

CITY OF CUPERTINO  
10300 Torre Avenue  
Cupertino, CA 95014

CITY OF CUPERTINO  
PLANNING COMMISSION MEETING  
ACTION MINUTES, October 28, 2019

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**PLEDGE OF ALLEGIANCE**

At 6:45 p.m Chairperson Wang called to order the special Planning Commission meeting in the Cupertino Community Hall Council Chambers, 10350 Torre Avenue, Cupertino, CA. and led the Pledge of Allegiance.

**ROLL CALL**

Present: Chairperson R Wang, Vice Chair Vikram Saxena, Commissioners Kitty Moore, Alan Takahashi. Absent: David Fung.

**APPROVAL OF MINUTES:**

1. **Subject:** Draft Minutes of September 24, 2019.

**Recommended Action:** Approve or modify the Draft Minutes of September 24, 2019

Moved by Moore and seconded by Saxena to: "Approve the minutes". The motion carried 3-0-2 (Fung, Takahashi absent)

**POSTPONEMENTS/REMOVAL FROM CALENDAR:** None

**ORAL COMMUNICATIONS:**

Charlene Lee spoke about an incident she had with the Sheriff's Department. It was suggested that she address her concerns at the next City Council meeting.

**WRITTEN COMMUNICATIONS:**

None

**CONSENT CALENDAR:** None

**STUDY SESSION**

2. **Subject:** Study Session related to Bird-Safe Development policies and guidelines. Application No(s): MCA-2019-004; Applicant(s): City of Cupertino; Location: citywide

**Recommended Action:** Provide direction to Staff on the areas of regulation related to bird safe development

Associate Planner, Ellen Yau, reviewed the Staff Report and answered questions from the Commissioners. The Commissioners discussed protections for migratory and year-round birds.

They talked about use of glass, architectural design and what policies other cities have incorporated into their design guidelines.

Chair Wang opened the public comment period and the following individual(s) spoke:

Dashiell Leeds, Santa Clara Valley Audubon Society

Connie Cunningham

Jamie Jany, Audubon Society

Keith Wandry

Margaret Hinebaugh, Santa Clara Valley Audubon Society

Shani Kleinhaus, Advocate for Santa Clara Valley Audubon Society

Peggy Griffin

Lisa Warren

Lisa Karpinski, Santa Clara Valley Audubon Society

Chair Wang closed the public comment period.

The Planning Commissioners suggested that; Staff review established and industry accepted regulations to ensure standardization and consistency within the architectural community; A new ordinance include requirements for bird safe mitigations for remodels and tenant improvement projects, proximity to landscaped areas and consider including exemptions for small residential and historic buildings; Incorporate flexibility in proposing alternative bird-safe solutions; It is important to make sure the City's landscaping, lighting, Architectural Designs, Building Codes and Best Management Practices don't conflict with each other.

Commissioner Takahashi joined the meeting during Staff's presentation of item #3.

**3. Subject:** Study Session related to Dark Sky policies and/or standards. Application No(s): MCA-2019-003; Applicant(s): City of Cupertino; Location: citywide

**Recommended Action:** Provide direction to Staff on potential policies and/or standards for lighting regulations

Senior Planner, Erick Serrano, reviewed the Staff Report and answered questions from the Commissioners. Staff is asking for input in developing new lighting standards.

Chair Wang opened the public comment period and the following individual(s) spoke:

Dashiell Leeds, Santa Clara Valley Audubon Society

Shani Kleinhaus, Advocate for Santa Clara Valley Audubon Society

Connie Cunningham

Jamie Jany, Audubon Society

Lisa Warren

Jennifer Griffin

Lisa Karpinski, Santa Clara Valley Audubon Society

Chair Wang closed the public comment period.

The Planning Commissioners suggested that: Staff review regulations and guidelines of other jurisdiction, and how the regulations and guidelines were developed; Staff develop and provide educational information to the public on the impacts of light pollution; Ensure that security lighting is addressed in the ordinance to ensure a secure property, and; Any lighting requiring a hearing be based on the project/use and size

Vice Chair Saxena left the meeting during the break between items #3 and #4.

**4. Subject:** Study Session on the General Plan Annual Review/Implementation Plan

**Recommended Action:** Provide additional direction to Staff on the format and content of the General Plan Annual Review/Implementation Plan

Planning Manager, Piu Ghosh, gave the Commissioners an update on the document formatting changes requested at the last Planning Commission meeting. She was asked and answered questions. The Planning Commission would like to develop General plan review procedures to employ for future reviews of the document.

Chair Wang opened the public comment period and the following individual(s) spoke:

Jennifer Griffin

Peggy Griffin

Chair Wang closed the public comment period.

The Planning Commissioners discussed the difference between reviewing to make sure General Plan policies are being implemented and reviewing updates to the General Plan. They provided additional feedback regarding the formatting of the review document.

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**REPORT OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:** None

**REPORT OF THE PLANNING COMMISSION:**

Chair Wang expressed thoughts and concerns for the fire victims in Northern California.

**ADJOURNMENT:**

The meeting was adjourned at 9:30pm to the next regular Planning Commission meeting on November 12, 2019 at 6:45 p.m.

Respectfully Submitted:

/s/Beth Ebben

Beth Ebben, Deputy Board Clerk