

CITY OF CUPERTINO  
10300 Torre Avenue  
Cupertino, CA 95014

CITY OF CUPERTINO  
PLANNING COMMISSION MEETING  
APPROVED MINUTES, January 28, 2020

---

**PLEDGE OF ALLEGIANCE**

At 6:45 p.m Chairperson Wang called to order the regular 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, David Fung, Alan Takahashi  
Absent: None

**CEREMONIAL MATTERS:**

1. **Subject:** Elect a Chair, Vice Chair and Committee representatives

**Recommended Action:** Elect a Planning Commission Chair, Planning Commission Vice Chair, make a recommendation to the City Council for a representative to the Environmental Review Committee, keep or select new representatives to the Housing Commission and Economic Development Committee.

Election of Chair:

Moved by Wang to elect Kitty Moore Chair of the Planning Commission and seconded by Saxena.

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

Luke Lang

Pamela Hershey

Lisa Warren

Jennifer Griffin

Chair Wang closed the public comment period.

The motion carried 3-2-0 (Takahashi, Fung voting no)

Election of Vice Chair:

Moved by Saxena to elect Ray Wang as Vice Chair of the Planning Commission and seconded by Moore.

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

Jennifer Griffin

Chair Wang closed the public comment period.

The motion carried 3-2-0 (Takahashi, Fung voting no)

Election to the Environmental Review Committee:

Moved by Wang to recommend Kitty Moore be approved by the City Council to the Environmental Review Committee and for Fung (as alternate). Seconded by Saxena. The motion carried 5-0-0

Election to the Design Review Committee:

Vice Chair Wang to serve as Chair. Consensus decision for Fung to represent and Saxena to serve as alternate.

Election to the Housing Commission:

Consensus decision for Moore to represent and Fung to serve as alternate.

Election to Economic Development Committee:

Consensus decision for Takahashi to represent and Saxena to serve as alternate.

### **APPROVAL OF MINUTES:**

2. **Subject:** Draft Minutes of November 12, 2019.

**Recommended Action:** Approve or modify the Draft Minutes of November 12, 2019

Moved by Fung and seconded by Wang to: "Approve the minutes". The motion carried 3-0-2 (Moore and Takashi abstain)

3. **Subject:** Draft Minutes of December 10, 2019.

**Recommended Action:** Approve or modify the Draft Minutes of December 10, 2019

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

4. **Subject:** Draft Minutes of January 14, 2020.

**Recommended Action:** Approve or modify the Draft Minutes of January 14, 2020

Moved by Saxena and seconded by Takahashi to: "Approve the minutes". The motion carried 4-0-1 (Wang abstain)

**POSTPONEMENTS/REMOVAL FROM CALENDAR:** None

### **ORAL COMMUNICATIONS:**

Jennifer Griffin spoke in opposition of SB50

**WRITTEN COMMUNICATIONS:** None

**CONSENT CALENDAR:** None

### **PUBLIC HEARINGS**

5. **Subject:** Municipal Code Amendments to the Cupertino Municipal Code for Accessory Dwelling Units (Chapter 19.112 – Accessory Dwelling Units) and Chapter 19.08 (Definitions), for clarifications, and consistency with recently adopted State Bills. Application No(s): MCA-2018-04 Applicant(s): City of Cupertino; Location: citywide

**Recommended Action:** Conduct the public hearing and recommend that the City Council: Find that the proposed action is exempt from CEQA; and Recommend the adoption of an Ordinance to make amendments to the City's Municipal Code, per the Draft Resolution.

Senior Planner, Gian Martire and Deputy City Attorney, Sara Clark, reviewed the proposed changes to the Accessory Dwelling Unit Municipal Code. The changes in the Municipal Code have been necessitated by the recent adoption of several State Laws. They were asked and answered questions by the Commissioners.

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

Jennifer Griffin

Lisa Warren

Chair Moore closed the public comment period.

The Planning Commissioners discussed the proposed changes. There was concern about additional Land Use Bills as part of State level legislation that would impact this Code and the City's ability to regulate ADU construction.

Motion to: Approve the Draft Resolution as amended

Moved by Wang, second by Fung, the motion carried 5-0-0

(Commissioner Saxena left the meeting at approximately 9:00pm.)

#### **NEW BUSINESS:**

6. **Subject:** Planning Commission Work Program FY 2020-2021

**Recommended Action:** Discuss topics and ideas to recommend that the City Council incorporate into the Planning Commission's Work Program for FY 2020-2021

Director, Ben Fu, reviewed the Staff Report and provided status updates on the FY 2019-2020 Work Program. He collected input from the Commissioners regarding additional Work Program ideas.

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

Jennifer Griffin

Chair Moore closed the public comment period.

The Work Program topics were discussed at length. The Planning Commission prioritized the Work Program topics to forward to the City Council for consideration.

#### **OLD BUSINESS:**

7. **Subject:** Study Session on General Plan Annual Review/Implementation Plan and consider General Plan Policies and Strategies that could benefit from clarification.

**Recommended Action:** Provide direction of the format of the General Plan Annual Preview/Implementation Plan; and Consider General Plan Policies and Strategies that could benefit from clarification.

Motion to: Continue this item to the Planning Commission meeting of February 11, 2020

Moved by Moore, second by Takahashi, the motion carried 4-0-1 (Saxena absent)

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

**REPORT OF THE PLANNING COMMISSION:** None

**ADJOURNMENT:**

The meeting was adjourned at 12:35am to the next regular Planning Commission meeting on February 11, 2020 at 6:45 p.m.

Respectfully Submitted:

/s/Beth Ebben

Beth Ebben, Deputy Board Clerk