

CC 9-21-2021

Study Session #1

Accessory Dwelling Units
(ADU) Study Session

Presentation

Accessory Dwelling Units Study Session



Cupertino City Council
September 21, 2021



City Council Work Program

- 2020-2021 City Work Program
- Housing
 - “Establish procedures and policies on streamlining the ADU review process.”



Prior & Current Incentives for ADU Development

- Since 2015, Below Market Rate (BMR) Manual exempted ADUs from BMR fees.
- FY 2018-19 Fee Scheduled greatly reduced plan check and inspection fees for ADUs.
- City complies with all minimum development standards and fee exemptions in State Law since 2016.
 - No impact fees for units under 750 sf.
 - No off-site improvements required



Planning Commission Review

Accessory Dwelling Unit production and implementation of incentive programs provided to Planning Commission on June 23, 2020.

- City of San Jose's ADU Ally Program.
 - Offers pre-approved plans from selected vendors
 - Quickens review process while saving applicant money.
- Planning Commission study session on August 24, 2021

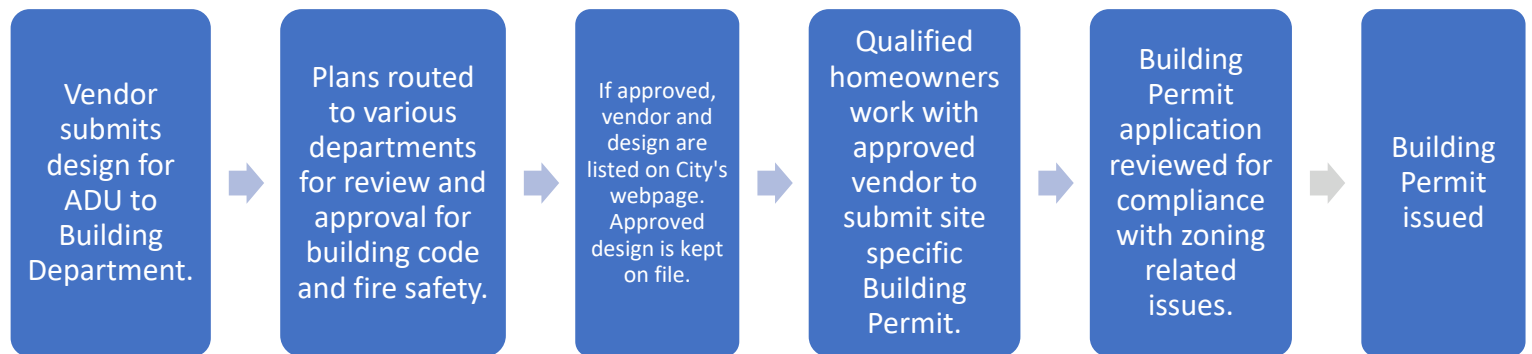


Pre-Approved ADU Program

Enables residents to choose a pre-approved ADU design from a specific vendor:

- Pre-approved ADUs must be detached but can be stick-built or prefabricated.
- Valley Floor geologic designation. Not eligible if within:
 - Fault Rupture
 - Slope instability
 - Hillside
 - Liquefaction/Inundation
- Continue to submit the boundary survey, site plan, and specs for HVAC (if proposed).

Pre-Approved ADU Program



Pre-Approved ADU Program

- Planning
 - + General Plan
 - + Zoning
- Residential Development
 - + Single Family Residential Development
 - Residential Hillside Development
 - Duplex Development
 - Multiple Family Residential Development
 - Fences
 - Sheds, Patios and Other Structures
- Accessory Dwelling Units
 - ADU Development Standards
 - ADU Programs & Resources
 - Accessory Dwelling Unit - Pre-Approved Plans**
 - Residential Parking
 - Residential Landscaping
 - Tree Protection & Tree Removal

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ACCESSORY DWELLING UNIT - PRE-APPROVED PLANS

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Pre-approved ADU Plan sets are a great way for homeowners to ensure a code compliant design that can be expedited through the Building permit process!

ADU designers/builders who offer standard construction plan layouts that are preapproved can offer their customers the City's fastest, lowest-cost permit process. Refer to the Pre-Approved Vendor at the bottom of this page to see vendors who are offering preapproved plans in Cupertino.

This preapproval program applies only to detached ADUs. All pre-approved plans are still subject to any site concerns.

For vendors seeking to obtain approval of master construction plans, see the next section.

For homeowners using preapproved plans, see the Homeowners section below.

Community Handouts

ACCESSORY DWELLING UNIT INFORMATION SHEET
www.cupertino.org/adu

TYPES OF ADUs

Internal Conversion Detached Attached

	Single Family				Multi Family	
	Internal Conversion	Detached (≤ 800 s.f.)	Detached (> 800 s.f.)	Attached	Internal Conversion	Detached
Max. Size	No size limitation ¹	800 s.f.	1 bd: 850 s.f. 2+ bd: 1,000 s.f. Must meet Floor Area Ratio and Lot Coverage	1 bd: 850 s.f. 2+ bd: 1,000 s.f. Must meet Floor Area Ratio and Lot Coverage	No size limitation ¹	1,200 s.f.
Setbacks	Per underlying zoning ²	Front per underlying zoning; Rear and sides 4 ft	Must comply with Accessory Structure Ordinance ³	Front per underlying zoning; Rear and sides 4 ft	No increase in size of existing structure	Front per underlying zoning; Rear and sides 4 ft
Height	No increase in height of existing structure	16 ft	Must comply with Accessory Structure Ordinance ⁴	Per underlying zoning ²	No increase in height of existing structure	16 ft
Number of Units	Two units are allowed if one is a JADU and one is a detached ≤ 800 s.f. ADU	Only one ADU of this kind is allowed. A JADU is not allowed in addition to these	The greater of: 25% of existing dwelling units or one ADU		No more than 2 ADUs	
Direct Outside Access	<ul style="list-style-type: none"> Independent outside access must be provided without going through the principal unit and must be on a different elevation than the entrance to the principal unit. There can be no connection with the principal unit, except for a JADU that shares a bathroom with the principal unit. 					

1. Please see the "Floor Area Ratio (FAR)" info box on the next page for more information.
2. If the structure is non-conforming, the rear and side setbacks must meet the fire safety requirements.
3. On corner lots, rear side setbacks modified to 4 feet, but ADU may not encroach into required corner triangle.
4. Except that max. height of 14 feet is allowed at farthest point from the rear and side property lines.
For detached ADUs, walls less than 3 feet from the property line may have windows if they have obscured glass or have a sill height above 3 feet from the floor (CMC 19.100.030 (c)(1)).
*Detached ADUs must be set back from the principal unit or rear 3 ft from edge to edge (CMC 19.100.030 (c)(2)).

STEPS TO A COMPLETED ADU THE PERMITTING PROCESS
www.cupertino.org/adu

- 1. Talk to a Planner**
 - Contact the Planning Division (planning@cupertino.org or (408) 777-8308, or
 - Visit in-person during the <https://www.cupertino.org/adu>
 - A Planner will advise you on how the ADU Ordinance applies to your project
- 2. Hire Experienced Professionals**
 - We advise that you hire a designer, licensed architect, and/or engineer to design the ADU and a licensed contractor to build it
- 3. Submit a Preliminary Review (Optional)**
 - We suggest that you electronically submit your architecture plans for a complimentary preliminary review by the Planning Division (planning@cupertino.org)
 - A Planner will review your proposal to ensure that proposal meets all requirements
- 4. Prepare Building Permit Submittal Package**
 - Prepare drawings and documents according to the [Building Permit Submittal](https://www.cupertino.org/adu) requirements
 - Complete a [Cupertino Permit Application](https://www.cupertino.org/adu)
 - Complete a [Cupertino ADU Form](https://www.cupertino.org/adu). Required for detached ADUs. All other ADUs may have their own address, but it is not a requirement
- 5. Submit Permit Package and Pay Fees**
 - Create your Accessory Dwelling Account (ACA) (<https://www.cupertino.org/adu>)
 - Electronically submit the application form (<https://www.cupertino.org/adu>)
 - The ACA account allows Permit Center staff to link the permit to your account and generate invoices. Invoiced fees may be paid online through ACA
- 6. Plan Review Process**
 - You will be sent instructions on how to create a ProjectBox account (<https://www.cupertino.org/adu>) and upload plans.
 - Plans will be routed and reviewed by all applicable agencies using ProjectBox
 - Use [ProjectBox](https://www.cupertino.org/adu) to track review progress, view project review comments and upload revised drawings and/or documents
- 7. Building Permit Issuance**
 - Pay any remaining invoiced fees online through ACA and notify the Permit Center
 - Permit Center staff will then send the permit to be signed and submitted electronically to the licensed contractor or the property owner
 - Submit the signed permit electronically through ProjectBox
 - The approved plans & documents will be stamped, prepared, and released in [ProjectBox](https://www.cupertino.org/adu)
 - The construction and inspection phase can now begin
- 8. Schedule and Pass Inspection(s)**
 - Please review the [Inspection Procedures Required for Detached Structures](https://www.cupertino.org/adu) handout
 - For JADUs, obtain a covenant from Planning staff, get your signature notarized, and record it with the Santa Clara County Recorder prior to scheduling a first building inspection
 - Schedule inspection(s) online using your Accessory Dwelling Account or by calling the Building Division at (408) 777-8308
 - After each inspection, an inspection report will be emailed to the primary contact on permit record

Congratulations!
Your ADU is now complete



Accessory Dwelling Units Permitted by Year and Type

	2014	2015	2016	2017	2018	2019	2020	2021
Attached/ Conversion	0	1	11	9	10	8	12	18
Detached	8	4	7	3	5	7	8	7
Total	8	5	18	12	15	15	20	25



Types and Size of ADUs and JADUs in the City (2020-2021)

	JADU	Detached ADU	Attached ADU	Conversion
Average Size (Size Range)	0	652 s.f. (406-995 s.f.)	625 s.f. (425-800 s.f.)	503 s.f. (395-864 s.f.)
Number	0	15	18	12

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- Questions/Comments
 - www.Cupertino.org/adu
 - www.Cupertino.org/aduplans

CC 9-21-2021

#16

Suicide Prevention Policy

Presentation

Suicide Prevention Policy

September 21, 2021



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Background

- Santa Clara County adopted a Suicide Prevention Strategic Plan in 2010
- Santa Clara County cities with adopted policies
 - Morgan Hill
 - Sunnyvale
 - Milpitas
 - Palo Alto
 - Mountain View
 - Los Gatos
 - San Jose
 - Campbell

Suicide Prevention Annual Report

City	Death Rate per 100,000				
	Year				
	2012	2013	2014	2015	2018
Campbell	7.60	20.07	14.88	9.83	4.71
Cupertino	8.56	5.08	5.02	4.99	0.00
Gilroy	6.14	14.07	5.91	11.62	8.51
Los Altos	13.73	6.81	3.36	0.00	5.12
Los Gatos	10.16	13.42	13.26	16.45	6.52
Milpitas	2.99	8.86	8.65	5.59	7.46
Monte Sereno	0.00	0.00	0.00	0.00	0.00
Morgan Hill	13.15	10.30	5.02	14.68	13.29
Mountain View	4.03	6.62	14.33	3.85	8.40
Palo Alto	12.40	13.80	9.09	15.04	7.50
San Jose	6.18	6.71	7.40	6.59	7.86
Santa Clara	10.32	5.94	11.71	6.59	4.63
Saratoga	9.98	6.59	6.53	6.49	13.07
Sunnyvale	12.05	9.07	6.85	6.75	7.18

Lowest (0.00) Midpoint (10.0) Highest (20.0)



Data for years 2016 and 2017 had various City of Residence labeled as “unknown” and therefore could not be reported on the heath map.

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates
 Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates
 Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates
 Source: U.S. Census Bureau, 2009-2013 5-Year American Community Survey
 Source: U.S. Census Bureau, 2008-2012 American Community Survey



Discussion

- Council is committed to supporting mental health:
 - FY 21-22 City Work Program: Mental Health Support
 - 2021 Legislative Platform supports mental health legislation



Policy: City Employees

- Provide employees with information on suicide prevention annually
- Work with County Behavioral Health Services Suicide Prevention Program to provide relevant information and training



Policy: City Facilities

- Develop public safety protocols governing a response to a suicide attempt at City facilities
- Establish an appropriate communications strategy in case of an incident in a City facility



Policy: City Residents

- Provide information on suicide prevention at cupertino.org/mentalhealth
- Work with County Behavioral Health Services Suicide Prevention Program to provide relevant information
- Recognize National Suicide Prevention Month annually in September

Questions?



CC 9-21-2021

#17

Athletic Field Use Policy

Presentation

Athletic Field Use Policy Review

City Council Regular Meeting

September 21, 2021



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Agenda

- History of Policy Updates
- Sunday Use Policy Updates
- Questions
- Recommendation



History of Policy Updates

- Original policy City Council approved 2004
- City Work Program Fiscal Year 2019-2020
- Proposed update presentations
 - Parks and Recreation Commission and City Council April 2021
 - City Council approved updates May 2021

Sunday Use Policy Updates

Original Policy	Staff Proposed Changes	Commission Recommended	City Council Approved
Two Sundays for Tournaments	No change	No change	No change
Additional Sundays: None	Additional Sundays: Four, 10 a.m. – 2 p.m.	Additional Sundays: Two, 10 a.m. – 2 p.m.	Additional Sundays: Two, 10 a.m. – 4 p.m.
Two Sundays per group	Six Sundays per group	Four Sundays per group	Four Sundays per group



Questions

- *How many Sports Organizations do not need Sunday usage?*
 - **All nine groups surveyed in January utilize Sundays**
- *How will this impact the Jollyman Park DOLA pilot?*
 - **Recommending conclusion of trial and conversion to an ongoing program**
 - **Continued evaluation of other fields and impacts**



Recommendation

- Keep revised policy as approved in May
- Provide City Council an update in one year with usage and financial analysis as originally directed

Athletic Field Use Policy Review

City Council Regular Meeting

September 21, 2021



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#18

City Work Program Update

Presentation

City Work Program Update

FY 20-21 Q4 Update and
FY 21-22 Q1 Preview



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September 21, 2021



Presentation

- 1. Background Information**
- 2. FY 20-21 Q4 Update**
 - Attachment A: FY 20-21 detailed update
 - Attachment B: FY 20-21 quick summary
- 3. FY 21-22 Q1 Preview - Top 10 Items & Items of Interest**
 - Attachment C: FY 21-22 City Work Program
- 4. Next Steps**



1. Background

- FY 20-21 City Work Program adopted **March 2020**
 - Amended **June 2020** due to COVID-19 impacts
- Quarterly Updates
 - Dashboard cupertino.org/cityworkprogram
 - Included with quarterly budget updates
- FY 21-22 City Work Program adopted **May 2021**

2. FY 20-21 Q4 Update – Items Completed

1. Commissioner Handbook Update
2. Policies on Nonprofit Support
3. Two-Way Communication
4. Housing Program for De Anza College Students
5. Research Governor's \$1.4B Pledge Towards Homelessness
6. Review City's Housing & Human Services Grant Funds
7. Transportation to-from Service Providers
8. Continuity of Operations Plan
9. Parks & Recreation Strategic Plan
<https://parksmp.cupertino.org/index.html>
10. Reducing Secondhand Smoke Exposure
11. Ordinance on... banning gas-powered leaf blowers
12. Targeted Marketing Programs to Assist Small Businesses
13. Public Infrastructure Financing Strategy
14. Review Property Tax Share
15. Bollinger Road Safety Study



2. FY 20-21 Q4 Update – Items Expected to Complete

1. Establish Preapproved ADU Plans

- Council Study Session September 21, 2021
- Expected Completion: October 2021

2. General Plan Authorization Process

- Follow-up directed at August 17, 2021 Council Meeting
- Expected Completion: Fall 2021

3. Housing Survey

- Housing Element update contract to Council September 21, 2021
- Housing Survey Results and Housing Element Update to Council October 2021
- Expected Completion: October 2021

3. FY 21-22 Q1 Preview – Top 10 & Items of Interest

1. Single-Use Plastics Ordinance and Mayor's Cup Challenge Event
 2. Consider Options to Develop ELI and BMR Housing...for Developmentally Disabled...along Mary Ave...and Outback Steakhouse Location
 3. Revisit 5G...
 4. Senior Strategy
 5. Lehigh and Stevens Creek Quarry
 6. Homeless Jobs Program
 7. City Plan to End Homelessness
 8. Memorial Park Improvements
 9. Consider New Commissions and Committees
 10. Shuttlebus Pilot Program Implementation
- Other Items of Interest
- RHNA Related General Plan Updates & Rezoning (Housing Element)
11. Lawrence Mitty
 25. Municipal Water System



4. Next Steps

- Q4 FY 20-21 updates can be found on the City Work Program Dashboard Webpage
cupertino.org/cityworkprogram
- **Q1 FY 21-22 updates**
 - Dashboard update in October
 - Presentation to Council in November

Questions?

