

CITY OF CUPERTINO
10300 Torre Avenue
Cupertino, California 95014

DRAFT RESOLUTION

OF THE PLANNING COMMISSION OF THE CITY OF CUPERTINO
FINDING THE PROPOSED FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, FISCAL
YEARS 2018-19 TO 2022-23 CONSISTENT WITH THE CITY OF CUPERTINO GENERAL PLAN

SECTION I: PROJECT DESCRIPTION

Project Name: Capital Improvement Program (CIP)
Applicant: City of Cupertino
Location: Citywide

SECTION II: FINDINGS

WHEREAS, the City of Cupertino Capital Improvement Program (CIP) guides the funding and scheduling of infrastructure improvement projects over the next five years. The current CIP has been updated for the FY 2018-2019 to 2022-2023 time period for City Council review and consideration; and

WHEREAS, California Government Code Section 65401 requires the Planning Commission to make a determination that the annual CIP is in conformance with the City's General Plan; and

WHEREAS, the Planning Division recommends that the Planning Commission determine that the General Plan Conformity Finding is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Sections 15378 and 15061 (b) (3) in that the General Plan conformance finding as required by State law is not a project as defined under CEQA; and

WHEREAS, on May 8, 2018, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by the City, city staff, and other interested parties.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Cupertino hereby finds, determines and resolves as follows:

Section 1: The Planning Commission has duly considered the full record before it, including the staff report and presentation, maps, facts, exhibits, public testimony and other evidence and materials submitted or provided to the Commission. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

Section 2: The Planning Commission determines that the General Plan Conformity Finding is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Sections 15378 and 15061 (b) (3).

Section 3: The Planning Commission finds in accordance with the Cupertino Municipal Code (CMC) section 2.32.070 (C) and state law based on the evidence in the public record that the City's CIP (FY 2018-2019 to 2022-2023) conforms to the City's General Plan (Community Vision 2015-2040).

PASSED AND ADOPTED this 8th day of May 2018, at a Regular Meeting of the Planning Commission of the City of Cupertino by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

Benjamin Fu
Assistant Director of Community Development

Geoff Paulsen
Chair, Planning Commission