



COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA
95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333
CUPERTINO.ORG

PLANNING COMMISSION STAFF REPORT

Agenda Date: May 28, 2019

Subject

Review of the Five Year Capital Improvement Program FY 2020-2024 (2019-2020 to 2023-2024) for consistency with the City's General Plan.

Recommended Action

Staff recommends that the Commission per the draft resolution (Attachment 1) find that the Proposed Capital Improvement Program is:

1. Exempt from CEQA and
2. Consistent with the General Plan.

Discussion

Background

Each year the City Council adopts a five-year spending plan for capital improvements throughout the City. The Capital Improvement Program (CIP) is critical because it prioritizes significant city expenditures on capital projects of importance to the City. The City appropriates funding for the first year of the CIP as part of the adoption of the budget for the next fiscal year. Funding is not committed for years two through five of the program, as Council priorities may change and project schedules may accelerate or decelerate.

The City Council is responsible for setting CIP projects and funding priorities. The role of the Planning Commission for this item is to review the CIP for consistency with the City's General Plan (General Plan: Community Vision 2015 - 2040) pursuant to California Government Code § 65403) and Chapter 2.32.070(C) of the Cupertino Municipal Code (see Attachment 2). Government Code section 65403 states that "A district or local agency shall not carry out its capital improvement program or any part of the program if the planning agency finds that the capital improvement program or a part of the capital improvement program is not consistent with the applicable general plan, any specific plans, and all elements and parts of the plan." If the planning agency finds any part of the CIP inconsistent with the General Plan, the local agency's decision making body "may overrule the finding and carry out its capital improvement program." Gov. Code § 65403.

On May 13, 2019, the City Council held a Study Session on the City's five year CIP. At that meeting, the Council considered public input and proceeded to prioritize the proposed projects in order to provide direction to staff. Since only the first year projects are expected to be funded with adoption of the FY 2019-2020 Budget, only the first year capital improvement projects are being considered for consistency with the General Plan at this time. The Proposed CIP FY 2020 Planned 2020-2024, based on input received at that Study Session, is attached (Attachment 3).

Analysis

General Plan Consistency

Attachment 4 is a matrix that includes staff notes describing how each of the projects relates to the General Plan: Community Vision 2015 - 2040. Please refer to Attachment 5 for excerpts of pertinent General Plan: Community Vision 2015 – 2040 policies and text. The General Plan consistencies are summarized below for fiscal year 2019-20 CIP:

1- Projects that improve the safety and function of the City's primary circulation system.

See Community Vision 2040 Goals M-2, M-3, and M-5 and Community Vision Policies M-10.1 and M-10.3.

- ADA Improvements
- Regnart Road Improvements Phase 1: Sta 28+40 to 29+80 (Retaining Wall)
- Street Light Installation – Annual Infill
- McClellan Rd Bike Corridor Phase 3 – Signal Intersection Improvements @ DeAnza/Pacifica *
- McClellan Rd Bike Corridor Phase 4 – Imperial to Byrne Separated Bike Lane *
- Bubb Road Improvements *
- Mary Avenue Protected Bikeways *
- School Walk Audit Implementation *

* Pending decision on acceptance of donation of funds in July 2019

2- Transportation projects that manage neighborhood traffic, decrease reliance on the usage of private cars, promote pedestrian activity and provide Safe Routes to Schools.

See Community Vision 2040 Goals M-2, M-3, M-5, and Community Vision Policies M-10.1 and M-10.3.

- ADA Improvements
- Regnart Road Improvements Phase 1: Sta 28+40 to 29+80 (Retaining Wall)
- Street Light Installation – Annual Infill

- Bicycle Wayfinding Implementation *
- Bubb Road Improvements *
- Junipera Serra Trail (Basic Design) *
- Mary Avenue Protected Bikeways *
- McClellan Rd Bike Corridor Phase 3 – Signal Intersection Improvements @ DeAnza/Pacifica *
- McClellan Rd Bike Corridor Phase 4 – Imperial to Byrne Separated Bike Lane *
- School Walk Audit Implementation *

* Pending decision on acceptance of donation of funds in July 2019

3- Projects that maintain the usability of and/or expand the capacity, performance, and efficiency of the City's public infrastructure and facilities.

See Community Vision 2040 Goals INF-1, and Community Vision Policy INF-1.1, and Community Vision 20140 Strategy INF-1.1.1 and INF-1.1.2.

- All Inclusive Playground
- Library Expansion – Surface Parking Lot
- Library Expansion – “Perch” Option
- McClellan Ranch Preserve Community Garden Improvements
- McClellan Ranch - Construct Trash Enclosure
- Quinlan Preschool Shade Structure
- Solar EV Chargers
- Sports Center – Seismic Retrofit
- City Hall Conceptual Design *
- City Hall Seismic Retrofit (Seismic + ADA Improvements)

* Pending Council consideration in July 2019

4- Projects that maintain the usability of the City's parks and recreation inventory.

See Community Vision 2040 Goals RPC-1 and Community Vision Policies RPC-2.5, RPC-3.1, RPC-4.1, RPC-7.3, M-1.3, and Community Vision 20140 Strategy RPC-2.5.1.

- All Inclusive Playground
- McClellan Ranch Preserve Community Garden Improvements
- McClellan Ranch - Construct Trash Enclosure
- Quinlan Preschool Shade Structure
- Sport Center Seismic Retrofit

Environmental Review

City staff has independently studied the Proposed CIP and has determined that the CIP is exempt from environmental review pursuant to the exemption in

California Code of Regulations, title 14, section 15061(b)(3) (“CEQA Guidelines” § 15061(b)(3)), in that it can be seen with certainty that there is no possibility that this CIP budget action will have a significant effect on the environment, and that the action does not involve approval of any specific project that may have a significant effect on the environment.

Each project of the Proposed CIP will be evaluated for compliance with of the California Environmental Quality Act (“CEQA”) and will be subject to the appropriate level of environmental review.

Next Steps

The Planning Commission’s recommendation will be considered by the City Council at the June 18, 2019 budget adoption meeting.

Submitted by: Michael Zimmerman, Capital Improvement Program Manager

Reviewed by: Erick Serrano, Associate Planner

Piu Ghosh, Principal Planner

Approved by: Benjamin Fu, Acting Director of Community Development

Attachments:

- 1- Draft Resolution
- 2- Text of Cal. Government Code § 65403(c) and Cupertino Municipal Code Section 2.32.070.C
- 3- Proposed Capital Improvement Program - FY 2020 (2019-2020) – First-Year Projects
- 4- Matrix of CIP Projects and General Plan Consistency Notes
- 5- Excerpts of General Plan Policies and Text