites
- Map 2: Qualifying Properties Based Upon Lot Size
- Map 3: Potential Housing Opportunity Sites
- Map 4: Corridor Idea Sites for Future Housing Consideration
- Map 5: Cupertino Housing Simulator Maps, Tables, and Comments

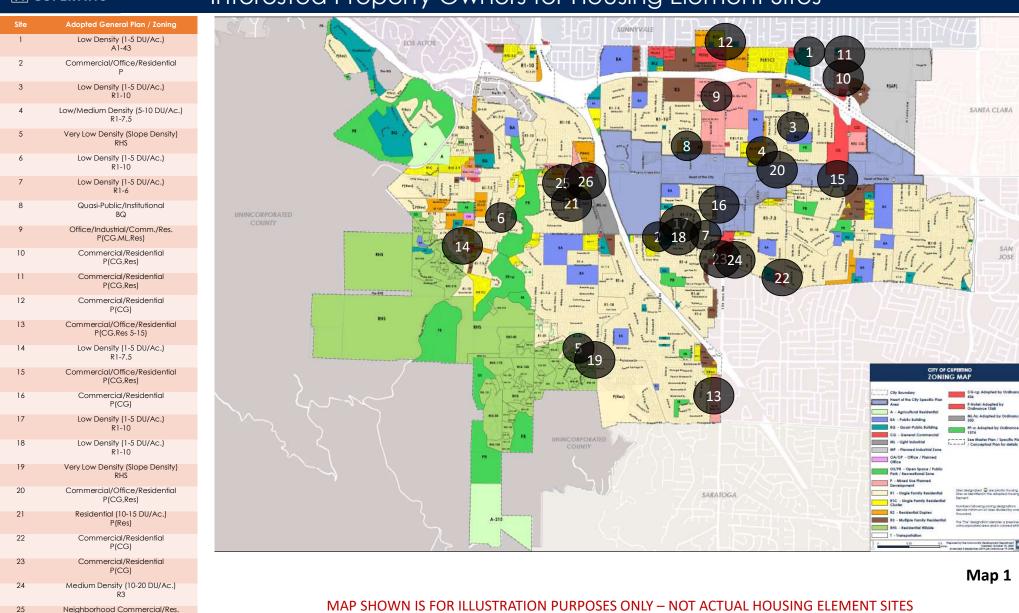
CITY OF CUPERTINO

P(CN,ML,Res 4-12)

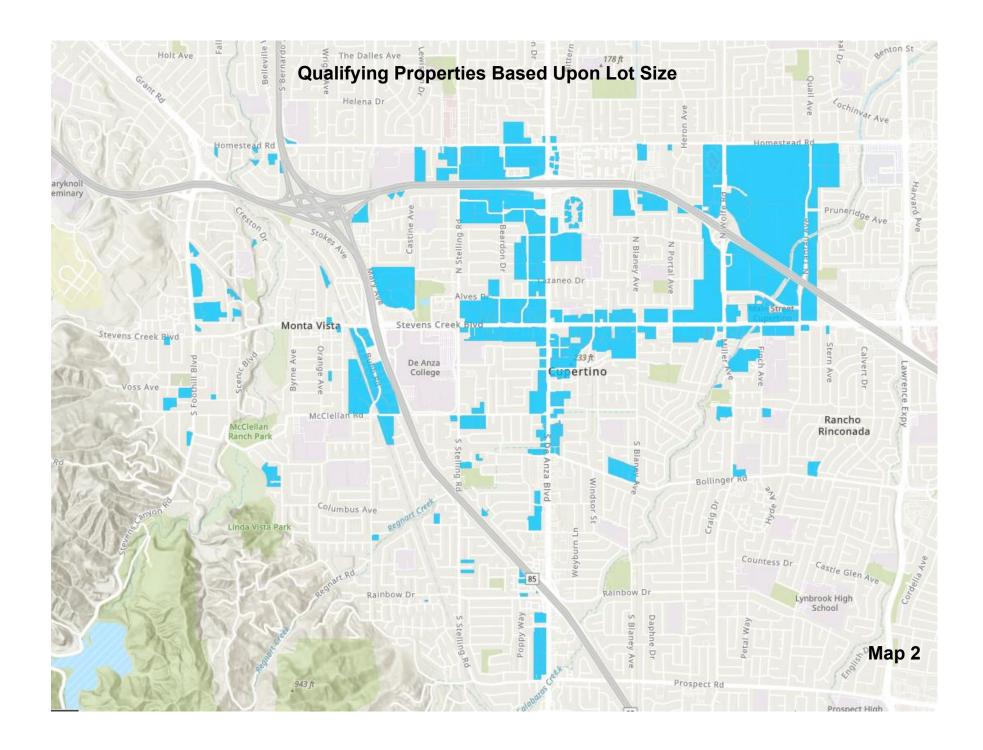
Neighborhood Commercial/Res. P(CN,ML,Res 4-12)

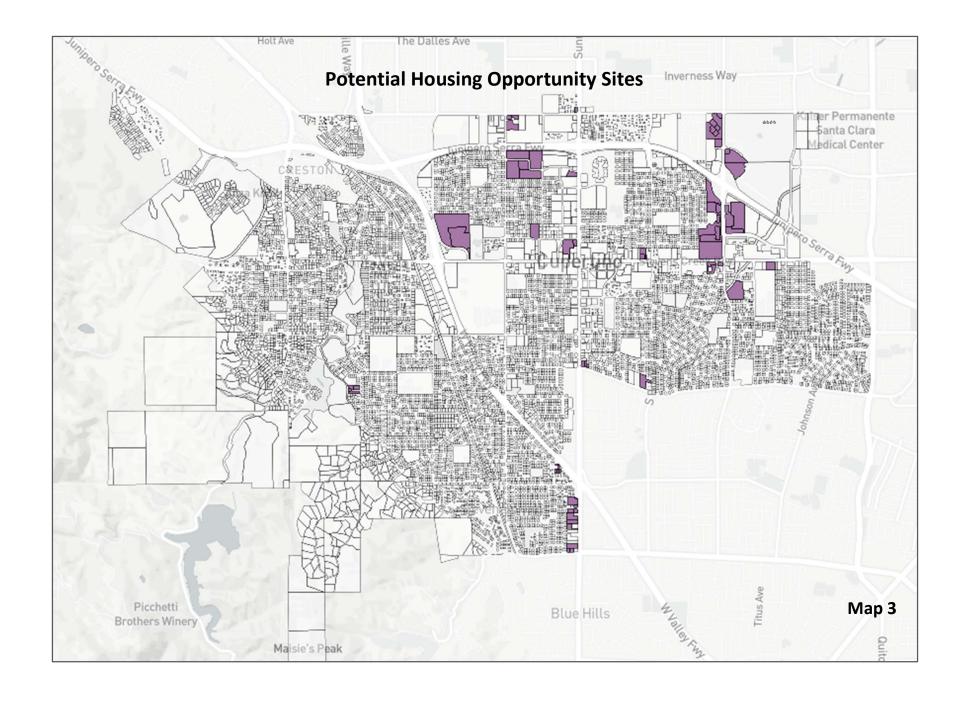
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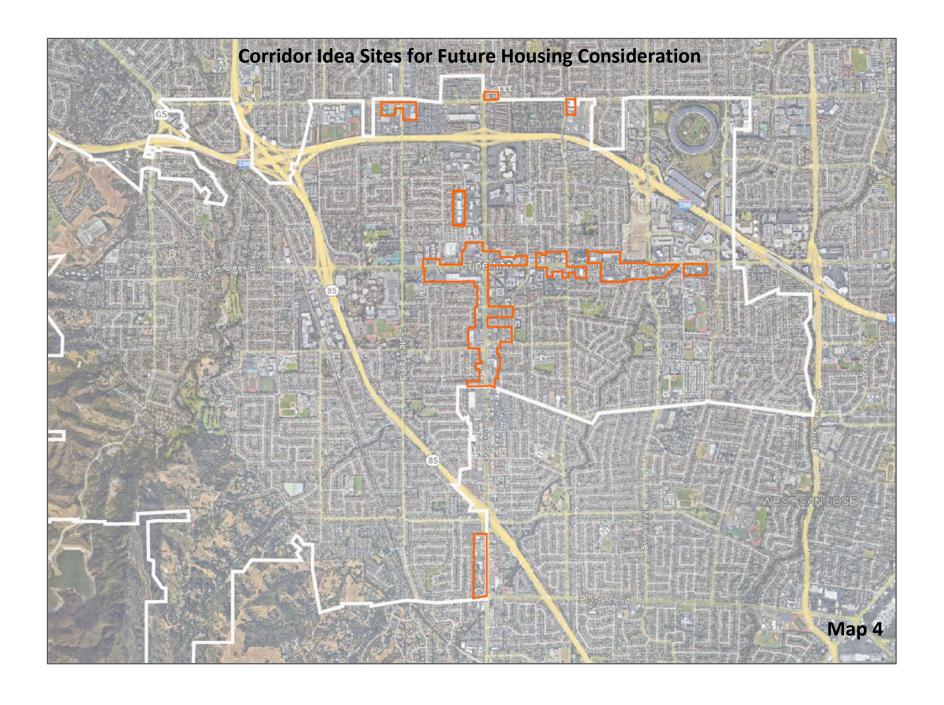
Interested Property Owners for Housing Element Sites



MAP SHOWN IS FOR ILLUSTRATION PURPOSES ONLY - NOT ACTUAL HOUSING ELEMENT SITES

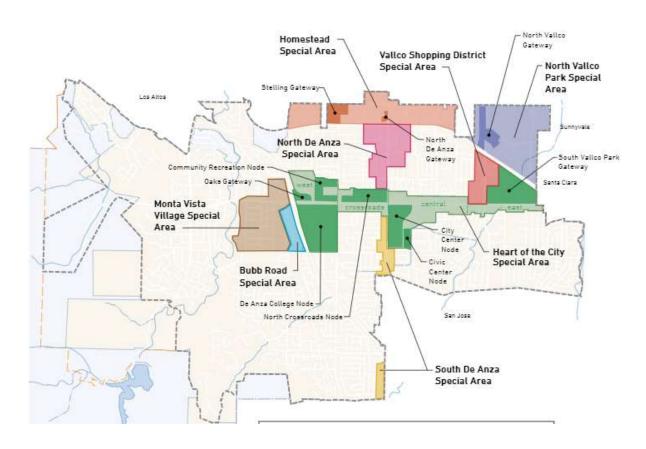


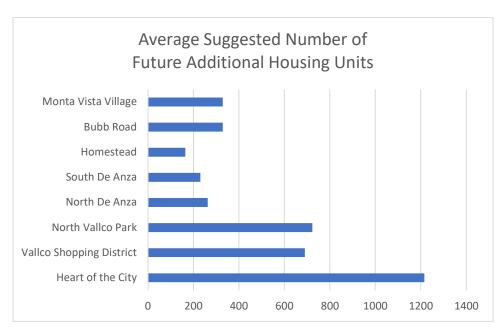




Cupertino Housing Simulator

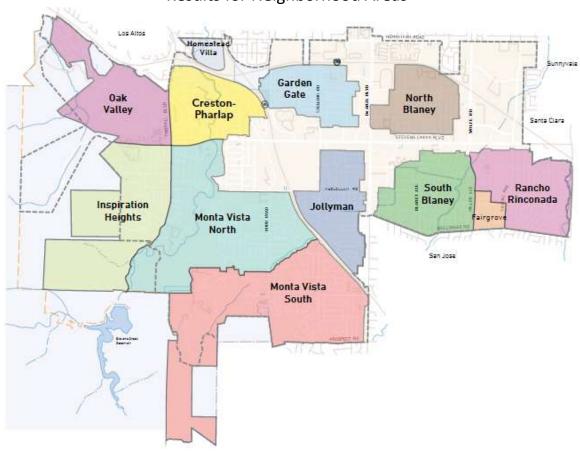
Results for Special Areas





Cupertino Housing Simulator

Results for Neighborhood Areas





Cupertino Housing Simulator

Public Comments Received Specific to Map Areas

<u>Inspiration Heights</u>: Too far from anything: job centers, amenities (0 grocery stores out here!), retail, education / community sites. Putting more units here would only encourage car usage and sprawl.

<u>Heart of the City</u>: Transit connections with VTA (bus, potential rail extension), presence of major intersections, retail, community center(s), parks

<u>Vallco Shopping District</u>: Connects transit connects with VTA (bus, potential rail extension), site of development, even more potential to go higher with freeway and Apple campus nearby

<u>North Vallco Park</u>: Major job site, retail/restaurants, extreme need for housing to encourage reduced commutes, proximity to major throughways and transit options.

<u>North De Anza</u>: Not very close to (frequent) transit connections, not a very walkable area. Close proximity to employment sites.

South De Anza: Not very close to potential transit (bus) connections, removed from job centers

<u>Homestead</u>: Not very familiar with the area but doesn't seem great for walkability and under 15 min walking access to amenities.

<u>Bubb Road</u>: Not a good area for walkability and under 15 min walking access to amenities. No nearby grocery stores. The highway isolates this neighborhood, and doesn't make it very useful for anyone except for workers and those with cars to the church here.

<u>Monta Vista Village</u>: Proximity to schools warrants a concerted effort to increase units, especially for service workers, teachers and other staff at schools. In addition, has proximity to office campuses as well. One clear flaw is a lack of transit connections, and major throughways.

<u>General Strategy</u>: Put housing on transportation lines, in the Heart of the City where services and businesses are. In fill housing. Put all areas up one notch, but then add more in specific areas as shown because of services, schools, transportation. Can refine this when parcels are known.



CITY OF CUPERTINO

Agenda Item

22-10370 Agenda Date: 1/25/2022

Agenda #: 3.

Subject: Election of Planning Commission Chair and Vice Chair, and Committee representatives

Elect Planning Commission Chair and Vice Chair, appoint representatives and alternates for the Environmental Review Committee (ERC), Design Review Committee (DRC), Housing Commission, Economic Development Committee (EDC), and discuss Hearing schedule for 2022.



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

Meeting: January 25, 2022

Subject

Election of Planning Commission Chair and Vice Chair, and Committee representatives

Recommended Action

Elect Planning Commission Chair and Vice Chair, appoint representatives and alternates for the Environmental Review Committee (ERC), Design Review Committee (DRC), Housing Commission, Economic Development Committee (EDC), and discuss Hearing schedule for 2022.

Discussion

Chair and Vice Chair:

Selections for Chair and Vice Chair are typically based on seniority and are rotated among Commissioners. The Vice Chair typically is selected by the Commissioners as the Chair. The current Vice Chair is Commissioner Scharf (appointed January 2021, first term ending January 2025). The following Commissioners are listed below in order of term appointment and rotation:

- 1. Vikram Saxena appointed January 2019, first term ending month? 2023
- 2. Sanjiv Kapil appointed December 2020, first term ending January 2023
- 3. Muni Madhdhipatla appointed January 2021, first term ending January 2025
- 4. R Wang re-appointed January 2021, second term ends month? 2025

While the meeting dates for the Planning Commission meetings in 2022 have been preset to the 2nd and 4th Tuesdays at 6:45 p.m., the Commission may decide to recess specific dates in the Summer and Winter. The Commission could also decide its schedule upon receiving more information from the Council's decision on their recess.

Environmental Review Committee:

Historically, the Chair of the Planning Commission serves on the ERC; however, the Commission can select another commissioner. The Planning Commission's recommended ERC member will be accepted formally by the City Council at one of its meetings.

Design Review Committee:

According to Municipal Code 2.90.050, the Vice Chair of the Planning Commission is the Chair of the DRC. Therefore, the Commission only needs to select one Commissioner and an alternate. The DRC meetings are currently held on the 2nd and 4th Thursdays at 5:00 p.m. Though not recommended to ensure that there is continuity in the meeting day and time, the Municipal Code allows Design Review Committee members to consider a different meeting day and time.

Housing Commission:

As a matter of interest, and not because there are requirements to do so, the Planning Commission selects a representative to attend Housing Commission for ongoing coordination. The Planning Commissioner is an observer at these meetings, is not a voting member and will have no term of office. The selection is usually determined by voluntary Commissioner interest. The current representative may be re-appointed or a new representative may be selected.

Economic Development Committee (EDC):

Each year, the Planning Commission sends a representative to the EDC to help enhance awareness and communication with Cupertino businessowners. The EDC is an ad hoc committee and is currently under restructure with the City Council. The Commission may choose to re-appoint the current representative or appoint a new representative may be selected once the restructuring is completed.

<u>Prepared by</u>: Cyrah Caburian, Administrative Assistant <u>Reviewed and Approved for Submission by</u>: Piu Ghosh, Planning Manager

Attachments:

- 1 2022 Planning Commission Committee Assignments
- 2 2021 Planning Commission Committee Assignments
- 3 Municipal Code chapter 2.32 Planning Commission
- 4 Municipal Code chapter 2.84 Environmental Review Committee
- 5 Municipal Code chapter 2.90 Design Review Committee

2022 Planning Commission Committee Assignments

(All meetings via teleconference unless otherwise determined.)

Planning Commission - Monthly, 2nd & 4th Tuesday, 6:45p

Chair -

Vice Chair -

Commissioners -

2021: Chair – Wang, Vice Chair – Scharf

Mayor's Meeting w/ Commissioners* – Monthly, 2nd Wednesday, 5:00p

January 12 – Madhdhipatla

February 9 – Wang

March 9 – Scharf

April 13 – Kapil

May 11 – Saxena

July 13 – Wang

August 10 – Scharf

September 14 – Saxena

October 12 – Kapil

November 9 – Scharf

June 8 – Madhdhipatla

December 14 – Wang

January 11, 2023 - Kapil *Determined at the 1/11/22 PC

Design Review Committee – Monthly, 1st & 3rd Thursday, 5:00p

Chair -

Commissioner -

Alternate -

2021: Chair – Scharf, Commissioner – Saxena, Alternate – Madhdhipatla

Environmental Review Committee – Monthly, 1st & 3rd Thursday, 9:30a

Representative -

Alternate -

City Council representatives – Moore, Paul (alternate)

2021: Representative – Wang, Alternate – Kapil

<u>Housing Commission</u> – Monthly, 2nd Thursday, 9:00a

Representative –

Alternate -

2021: Representative – Scharf, Alternate – Madhdhipatla

Economic Development Committee – TBD

Representative –

Alternate -

City Council representatives - TBD

2021: Representative - Kapil, Alternate - Saxena

PLANNING COMMISSION COMMITTEE APPOINTEES

updated 2/09/21

Planning Commission Meeting / 2nd & 4th Tuesday, 6:45 p.m.

R "Ray" Wang – Chair

Steven Scharf - Vice Chair

Vikram Saxena – Commissioner

Sanjiv Kapil – Commissioner

Muni Madhdhipatla - Commissioner

Environmental Review Committee / 1st & 3rd Thursday, 9:30 a.m., Conference Room C

R "Ray" Wang - representative

Sanjiv Kapil– alternate

(City Council representatives: Moore and Wei)

Design Review Committee / 1st & 3rd Thursday, 5:00 p.m., Conference Room C

Steven Scharf - Chair

Vikram Saxena- Commissioner

Muni Madhdhipatla - alternate

Housing Commission Meeting / 2nd Thursday, 9:00 a.m., Conference Room C

Steven Scharf – representative

Muni Madhdhipatla - alternate

Economic Development Committee/ Quarterly, 2nd Wednesday, 10:00a.m., Conference Room A (2-10-21, 5-12-21, 8-11-21 and 11-10-21)

Sanjiv Kapil – representative

Vikram Saxena – alternate

(City Council representatives: Paul and Wei)

Mayor's Monthly Meeting/2nd Wednesday, 5:00pm, Conference Room A

Sanjiv Kapil...January 6th

Vikram Saxena...February 10th

R Wang...March 10th

Muni Madhdhipatla ... April 7th

Steven Scharf...May 12th

Sanjiv Kapil ...June 9th

Vikram Saxena ...July 14th

R Wang ... August 11th

Muni Madhdhipatla ...September 8th

Steven Scharf ...October 13th

Sanjiv Kapil ... November 10th

Vikram Saxena ... December 8th

CHAPTER 2.32: PLANNING COMMISSION*

Section

- 2.32.010 Established.
- 2.32.020 Terms of Office.
- 2.32.030 Vacancy or removal.
- 2.32.040 Chairperson.
- 2.32.050 Meetings.
- 2.32.060 Amendments-Records.
- 2.32.070 Powers and functions.
- 2.32.080 Procedural rules.
- * For statutory provisions regarding the establishment of a city planning commission, see Gov. Code § 65100 et seq. -- See Title 17, Zoning.
- * Prior ordinance history: Ords. 5, 5(b), 5(c), 5(d), 167, 1166, 1213, 1321, 1459, 1549 and 1697.

2.32.010 Established.

The City Planning Commission is established. The City Planning Commission shall consist of five members, none of whom shall be officials or employees of the City and none of whom shall cohabit with as defined by law, nor be related by blood or marriage to any other member of the Commission, the City Manager or the staff person(s) assigned to this Commission. The five members shall be appointed by the City Council. Each member shall be a qualified elector in and resident of the City. Each member shall receive compensation as established by resolution of the City Council.

(Ord. 1787, § 1 (part), 1998)

2.32.020 Terms of Office.

- A. Commissioners serve at the pleasure of the City Council. The term of office of the members of the Planning Commission shall be four years and shall end on January 30th of the year their term is due to expire. No commissioner shall serve more than two consecutive terms except that a commissioner may serve more than two consecutive terms if he or she has been appointed to the Commission to fill an unexpired term of less than two years.
- B. The appointment, reappointment, and rules governing incumbent members of the Commission are governed by the Resolution of the City Council which governs advisory bodies.

(Ord. 18-2180, § 1 (part), 2018; Ord. 1974, § 4 (part), 2006; Ord. 1787, § 1 (part), 1998)

2.32.030 Vacancy or Removal.

Any appointed member may be removed by a majority vote of the City Council. If a vacancy occurs other than by expiration of a term, it shall be filled by the Mayor's appointment for the unexpired portion of the term.

(Ord. 1787, § 1 (part), 1998)

2.32.040 Chairperson.

The commission shall elect its Chairperson and Vice- Chairperson from among its members. The terms of the Chairperson and Vice-Chairperson shall be for one year.

(Ord. 2015, § 7, 2008; Ord. 1787, § 1 (part), 1998)

2.32.050 Meetings.

A. The City Planning Commission shall hold regular meetings on the second and fourth Tuesdays of each month at six forty-five p.m. and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, such adjourned meeting shall be a regular meeting for all purposes. Such adjourned meetings may likewise be adjourned and any so adjourned meeting shall be a regular meeting for all purposes.

City Planning Commission meetings that fall on legal holidays shall automatically be moved to the following day.

B. Special meetings of the Commission may be called at any time by the Chairperson or by any three or more members of the Commission upon written notice being given to all members of the Commission and received by them at least twenty-four hours prior to the meeting, unless notice requirement is waived in writing by the member.

(Ord. 1942, 2004; Ord. 1787, § 1 (part), 1998)

2.32.060 Amendments-Records.

- A. The affirmative vote of not less than a majority of its total voting members is required to approve a recommendation to amend the zoning ordinance; the affirmative vote of a majority present with a quorum present is required to take any other action.
- B. The Commission shall keep an accurate record of its proceedings and transactions, and shall render such reports to the Council as may be required by ordinance or resolution, and shall submit an annual report to the Mayor. These records shall be filed with the City Clerk.

(Ord. 18-2180, § 1 (part), 2018; Ord. 1787, § 1 (part), 1998)

2.32.070 Powers and Functions.

The powers and functions of the City Planning Commission shall be as follows:

- A. Prepare, periodically review, and revise as necessary, the General Plan;
- B. Implement the General Plan through actions including, but not limited to, the administration of specific plans and zoning, subdivisions, and sign ordinances;
- C. Annually review the capital improvement program of the City and the local public works projects of other local agencies for their consistency with the General Plan (pursuant to Sections 65400 et seq. of the California Government Code);
- D. Endeavor to promote public interest in, comment upon, and understanding of the General Plan, and regulation relating to it;
- E. Consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens generally concerning implementation of the General Plan;
- F. Promote the coordination of local plans and programs with the plans and programs of other agencies;

- G. Perform other functions as the City Council provides including conducting studies and preparing plans other than those required or authorized by state law;
- H. Establish as needed a standing subcommittee of the Commission for Design Review. The Planning Commission shall decide appeals of the Design Review Committee for the purposes of conducting design review on projects that properly come before the Design Review Committee for review, and conduct design review of a project as required by Chapters 2.90, 19.132, 19.134 and of the Cupertino Municipal Code.

(Ord. 1844, § 1 (part), 2000; Ord. 1787, § 1 (part), 1998)

2.32.080 Procedural Rules.

The Planning Commission may adopt from time to time such rules of procedure as it may deem necessary to properly exercise its powers and duties. Such rules shall be subject to approval by the Council before becoming effective. All such rules shall be kept on file with the Chairperson of the Planning Commission and the Mayor and a copy thereof shall be furnished to any person upon request.

(Ord. 1844, § 1 (part), 2000; Ord. 1787, § 1 (part), 1998)

CHAPTER 2.84: ENVIRONMENTAL REVIEW COMMITTEE

Section

2.84.010 Established–Composition.
2.84.020 Terms of Office.
2.84.030 Chairperson.
2.84.040 Meetings–Quorum.
2.84.050 Compensation–Expenses.
2.84.060 Majority vote required.
2.84.070 Records.
2.84.080 Duties–Powers–Responsibilities.
2.84.090 Guidelines–CEQA.
2.84.100 Appeals.
2.84.110 Fees.

2.84.010 Established-Composition.

2.84.120 Effect.

The Environmental Review Committee (ERC) of the City is established. ERC shall consist of one City Council person, one Planning Commissioner, the City Manager, the Director of Public Works and the Director of Community Development or their designated alternates.

In addition, the chairperson may appoint one at-large nonvoting citizen member to the committee. The at-large member shall receive all agendas, notifications and materials which other members receive and shall be entitled to participate in all discussions at ERC meetings in the same manner as other members of the committee. The at-large member would serve a term of one year; provided, that he or she may be removed at the pleasure of the chair.

(Ord. 1570, § 1, 1991; Ord. 1535, (part), 1990)

2.84.020 Terms of Office.

The terms of staff members are ongoing unless changed by action of the City Council. The term of the City Council person and Planning Commissioner shall be reviewed periodically by the City Council and Planning Commission respectively for reappointment or a new appointment. Because this Committee is composed of staff and members of other bodies it is not directly governed by the Resolution of the Cupertino City Council which governs advisory bodies.

(Ord. 18-2180, § 8 (part), 2018; Ord. 1535, (part), 1990)

2.84.030 Chairperson.

The Committee shall elect its chairperson and vice-chairperson from among its members and shall appoint a secretary. The secretary need not be a member of the Committee.

(Ord. 1535, (part), 1990)

2.84.040 Meetings-Quorum.

- A. The Environmental Review Committee shall establish a regular time and place of meeting and rules of conduct thereof and shall hold at least two regular meetings each month.
- B. A majority of the Environmental Review Committee shall constitute a quorum for the purpose of transacting the business of the Committee.

(Ord. 1535, (part), 1990)

2.84.050 Compensation-Expenses.

Members shall serve on the Environmental Review Committee without compensation but all necessary expenses reasonably incurred by them while acting in their official capacity shall be paid following appropriate action by the City Council.

(Ord. 1535, (part), 1990)

2.84.060 Majority Vote Required.

A majority vote of the quorum is required to approve a recommendation on any matter that is presented to the Committee which requires a vote.

(Ord. 1535, (part), 1990)

2.84.070 Records.

The Committee shall keep an accurate record of its proceedings and transactions, and shall render such reports to the City Council and Planning Commission as may be required. These records shall be filed with the City Clerk.

(Ord. 18-2180, § 8 (part), 2018; Ord. 1535, (part), 1990)

2.84.080 Duties-Powers-Responsibilities.

- A. All discretionary projects which are not categorically exempt or otherwise exempted from further environmental assessment, shall be forwarded to the Environmental Review Committee for evaluation under the California Environmental Quality Act.
- B. The Committee shall evaluate the initial study of a proposed project to determine whether the project may or may not have a significant effect on the environment.
- C. If a determination is made that the project will not have a significant impact on the environment, the Committee will recommend that the final reviewing authority (decisionmaker) grant a negative declaration.
- D. If a determination is made that the project may have a significant impact on the environment, the Committee shall require preparation of an environmental impact report (EIR). The major areas of concern, the selection of the preparer and the preparation of the EIR shall be coordinated by the ERC not including the City Council and Planning Commission members.

(Ord. 1535, (part), 1990)

2.84.090 Guidelines-CEQA.

California Environmental Quality Act guidelines promulgated by the California Secretary of Resources and as subsequently amended are adopted by this reference.

(Ord. 1535, (part), 1990)

2.84.100 Appeals.

The project sponsor may appeal a decision to prepare an EIR to the City Council. The appeal shall be filed in writing with the City Clerk within five working days of the Committee's decision. If the City Council determines that an EIR is not necessary, the project shall be returned to the ERC for further consideration.

(Ord. 1535, (part), 1990)

2.84.110 Fees.

The City Council may, by resolution, establish an environmental assessment fee.

(Ord. 1535, (part), 1990)

2.84.120 Effect.

Nothing in this chapter shall be construed as restricting or curtailing any powers of the City Council, Planning Commission or City officers.

(Ord. 1535, (part), 1990)

CHAPTER 2.90: DESIGN REVIEW COMMITTEE

Section

2.90.010 Established.

2.90.020 Purpose.

2.90.030 Terms of office.

2.90.040 Vacancy or removal.

2.90.050 Chairperson.

2.90.060 Meeting-Quorum.

2.90.070 Licensed architect.

2.90.080 Records.

2.90.090 Powers and functions.

2.90.100 Procedural rules.

2.90.110 Effect.

2.90.010 Established.

The Design Review Committee (DRC) is established. The DRC shall consist of the Planning Commission Vice Chair and one additional Planning Commission representative, to be appointed by the Planning Commission. One additional member of the Planning Commission shall be designated to serve as an alternate in the absence of a Planning Commission member. This alternate member shall be selected by the Planning Commission. (Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.020 Purpose.

The Design Review Committee shall endeavor to reduce the Planning Commission's workload by simplifying its design review responsibilities and incorporating professional architectural advice where it adds value to the design review process. The Design Review Committee shall include all aspects of site and architectural design, including:

- A. The relationship of the building to its surrounding land uses and the street;
- B. Compliance with adopted height limits, setbacks, architectural and landscape design guidelines;
- C. Protection of surrounding land uses and the subject uses from intrusive impacts, such as, noise, glare, dust, chemicals, smells and visual disturbances;
 - D. Providing adequate parking and circulation for vehicles and pedestrians;
- E. The overall quality and compatibility of the building materials and architecture with the surroundings. (Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000)

2.90.030 Terms of Office.

All Design Review members shall have a term of one year, expiring on January 15th of each ear, or until a successor is duly appointed.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.040 Vacancy or Removal.

Any Design Review Committee member may be removed from the committee by a majority vote of the City Council. If a vacancy occurs including an expiration of a term, it shall be appointed by the Planning Commission.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.050 Chairperson.

The chairperson shall be the Planning Commission Vice Chair. The term shall be one year and shall begin on January 15th and be complete on January 15th of the following year, or until a successor is duly appointed.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.060 Meeting-Quorum.

- A. The DRC shall meet at dates and times prescribed by the committee. Meetings shall be held at City Hall, 10300 Torre Avenue, Cupertino, California. The committee may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment. When so adjourned, such meeting shall be a regular meeting for all purpose.
- B. Special meetings of the committee may be called at any time by the chairperson or by any member of the committee upon written notice being given to all members at least twenty-four hours prior to the meeting, unless notice is waived in writing by each member.
- C. Two Design Review Committee members or one member and the designated alternate shall be present to constitute a quorum for the purpose of transacting the business of the committee. A majority vote of the quorum is required to approve any decision of the committee. A tie vote constitutes a denial of any application or request.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.070 Licensed Architect.

A licensed architect shall make recommendations to the committee. The architect shall be selected by the City Council and shall be compensated based upon a contract with the City for a period not exceeding two years.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.080 Records.

- A. The committee shall keep an accurate record of its proceedings and transactions and shall render such reports to the City Council and Planning Commission directly after each meeting. The appeal of said decision is governed by Chapter 19.12 of the zoning code. The committee shall also comply with all requirements of the State of California Open Meeting Law (the Brown Act), including the preparation and posting of meeting agendas.
 - B. These records shall be filed with the City Clerk.

(Ord. 18-2180, § 11 (part), 2018; Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; ੴrd. 41817, § 1 (part), 1999)

2.90.090 Powers and Functions.

The powers and functions of the DRC are as identified in Chapter 19.12 of the zoning code and to perform other functions as the City Council requires.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.100 Procedural Rules.

The DRC may adopt from time to time such rules or procedures as it may deem necessary to properly exercise its powers and functions. Such rules shall be subject to approval by the City Council before becoming effective.

All such rules shall be kept on file with the chairperson of DRC and the City Clerk and a copy of the rules shall be furnished to any person upon request.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)

2.90.110 Effect.

Nothing in this chapter shall be construed as restricting or curtailing any powers of the City Council, Planning Commission or City officers.

(Ord. 2085, § 2 (part), 2011; Ord. 1844, § 1 (part), 2000; Ord. 1817, § 1 (part), 1999)



CITY OF CUPERTINO

Agenda Item

22-10398 Agenda Date: 1/25/2022

Agenda #: 4.

Subject: 2022 Planning Commissioners Academy

Accept information on Planning Commissioners Academy registration

Subject:

FW: HCED Listserve Register now! - Planning Commissioners Academy



Registration is now open!

Join the League of California Cities for three days of in-person educational sessions and peer-to-peer networking at the <u>2022 Planning Commissioners Academy</u>, taking place **March 16–18**, **2022** at the San Ramon Marriott.

Designed for new and seasoned planning commissioners alike, this conference will provide you with information about the roles and responsibilities of a planning commissioner, offer a review of legal and practical policies and practices, and foster relationships with fellow planning commissioners. Now more than ever, the opportunity to learn from and network with each other provides invaluable support.

Register now!

Session topics

- The Nuts and Bolts of Planning
- CEQA
- Navigating SB 9
- Relationship Between Planning Commission, City Council and Planning Staff
- Housing Laws
- Preparing Findings and Conditions of Approval
- Post COVID Playbook
- Wildfire Planning

- Legislative Update
- City Finance Today
- Opportunities to complete AB 1234 ethics training and AB 1661 sexual harassment prevention training will be offered.

Conference schedule

Optional Pre-Conference Workshops AB 1234 and AB 1661

Wednesday, March 16 10:00 a.m.-12:00 p.m.

General Conference Programming

Wednesday, March 16 1:00-6:30 p.m.

Thursday, March 17 7:45 a.m.-5:30 p.m.

Friday, March 18 7:45 a.m.-12:00 p.m.

The conference schedule will continue to be updated. Visit the <u>Planning</u> Commissioners Academy event page to review the most current schedule.

Registration

Full Conference Registration for Cal Cities members starts at \$625.

In addition to session access, receiving session materials, and gaining networking opportunities, registering for the conference grants you access to all session materials for later viewing for a limited time.

Join Cal Cities for a can't-miss opportunity to sharpen your skills as you prepare your city for the future. **Online registration closes Friday**, **March 4**. After this date, you can register for the conference on-site if space is still available.

| \$625 | Full academy registration for member city officials and city staff |
|-------|--|
| \$750 | Full academy registration for a company representative |
| \$50 | Reception only |
| \$350 | One day member registration |
| \$525 | One day company registration |
| | |

\$1625 Full Academy registration for nonmember city officials and city staff

Register now!

Hotel

A limited amount of hotel rooms are available at reduced rates for registered attendees of the 2022 Planning Commissioners Academy. The discounted hotel rate cut-off is **Feb. 16, 2022**. The hotel is subject to sell out prior to the deadline – reserve early!

San Ramon Marriott 2600 Bishop Drive San Ramon, CA 94583

Step One: Register for the conference

Step Two: Book hotel room

Once registration is complete, you will receive a confirmation email directing you to the group housing reservations page.

Group hotel rate (per night): \$189 plus taxes and fees

For more information please visit the Hotel and Travel tab on the <u>Planning</u> Commissioners Academy event page.

Additional questions?

If you have any questions about registration, please contact Conference Registrar <u>Megan Dunn</u>. Please direct any other questions to Education and Events Manager Christina George.

For more information, visit the <u>Planning Commissioners Academy event page</u>.