

## **Planning Commissioner David Fung:**

My goal here is to encourage the adoption of objective development standards which will yield more predictable end results to the community and builders from better early-stage communication. Many of the project conflicts we face today (simple home additions to major mixed-use redevelopments) stem from existing standards which don't directly reflect community planning desires.

1) **Adopt Form Based Code standards for all Special Planning Areas.** Traditional standards (height, FAR, or setback) insufficiently capture the elements that matter in a design proposal. Some standards like residential density undermine good design goals (density limits encourage larger units). FBC can objectively set standards for building mass and articulation and incorporate placemaking and human-scale elements at the start of the design process. FBC is the best way to express "neighborhood flavor" to preserve or enhance the existing character of an area.

FBC adoption is not equal to increased densification! We can impose objective restrictions via FBC - for instance, a Heart of the City FBC can maintain the tree corridor and setback standards today while making for better quality redevelopment in the years ahead.

2) **Standards that vary by project scale.** Small and large projects have intrinsically different requirements which should be reflected in the GP and building code. For example, including residential parking in the FAR calculation effectively controls mass in a SFH area, but the same rule is not meaningful for a 200-unit multi-story apartment building. New objective standards should be appropriate for the scale of a project, which might require dividing R-3 regulations to reflect small, medium, and large projects. This affects FAR calculation, setbacks, parking requirements, and more.

3) **Codify "resident-facing commercial uses" in the GP.** Today's GP does not recognize a difference between commercial activities that serve the community (retail, consumer services, dentist) and those that do not (a corporate office with no local interaction) while they have very different effects on the community. We should recognize that difference and set separate land-use allocation limits in projects and city-wide.

4) **Revisit Heart of the City Specific Plan -**

- update HoC Specific Plan to reflect its status as a primary transit route
- Unify the existing 5 subareas into a single entity
- Unify land-use designations across the area
- set appropriate development allocations for the entire area
- eliminate GP LU-1.3.1.3 and LU-1.3.1.4 (residential in mixed-use restrictions)
- change the "75% direct retail frontage" requirement in the HoC SP to reflect resident-facing commercial

5) **Consider Heart of the City updates to special areas served by transit (North and South DeAnza, etc.) but not covered by Specific Plan**

Move to a unified land-use model/entitlement across the special area as in 4) above

6) **Eliminate citywide major allocation table**

Allow applications and entitlement by special area or land-use category rather than limited by citywide allocation table.

Impose developmental limits by special area or citywide limits established with GP rather than on a site basis

We should encourage redevelopment on sites as owners want to do it rather than handing out "golden tickets" during the GP update process.

7) **Don't require parcel consolidation.** The city's requirement for parcel consolidation at Vallco was intended to facilitate complete redevelopment, but has greater impact to the community because of the size of the resultant project. This would not prohibit consolidation, but we shouldn't make this a necessity.

8) **Reconsider the design review process.** The current process which involves a late stage architectural review is both highly subjective (applicant can't anticipate feedback) and limited in scope (too late in process to address placemaking concerns). A better set of front end guidelines (including Form Based Code) can make this a more effective process.

9) **Reconsider the landscape review process.** Similar to 8) but for landscape plan approval, identifying a more comprehensive set of requirements at the outset makes for a better and more objective approval.

10) **Clarify impact fee exemptions.** Current regulations are ambiguous on whether a project owes parkland, BMR, and traffic impact fees. There should be an explicit default for each fee and each class of development that might be assessed, including regular construction, BMR homes, ADUs, and any other categories. It's unclear why a 100% BMR housing project would owe affordable housing fees, but the current law leaves this to the Council's discretion. This would not change the Council's ability to demand or exempt a project from impact fees, but makes the process clearer from the start.

11) **Market rate ADUs should NOT count as Moderate BMR production** - Today all ADUs would be counted toward the city's Moderate RHNA production, even though many have no BMR obligations or restrictions. This is an oversight that should be fixed.

12) **Review of Park Land Dedication policy** - Should include objective definition of "recreational facility" as well as grade-level land requirements and alternatives. The park land requirement should scale with the size of the proposed project per 2) above.

13) **Adopt decarbonization policy** - Objective standards for reduction of greenhouse gas through electrification in the building code should be established along with a time line to phase in these requirements on residential and commercial properties.

14) **Adopt sequestration policy** - Objective updated standards for city and private plantings and landscaping should be established that encourage plant species that remove carbon dioxide and particulates from the air.

15) **Adopt parking lot shading standard** - Objective standards that aim for mature tree coverage of some percentage of the grade-level footprint of parking lots/structures to reduce heat island effect should be considered. In Mountain View, this is currently 40% coverage.

16) **Adopt VMT standards** - VMT and LOS traffic analysis are often in opposition. With VMT established by the state as the standard for review, the GP and codes should reflect that unambiguously, even while we continue to perform LOS studies.

17) **Adopt Vision Zero standards** - Traffic impact analysis is a part of many project proposals under Planning Department review. Although Cupertino has not adopted Vision Zero traffic safety practices, the city is active in alternative transit projects and there is a synergy here. Consideration of the multi-national Vision Zero program goals would help identify best practices around non-auto mobility.