Planning Commission Meeting
April 29, 2024
Written Communications

#96589 HE Strategy HE-1-3-6

Submitted	Received via	Requester
April 12, 2024 at 7:42 AM	Mail	Griffin <griffin@compuserve.com>

CCs

City Clerk <cityclerk@cupertino.gov>, Citycouncil <citycouncil@cupertino.org>, Housingcommission <housingcommission@cupertino.org>, Luke Connolly <lukec@cupertino.org>

Status	Type	Priority	Group	Assignee
Open	-	Normal	-	-

Department

Planning

Griffin April 12, 2024 at 7:42 AM

Dear City Council and Asst. Director Connelly,

When the Housing Element is brought to the Housing Commission, Planning Commission and City Council PLEASE provide a map AND address list of all R1 lots that HE Strategy 1-3-6 applies to for transparency.

Recently, the city failed to specifically identify the BA sites via a list and residents were furious when they found out it was more than “just school sites”!

Please do not make this same mistake and please do not use the excuse that you are not rezoning these R1 lots. You will be adding the potential for rezoning without any input from neighbors so this is the time, right now, when you need to notify all residents of this potential change!

List the addresses! A blanket postcard about the HE is not equivalent to listing the exact lots. The second bullet is so complex that most people do not understand which lots apply. List them! All of them!

Thank you,
Peggy Griffin

Melissa Robertson April 15, 2024 at 7:59 AM Internal note

Good morning (Council Bcc’d),

Your comments have been received and will be included with the written communications for the April 16 City Council meeting, item 12.

Thank you,

Melissa Robertson
Administrative Assistant
City Manager's Office
MelissaR@cupertino.gov
(408)777-3148

Support Software by **Zendesk**

Planning Commission Meeting
April 29, 2024
Written Communications
Item #2

From:	Griffin
To:	City of Cupertino Planning Commission
Cc:	City Clerk; Long Jiao
Subject:	4-29-2024 Planning Commission Mtg-ITEM 2-Housing Element BY OVER 160 people!
Date:	Monday, April 29, 2024 11:25:10 AM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png Cupertino Voice Survey-HousingElement-2024-03-24-2200.pdf

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

PLEASE INCLUDE THIS EMAIL AND ALL ATTACHMENTS AS PART OF WRITTEN COMMUNICATIONS FOR THE ABOVE PLANNING COMMISSION MEETING AGENDA ITEM 2.

Dear Planning Commission,

Below is a copy of email I sent as comments for the DRAFT 3 Housing Element. They still apply! Nothing was changed!

It is the opinions of over 160 people! Please listen to them.

Sincerely,
Peggy Griffin

From: Peggy Griffin>
Sent: Wednesday, March 27, 2024 5:29 PM
To: 'housing@cupertino.org' <housing@cupertino.org>
Cc: 'Long Jiao' 'HousingCommission@cupertino.org' <HousingCommission@cupertino.org>; 'PlanningCommission@cupertino.org' <PlanningCommission@cupertino.org>; 'City Council' <CityCouncil@cupertino.gov>; 'City Clerk' <CityClerk@cupertino.org>
Subject: COMMENTS on Revised 3rd Draft of Housing Element BY OVER 160 people!

IMPORTANT: PLEASE INCLUDE THIS EMAIL AND ALL ATTACHMENTS AS INPUT/COMMENTS ON THE 3rd Draft (revised) of the Cupertino 2023-2031 Housing Element.

Dear Housing Element Team,

I am sending this on behalf of Long Jiao and over 160 survey respondents of which about 140 are Cupertino registered voters.

A survey was sent out to all currently registered Cupertino voters and other interested people who signed up t,o receive and participate in the Cupertino Voice Surveys. Several of the

questions in this recent survey on the 2023-2031 Cupertino Housing Element pertain directly Goals, Policies and Strategies in the Draft 3 (revised) of the Housing Element. I have extracted those survey questions that directly apply to specific items in the Draft 3 (revised) of the Housing Element. The entire document is attached for reference. Please include it as part of the comments for Revised Draft 3 Housing Element.

Sincerely,
Peggy Griffin

PUBLIC PARTICIPATION (PDF Page 3 of 156, top of page)
NOTE: 140 registered voters replied; 167 total respondents

When the first draft was prepared in 2022, the city held many public meetings to identify the Housing Element sites. A new city council majority was installed at the end of 2022. When the city prepared the second draft and third draft in 2023, the city held only one informational public meeting to confirm the Housing Element sites selection. Which style do you prefer?

☑	The city should have more public meetings on the Housing Element.	104 (119)
☐	The city can prepare the Housing Element without much public input.	16 (26)
☐	Not sure	10 (11)
☐	other	10 (11)

PUBLIC PARTICIPATION (PDF Page 3 of 156, bottom of page)
NOTE: 139 registered voters replied; 166 total respondents

In addition to the Housing Element site selection, the city needs to decide how those sites will be rezoned. This involves setting height, setback, and parking requirements, etc. The city didn't hold any public meetings on this matter. Do you think the city should provide public meetings to obtain public input?

☑	Yes	117 (134)
☐	No	11 (17)
☐	Not sure	5 (9)
☐	other	6 (6)

STRATEGY HE-1.3.6 Encourage Missing-Middle (FIRST BULLET) (Survey PDF Page 4 of 156, top of page)

NOTE: 141 registered voters replied; 168 total respondents

Cupertino's draft Housing Element allows all corner lots in single family house neighborhoods to become multi-family housing. Do you support this measure?

☐	Yes	35 (49)
☑	No	88 (98)
☐	Not sure	14 (16)
☐	other	4 (5)

STRATEGY HE-1.3.6 Encourage Missing-Middle (SECOND BULLET) (Survey PDF Page 4 of 156, bottom of page)

NOTE: 140 registered voters replied; 166 total respondents

Cupertino's draft Housing Element allows all single family houses behind or around a shopping center to become multi-family rental housing. Do you support this measure?

☐	Yes	50 (66)
☑	No	70 (76)
☐	Not sure	19 (22)
☐	other	1 (2)

STRATEGY HE- 2.3.9 Allowing Parkland Credit for sidewalks and trails (Survey PDF Page 5 of 156, top of page)

NOTE: 139 registered voters replied; 166 total respondents

Cupertino's draft Housing Element will consider counting sidewalks and trails through new development projects as "parkland". This will reduce the traditional types of parkland (e.g., playgrounds, picnic areas, athletic fields and courts, and undeveloped natural spaces). It will also reduce the fees that developers pay the city to create and maintain parkland. Do you support this measure?

☐	Yes	19 (25)
☑	No	107 (118)
☐	Not sure	11 (20)
☐	other	2 (3)

STRATEGY HE-2.3.6 Surplus Properties for Housing... (PDF Page 5 of 156, bottom of page)

NOTE: 138 registered voters replied; 165 total respondents

Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

☐	Yes	38 (52)
☑	No	78 (86)
☐	Not sure	15 (18)
☐	other	7 (9)

From: Long Jiao
Sent: Tuesday, March 26, 2024 8:21 AM
To: Peggy Griffin
Subject: ...Housing Element: Revised Third Draft

Hi Peggy,

Would you please respond with our current survey results? The updated survey results can be found here.

Thanks,
Long

Cupertino Voice Survey #6: Are You Aware of How the New Cupertino Housing Element Impacts Residents?

From 2024-03-03T00:00:00.000Z to 2024-03-31T00:00:00.000Z

Total Results:

Verified voters: 143 (Total: 170)

First the good news: The Cupertino City Council decided not to propose a ballot initiative for new taxes! Our survey results contributed to this decision. Thank you for participating in our previous surveys!

In this survey: the City of Cupertino is updating its Housing Element in order to meet state mandated Regional Housing Needs Allocations (RHNA) of 4,588 new housing units for the period of 2023 - 2031. It is not clear how many residents are aware of these changes or of how they might impact their neighborhoods. Please see here for details about RHNA and the Cupertino Housing Element.

Please share your opinions by answering the questions below.

California recently passed over 150 new housing laws that reduce or eliminate local city council decisions and control about the types of new housing and where it is built in our city. The city can only “ministerially approve” some projects which means that it gets approved by city staff with little or no public input. Do you think this is the right approach?

☐	Yes, state-level one-size-fit-all approach is right.	21 (33)
☑	No, the city understands its housing problem better than the state.	102 (112)
☐	Not sure	8 (10)
☐	other	10 (13)

The California Department of Housing and Community Development (HCD) uses a method (RHNA) and allocated many new units for the next eight years for almost all the cities. Cupertino is allocated 4,588 new units for 2023 to 2031. An audit by the California State Auditor has outlined several weaknesses in the RHNA methodology. Do you think HCD's mandated allocation is a good method to solve California housing problems?

☐	Yes, I trust HCD's intentions and methods.	21 (35)
☑	No, central planning organizations rarely consider all relevant local conditions.	102 (115)
☐	Not sure	7 (7)
☐	other	9 (9)

When the first draft was prepared in 2022, the city held many public meetings to identify the Housing Element sites. A new city council majority was installed at the end of 2022. When the city prepared the second draft and third draft in 2023, the city held only one informational public meeting to confirm the Housing Element sites selection. Which style do you prefer?

☑	The city should have more public meetings on the Housing Element.	104 (119)
☐	The city can prepare the Housing Element without much public input.	16 (26)
☐	Not sure	10 (11)
☐	other	10 (11)

In addition to the Housing Element site selection, the city needs to decide how those sites will be rezoned. This involves setting height, setback, and parking requirements, etc. The city didn't hold any public meetings on this matter. Do you think the city should provide public meetings to obtain public input?

☑	Yes	117 (134)
☐	No	11 (17)
☐	Not sure	5 (9)
☐	other	6 (6)

Cupertino's draft Housing Element allows all corner lots in single family house neighborhoods to become multi-family housing. Do you support this measure?

☐	Yes	35 (49)
☑	No	88 (98)
☐	Not sure	14 (16)
☐	other	4 (5)

Cupertino's draft Housing Element allows all single family houses behind or around a shopping center to become multi-family rental housing. Do you support this measure?

☐	Yes	50 (66)
☑	No	70 (76)
☐	Not sure	19 (22)
☐	other	1 (2)

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☐	Yes	19 (25)
☑	No	107 (118)
☐	Not sure	11 (20)
☐	other	2 (3)

Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

☐	Yes	38 (52)
☑	No	78 (86)
☐	Not sure	15 (18)
☐	other	7 (9)

Do you have more comments about the current draft Housing Element?

☐	other	38 (45)

Which topics would you like to have in our future surveys?

☐	other	19 (24)

Individual ballots:

Verification code: 0102f87fb3edd9854428999477217779 (Verified voter)

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- ○ Yes, state-level one-size-fit-all approach is right.
- ○ No, the city understands its housing problem better than the state.
- ○ Not sure
- ○

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- (●) Yes, I trust HCD's intentions and methods.
- ( ) No, central planning organizations rarely consider all relevant local conditions.
- ( ) Not sure
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- ( ) The city should have more public meetings on the Housing Element.
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In addition to the Housing Element site selection, the city needs to decide how those sites will be rezoned. This involves setting height, setback, and parking requirements, etc. The city didn't hold any public meetings on this matter. Do you think the city should provide public meetings to obtain public input?

- ○ Yes
- ◉ No
- ○ Not sure
- ○

Cupertino's draft Housing Element allows all corner lots in single family house neighborhoods to become multi-family housing. Do you support this measure?

- ◉ Yes
- ○ No
- ○ Not sure
- ○

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- ◉ Yes

- ○ No
- ○ Not sure
- ○

Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

- ◉ Yes
- ○ No
- ○ Not sure
- ○

Do you have more comments about the current draft Housing Element?

- ◉

Which topics would you like to have in our future surveys?

- ○

Verification code: 01ec045ea8c6c481c5c1e2655089a561 (Verified voter)

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Verification code: 02473819df0cc7d5e4c7a420f479cbfd

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Verification code: 061d7b181522dae5aef91da2f5c42e82 (Verified voter)

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- [ ]

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Do you have more comments about the current draft Housing Element?

- ○

Which topics would you like to have in our future surveys?

- ○

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- ◉ Yes
- ○ No
- ○ Not sure
- ○

Do you have more comments about the current draft Housing Element?

- ○

Which topics would you like to have in our future surveys?

- ○

Verification code: 1ec94517b6bacaa12c6f7d957de7bf7a

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

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Which topics would you like to have in our future surveys?

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Verification code: 2a6cad6301a637ff3f1a25e4ad97b5f3 (Verified voter)

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- ○ Not sure
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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

- ◉ Yes
- ○ No
- ○ Not sure
- ○

Do you have more comments about the current draft Housing Element?

- ○

Which topics would you like to have in our future surveys?

- ○

Verification code: 35bcacb185591ce114b13227b62c8240 (Verified voter)

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

- [ ]

Which topics would you like to have in our future surveys?

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Verification code: 3fd3e80f6f1ba6ffb54e2db5a484289d

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

- [ ] Has comments

Which topics would you like to have in our future surveys?

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Do you have more comments about the current draft Housing Element?

- ○

Which topics would you like to have in our future surveys?

- ○

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

- [ ]

Which topics would you like to have in our future surveys?

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Verification code: 75ea5b72b96cc7892aac2a92e2843e46 (Verified voter)

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

- [ ]

Which topics would you like to have in our future surveys?

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Verification code: 82ba90491e093e116a7f9974c6317425 (Verified voter)

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Do you have more comments about the current draft Housing Element?

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Verification code: 9e80922a3fe604c100745503af21a9f0 (Verified voter)

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Cupertino's draft Housing Element allows all corner lots in single family house neighborhoods to become multi-family housing. Do you support this measure?

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

- ○

Which topics would you like to have in our future surveys?

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Do you have more comments about the current draft Housing Element?

- [ ]

Which topics would you like to have in our future surveys?

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Verification code: b08454045970819a31c1a1d55c0b1711 (Verified voter)

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

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Verification code: c6a362e5bc7c1ebed41b1e59279b02aa (Verified voter)

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Cupertino's draft for Housing Element allows high density housing on all school sites. Do you support this measure?

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Do you have more comments about the current draft Housing Element?

- ○

Which topics would you like to have in our future surveys?

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Verification code: e7434e76724b2d7b427a71cbf3d43f34 (Verified voter)

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From: Griffin
To: City of Cupertino Planning Commission
Cc: City Clerk
Subject: 4-29-2024 Planning Commission Meeting-ITEM2 Housing Element
Date: Monday, April 29, 2024 11:42:10 AM
Attachments: PGriffin COMMENTS for DRAFT3 of Housing Element-2024-02-23.pdf

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

PLEASE INCLUDE THIS EMAIL AND IT'S ATTACHMENT AS WRITTEN COMMENT FOR THE ABOVE PLANNING COMMISSION MEETING AGENDA ITEM 2.

Dear Planning Commission,

Below are the comments I submitted for the "Revised Draft3 Housing Element" in March. Nothing was changed or addressed.

I hope you will take these and all comments seriously and make changes to the draft.

REMINDER...It is a "Draft" and you have the power to make changes, especially to correct the massive, excessive policies and strategies that NEVER were vetted in public or through our commissions! And now, they are being rammed through at a special meeting!

SPECIAL NOTE: Our city's current ADU code allows a max if 4 units on a R1 lot and a max of 4 units on a R2 lot all across Cupertino, not just on selected lots. There is NO NEED for STRATEGY HE-1.3.6 Encourage Missing-Middle!

Sincerely,
Peggy Griffin

From: Peggy Griffin

Sent: Wednesday, March 27, 2024 6:49 PM
To: 'housing@cupertino.org' <housing@cupertino.org>
Cc: 'City Clerk' <CityClerk@cupertino.org>; 'Luke Connolly' <LukeC@cupertino.org>
Subject: COMMENTS on Revised Draft3 of 2023-2031 Housing Element

IMPORTANT: PLEASE INCLUDE THIS EMAIL AND IT'S ATTACHMENT AS WRITTEN COMMENT FOR THE Revised Draft3 2023-2031 Housing Element.

Dear Housing Element Team,

Below are new comments. Since there were very few changes to this revision of DRAFT 3, I am also including as an attachment, my previous comments. They still apply unfortunately.

Sincerely,
Peggy Griffin

PUBLIC PARTICIPATION
Still abominable! Outreach BEFORE THIS HE IS APPROVED needs to be done directly to all lots that are covered in Strategy HE-1.3.6. These people DO NOT KNOW – or is that the intent?

STRATEGY HE-1.3.6 Encourage Missing-Middle – General comment
Although the change from R3 to R2 is a significant improvement, this is still a huge over-reach with NO public discussion and NO notification to the lots that are potentially impacted!

1. It is NOT CLEAR that the intent is a maximum of 4 units per R1 lot. This needs to be CLEAR, not just give examples!
2. It is NOT CLEAR that this would REPLACE the ability to have ADUs. If an R1 lot changes to R2 with 4 units, then by CA law, they can still have 2 additional ADUs!!! This is excessive!
3. NOTIFY ALL EFFECTED LOTS - You need to notify all R1 lots that are impacted by this BEFORE the Housing Element comes to the Housing Commission, Planning Commission and City Council meetings.
4. PRESERVE HISTORIC NEIGHBORHOODS - Historic neighborhoods need to be preserved like the Echler-designated areas.
5. PRESERVE THE OVERLAYS - Neighborhoods with overlays like R1-a, R1-e, have these to preserve the look and feel of the neighborhood. These need to be addressed and maintained.
6. PRESERVE THE SEMI-RURAL DESIGNATIONS – Areas with a semi-rural designation have a look and feel that gives the neighborhoods their uniqueness, identity and history.

STRATEGY HE-1.3.6 Encourage Missing-Middle – BULLET 1 Corner Lots
If ADUs are still allowed on an R2 conversion lot then REMOVE THIS STRATEGY! It is excessive.

STRATEGY HE-1.3.6 Encourage Missing-Middle – BULLET 2 lots behind/touching commercial on arterials/major collectors
This needs to GO AWAY (DELETE IT)! It impacts entire streets without proper notification. It has the potential of impacting lots that owners would not even expect would be impacted.

STRATEGY HE-1.3.6 Encourage Missing-Middle – NEW BULLET 3 Maximum average unit size
This is NOT CLEAR what you are trying to prevent or accomplish. Be clear!
You can have 2 HUGE units and 2 tiny, tiny units and the math works. If what you want is all the units to be reasonable, then specify that the difference in unit size can't be more than x% of total square footage of the largest unit.

STRATEGY HE-2.3.9 BULLET 2 - Parkland Credit for sidewalks and trails
DO NOT ALLOW parkland credit for pedestrian connections and trails.. This is just shared open space for the residents of the complex. This also leaves the land under the control of the developer so free speech and activities can be compromised by their rules. People can be prevented from activities or access that they would normally be allowed on public land!

COMMENTS for DRAFT3 of Cupertino's 2023-2031 Housing Element

DATE: Friday, February 23, 2024 at 2:40 pm
FROM: Peggy Griffin

COMMENT 1 – LACK OF ANY PUBLIC PARTICIPATION (HCD Dec. 15, 2023 Letter):
The city has had NO PUBLIC MEETINGS AT ALLl to discuss, comment, question or provide suggestions on the Housing Element Goals, Policies and Strategies in a public forum. Page 5 of the December 15, 2023 HCD Letter specifically states that public participation is a requirement!

C. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(9).)

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. HCD particularly encourages the City to continue engaging commenters on this review. Public comments previously

City of Cupertino's 6th Cycle (2023-2031) Revised Draft Housing Element Page 5
December 15, 2023

- On July 25, 2023 City Staff held a "Study Session and staff presentation on the 6th Cycle Housing Element Update" BUT regarding the Goals, Policies and Strategies chapter - NO PRESENTATION OR DISCUSSION WAS ALLOWED! The only discussion was to confirm the sites selection. NOTHING else was allowed.

- Since Mid-2022, NO MEETINGS have been held/scheduled to allow the public or our Housing and Planning Commissions to discuss, ask questions, and provide input to ANY of the Goals, Policies and Strategies in the 2023-2031 Housing Element document!
- The Housing and Planning Commissions are both tasked to provide input to our General Plan and the Goals, Policies and Strategies within our General Plan yet they have NOT BEEN ALLOWED TO DO SO – NOT ALLOWED to discuss and provide input publicly on the Housing Element Goals, Policies and Strategies!

- As far back as September 8, 2022, the Housing Commission was begging the City Council and City manager to allow them to contribute to the Housing Element Update (Reference Housing Commission Agenda on 9-9-2022, Item #2)

- Nor have the members of our City Council had an opportunity to be presented with what is proposed, discuss it, ask questions and provide input! NOTHING IN PUBLIC!

- This latest DRAFT3 was posted on February 16, noticed and available for the minimum required 7-day period. That's it. Nothing else.

COMMENT 2a – General – Waivers and Reductions to ALL Requirements

This Housing Element tries to significantly reduce our Park Land requirements, the mitigation fees associated with this requirement with no significant affordability increase. This is a giveaway to developers that are building market-rate and luxury homes.

No requirements should be waived or reduced for "moderate income" housing which is 80-120% of AMI! This because when this income level is used, instead of the lower end (80%), the builder uses the upper end (120%). That is NOT AFFORDABLE housing! Only consider reductions for LOWER INCOME OR BELOW or what is considered "LOW INCOME" (up to 80% of BMI) in the table below.

Table below is from https://www.cupertino.org/our-city/departments/community-development/housing/below-market-rate-housing-program/bmr-rental-program

2023 Housing & Community Development (HCD) Maximum Income Limits*
BMR Rental Program

Household Size	1	2	3	4	5	6
Very-Low Income (Up to 50% AMI)	$62,450	$71,400	$80,300	$89,200	$96,350	$103,500
Low Income (Up to 80% AMI)	$96,000	$109,700	$123,400	$137,100	$148,100	$159,050

**Effective June 06, 2023. Income Limits will be updated each year by HCD. AMI refers to Area Median Income.*

- Acutely low income: 0-15% of AMI
- Extremely low income: 15-30% of AMI
- Very low income: 30% to 50% of AMI
- Lower income: 50% to 80% of AMI; the term may also be used to mean 0% to 80% of AMI
- Moderate income: 80% to 120% of AMI

To give you a perspective, a recent cooking job at a local Cupertino restaurant was posted for $25/hr which is high compared to servers, etc.

$25/hour * 40 hours/week = $1,000/week before taxes

$1,000/week * 52 weeks/year = $52,000/year before taxes

A couple both working at this restaurant as cooks would earn $104,000/year before taxes

DO NOT REDUCE OR WAIVE requirements for anything above 80% of AMI

COMMENT 2b – General Affordability – incentivize smaller sized starter homes

The trend is to provide HUGE 2,000 sf plus units which are not affordable by definition. What we need are smaller starter homes that are 1,000-1,500 sf homes. To enable this:

- PROVIDE INCENTIVES for smaller starter for-sale units.

COMMENT 3 - Page H-17 Strategy HE-1.3.6 Encourage Missing-Middle Housing Developments

Strategy HE-1.3.6 Encourage Missing-Middle Housing Developments to Affirmatively Further Fair Housing. The City will ~~help facilitate the gentle increase in density within neighborhoods by~~ encourage~~ing~~ the development of missing-middle housing that ~~are~~is affordable by design. This will also help the incorporation of rental housing within the existing primarily 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 R3 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 R3 zoning regulations to encourage missing middle housing.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Complete zoning code changes by December 2024.*

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-Phorlan and South Blaney neighborhoods and lower-density neighborhoods.*

H-17

- BOTH BULLETS…
  - This strategy is aimed at the "missing middle". According to Wikipedia, "The term "missing middle" is meant to describe housing types that were common in the pre-WWII United States such as duplexes, rowhouses, and courtyard apartments …missing middle housing emphasizes building at a human scale and heights that are appropriate for single-family neighborhoods or transitional neighborhoods."

    This means R2, NOT R3 zoning because R2 is duplexes, etc. Heights are appropriate for single-family neighborhoods and investors cannot invoke density bonus to obliterate height, setback and parking regulations.
  - There is NO PROVISION for protecting historic neighborhoods like Echler-designated areas such as Fairgrove.

- FIRST BULLET…Change R3 to R2 (duplexes) because

    - Replacing the R-3 with R-2 is a better transition for neighborhoods. Duplexes can be made to look like a single home yet it is double the density.
    - It increases the probability of owner-occupied units from 1 to 2, doubling the density.
    - The combination of allowing R2, NOT R3 zoning, with the addition of ADUs on duplex lots, allows for a combination of home ownership (duplex) and rentals (ADUs), both of which provide opportunities for the "missing middle".
    - The current strategy as written, requires units to be rentals. Changing to R2 would allow home ownership at a reduced price, something that is much needed, BUT would fit in with most neighborhoods.
    - R2 also allows ADUs on the property which would combine ownership duplexes with ADU rentals thus increasing the missing middle opportunities.
    - It is less likely to impact adjacent properties which in turn encourages this approach to increasing density.
    - Allowing R3-zoning as it is written today, allows for the use of density bonus law to eliminate the height, setbacks and parking requirements which would DESTROY the look and feel of neighborhoods, each of which have their own unique look and feel throughout our city. These unique neighborhoods build community and identity.

- SECOND BULLET…REMOVE IT COMPLETELY…it refers to property that "abuts (shares a property line or is directly across the street from) property.

    - It is SO OBTUSE that most residents would not be aware of its impact on them.
    - Also, it is too far reaching, when we already have designated, HE sites that are far more than is required by RHNA and
        - we have not included the typical annual ADU productions in our RHNA counts
        - nor included the probable increase in ADU production as a result of recent ADU municipal code changes.

COMMENT 4 - PAGE H-18 Strategy HE-1.3.7 Lot Consolidation, 5th bullet

- THE 5TH BULLET…Lot consolidation to accommodate affordable housing units…allowing affordable projects to exceed max height limits, reduce setbacks, reduce parking requirements…ONLY ALLOW THIS FOR LOWER INCOME LEVELS, NOT for moderate or above-income units. The incentives need to increase as affordability increases (gets lower). Don't giveaway everything without tangible returns!

- 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 ~~approach the City~~ ~~interested in lot consolidation~~ and the development of affordable housing ~~developmen~~projects on small lots~~,~~ ~~for the development of affordable housing,~~ 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 ~~January~~December2025~~4~~, offer incentives by ~~December~~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.~~Ongoing~~*
Funding Sources:	*None required.*
Objectives:	*27 moderate~~-~~income units, and 48 above moderate-income units. ~~N/A~~ Prioritize projects for lower-income households in areas*

COMMENT 5 - Page H-28 Strategy HE-2.3.1 Bullet #…Lot line adjustments

- REMOVE THE LOT LINE ADJUSTMENTS…Since we have had NO PUBLIC PARTICIPATION this appears to be the equivalent of doing immanent domain on adjacent property owners (even on public land). This increases profits for one developer at the loss of public land and/or adjacent private property.

> • Facilitate the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable ~~100~~50~~%~~ percent (of the total number of units) affordable housing

H-28

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

> development and process fee deferrals related to the subdivision for 50 percent (of the total number of units) affordable projects.

COMMENT 6 - PAGE H-30 Strategy HE-2.3.4 Office and Industrial Housing Mitigation Program

- I endorse this step to require BMR mitigation fees from developers of office and industrial space BUT NOT COMMERCIAL SPACE. Cupertino is losing retail at an enormous rate, partly as a result of HCD's requirements to convert commercial space into housing. We need to encourage retail so that residents have places to shop without going elsewhere and to maintain our tax revenue base.

COMMENT 7 - PAGE H-35 Strategy HE-2.3.6 Surplus Properties for Housing and Faith-Based Housing, BULLET 4

- BULLET 4 - DO NOT PUT HOUSING ON SCHOOL SITES! In Cupertino, these sites are our parks and open spaces. As our density increases, we need areas where our residents can have opportunities to go outside and recreate, exercise, play safely, learn sports, etc.

> • Encourage long-term land leases of properties from churches, ~~school districts,~~ and corporations for construction of affordable units.

COMMENT 8 - PAGES H-36 and H-37 Strategy HE-2.3.7, BULLETs 6 and 7

- DO NOT WAIVE park dedication fees and construction tax. The park dedication fee goes towards the purchase and also improvements of neighboring parks. As density increases, the use and wear and tear of our city parks increases. Consider only reducing the requirement for lower income levels or below, NOT FOR moderate income levels or above. Make it proportional to the affordability of the units. The more affordable the units, the increase in reduction but do not eliminate it completely!

- DO NOT WAIVE the parking ordinance. Consider reducing the requirement for lower income and below affordable units only. DO NOT reduce for moderate income levels. Make it proportional. The more affordable the units, the increase in reduction but do not eliminate it completely!

- ~~Waiver of park dedication fees and construction tax~~
- ~~Parking ordinance waivers.~~

COMMENT 9 - PAGE H-38 Strategy HE-2.3.9

DO NOT ALLOW parkland credit for pedestrian connections and trails. This is just shared open space for the residents of the complex as required by our municipal code. This also leaves the land under the control of the developer so free speech can be compromised by their rules. People can be prevented from activities that they would normally be allowed to do if it was normal public land!

Strategy HE-2.3.9~~1.3.10~~ ~~Lower Fees for Multi Family Housing Projects~~Review Impact Fees. ~~Cupertino has development fees that are among the highest in the region.~~ To ensure that impact fees are not a constraint on the development of housing, ~~T~~the City will:

- ~~r~~Review and revise impact fees ~~to ensure they are not a constraint on the development of housing. The City will~~by researching surrounding jurisdictions to determine other possible fee structures and will consider:
  - Alternatives, such as privately ~~-~~owned, publicly accessible (POPA) areas, or allowing parkland credit for pedestrian connections and trails. ~~The City will also~~

COMMENT 10 - PAGE H-44 Strategy HE-3.3.1 Residential Rehabilitation

- BMR FUNDS SHOULD NOT BE USED to help wealthy residents fix up their homes! Don't just look at income but look at total assets if considering this. I can see the BMR FUND being drained without providing additional new units because of this strategy and others that are proposing using BMR Funds.

- Before using BMR Funds for this purpose, prioritize preserving At-Risk BMR Housing Units (Strategy HE-3.3.2).

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.

COMMENT 11 - PAGE H-48 and H-49 Strategy HE-3.3.5 Park Land Ordinance

- DELETE THIS STRATEGY! It is a free giveaway to developers of luxury, moderate and above housing. The incentives for affordable units are covered in other strategies that provide incentives to build more affordable units. Don't give this away!

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.

COMMENT 12 - Policy HE-4.1 ENERGY AND WATER CONSERVATION

- **ADD A STRATEGY** that eliminates any and all incentives if a project is not using the latest approved building codes and Bird Safe/Dark Skies ordinances.

- **ADD A STRATEGY** that protects homes and businesses that have installed solar from neighboring shadows on their panels. This encourages owners/businesses to install solar with assurances that their investments will not be destroyed by neighboring construction.

COMMENT 13 - SENIORS TO ALLOW THEM TO STAY IN THEIR HOMES

- ADD A STRATEGY to consider providing the ability for Cupertino seniors to join the Avenidas organization or something similar through the Senior Center.

- ADD A STRATEGY that matches seniors living alone, widows, etc. with vetted students or vetted workers in need of housing, in exchange for some senior-support needed.

- ADD A STRATEGY to help seniors locate trustworthy, vetted people to do handyman, gardening, repairs, etc.

- ADD A STRATEGY to pair seniors with young people for activities.

- ADD A STRATEGY that would encourage seniors to provide first-hand oral history of their personal experiences to local schools when they are studying specific periods in time or group discussions of shared experiences during key historic events.

From: Connie Cunningham
To: City of Cupertino Planning Commission; Piu Ghosh (she/her)
Subject: 2024-4-29 PC Agenda Item 2, Public Hearing; request to add a strategy
Date: Monday, April 29, 2024 12:40:45 PM
Attachments: 2022-9-16 Letter City Process for Unhoused.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

2024-4-29 PC Agenda-HE Agenda Item 2, Public Hearing HE and Associated GPA Amendments

Dear Chair Fung, Vice Chair Lindskog and Commissioners:

First I want to thank the outstanding and professional Cupertino City Staff who have prepared this Housing Element. The date of April 10, 2024 when HCD stated: HCD is pleased to find the revised draft housing element meets the statutory requirements of State Housing Element Law …" was a time for celebration.

This 6th Cycle Housing Element reads like poetry to me. There are so many fine ideas captured within its pages! I reread my favorite lines many times. It makes me proud that Cupertino has reached this point. Tonight I am pleased to share my agreement with the zoning changes and other details that are being considered.

I do have one request. I urge you to add Strategy HE- 5.1.7 to Goal HE-5 Special Services, to help those who are unhoused in Cupertino.
I have provided a draft of this proposed Strategy below.

Goal HE-5 Special Services (page H 48)
Policy HE-5.1 Lower-Income and Special-Needs Households

Add Strategy HE-5.1.7 City's Process for Assisting Unhoused Individuals.
In accordance with Cupertino City Council Resolution 20-140, adopted on December 15, 2020, the City will continue to use its resources to provide support to the Santa Clara County Community Plan to End Homelessness. The Cupertino community has expressed concern about unhoused individuals living on Cupertino property. The final sentence of the Resolution states: "The process to prioritize outreach and engagement to build trust and rapport has shown to be the most effective approach at

helping unhoused individuals on a path to housing and addressing the community's concerns." (underlining is mine)

Responsibility: Submit a request through Cupertino 311 app or www.cupertino.org/311 For emergency situations, call 911. To request a non-emergency welfare check, call 408-299-2311.

Timeframe: Ongoing

Funding Sources: None required

Objectives: Support the SCCC Plan for Homelessness, Strategy 3, Improve quality of life for unsheltered individuals and create healthy neighborhoods for all.

Thank you, Chair Fung, Vice Chair Lindskog, and Commissioners, for your time tonight. You provide a critical service to the City and the community of Cupertino.

Sincerely,

Connie L. Cunningham
Chair, Housing Commission (self only)

PS. I have attached Cupertino City Council Resolution 20-140 below for your reference.

CUPERTINO

CITY MANAGER'S OFFICE

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3212 • FAX: (408) 777-3366
CUPERTINO.ORG

September 16, 2022

Cupertino City Council Resolution 20-140, adopted on December 15, 2020, endorsed the Santa Clara County Community Plan to End Homelessness. The City of Cupertino's (City) process listed below addresses Strategy 3: Improve quality of life for unsheltered individuals and create healthy neighborhoods for all. The City has received input from the community regarding concerns of unhoused individuals living on Cupertino property. Working to address these concerns as quickly and effectively as possible is important to the City. There are many social and legal hurdles that must be considered when working on these scenarios. Recent court cases have upheld the rights of unhoused individuals to occupy public property if alternative housing options and certain levels of support are not available to these individuals. These necessary services are not directly provided by the City and therefore the City must engage with other entities to ensure these services are available.

Many individuals experiencing homelessness simply need assistance to change their unhoused situation. For this reason, the City of Cupertino has taken an approach that focuses first on ensuring the well-being of the unhoused individuals, second on informing the individuals of the assistance available to them, and third on assisting the individual to a setting that can provide services. These steps require time to properly implement.

For emergency situations, call 911. To request a non-emergency welfare check, call 408-299-2311.

The City's Process for Assisting Unhoused Individuals:

1) To notify the City of unhoused individuals or encampments, submit a request through Cupertino 311 app or www.cupertino.org/311.

2) City contacts County Office of Supporting Housing (OSH) who engages the individual, offering available assistance services to them. In cases where individual accepts services, the individual is typically taken to facilities where assistance is provided.

3) City may request County Sheriff's Office to engage with individual(s) and perform a wellness check. For individuals needing immediate medical assistance, the Sheriff's Office will initiate emergency medical services. The Sheriff's Office will notify the City of its assessment.

4) Where individuals are not willing to immediately accept services, the City continues to coordinate with OSH in additional outreach. OSH and non-profit contractors work to build trust with the individual towards having the individual accept the assistance available.

5) During the OSH outreach period, OSH provides the City with its assessment of its efforts. If continued efforts do not result in the individual accepting assistance, OSH provides the City with a determination that continued efforts will not result in the individual relocating to assistive services.

6) City initiates an encampment resolution process. This process follows the steps required to notice the encampment occupants of the City's intent to dismantle the encampment and to have the area cleared of any items that remain at the location. The resolution process requires the City to work with OSH to secure available shelter options for each individual at the location. Any items of apparent value will be stored for up to 90 days. A posted notice at the location will provide guidance to individuals on how to retrieve their belongings.

An encampment resolution is the final effort to have an encampment removed from City property. This step typically results in individuals relocating to another site, whether a sanctioned shelter or another unsanctioned location, and the site is cleaned up by City led forces. If individuals relocate to another unsanctioned location, the City's process steps are reinitiated upon notification of the new encampment.

The City makes every effort to engage with unhoused individuals and to provide to them the services available to help them off the streets. The encampment resolution phase is considered a last resort as this typically does not result in the individual being assisted off the street.

The process to prioritize outreach and engagement to build trust and rapport has shown to be the most effective approach at helping unhoused individuals on a path to housing and addressing the community's concerns.

From: Connie Cunningham
To: City of Cupertino Planning Commission; Piu Ghosh (she/her)
Subject: 2024-4-29 PC Agenda-HE Agenda Item 2, Public Hearing , Small request
Date: Monday, April 29, 2024 2:41:30 PM

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2024-4-29 PC Agenda-HE Agenda Item 2, Public Hearing HE and Associated GPA Amendments

One small request.

Dear Chair Fung, Vice-Chair Lindskog, and Commissioners:

First, I want to thank the outstanding and professional City Staff who have prepared this Housing Element. The date of April 10, 2024 when HCD stated: HCD is pleased to find the revised draft housing element meets the statutory requirements of State Housing Element Law …" was a time for celebration.

This 6th Cycle Housing Element reads like poetry to me. There are so many fine ideas captured within its pages! I reread my favorite lines many times. It makes me proud that Cupertino has reached this point. Tonight, I am pleased to share my agreement with the zoning changes and other details that are being considered.

Of all the topics that I found exciting to see in this Housing Element, I can easily name my top four favorites, all under Exhibit GPA-1 Chapter 3. Land Use Element

I. Policy LU-1.3 Land Use in all citywide mixed-use districts

a. Thank you for revising LU-1.3.1.3 (some numbers have natural rythmn!)

LU-1.3.1.3 On sites with a mixed-use residential designation, residential densities are established in Figure LU-2 with specifics in the land use map, where required, with land use designations defined in Appendix A. This version has removed the requirement that property be in the Housing Element!!! I loved seeing the edit lines that crossed out the previous wording. I remember the time that a property owner was thinking to build homes on a property facing Stevens Creek Blvd. The owner never did. Only later did I find out that the former LU 1.3.1.3 prevented that site from building housing because it wasn't on the Housing Element!

b. Thank you, also, for revising LU-1.3.1.4 (slightly different beat, but good!)

LU-1.3.1.4. 100% residential development is allowed on mixed-use sites, if at least 40% of the total

units are affordable including at least 20% of the total units affordable to lower income households. This version has removed the requirement for conditional use permits!!!

II. Very near and dear to my bird-loving heart, farther down in the same Chapter 3, Land Use Element, thank you for adding two policies LU-3.5 Light Pollution and LU-3.6 Bird Safety. Cupertino is located on the Pacific Flyway, an important bird migration route.
The Bird Safe Design and Dark Skies Ordinance was passed in 2021, and was an achievement consistent with our environmental achievements listed under Environmental & Sustainability Programs on the Cupertino website.

a. POLICY LU-3.5: LIGHT POLLUTION

Reduce light pollution and other adverse effects associated with night lighting from streets and urban uses.

STRATEGIES:
LU-3.5.1: Dark Sky Ordinance. Maintain Glass and Lighting Standards in the City's Municipal Code and require new development and other applicable projects to comply with the adopted ordinance standards, which provide Dark Sky regulations to reduce light pollution.

b. POLICY LU-3.6: BIRD SAFETY
Enhance bird safety and reduce bird mortality from windows, other glass features, and certain lighting elements that are known to increase the risk of bird collisions.

STRATEGIES:
LU-3.6.2: Bird Safe Design Ordinance. Maintain Glass and Lighting Standards in the City's Municipal Code and require new development and other applicable projects to comply with the adopted ordinance standards, which provide Bird Safe Design regulations to reduce the potential risk of bird collisions.

REQUEST: Please add a link to the Ordinances since the titles of the Ordinances are different when you look them up on the website. Please add the titles of the regulations, as I have listed them below.
https://codehub.gridics.com/us/ca/cupertino#/d3ef8742-594e-4e92-bb0d-0fbb09d855bd/68dadeb1-0691-4c82-a9e1-11e6e40f268f/d4e276fc-f357-4a5b-aafd-9b05edb343d7

19.102 Glass and Lighting Standards
19.102.010 Purpose
19.102.020 Applicability of regulations
19.102.030 Bird-safe Development Requirements
19.102.040 Outdoor Lighting Requirements

Thank you, Chair Fung, Vice Chair Lindskog, and Commissioners, for your time tonight. You

provide a critical service to the city and the community of Cupertino.

Sincerely,

Connie L. Cunningham
Chair, Housing Commission (self only)
Audubon Member

From:	Jennifer Griffin
To:	City of Cupertino Planning Commission; City Clerk
Cc:	grenna5000@yahoo.com
Subject:	Environmental Impact Report for Housing Element
Date:	Monday, April 29, 2024 3:05:00 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission:

(Please include this as public comment on item Number 2: Housing Element in Planning Commission meeting for 4/29/24).

Could you please explain what type of Environmental Impact Report or Environmental Impact Statement the Housing Element will have and whether this needs a General Plan Amendment? Normally the city can only make four or five General Plan Amendments per year.

Will this compromise the city's ability to make other General Plan Amendments later in the Year, such as in the case of the two new hotels?

Thank you.

Sincerely,

Jennifer Griffin

From:	Jennifer Griffin
To:	City of Cupertino Planning Commission; City Clerk
Cc:	grenna5000@yahoo.com
Subject:	Priority Housing Sites on Corner Lots, By Commercial, By Transit
Date:	Monday, April 29, 2024 3:43:26 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission:

I am very shocked to see HCD adding items to our Housing Element that no one knew was in The Housing Element. How did our Housing Element wind up with every corner lot in the city, Including R1 areas being allowed to become apartment buildings?

Lots next to retail/commercial, across the street from retail and commercial and along "Transit Corridors" are supposed to become high-density apartment buildings? Why? Is this HCD being sneaky and disrespecting the residents of Cupertino and letting builders Build any old place in the city?

This is a big walk out on a limb that HCD is taking, especially with the RHNA numbers being wrong In the first place. I think HCD is being a bit over-demanding in what they are trying to build in Cupertino since a lot of the premise on what this Sixth Cycle Housing Element is based on is already on shaky ground.

It is common knowledge that HCD decertified Portola Valley in April, 2024 for not rezoning fast Enough for HCD's liking. Portola was only given their certification by HCD in January, 2024. What is the rush HCD is having to start harassing a city like Portola Valley after three months? This makes no sense at all. Is HCD going to do this to Cupertino too? Harass us like HCD Is harassing Portola Valley?

HCD told Los Gatos to get rid of their story poles last month so they could get certified. What do story poles have to do with certification? HCD told Los Altos they had to get Rid of their Story Poles too last August so they could get certified. Again, what do story poles have to do with certification? It sounds more and more like HCD just makes Things up that each city has to do to get certified. Each city is being treated differently. HCD is making up its own rules as it goes along.

Why am I not surprised to see strange zoning codes for apartment buildings on R1 Corner lots, apartment buildings on R1 by commercial/retail, apartment buildings on R1 across the street from commercial/retail and apartment buildings on R1 by streets with Buses called "high quality transit". This is something HCD dreamed up and put in the Cupertino Housing Element. None of the public knew it was in there. No one asked us. We are just expendable.

It is actions like this that make me wonder if HCD is even competent enough to carry out A Housing Element. HCD has a flimsy narrative with the RHNA numbers and now is Going down the road of keeping the public in the dark and taking advantage of the city. What kind of behavior is that for a supposed state agency?

Sincerely,

Jennifer Griffin

From: Connie Cunningham
To: City of Cupertino Planning Commission; Piu Ghosh (she/her)
Subject: 2024-04-29Link for Public Comment, Connie Cunningham
Date: Monday, April 29, 2024 4:05:09 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi When I am making public comment on the HE this evening, could you put this link up on the screen for the Bird Safe Dark Skies Ordinance when I come to that part? Thank you, Connie

REQUEST: Please add a link to the Ordinances since the titles of the Ordinances are different when you look them up on the website. Please add the titles of the regulations, as I have listed them below.

https://codehub.gridics.com/us/ca/cupertino#/d3ef8742-594e-4e92-bb0d-0fbb09d855bd/68dadeb1-0691-4c82-a9e1-11e6e40f268f/d4e276fc-f357-4a5b-aafd-9b05edb343d7

19.102 Glass and Lighting Standards
19.102.030 Bird-safe Development Requirements
19.102.040 Outdoor Lighting Requirements

STRATEGIES:

From: Rhoda Fry
To: City of Cupertino Planning Commission
Subject: Agenda Item #2 - housing element comments
Date: Monday, April 29, 2024 5:33:58 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission,

Regarding the housing element, I was shocked by the number of changes that have been made recently without public participation. One of these is the policies. With so many high-density sites already defined, we do not need to be adding more. I would have liked to see these late additions removed.

Regarding the Evulich Court site. All of a sudden the site could grow by 0.4 acres because the public road into the site could be purchased by the property owner.
Unfortunately the GPA-2022-001 (see below snip) is very hard to read because it only lists APNs – so many other documents also listed addresses and it would have been better to list them here.
Originally, the combination of four properties was expected to generate a maximum of 89 homes.
With the addition of the road into the property, it is now expected to generate a maximum of 104 homes.
And who knows how many more could be added after throwing in a few density bonuses.
While I do think that it is a good idea to include the public road into the project to improve the distribution of new homes, I do not think that it should increase the effective housing density by 20%.
Can you please modify the density of this "Transportation lot" for adding no density to the project?

356 06 001	0.73	Res Low 1-5	5	30	Residential – Medium/ High Density	20.01	35	30
356 06 002	0.69	Res Low 1-5	5	30	Residential – Medium/ High Density	20.01	35	30
356 06 003	0.25	Res Low 1-5	5	30	Residential – Medium/ High Density	20.01	35	No change
356 06 004	0.87	Res Low 1-5	5	30	Residential – Medium/ High Density	20.01	35	No change
N/A (Evulich Ct)	0.43	Transportation	0	0	Residential – Medium/ High Density	20.01	35	No change

Also, I am concerned about the Housing Element not having CEQA. When a developer needs to do CEQA, they have nothing to tier off of. How do you decide which projects are infill and which are not? While I am not personally affected by traffic on Linda Vista, I am keenly aware of traffic in the tri-school (Lincoln, Kennedy, Monta Vista) area and cannot imagine what adding 104 homes (plus density bonus plus other projects in the area in turning corner lots into multi-family) would do to traffic. Where is the study on that? And with all of that traffic, can an emergency-vehicle get in or out of the area timely? And I'm just using this site as an example – I am confident that there are other issues within the housing element as well that should get ironed out.

Finally we need to do what we can to retain our park space. I was dismayed to see that the park mitigation fees could go down. By allowing higher density on so many properties, the property values of those properties have increased and should have an appropriate fee to provide additional park space. I would also like to see the calculations that were derived in the document for the decline of park space as specified in our General Plan and the use of that new lower number as a benchmark.

Sincerely, Rhoda Fry

Virus-free.www.avg.com

From: Santosh Rao
To: City of Cupertino Planning Commission; Benjamin Fu; Chad Mosley; Luke Connolly
Subject: Please publish address along with APN for HE sites.
Date: Monday, April 29, 2024 6:25:50 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Planning commission and Chad, Ben, Luke,

This is a comment on HE site locations in attachment for agenda item 2 for planning commission meeting today.

Please publish the site address in addition to APN. It is very challenging to individually lookup the address for each APN provided. Please make it easier for residents to know what locations are designated HE sites.

Thank you.

Thanks,
Santosh Rao

From:	Jennifer Griffin
To:	City of Cupertino Planning Commission
Cc:	grenna5000@yahoo.com
Subject:	Fwd: Park Land Dedication Fees in Housing Element Document
Date:	Monday, April 29, 2024 9:21:06 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FYI.

-------- Original Message --------

Subject: Park Land Dedication Fees in Housing Element Document

From: Jennifer Griffin <grenna5000@yahoo.com>

Sent: Monday, April 29, 2024, 9:17 PM

To: citycouncil@cupertino.org,cityclerk@cupertino.org

CC: grenna5000@yahoo.com

Dear City Council:

It has become apparent that HCD is trying to say in the Housing Element Document (which No one is allowed to change!!!) that developers don't have to pay the full parkland Dedication fees! This is absolutely outrageous!

HCD is dictating that Cupertino will have no parks? Why does HCD think they get to tell Cupertino about what kind of parks they can have? They are just trying to let builders Shirk their duties of providing parkland for all the new people they bring into The city.

What is this Housing Element Document anyway? A free ride for developers? Is that why We are wasting our time with this totally obnoxious document from HCD to give Developers a way to way to over build the city and not pay their way?

This Housing Element Document written by HCD is a complete slap in the face for The public in Cupertino and total disrespect for the residents.

HCD is telling Cupertino they don't deserve parks? HCD, which is so preachy about their AFFH, is not affording the public in Cupertino the same respect. HCD doesn't want Cupertino to have parks and they don't even care about the residents who live in The city now.

HCD wants the current Cupertino residents to move away so that HCD can dictate Who lives in Cupertino. That is pretty elitist of HCD. Shame on HCD.

Sincerely,

Jennifer Griffin