



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

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HOUSING COMMISSION STAFF REPORT

Meeting Date: August 9, 2018

Subject

Response to the Santa Clara Civil Grand Jury Report on “Affordable Housing Crisis: *Density is our Destiny.*”

Recommended Action

That the Housing Commission provide comments and a recommendation to the City Council on the City’s response (see Attachment 1.)

Discussion

Background

On June 21, 2018, the Santa Clara County Civil Grand Jury issued a report pursuant to its investigation into challenges faced by the County of Santa Clara and its 15 cities, and non-profit agencies such as the Housing Authority of Santa Clara County, Valley Transportation Authority (VTA) and Santa Clara Valley Water District (SCVWD) in the production of below market rate (BMR) housing (see Attachment 2.) The Grand Jury Report states that it tackled the issue of affordable, or below market rate (BMR) housing since the need for affordable housing is critical, California’s report card gives Santa Clara County an F grade and the need for more housing has challenged the County for more than a decade.

The Grand Jury researched Housing Elements, Regional Housing Needs Allocation (RHNA,) and actual production of units, for both the current RHNA cycle (2015-2023) and the prior cycle (2007-2014.) The Grand Jury’s review focused on the following topics:

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|------------------------------------|--|
| 1. RHNA | 6. Linkage and Impact Fees |
| 2. NIMBY vs YIMBY | 7. Employer Contributions |
| 3. Inclusionary Housing ordinances | 8. Accessory Dwelling Units |
| 4. Transit-Oriented Development | 9. Governmental Entities other than Cities |
| 5. Jobs-Housing Ratios | |

The Civil Grand Jury Report directed individual cities to respond to specific findings and recommendations.

Analysis

The City of Cupertino is included in the Santa Clara County Civil Grand Jury Report because it is a permitting authority for building permits and land use authority within the County of Santa Clara. As a result of its inclusion in the report, the City is required to respond by letter or electronic transmission to the Civil Grand Jury's Findings and Recommendations within 90 days, pursuant to California Penal Code 933.05. The City may respond to the report's Findings in one of the following ways:

- Agree
- Partially Disagree
- Partially Agree
- Disagree

The City may respond to the Recommendations in one of the following ways:

- Has been implemented
- Requires further analysis
- Has not been implemented, but will be implemented in the future
- Will not be implemented

The Civil Grand Jury Report on "Affordable Housing Crisis: *Density is our Destiny*" included 20 Findings and 19 associated Recommendations. Cupertino is required to respond to ten Findings and nine Recommendations. Attachment 1 contains the City's draft responses to the Findings and Recommendations.

In summary, the City agrees with seven Findings and partially agrees with three Findings. In addition, responses to all nine Recommendations to which the City must respond to have also been included. If it requires future implementation, a specific timeframe has been given.

Conclusion

It is recommended that the Housing Commission consider the proposed responses and recommend that the City Council approve the responses (see Attachment 1.)

Next Steps

The Housing Commission's recommendation will be presented to the City Council at its August 21, 2018 meeting. Once approved, the letter will be transmitted to the Santa Clara County Civil Grand Jury by the deadline of September 20, 2018.

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Reviewed by: Benjamin Fu, Assistant Director of Community Development

Approved by: Aarti Shrivastava, Assistant City Manager

Attachments:

1. Responses to Civil Grand Jury Report: *Density is our Destiny*