City of Cupertino

2023-2031 Housing Element HCD
Submittal Draft 3
February 2024

Table of Contents

Tables

Housing Element Revisions:

Revisions in October 2023 draft - redline edits

Revisions in November 2023 draft - yellow highlights

Revisions in February 2024 draft - green highlights

1. INTRODUCTION

The City of Cupertino (herein after "City") is a community with a high quality of life, a renowned school system, and a robust high-technology economy. The long-term vitality of the City and the local economy depend upon the availability of all types of housing to meet the community's diverse housing needs. As Cupertino looks towards the future, increasing the range and diversity of housing options will be integral to the City's success. Consistent with the goal of being a balanced community, this Housing Element continues the City's commitment to ensuring new opportunities for residential development, as well as for preserving and enhancing our existing neighborhoods.

This 2023-2031 Housing Element represents the City of Cupertino's intent to plan for the housing needs of the Cupertino community while meeting the State's housing goals as set forth in Article 10.6 of the California Government Code. The California State Legislature has identified the attainment of a decent home and a suitable living environment for every Californian as the State's major housing goal. The Cupertino Housing Element represents a sincere and creative effort to meet local and regional housing needs within the constraints of being a fully established built-out community with limited land availability and extraordinarily high costs of land and housing.

ROLE AND CONTENT OF THE HOUSING ELEMENT

This Housing Element is a comprehensive eight-year plan to address the housing needs in Cupertino. The Housing Element is the City's primary policy document regarding the development, rehabilitation, and preservation of housing for all economic segments of the population.

Per State Housing Element law, the document must be periodically updated to:

- Outline the community's housing production objectives consistent with State and regional growth projections;
- Describe goals, policies and implementation strategies to achieve local housing objectives;
- Examine the local need for housing with a focus on special needs populations;
- Identify adequate sites for the production of housing serving various income levels;
- Analyze potential constraints to new housing production;
- Evaluate the Housing Element for consistency with other General Plan elements; and
- Evaluate Affirmatively Furthering Fair Housing.

This 6th Cycle Housing Element covers an eight-year planning period, from January 31, 2023 through January 31, 2031 and replaces the City's 5th Cycle Housing Element that covered January 31, 2015 through January 31, 2023 planning period.

CALIFORNIA'S HOUSING CRISIS

The 6th Cycle Housing Element update comes at a critical time because California is experiencing a housing crisis, and as is the case for all jurisdictions in California, Cupertino must play its part in meeting the growing demand for housing. In the coming 20-year period, Santa Clara County is projected to add 169,450 jobs,[1] which represents a 15 percent increase. These changes will increase demand for housing across all income levels, and if the region can't identify ways to significantly increase housing production, it risks worsening the burden for existing lower-income households, many of whom don't have the luxury or skill set to move to new a job center but that are nonetheless faced with unsustainable increases in housing cost.

If the region becomes less competitive in attracting high-skilled workers and increasingly unaffordable to lower-income workers and seniors, then social and economic segregation will worsen, only exacerbating historic patterns of housing discrimination, racial bias, and segregation. This potentiality has become so acute in recent years that the California Legislature addressed the issue with new legislation in 2018. SB 686 requires all state and local agencies to explicitly address, combat, and relieve disparities resulting from past patterns of housing segregation to foster more inclusive communities. This is commonly referred to as Affirmative Furthering Fair Housing, or AFFH.

Cupertino has had modest success in meeting its housing needs. During the 2015–2023 planning period, Cupertino added ~~418~~ 546 new units to its housing stock, achieving approximately ~~39~~ 51 percent of the City's Regional Housing Needs Allocation (RHNA), which called for the construction of 1,064 housing units. Of the units built, approximately ~~48~~ 41 percent (~~201~~ 225 units) were affordable to lower- and moderate-income households,[2] and 5~~2~~ percent were affordable to above moderate-income households.

SUMMARY OF KEY FACTS

Cupertino is renowned as a center of innovation in Silicon Valley that far surpasses its moderate size. Around the world, Cupertino is famous as the home of high-tech giant Apple Inc. In the San Francisco Bay Area, Cupertino is known as one of the founding cities of Silicon Valley and as a city with excellent public schools. Quality schools and closeness to technology jobs make Cupertino a desirable address for a highly educated and culturally diverse population. The following is a summary of key demographic and economic facts about Cupertino:

POPULATION

- Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Cupertino increased by 17.7 percent from 2000 to 2020, which is above the growth rate of the Bay Area, primarily due to annexations of large portions of County unincorporated areas;

[1] Source: Plan Bay Area, Projections 2040. Association of Bay Area Governments and Metropolitan Transportation Commission, November 2018.
[2] Source: City of Cupertino post construction surveys.

- Population growth in Cupertino began leveling off in 2014, with the county and regional growth index rates increasing, albeit slowly, while Cupertino's growth has stagnated~~.~~;
- Cupertino has a higher Asian population compared to the county (68 percent of residents identify as Asian). The City's residents have grown less racially diverse since 2000 with the Asian population increasing by 22 percentage points.

EMPLOYMENT

- Cupertino residents most commonly work in the Financial & Professional Services industry. From January 2010 to January 2021, the unemployment rate in Cupertino decreased by 5.0 percentage points. Between 2010 and 2018, the number of jobs located in the jurisdiction increased by 19,322 (59.1 percent).

HOUSEHOLDS

- Most households in Cupertino earn more than 100 percent of the regional Area Median Income (AMI), and this is true across most racial and ethnic groups. Hispanic and non-Hispanic White households have the most income diversity.
- Poverty rates highlight the disparity in income and opportunities by race, with the Hispanic (16.7 percent) and Black/African American (16.9 percent) populations experiencing disproportionately higher poverty rates. No other group is above 7 percent.
- The City is home to very high performing schools. According to educational opportunity indices, every census tract in Cupertino scores higher than 0.75—indicating the highest positive educational outcomes. ~~The City is home to very high performing schools.~~

HOUSING STOCK

- ~~Since 2010, Cupertino has only added 502 housing units out of 22,267 total units (about two percent of total stock). A little more than 300~~Close to 550 residential permits were issued between 2015 and ~~2019~~2022. Jobs have grown significantly since 2004, with nearly all of the growth due to a boost in manufacturing and wholesale jobs (likely technology related jobs), which increased by ~~nearly 26,000 from 2002~~19,322 since 2010. At two jobs per household, housing these new workers would have required construction of more than 9,000~~12,000~~ housing units. Cupertino's jobs to household ratio is 2.60—~~far~~ higher than Santa Clara County overall (1.71) or the Bay Area (1.47).
- Access to Cupertino is limited by housing pricing and supply. Eighty-three percent (83 percent) of houses in the area are valued over $1 million. Zillow reports an~~the~~ average market value of $2.25 million, significantly above the county's and Bay area's market values. Fifty-seven percent (57 percent) of Cupertino's housing units are single family units. The next closest share is multifamily at 21 percent of units, followed by 12 percent attached units and 10 percent du/tri/fourplexes. While owners mostly occupy 3- to 4-bedroom homes (72 percent), 68 percent of renters occupy 1- or 2-bedroom units.

- Renters, who make up 40 percent of all households in the City, are facing the same cost pressures as owners with 87 percent of units renting for more than $2,000 per month, and 52 percent renting for $3,000 and more. Just 14 percent of the City's rental units rent for $2,000 per month and less. The Ccounty has almost three times the proportion of rentals priced under $2,000 than the City.

- Regionally, mortgage denial rates are modest (14 percent to 17 percent of loans denied) and vary little across races and ethnicities except for Black/African American applicants, who are more frequently denied.

OVERPAYMENT

- There are disparities in housing cost burden in Cupertino by race and ethnicity—and minimally by tenure (renters/owners). Hispanic households experience by far the highest rates of cost burden in the City (45 43.8 percent) followed by. Asian households at (28.1 percent), non-Hispanic White households at (27 26.6 percent), and Black/African American households at (11 percent.) CHAS data did not report any American Indian and Alaska Native households overpaying for housing. households are least likely to be cost burdened.

- Barriers to housing choice are largely related to the City's very high costs of housing and lack of affordable production of sufficient affordable housing. Since 2015, the while the City has not denied any housing developments, housing that has receivedfor which building permits have been requested to accommodate growth has largely been priced for above moderate-income households (215 321 units or 70 58.8 percent of all units), followed by moderate income households (74 158 or 24 28.9 percent). No permitsForty-eight (48) 48 building permit applications were received and issued for low-income units and just 19 building permit applications were received and issued for very low-income units, totaling 546 permits.

SPECIAL NEEDS GROUPS

- Cupertino has a lower proportion of residents with disabilities than the county. However, Uunemployment among residents with disabilities is higher relatively highrelative to those without a disability, with 16 percent of Cupertino residents with a disability unemployed, compared to 3 percent of residents without a disability.

AFFIRMATIVELY FURTHERING FAIR HOUSING

In 2018, Assembly Bill 686 (AB 686), signed in 2018, established an independent state mandate to AFFH. AB 686 extends requirements for federal grantees and contractors to "affirmatively further fair housing," including requirements in the federal Fair Housing Act, to public agencies in California. Affirmatively furthering fair housing is defined specifically as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity by replacing segregated living patterns with truly integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and fostering and maintaining compliance with civil rights and fair housing laws.

AB 686 requires public agencies to:

- Administer their programs and activities relating to housing and community development in a manner to affirmatively further fair housing;
- Not take any action that is materially inconsistent with the obligation to affirmatively further fair housing;
- Ensure that the program and actions to achieve the goals and objectives of the Housing Element affirmatively further fair housing; and
- Include an assessment of fair housing in the Housing Element.

The AFFH requirement AFFH is derived from The Fair Housing Act of 1968, which prohibited discrimination concerning the sale, rental, and financing of housing based on race, color, religion, national origin, or sex—and was later amended to include familial status and disability. The 2015 U.S. Department of Housing and Urban Development (HUD) Rule to Affirmatively Further Fair Housing and California Assembly Bill 686 (2018) mandate that each jurisdiction takes meaningful action to address significant disparities in housing needs and access to opportunity. AB 686 requires that jurisdictions incorporate AFFH into their Housing Elements, which includes inclusive community participation, an assessment of fair housing, a site inventory reflective of AFFH, and the development of goals, policies, and programs to meaningfully address local fair housing issues.

REGIONAL HOUSING NEEDS ALLOCATION

Pursuant to California Government Code Section 65584, the State, regional councils of government (in this case, ABAG), and local governments must collectively determine each locality's share of regional housing need allocation (RHNA). In conjunction with the State mandated housing element update cycle that requires Bay Area jurisdictions to update their elements by January 31, 2023, ABAG has determined housing unit production needs for each jurisdiction within the Bay Area. These allocations set housing production goals for the planning period that runs from January 31, 2023 through January 31, 2031 (Table H-1).

Table H-1 – Regional Housing Need Allocation - Cupertino

Income Group	Unit Allocation	Percent
Very Low Income (<50% of AMI)	1,193	26.0%
Low Income (50%-80% of AMI)	687	15.0%
Moderate Income (80%-120% of AMI)	755	16.5%
Above Mod. Income (>120% of AMI)	1,953	42.6%
Total	**4,588**	**100.0%**

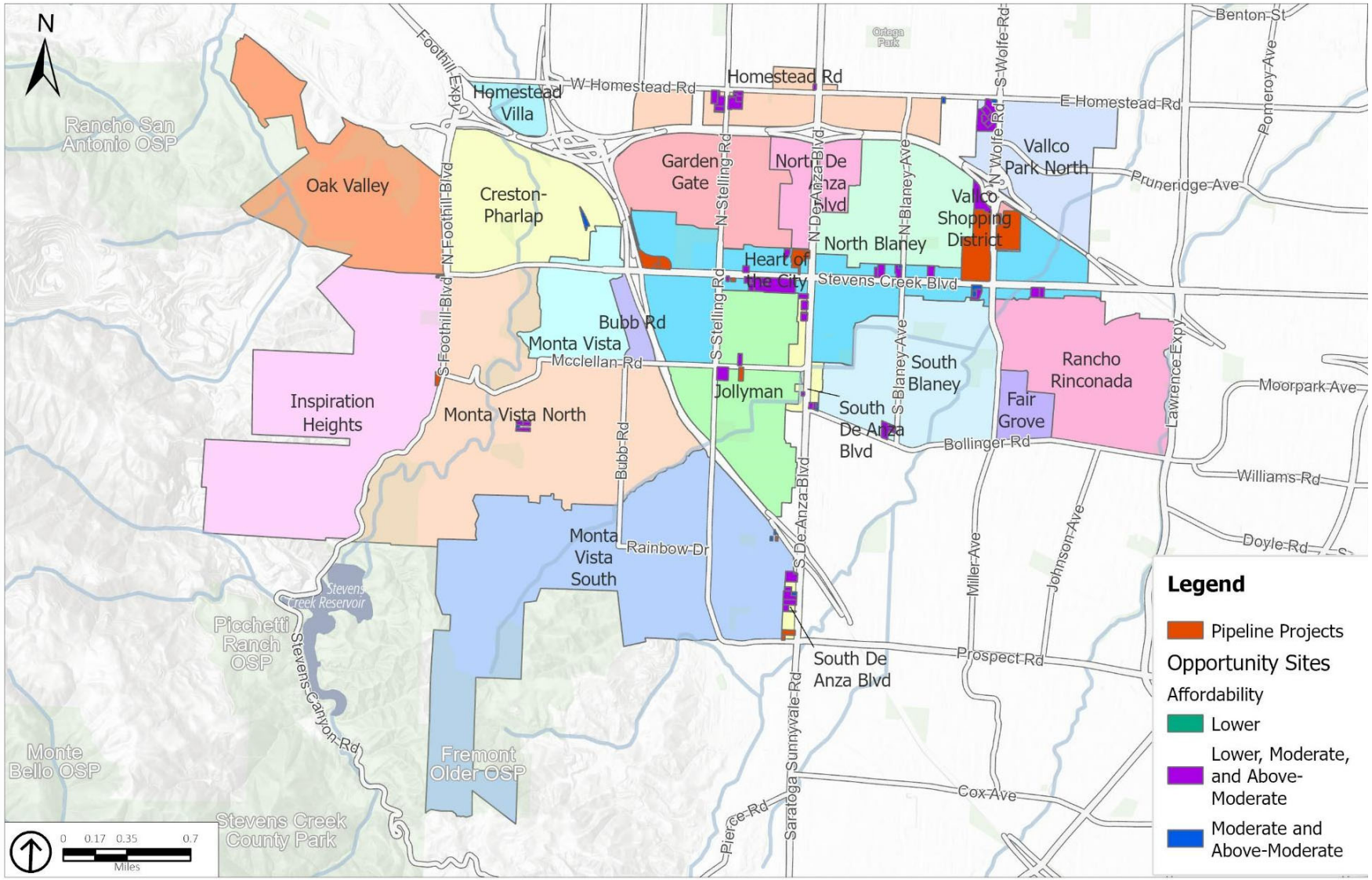
SOURCE: California Department of Housing and Community Development, 6th Cycle Regional Housing Needs Allocation, Final Methodology, 2021
*It is assumed that 50 percent of the very low- income category (596 units) is allocated to the extremely low-income category.
AMI = Area Median Income

OVERVIEW OF AVAILABLE SITES FOR HOUSING

The purpose of the adequate sites analysis is to demonstrate that a sufficient supply of land exists in the City to accommodate the fair share of the region's housing needs during the ~~RHNA projections~~ Housing Element planning period (January 31, 2023 – January 31, 2031). The Government Code requires that the Housing Element include an "inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment" ((Section 65583[a][3]). It further requires that the Element analyze zoning and infrastructure on these sites to ensure housing development is feasible during the planning period.

Figure HE-1 indicates the potential opportunity sites to meet the identified regional housing need pursuant. More detailed maps are available in **Appendix B4**.

Figure HE-1 ~~Potential~~ Priority Housing Sites ~~Inventory~~ Map



Source: City of Cupertino, 2023

Note: Maps reflect the current parcel boundaries rather than the developable area assumed for redevelopment.

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2 GOALS, POLICIES, AND STRATEGIES

The City is responsible for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations. To enable the construction of quality housing, the City has identified the following goals:

Goal HE-1: An adequate supply of residential units for all economic segments;

Goal HE-2: Housing is affordable for a diversity of Cupertino households;

Goal HE-3: Stable and physically sound residential neighborhoods;

Goal HE-4: Energy and water conservation;

Goal HE-5: Special services for lower-income and special~~-~~needs households;

Goal HE-6: Equal access to housing opportunities; and

Goal HE-7: Coordination with regional organizations, ~~and~~ local school districts, and colleges.

GOAL HE-1 AN ADEQUATE SUPPLY OF RESIDENTIAL UNITS FOR ALL ECONOMIC SEGMENTS

Policies

Policy HE-1.1 **Provision of Adequate Capacity for New Construction Need.** Designate sufficient land at appropriate densities to accommodate Cupertino's Regional Housing Needs Allocation of 4,588 units for the 2023-2031 planning period.

(Formerly Policy HE-1.1)

Policy HE-1.2 **Housing Densities.** Provide a full range of densities for ownership and rental housing.

(Formerly Policy HE-1.2)

Policy HE-1.3 **Mixed-Use Development.** Encourage mixed-use development near transportation facilities and employment centers.

(Formerly Policy HE-1.3)

~~**Policy HE-1.43 Priority Housing Sites.** meeting's~~With the exception of Sites 1a, 1b, 1c, 3a, 3c-5c, and 5d, each site listed in Table B4-3 (Appendix B, Part 4 of this 6th Cycle Housing Element) is hereby designated the status of "Priority Housing Sites," as that term is used in the Cupertino Zoning Code Section 19.80.030 (E)(2),[3] Accordingly, the minimum number of units listed for each of these sites in Table B4-3 shall be allowable by right without need for rezoning or any other discretionary action on the part of the City.

~~(New Policy)~~

[33] Cupertino Zoning Code Section 19.80.030 (E)(2). "*If a site is listed as a Priority Housing Site in the City's adopted Housing Element of the General Plan, then residential development that does not exceed the number of units designated for the site in the Housing Element shall be a permitted use.*"

Strategies

Strategy HE-1.3.1 **Land Use Policy and Zoning Provisions.** To accommodate the Regional Housing Needs Allocation (RHNA), the City will continue to:

- Provide adequate capacity through the Land Use Element and Zoning Ordinance to accommodate the RHNA ~~of 4,588 units~~ while maintaining a balanced land use plan that offers opportunities for employment growth, commercial/retail activities, services, and amenities.

- ~~Amend development standards for housing as required to provide objective standards that are adequate and appropriate to facilitate a range of housing in the community. Review and replace existing development standards for multi-family housing to ensure that all standards are strictly objective (i.e., non-discretionary) and to ensure they are adequate and appropriate to facilitate a range of housing in the community.~~

-

- Monitor the sites inventory and make it available on the City's website.

- ~~Monitor development activity on the Housing Opportunity~~Priority Housing ~~Sites to ensure that the City maintains sufficient land to accommodate the RHNA during the planning period. In the event, a housing site listed in the Housing Element sites inventory is redeveloped with a non-residential use or at a lower density than shown in the Housing Element sites inventory, ensure that the City has adequate capacity to meet the RHNA by making the findings required by Government Code Section 65863 and identifying alternative site(s) within the city if needed.~~

- ~~Priority Housing Sites: As part of the Housing Element update, the City has identified selected housing sites listed in **Table B4-3** (see Appendix B, Part 4) have been designated as Priority Housing Sites, so that the minimum number of units set forth in that table for each site is readily achievable (see **Policy HE-1.43**, above).~~

Responsibility:	*Cupertino Department of Community Development Planning Division*
Timeframe:	*Ongoing;*
Funding Sources:	*None required.*
Objectives:	*4,588 units (596 extremely low-, 597 very low-, 687 low-, 755 moderate-, and 1,~~000~~ 953 above moderate-income units). Prioritize projects for lower-income households in areas with high rates of housing cost burden, such as the city's north side, and areas with high risk for displacement, such as the South Blaney neighborhood, and the Garden Gate neighborhood if sites become*

available. Additionally, target development for lower-income households in high-~~-~~opportunity areas, such as the Rancho Rinconada and Oak Valley neighborhoods, as well as lower-density neighborhoods, as sites become available. (Formerly HE-1.3.1)

Strategy HE-1.3.62 Rezoning to Achieve RHNA. To ensure that the City has sufficient sites zoned appropriately to achieve the City's Regional Housing Needs Allocation (RHNA), rezone sites listed in Table B4-7 and B4-9 (Appendix B4). The rezone will include 33.52 acres of residential land that will allow for a realistic capacity of 1,~~933~~917 units, and 32.67 acres of commercial/residential land that will allow for a realistic capacity of 1,772 units.

The City will ensure compliance with Government Code Sections 65583~~,~~ (c)(1) and 65583.2(h) and 65583.2(i), as listed below.

- Permit owner-occupied and rental multifamily uses by right and not require a conditional use permit or other discretionary review or approval for developments in which 20 percent or more of the total units are affordable to lower-~~-~~income households.
- ~~Permit the~~Ensure that each site can accommodate ~~development of~~ at least 16 units per site and require that all residential development achieve a minimum density of 20 dwelling units per acre on sites designated for lower income housing.
- Ensure (a) at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses, or (b) if accommodating more than 50 percent of the low- and very low-income regional housing need on sites designated for mixed ~~-~~uses, all sites designated for mixed ~~-~~uses must allow 100 percent residential use and require residential use to occupy at least 50 percent of the floor area in a mixed-use project.
- Ensure sites will be available for development during the planning period where water and sewer can be provided.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Complete ~~rezoning by January 31, 2024~~ concurrently with adoption of the Housing Element. ~~Monitor affordability and location of rezoned sites as they relate to the furtherance of fair housing conditions.~~*

Funding Sources: *None required.*

Objectives: *Create opportunity for 4,588 units, including 1,880 units for lower-income households that will be within close proximity to services, employment opportunities, frequent transit and other resources in high-opportunity areas, such as in the Heart of the City Special Area.*

(New Program)

~~**Strategy HE-1.3.6** **Rezoning to Achieve RHNA.** To ensure that the City has sufficient sites zoned appropriately to achieve the City's Regional Housing Needs Allocation (RHNA), the City will revise its Zoning Map to:~~

~~1. Rezone sites listed in Table B4-3 (Appendix B, Part 4 of this 6th Cycle Housing Element), to the new zoning designations identified for each site in Table B4-3; and~~

~~To identify all Priority Housing Sites.~~

~~2.~~

~~*Responsibility:* *Cupertino Department of Community Development Planning Division*~~

~~*Timeframe:* *FY 2023-24*~~

~~*Funding Sources:* *None required*~~

~~*Objectives:* *N/A*~~

~~(New Program)~~

~~**Strategy HE-1.3.5** **General Plan Re-Designation to Achieve RHNA.** To ensure that the City has sufficient sites designated appropriately to achieve the City's Regional Housing Needs Allocation (RHNA), the City will revise its General Plan Land Use Diagram to re-designate sites listed in Table B4-3 (Appendix B, Part 4 of this 6th Cycle Housing Element), to the new general plan designations identified for each site in Table B4-3.~~

~~*Responsibility:* *Cupertino Department of Community Development Planning Division*~~

~~*Timeframe:* *FY 2023-24*~~

~~*Funding Sources:* *None required*~~

~~*Objectives:* *N/A*~~

~~(New Program)~~

Strategy HE-1.3.3 **New Residential Zoning Districts and Land Use Designations.** To ensure the City can meet the RHNA, the following actions will be taken:

Zoning. Create a new R4 Zoning District that will align with the two new General Plan Land Use designations, High/Very High Density allowing 50.01 to 65 units per acre, and Very High Density allowing 65.01 to 80 units per acre. The City will create development standards that will allow the maximum density of this district to be achieved. This will include increased height limits to allow at least three stories, reduced setbacks, reduced lot coverage, and reduced parking requirements.

General Plan Land Use Designations. Create two new General Plan Land Use Designations – High/Very High Density, which will allow for 50.01–65 units per acre, and Very High Density, which will allow for 65.01–80 units per acre. The City will also revise the Commercial/Residential designation to identify different densities at which residential development could occur on property zoned for Residential mixed uses for clarity, and allow 100 percent residential on sites with a General Plan Land Use designation of Commercial/Residential, if the project is affordable.

Responsible Agency: *Cupertino Department of Community Development Planning Division*

Timeframe: *Create new R4 Zoning District and General Plan Land Use designations and development standards ~~by January 31, 2024~~concurrently with adoption of the Housing Element.*

Funding Sources: *General Fund*

Quantified Objective: *Create opportunity for 600 units~~.~~; including 300 units for lower-income households that will be within close proximity to services and other resources in high-opportunity areas. Prioritize projects for lower-income households in areas with high rates of housing cost burden, such as the city's north side, and areas with high risk for displacement, such as the South De Anza Special Area, Homestead Special Area~~.~~, Heart of the City Special Area, and in the South Blaney neighborhood~~s~~, and, if sites become available, in the Garden Gate and Rancho Rinconada neighborhoods.*

(New Program)

~~**Strategy HE-1.3.2 Accessory Dwelling Units.** This City will review and revise its Second Dwelling Unit Ordinance to ensure consistency with state law and to institute a forgivable loan program for homeowners that construct accessory dwelling~~

~~units (ADUs) that are held affordable to lower-income households for a minimum period of 15 years. Update of the Second Dwelling Unit Ordinance should also include a program to streamline the ADU review and production process as part of the City FY 2023-24 work program. The City will continue to implement the Second Dwelling Unit Ordinance and encourage the production of second units.~~

~~*Responsibility:* *Cupertino Department of Community Development Planning Division*~~

~~*Timeframe:* *Ongoing*~~

~~*Funding Sources:* *BHR AHF*~~

~~*Objectives:* *FY 2023-24; 25 second units annually for a total of 200 units over eight years*~~(Formerly HE-1.3.2)

Strategy HE-1.3.4 **Development on Nonvacant Sites.** Establish an outreach and coordination program to connect developers, builders, and owners of non-vacant sites. The program shall:

a. Emphasize reaching out to owners of non-vacant sites to discuss any interest in redeveloping and available incentives.

b. Market and advertise these sites to the development community along with any incentives that might be available.

c. Establish biennial meetings with developers and builders to discuss development opportunities.

If no projects are proposed on non-vacant sites within the first half of Housing Element planning period, the City will provide additional incentives, which will include, but are not limited to:

a. Priority project processing

b. Waive development impact or delay permit fees for affordable units

c. Flexibility in development standards, such as parking, setbacks, and landscaping requirements

d. Support grant application requests for funding made by developers for infrastructure upgrades.

e. Assist developers of 100 percent affordable housing developments with securing additional financing.

Responsible Agency: Cupertino Department of Community Development Housing Division

Timeframe: *Initiate by June 2024 and maintain throughout planning period on a biennial basis.*

Funding Source: None required.

Quantified Objective: Engage with three property owners of high-potential non-vacant sites each year. Create opportunity for 500 units, including 300 units for lower-income households that will be within close proximity to services, frequent transit and other resources in high-opportunity areas. Prioritize sites in areas with high rates of housing cost burden, such as the city's north side, and areas with high risk for displacement, such as the South Blaney neighborhood, and, if sites become available, in the Garden Gate and Rancho Rinconada neighborhoods and other lower-density neighborhoods. Additionally, target sites with high unit potential, such as sites in the De Anza Boulevard corridor and the sites with the highest allowable densities. If no projects are proposed on non-vacant sites within the first half of the Housing Element planning period, the City will adopt additional incentives as described above beginning in the third year.

(New program)

Strategy HE-1.3.5 Encourage Mixed-Use Projects and Residential in Commercial Zones. The City will incentivize development of residential units in mixed-use projects that include affordable units (at least 20 percent), by providing incentives, which will include, but are not limited to:

- Priority project processing
- Delay payment of development impact or permit fees for affordable units
- Flexibility in development standards, such as parking, setbacks, and landscaping requirements
- Support grant application requests for funding made by developers for infrastructure upgrades.
- Assist developers of 100 percent affordable housing developments with securing additional financing.

Responsible Agency: Cupertino Department of Community Development Planning Division

Timeframe: Annually reach out to developers to inform them of the available incentives and obtain feedback by December 2025 on the provided

incentives, review annually and amend as needed. Offer alternative incentives within six months of receiving feedback.

Funding Source: *None required.*

Quantified Objective: *150 extremely low-income units, 150 very low-income units, and 300 low-income units. Prioritize projects for lower-income households in areas with close proximity to job opportunities, such as the Heart of the City Special area; areas with high rates of housing cost burden, such as the city's north side (in and in the proximity of the Homestead Special Area); and areas with high risk for displacement, such as the South Blaney neighborhood and the Garden Gate neighborhood if sites become available.*

(New program)

Strategy HE-1.3.6 **Encourage Missing-Middle Housing Developments to Affirmatively Further Fair Housing**. The City will ~~help facilitate the gentle increase in density within neighborhoods by~~ encourage~~ing~~ the development of missing-middle housing that ~~are~~is affordable by design. This will also help the incorporation of rental housing within the existing primarily ownership units within neighborhoods. The City will accomplish this by:

- Allowing corner lots in R1 zoning districts to develop as multi-family rental housing using R3 zoning regulations to encourage missing-middle developments.
- Allowing lots zoned for single-family residential uses that abut (either shares a property line or is directly across the street from) property that fronts an arterial or major collector, and is zoned and used for commercial or mixed-use development, to develop with rental -multi-family housing using R3 zoning regulations to encourage missing middle housing.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Complete zoning code changes by December 2024~~5~~.*

Funding Sources: *None required.*

Objectives: *Facilitate the development of 250 lower- and 250 moderate-income households, prioritizing projects in areas with high levels of renter overpayment, including the Creston-Pharlap and South Blaney neighborhoods and lower-density neighborhoods.*

Strategy HE-1.3.~~3~~7 **Lot Consolidation.** The City will help facilitate lot consolidations to combine small residential lots (lots 0.5 acres or smaller) into larger developable lots. T~~t~~he C~~e~~ity will continue the following actions to accomplish this:~~To facilitate residential and mixed-use developments, the City will continue to:~~

- ~~Encourage~~ Facilitate and approve lot consolidation when contiguous smaller, underutilized parcels are to be redeveloped.
- Encourage master plans for such sites with coordinated access and circulation.
- Provide technical assistance to property owners of adjacent parcels to facilitate coordinated redevelopment where appropriate.
- ~~Encourage~~Facilitate intra- and interagency cooperation in working with applicants at no cost prior to application submittal for assistance with preliminary plan review.
- Provide information on the City's website about development opportunities and incentives for lot consolidation to accommodate affordable housing units and discuss these opportunities and incentives with interested developers. As developers/owners interested in lot consolidation ~~approach the City interested in lot consolidation~~ and the development of affordable housing ~~developmen~~projects on small lots~~, for the development of affordable housing,~~ approach the City, the City will offer the following incentives:
  - Allow affordable projects to exceed the maximum height limits,
  - Reduce setbacks,
  - Reduce parking requirements, and/or~~.~~
  - Offset fees (when financially feasible) and offer concurrent/fast tracking of project application reviews to developers who provide 100 percent affordable housing.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Identify incentives by ~~January~~December20254, offer incentives by ~~December~~June 2026. Ongoing thereafter, as projects are processed through the Planning Department. Annually meet with local developers to discuss development opportunities and incentives for lot consolidation.~~Ongoing*

Funding Sources: *None required.*

Objectives: *27 moderate-income units, and 48 above moderate-income units. ~~N/A~~ Prioritize projects for lower-income households in areas*

with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area), and areas with high risk for displacement, such as the South Blaney neighborhood and the Garden Gate neighborhood if sites become available. Additionally, target development for lower-income households in high-opportunity areas, such as the Homestead, Heart of the City Special Area, South De Anza Special Area, and North and South Monta Vista Village neighborhoods, as well as other lower-density neighborhoods.

(Formerly HE-1.3.3)

Strategy HE-1.3.8 **Accessory Dwelling Units.** The City will encourage the construction of accessory dwelling units (ADUs) throughout the city through the following actions, which are aimed at providing an increased supply of ~~affordable~~ units affordable to very low, low, and moderate-income households and therefore provide affordable housing in high opportunity neighborhoods and help reduce displacement risk for low-income households resulting from overpayment:

- Amend the municipal code to be consistent with the latest State legislation related to ADUs, in accordance with California Government Code Sections 65852.2 *et seq.*
- Continue to provide guidance and educational materials for building ADUs on the City's website, including permitting procedures. Additionally, the City will biennially present homeowner associations with information about the community and neighborhood benefits of ADUs, and inform them that covenants, conditions, and restrictions (CC&Rs) prohibiting ADUs are contrary to State law.
- To increase mobility for lower income households, p~~P~~roactively advertise the benefits of ADUs by distributing multilingual informational materials in areas of high opportunity and a limited number of renter households, including the Monta Vista North and Oak Valley neighborhoods, to increase mobility for low-income households by posting flyers in community gathering places and providing information to community groups and homeowners' associations at least annually.
- Continue to offer the pre-approved ADU program and post links to approved plans as available.

- Annually monitor ADU production and affordability as a part of the Annual Progress Report process and adjust or expand the focus of the education and outreach efforts.
- Apply annually, ~~or as~~if grants are available, for funding to provide incentives, for homeowners to construct ADUs affordable to very low, low, and moderate-income tenants.
- Permit up to a maximum of three, 800 s.f. attached or detached ADUs, JADUs, or conversion ADUs on all single family zoned properties and a maximum of up to two 800 s.f. attached or detached ADUs, JADUs or conversion ADUs on all duplex zoned properties, which is in excess of the number of ADUs allowed under state law. ~~a maximum of three ADUs, each of up to 1200 square feet, in addition to streamlined state~~
- Identify incentives for construction of affordable ADUs with new development, which may include deferring collection of impact fees for the square footage associated with the ADU until issuance of the certificate of occupancy.

Responsibility: *Cupertino Department of Community Development Planning and Housing Divisions.*

Timeframe: *Amend the municipal code by June 2024 and update ADU materials available by June 2024. Allow ADUs ongoing beyond State law requirements. Present proposed code amendment within six months of Housing Element adoption. Identify incentives by June 2025, and apply annually for funding to support ADU incentives.; E~~e~~valuate effectiveness of ADU approvals annually, starting April 2024~~, and identify additional incentives within one year if ADU targets are not being metIdentify incentives by June 2025, and apply annually for funding to support ADU incentives.~~*

Funding Sources: *Below Market Rate Affordable Housing Fund*

Objectives: *60 ADUs to improve housing mobility and improve proximity to services and employment opportunities for lower- and moderate-income households, with targeted outreach in high-opportunity areas with high rates of renter overpayment, such as the Rancho Rinconada neighborhood, and areas in close proximity to jobs, such as the North Blaney and Garden Gate neighborhoods, as well as lower-density neighborhoods. (40 ADUs are assumed to address the displacement risk).*

(Formerly HE-1.3.2)

Strategy HE-1.3.~~4~~9 ~~**Objective**~~ **Review Development Standards.** The City recognizes the need to encourage a range of housing options in the community. The City will review and revise its zoning code to:

- ~~Ensure that~~Review and revise design and development standards (setbacks, height limits, lot coverage, etc.) and guidelines for multi-family housing, specifically in the R4 Zone and the Priority Development Area (PDA) ~~are~~ to ensure standards are objective and ~~non-discretionary and are designed so that they do not pose an undo burden on the development of affordable housing.~~that maximum densities can be achieved.
- Provide flexibility in development standards to accommodate new models and approaches to providing housing, such as live/work housing ~~(permitted with a CUP), and micro units (in existing housing units),~~ to allow housing to adapt to the needs of ~~the~~ occupants.
- Offer flexible residential development standards in planned residential zoning districts, such as smaller lot sizes, lot widths, setbacks, and higher floor-area ratios particularly for higher-density and attached housing developments.

~~-~~Consider granting reductions in off-street parking for senior housing. ~~and studio apartments.~~

- ~~Review~~Analyze local parking standards compared to those of neighboring jurisdictions with similar characteristics and ~~revise~~reduce parking standards to ensure parking is not a constraint on development. Specifically, reduce parking requirements for studio apartments, senior housing, and single-room occupancy (SRO) units and others as required by the analysis.
- Require implementation of ~~visitability~~universal design standards for new multi-family development to provide disabled access.~~construction (including single family homes)~~. These standards would require ~~encourage~~ the adoption of features like at least one "no-step" entry point, interior and exterior doors with 32 inches of clear passage, and one bathroom on the main floor that is able to be maneuvered in a wheelchair. Encourage the implementation of universal design standards for new single-family homes.

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: ~~*FY 2023-24*~~ *Analyze parking standards by December 2024~~5~~ and revise standards by June 2025. Review and revise standards*

by June 2025; annually review objective design standards and amend as needed. ~~Ongoing~~

Funding Sources: *None required.*

Objectives: *~~N/A~~Development of 150 units for lower-income households, 150 units for moderate-income households, and 500 for above-moderate income households by revising development standards.*

(Formerly HE-1.3.4)

~~**Strategy HE-1.3.7 Priority Housing Sites.** To simplify the City efforts to achieve the designated number of affordable housing units on the sites listed in Table B4-3 (Appendix B, Part 4 of this 6th Cycle Housing Element), selected sites in that table have been designated "Priority Housing Sites" as that term is used in Cupertino Zoning Code Section 19.80.030 (E). This was accomplished through the inclusion of Policy HE-1.3, above. Nonetheless, minor adjustments are required to the language of Cupertino Zoning Code Section 19.80.030 to ensure that this objective is achieved. Accordingly, the City will amend Cupertino Zoning Code Section 19.80.030 (C) so that Subsection Cupertino Zoning Code Section 19.80.030 (E) applies to all sites zoned for Planned Development, not just mixed-use sites.~~

~~*Responsibility: Cupertino Department of Community Development Planning Division*~~

~~*Timeframe: FY 2023-24*~~

~~*Funding Sources: None required*~~

~~*Objectives: N/A*~~

~~(New Program)~~

~~**Strategy HE-1.3.8 Low-Barrier Navigation Center.** AB101 (2019) provides a pathway to permanent housing for people experiencing homelessness. In order to comply with State law, the City will amend its Zoning Code to allow "Low Barrier Navigation Center" by right in appropriate zoning districts.~~

~~*Responsibility: Cupertino Department of Community Development Planning Division*~~

~~*Timeframe: FY 2023-24*~~

~~*Funding Sources: None required*~~

~~*Objectives: N/A*~~

~~(New Program)~~

~~**Strategy HE-1.3.9**~~11 ~~**Subdivision of Single-Family Lots (SB 9).** Recent state law (SB 9) allows a property owner to subdivide his/her single-family property into two lots that can accommodate up to four units on a single-family residential lot. In order to comply with State law, the City~~ amended its Zoning Code in December 2021 ~~will amend its Zoning Code to allow SB 9 subdivision in appropriate zoning districts. The City will, on an ongoing basis, review and revise the Zoning Code to be continue to be compliant with State Law.~~

~~*Responsibility: Cupertino Department of Community Development Planning Division*~~

~~*Timeframe: FY 2023-24*~~ *Ongoing*

~~*Funding Sources: None required*~~

~~*Objectives: N/A*~~

~~(New Program)~~

Strategy HE-1.3.10 Innovative and Family--Friendly Housing Options. Explore innovative and alternative housing options that provide greater flexibility and affordability in the housing stock that would address housing needs for intergenerational households, students, special--needs groups, and lower--income households. The Ceity will implement the following:

- Promote housing designs and unit mix to attract multigenerational households by encouraging housing features and more bedrooms (including four-bedroom units), as well as other on-site amenities, such as usable outdoor open space for multigenerational use to promote place-based revitalization, and multipurpose rooms that can be used for after-school homework clubs, computer, art, or other resident activities. Facilitate at least one partnership with social service organizations to provide programming in community spaces within a 100 percent affordable project during the planning period.
- Research the possibility of a Home Sharing program that would help to match "providers" with a spare room or rooms with "seekers" who are looking for an affordable place to live. This could either be done at a

countywide level or the City could consider partnering with De Anza Community College to facilitate a home--sharing program to account for the high number of empty rooms across Cupertino's single--family home supply. If the program is determined to be feasible, implement within one year of feasibility determination. Priority outreach for program implementation will focus on the city's lower-density neighborhoods including, but not limited to, Ranchonada, Fair Grove, Monta Vista North, and Inspiration Heights.

The City will use the findings of this program to target development of a variety of housing types in areas of concentrated overpayment to reduce displacement risk as well as promote inclusion and support integration of housing types based on income to facilitate mobility opportunities in high resource areas and areas of high median income.

Responsibility: *Cupertino Department of Community Development Planning and Housing Divisions*

Timeframe: *Explore innovative and alternative housing options to help further housing production by December 2025, amend the zoning code as needed by October 2024.*

Funding: *None required.*

Quantified Objective: *200 lower-income units to improve housing mobility and reduce displacement risk, aiming for at least 50 in close proximity to jobs, transit, open space, and other services and 50 integrated into predominantly single-family, and higher-income areas, and 10 – 4 bedroom units.*

Strategy HE-1.3.11 Replacement Housing. To facilitate place-based revitalization for households at risk of displacement due to new development, the City will require replacement housing units subject to the requirements of Government Code, Sections 66300.5, 65583.2, and 65915(c)(3), on all sites ~~identified in the site inventory~~in the City when any new development (residential, mixed-use, or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to non-vacant sites and vacant sites with previous residential uses that have been vacated or demolished.

Responsible Agency: Cupertino Department of Community Development Planning Division

Timeframe: *The replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.*

Funding Source: *None required.*

Quantified Objective: *Replace any units identified in the sites inventory if: (a) they are planned to be demolished ~~for purposes of building new housing~~ or have been demolished in the past 5 years, and (b) they are ~~determined to be occupied by low-income households.~~ "protected units" as defined in the statutes. Ensure that housing development projects create at least as many total units as are planned to be demolished ~~provide assistance to prevent displacement of lower-income households due to loss of affordable units.~~*

(New Program)

~~*By January 31, 2026*~~

~~**Strategy HE-1.3.13 Post-Entitlement Phase Permitting.** To encourage the construction of new units that have been permitted by the City, the City will process post-entitlement phase permits in accordance with the requirements of Government Code, Section 65913.3. Additionally, the City will post the relevant lists of post-entitlement phase permit requirements on its website by January 1, 2024.~~

~~*Responsible Agency:* *Cupertino Department of Community Development Planning Division*~~

~~*Timeframe:* *The City will process post-entitlement phase permits on an ongoing basis and will make the relevant lists of post-entitlement phase permit requirements available on its website by January 1, 2024.*~~

~~*Funding Source:* *None required.*~~

~~*Quantified Objective:* *N/A*~~

~~(New Program)~~

Strategy HE-1.3.12 Track Housing Production. The City will monitor housing production throughout the planning period and ensure the Pipeline Projects (Table B4-2) and sites identified to meet the RHNA (Tables B4-7 and B4-9,) maintain

sufficient housing capacity to meet the RHNA target by income level. The city will not adopt reductions in allowable residential densities for Pipeline Projects in the Appendix B4 through General Plan update/amendment or rezone or approve development or building permits for sites identified in the inventory with fewer units or affordable to a different income category than identified in the inventory, unless findings are made that the remaining capacity is sufficient to accommodate remaining unmet RHNA for each income level. The City will track and report on:

- Pipeline projects (Table B4-2) and progress towards completion;
- Unit count and income/affordability assumed on parcels in the sites inventory (Tables B4-7 and B4-9);
- Actual number of units permitted and constructed by income/affordability;
- Net change in capacity and summary of remaining capacity by income level in meeting remaining RHNA;

In accordance with No Net Loss law, if project approval results in the remaining sites capacity becoming inadequate to accommodate RHNA by income category, the City will identify or rezone sufficient sites to accommodate the shortfall within 180 days of approval. Further, the City will track progress of pending projects towards completion and if projects are not assumed to be completed in the planning period, the City will evaluate whether there are sufficient sites available to accommodate the RHNA. If sufficient sites are not available, the City will take necessary actions (e.g., rezoning or identify additional sites) to maintain adequate sites within one year. The results of the tracking will be reported in the Housing Element Annual Progress Report reported annually to the City Council and posted online for public review.

Responsible Agency: Cupertino Department of Community Development Planning Division

Timeframe: ~~*Annually monitor the sites inventory starting in April 2025 to ensure compliance with No Net Loss law.*~~*Ongoing. If projects are approved on inventory sites with fewer units or at a different income level than shown in the Housing Element, make no net loss findings as required by Section 65863. If insufficient sites remain by income category, designate additional sites within 180 days.* ~~-~~*Complete a mid-term evaluation of the City's pipeline projects to review progress towards*

competition and if additional actions are necessary, complete additional actions within one year.

Funding Source: None required.

Quantified Objective: Ensure sufficient capacity is maintained to accommodate the RHNA.

(New Program)

Strategy HE-1.3.13 Housing Element Monitoring and General Plan Consistency. As required by State law, the City will review the status of Housing Element programs annually. Annual review will cover consistency between the Housing Element and the other General Plan Elements. As portions of the General Plan are amended, the Housing Element will be reviewed and revised to ensure that internal consistency is maintained.

Responsible Agency: Cupertino Department of Community Development Planning Division

Timeframe: Review and revise as elements are updated.

Funding Source: None required.

(New Program)

GOAL HE-2 HOUSING IS AFFORDABLE FOR A DIVERSITY OF CUPERTINO HOUSEHOLDS

Policies

Policy HE-2.1 **Housing Mitigation.** Ensure that all new developments, — including market-rate residential developments, —help mitigate project-related impacts on affordable housing needs.

(Formerly Policy HE-2.1)

Policy HE-2.2 **Range of Housing Types.** Encourage the development of diverse housing stock that provides a range of housing types (including smaller, moderate--cost housing) and affordability levels. Emphasize the provision of housing for lower- and moderate-income households, including wage earners who provide essential public services (e.g., school district employees, municipal and public safety employees, etc.). (Formerly Policy HE-2.1)

Policy HE-2.3 **Development of Affordable Housing and Housing for Persons with Special Needs.** ~~Maintain and/or adopt appropriate land use regulations and other development tools to encourage the development of affordable housing.~~ Make every reasonable effort to disperse affordable units throughout the community but not at the expense of undermining the fundamental goal of providing affordable units. Ensure that the City's development standards accommodate housing needed by persons with special needs.

(Formerly Policy HE-2.1)

Strategies

Strategy HE-2.3.1 **Support Affordable Housing Development**. Work with housing developers to expand opportunities for affordable lower-income housing for special-needs groups, including persons with physical and developmental disabilities, female-headed households, large families, extremely low-income households, and persons experiencing homelessness by creating partnerships, providing incentives, and pursuing funding opportunities.

- Prioritize projects that are in areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood. Additionally, prioritize projects in areas with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area).
- Support affordable housing development and give priority to permit processing for projects providing 100 percent affordable housing for special-needs groups throughout the city, including in areas that are predominantly single-family residential. The target populations include seniors; persons with disabilities, including developmental disabilities; female-headed households; and persons experiencing homelessness to reduce the displacement risk for these residents from their existing homes and communities.
- Promote the use of the density bonus ordinance, application process streamlining, fee deferrals, and consider development fee exemption for projects that are 100 percent affordable to encourage affordable housing, with an emphasis on encouraging affordable housing in high-resource areas and areas with limited rental opportunities currently.
- Facilitate the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable ~~100~~50% percent (of the total number of units) affordable housing

development and process fee deferrals related to the subdivision for 50 percent (of the total number of units) affordable projects.

- Work with public or private sponsors to identify candidate sites for new construction of housing for special needs, including transitional and supportive households, and take all actions necessary to expedite processing of such projects.
- Encourage residential development near transit routes, civic uses, social services, grocery stores, parks, open space, and other health resources.
- Partner with nonprofit and for-profit affordable housing developers to support their financing applications for State and federal grant programs, tax-exempt bonds, and other programs that become available.
- Pursue federal, State, and private funding for low- and moderate-income housing by applying for State and federal monies for direct support of lower-income housing construction and rehabilitation, specifically for development of housing affordable to extremely low-income households.

Responsibility: *Cupertino Department of Community Development Planning and Housing Divisions*

Time Frame: *Ongoing, as projects are processed by the City. Annually apply for funding and engage with housing developers.*

Funding: *Where feasible, leverage State and federal financing, including Low-Income Housing Tax Credits, CHFA multifamily housing assistance programs, HCD Multifamily Housing Loans, CDBG funds, HOME funds, and other available financing.*

Quantified Objective: *Create opportunity for 450 units for lower-income households that will be within close proximity to services and other resources in high-opportunity areas,. Include development of 250 units affordable to special-needs, lower-income households to reduce displacement risk for these populations. Target 100 units in close proximity to services and transit, and 100 in higher-income, predominantly single-family neighborhoods to promote mobility opportunities. Opportunity areas for targeting include the Monta Vista North neighborhood. Additionally, target areas with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area)*

Strategy HE-2.3.~~1~~2 **Office and Industrial Housing Mitigation Program.** The City will continue to implement the Office and Industrial Housing Mitigation Program. This program requires that developers of office, commercial, and industrial space pay a mitigation fee, which will then be used to support affordable housing in Cupertino. These mitigation fees are collected and deposited in the City's Below Market-Rate Affordable Housing Fund (BMR AHF).

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Ongoing*

Funding Sources: *BMR AHF*

Objectives: ~~*N/A*~~*With limited office and industrial development, facilitate development of 20 units for very low- and low-income households.*

(Formerly HE-2.3.1)

Strategy HE-2.3.~~2~~3 **Residential Housing Mitigation Program.** The City will continue to implement the Residential Housing Mitigation Program to mitigate the need for affordable housing created by new market-rate residential development. This program applies to new residential development. Mitigation includes either the payment of the "Housing Mitigation" fee or the provision of a Below Market-Rate (BMR) unit or units. Projects of ~~seven~~ five or more for-sale units must provide on-site BMR units. Projects of four~~six~~ units or fewer for-sale units can either build one BMR unit or pay the Housing Mitigation fee. Developers of market-rate rental units, where the units cannot be sold individually, must pay the Housing Mitigation fee to the BMR AHF. The BMR program specifies the following:

- **Priority.** To the extent permitted by law, priority for occupancy is given to Cupertino residents, Cupertino full-time employees, and Cupertino public service employees, as defined in Cupertino's Residential Housing Mitigation Manual.
- **For-Sale Residential Developments.** Require ~~15~~ 20 percent for-sale BMR units in all residential developments where the units can be sold individually (including single-family homes, common interest developments, and condominium conversions) or allow rental BMR units ~~as allowed in (d) below.~~).

- **Rental Residential Developments~~: .~~** ~~To the extent permitted by law,~~ ~~r~~Require 15 percent ~~rental~~ very low~~-~~ and low-income BMR units in all rental residential developments. ~~If the City is not permitted by law to require BMR units in rental residential developments, require payment of the Housing Mitigation Fee.~~

- **Rental Alternative.** Allow rental BMR units in for-sale residential developments~~,~~ and allow developers of market-rate rental developments to provide on-site rental BMR units, if the developer: (1) enters into an agreement limiting rents in exchange for a financial contribution or a type of assistance specified in density bonus law (which includes a variety of regulatory relief); and (2) provides very low-income and low-income BMR rental units.

- **Affordable Prices and Rents.** ~~Establish~~ Continue to implement guidelines for affordable sales prices and affordable rents for new affordable housing and update the guidelines each year as new income guidelines are received.~~;~~

- **Development of BMR Units Off Site.** Allow developers to meet all or a portion of their BMR or Housing Mitigation fee requirement by making land available for the City or a nonprofit housing developer to construct affordable housing or allow developers to construct the required BMR units off site, in partnership with a nonprofit. The criteria for land donation or off-site BMR units (or combination of the two options) will be identified in the Residential Housing Mitigation Manual.

- **BMR Term.** Require BMR units to remain affordable for a minimum of 99 years; ~~and~~ enforce the City's first right of refusal for BMR units and other means to ensure that BMR units remain affordable.

- Monitor the affordable for-sale inventory by requiring BMR homeowners to submit proof of occupancy, such as utility bills, mortgage loan documentation, homeowner's insurance, and property tax bills.

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: ~~*Ongoing*~~ ~~*Annually monitor program; make modifications as constraints identified within 6 months, and as needed*~~ *to ensure that it is not acting as a constraint on development. Conduct economic feasibility study if it appears to be a constraint and make any required changes within one years.*

Funding Sources: *BHR AHF*

Objectives: *200 BMR units over eight years in areas with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area), and areas with high risk for displacement, such as the South Blaney neighborhood and Garden Gate neighborhood if sites become available.*

(Formerly HE-2.3.2)

Strategy HE-2.3.~~3~~4 **Below--Market Rate (BMR) Affordable Housing Fund (AHF).** The City's BMR AHF will continue to support affordable housing projects, strategies, and services, including, but not limited to:

- BMR Program Administration
- Substantial rehabilitation
- Land acquisition
- Acquisition and/or rehabilitation of buildings for permanent affordability~~, with or without rehabilitation~~
- New construction
- Preserving "at-risk" BMR units
- Rental operating subsidies
- ~~•~~ Down payment assistance
- ~~Land write-downs~~
- Direct gap financing
- Fair housing

The City will target a portion of the BMR AHF to benefit extremely low-income households and persons with special needs (such as the elderly, victims of domestic violence, and the disabled, including persons with developmental disabilities), to the extent that these target populations are found to be consistent with the needs identified in the nexus study the City prepares to identify the connection, or "nexus" between new developments and the need for affordable housing. Additionally, development of housing for lower-income households will be facilitated citywide, but priority will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood. Additionally, priority will also be given to areas with high rates of cost burden, such as the city's north side (in and in proximity of the Homestead Special Area).

~~To ensure the mitigation fees continue to be adequate to mitigate the impacts of new development on affordable housing needs, the City will update its Nexus Study for the Housing Mitigation Plan by the end of 2024.~~

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: *Ongoing/annually publish requests for proposals (RFPs) to solicit projects.~~; update Nexus Study by the end of 2024~~*

Funding Sources: *BMH~~H~~R AHF*

Objectives: *~~N/A~~Facilitate the development of 50 units affordable to very low- and low-income households.*

(Formerly HE-2.3.3)

Strategy HE-2.3.45 **Housing Resources.** Cupertino residents and developers interested in providing affordable housing in the city have access to a variety of resources administered by other agencies. The City will continue to provide information on housing resources and services offered by the County and other outside agencies. These include, but are not limited to:

- Mortgage Credit Certificate (MCC) – Santa Clara County Housing and Community Development Department.
- First-Time Homebuyer Assistance and Developer Loans for Multifamily Development - Housing Trust Silicon Valley (HTSV).
- Housing Choice Vouchers (Section 8) - Housing Authority of Santa Clara County (HASCC).
- Affordable housing development - Santa Clara County HOME Consortium.

The City will also continue to ~~explore~~ identify and pursue various affordable housing resources available at the local, regional, state, and federal levels that could be used to address housing needs in the community.~~-~~ Outreach on these programs will be conducted citywide, but extra focus will be given to areas with historically higher areas of income segregation, such as the areas along the Interstate (I-) 280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of the Creston-Pharlap neighborhood), and along Miller Avenue, north of Creekside Park.

Responsibility: *Cupertino Department of Community Development ~~Planning Division and~~ Housing Division*

Timeframe: *~~Ongoing~~ Annually identify and pursue various housing resources and inform residents and developers on available programs, update website as funding is available.*

Funding Sources: *None required.*

Objectives: *~~N/A~~Provide information about available programs to 50 households each year, with targeted outreach to areas with historically higher areas of income segregation, such as the areas along the I-280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of Creston-Pharlap neighborhood), and along Miller Avenue, north of Creekside Park.*

(Formerly HE-2.3.4)

Strategy HE-2.3.~~5~~6 **Surplus Properties for Housing and Faith-Based Housing.** The City will partner with local developers or organizations to purchase surplus properties, infill lots, and other green fields within the city to use for the development of affordable housing. Encourage mixed-use development (i.e., retail on ground floor with residential on the upper levels) as a pull factor for individuals to live in the new development as follows:

- Work with local public agencies, school districts, and churches to identify surplus properties or underutilized properties that have the potential for residential development.
- Compile and maintain an inventory of vacant properties owned by the City or other public entities ~~and update the inventory annually~~. The inventory will include ~~donated~~ land donated and accepted by the City for donation, and land otherwise acquired by the city. The City will then undertake steps leading to release of RFP to solicit developer interest, which may include declaration of land as 'surplus'. The City will publicize the inventory, post it on the website, make it available to non-profit developers, and prioritize affordable housing on these sites in accordance wit the Surplus Lands Act (Government Code sections 54220-54234).
- To create housing mobility opportunities for lower-income households, conduct outreach to religious institutions to inform them of their development rights under SB 4 and encourage housing proposals within

one year of Housing Element adoption. If no application for housing on a religious institution/faith-based site is received within twelve months after outreach is completed, the City will expand outreach efforts to be conducted annually. This will include direct mailings to faith-based sites highlighting successful affordable housing units on other faith-based sites, as well as available City resources and programs to support such projects if available. Additional outreach focus will be given to religious institutions located in lower-density neighborhoods to promote housing mobility in these areas.

- Encourage long-term land leases of properties from churches, school districts, and corporations for construction of affordable units.
- Evaluate the feasibility of developing special housing for teachers or other employee groups on the surplus properties.
- Research other jurisdictions' housing programs for teachers for their potential applicability in Cupertino.

Responsibility: *Cupertino Department of Community Development Planning and Housing Divisions*

Timeframe: *Ongoing, ~~evaluate housing programs for teachers in 2015~~Reach out to affordable housing developers biennially to discuss opportunities. Review and u~~U~~pdate City-owned properties list annually. Conduct initial outreach within one year of Housing Element adoption and additional outreach as new legislation is passed. If no applications for housing projects on religious sites are received by December 2025, conduct outreach annually.*

Funding Sources: *BMR AHF*

Objectives: *Facilitate the development of 5 new affordable housing projects on sites owned by religious institutions.~~N/A~~*

(Formerly HE-2.3.5)

Strategy HE-2.3.~~6~~7 **Incentives for Affordable Housing Development.** The City will continue to offer a range of incentives to facilitate the development of affordable housing. These include: ~~Financial assistance through the City's Below Market-Rate Affordable Housing Fund (BMR AHF) and CDBG funds. Partner with CDBG and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including~~

~~HOME funds, Low Income Housing Tax Credits (LIHTC), and mortgage revenue bonds.~~

- Financial assistance through the City's Below-–Market -Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds.
- Partner with CDBG and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low-–Income Housing Tax Credits (LIHTC), and mortgage revenue bonds.
- Density bonus incentives (see Strategy HE-2.3.~~7~~8 ~~below~~).
- Flexible development standards
- Technical assistance.
- Waiver of park dedication fees and construction tax.
- Parking ordinance waivers.
- Expedited permit processing.

~~The City joined the Santa Clara County HOME Consortium so that HOME funds for eligible affordable housing projects within the City of Cupertino are available beginning federal fiscal year 2015.~~

Development of housing for lower-–income households will be facilitated citywide, but extra focus will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhood ~~and surrounding areas.~~ Additionally, focus will be given to areas with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area).

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: *Annually review incentives and include additional incentives as needed to facilitate affordable housing development.* ~~*Ongoing incentives (annually publish RFPs to solicit projects.); joined HOME Consortium in 2014*~~ *If additional incentives are found to be needed and feasible, implement within one year of determination.*

Funding Sources: *BMR AHF, CDBG, HOME, General Fund*

Objectives: ~~*N/A*~~*Facilitate development of 400 units available to very low-income households and 250 units affordable to low—income households.*

(Formerly HE-2.3.6)

Strategy HE-2.3.~~7~~8 Density Bonus Ordinance. The City will continue to review and revise the Zoning Code to be consistent with State density bonus law. Although most housing developers are familiar with density bonus law and frequently request bonuses, concessions, waivers, and parking reductions, the city will provide available guidelines and other information to developers regarding the statute. The City currently allows a 100% bonus for all affordable housing developments. ~~The City will encourage use of density bonuses and incentives, as applicable, for housing developments which include one of the following:~~

- ~~At least 5 percent of the housing units are restricted to very low-income residents.~~
- ~~At least 10 percent of the housing units are restricted to lower income residents.~~
- ~~At least 10 percent of the housing units in a for-sale common interest development are restricted to moderate income residents.~~
- ~~The project donates at least one acre of land to the city or county large enough for 40 very low-income units; the land has the appropriate general plan designation, zoning, permits, approvals, and access to public facilities needed for such housing; funding has been identified; and other requirements are met.~~

~~A density bonus of up to 20 percent must be granted to projects that contain one of the following:~~

- ~~The project is a senior citizen housing development (no affordable units required).~~
- ~~The project is a mobile home park age restricted to senior citizens (no affordable units required).~~

~~For projects that contain on-site affordable housing, developers may request one to three regulatory concessions, which must result in identifiable cost reductions and be needed to make the housing affordable.~~

~~Development of housing for lower- income households will be facilitated citywide, but extra focus will be given to areas with currently low percentages~~

~~of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, including the Monta Vista North neighborhoods and surrounding areas. Additionally, focus will be given to areas with high rates of housing cost burden, such as the city's north side (in and in proximity of the Homestead Special Area).~~

~~The City will update the density bonus ordinance as necessary to respond to future changes in State law.~~

Responsibility: *Cupertino Department of Community Development Planning Division ~~and Housing Division~~*

Timeframe: ~~*Ongoing*~~*Update ordinance to comply with state law by June 2025.* ~~*Biennially*~~*Annually review and revise ordinance as needed to comply with State law.*

Funding Sources: *None required.*

Objectives: ~~*N/A*~~ *Facilitate the development of 200 units of housing affordable to very low- income households and 300 units affordable to low- income households. Ensure density bonus ordinance complies with state law and target citywide.*

(Formerly HE-2.3.7)

Strategy HE-2.3.9~~1.3.10~~ ~~Lower Fees for Multi-Family Housing Projects~~Review Impact Fees. ~~Cupertino has development fees that are among the highest in the region.~~ To ensure that impact fees are not a constraint on the development of housing, ~~T~~the City will:

- ~~r~~Review and revise impact fees ~~to ensure they are not a constraint on the development of housing. The City will~~by researching surrounding jurisdictions to determine other possible fee structures and will consider:
  - Alternatives, such as privately ~~-~~owned, publicly accessible (POPA) areas, or allowing parkland credit for pedestrian connections and trails. ~~The City will also~~
  - ~~consider~~ Incorporating priority processing, granting fee waivers or deferrals for 100 percent affordable projects, and modifying development standards ~~granting concessions and incentives, modeled on the Density Bonus Law. its fee structure to lower fees for multi-family housing so that they are in line with the regional average.~~

Responsibility: *Cupertino Department of Finance; City Manager's Office, Department of Community Development – Housing and Planning Divisions*

Timeframe: ~~*FY 2023-24*~~*Review current fees by December 2025, revise based on research outcome by June 2026.*

Funding Sources: *None required.*

Objectives: ~~*N/A*~~*Through revised fees or fee alternatives, facilitate the development of 500 units affordable to lower–income households, 300 units affordable to moderate–income households, and 500 units affordable to above moderate–income households.*

(New Program)

~~**Strategy HE-1.3.11 Lower Parking Requirements for Studio Apartments and SROs.**~~ ~~Cupertino requires two parking spaces for all multi-family housing in the R-3 Zoning District. The City will revise its Zoning Code to lower the number of required parking spaces for studio apartments and single room occupancies (SROs) to one parking space.~~

~~*Responsibility: Cupertino Department of Community Development – Planning Division*~~

~~*Timeframe: FY 2023-24*~~

~~*Funding Sources: None required*~~

~~*Objectives: Facilitate the development of 200 units affordable to very low income households, 150 units affordable to low income households, and 100 units affordable to moderate income households.N/A*~~

~~(New Program)~~

Strategy HE-2.3.10~~2.3.8~~ Extremely Low-Income Housing ~~and Housing for Persons with Special Needs.~~

The City will continue to encourage the development of adequate housing to meet the needs of extremely low-income households ~~and persons with special needs (such as the~~particularly for ~~elderly,~~seniors, victims of domestic violence, and ~~the disabled~~persons with disabilities~~,~~ (including persons with

developmental disabilities), through a variety of actions.: ~~. Specifically, the City will consider the following incentives:~~ The development of housing for extremely low-income households will be facilitated citywide, but priority will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units, ~~primarily~~including the Monta Vista North neighborhood. Additionally, ~~focus~~priority will be given to areas with high rates of housing cost burden, such as the city's north side.

- Provide financing assistance using the Below-Market Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant ~~funds~~ (CDBG) funds.
- Review available State and Federal NOFAs on an annual basis and support funding applications for affordable housing projects as funding becomes available.
- Adopt a priority processing procedure for projects with extremely low-income units within one year of Housing Element adoption.
- ~~Allow residential developments to exceed planned density maximums if they provide special needs housing and the increase in density will not overburden neighborhood streets or hurt neighborhood character.~~
- Grant reductions in off-street parking ~~on a case-by-case basis~~as required by density bonus law and other state statutes.
- Expand regulatory incentives for the development of units affordable to extremely low-income households and housing for special-needs groups, including persons with disabilities (including developmental disabilities), and individuals and families in need of emergency/transitional housing. The City will work with developers and evaluate additional proposed development standards reductions for projects that include housing for extremely low-income households, and will present findings and proposed code amendments to the Planning Commission and City Council for adoption within nine months of identified findings.
- Partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low-Income Housing Tax Credits (LIHTC), and mortgage revenue bond.
- Amend the Zoning Code to define single-room occupancy (SRO) units and allow them in the R4 zoning districts with a use permit, in compliance with Government Code Section 65583(c)(1).

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: *Adopt zoning code amendments within 18 months after Housing Element adoption~~by~~. Ongoing, as projects are processed by the Planning Division. By June 2025 outreach to organizations that support extremely low-income residents to understand funding needs, and review and prioritize local funding at least twice in the planning period, and support expediting applications as they are submitted. Annually coordinate to address and identify the needs and inform developers of available funding and incentives. Present findings and proposed code amendments for adoption within nine months of identified findings. ~~Ongoing~~*

Funding Sources: *BMR AHF, CDBG, HOME, LIHTC.*

Objectives: *Assist 250 extremely low-income households to reduce overpayment and displacement risk for special–needs groups, as identified in the program.~~N/A~~*

(Formerly HE-2.3.8)

Strategy HE-2.3.11 Assistance for Persons with Developmental Disabilities. To increase housing mobility opportunities and support persons with developmental disabilities, the City will:

- ~~also~~ Provide referrals to the San Andreas Regional Center to inform families with persons with developmental disabilities of the resources available to them.
- Continue to support the development of small group homes that serve developmentally disabled adults; adopt a policy to establish priority processing and offer fee waivers or deferrals within one year of Housing Element adoption.
- Work with the nonprofit community to encourage the inclusion of units for persons with developmental disabilities in future affordable housing developments.
- Encourage housing providers to pursue funding sources designated for persons with special needs and disabilities and notify housing providers of available funding opportunities as they become available. Offer technical assistance to project developers on funding applications.

- Encourage housing providers to designate a portion of new affordable housing developments for persons with disabilities, including persons with developmental disabilities, to increase housing mobility opportunities and pursue funding sources designated for persons with special needs and disabilities.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *Ongoing; Meet with disability providers by December 2025 and annually coordinate with regional offices and developers to pursue housing opportunities and help facilitate the development of housing for persons with disabilities. Adopt priority processing and fee deferral/waiver policy within one year of Housing Element adoption.*

Funding Sources: *None required.*

Objectives: *10 housing units for persons with disabilities to reduce displacement risk. Prioritize areas with high risk for displacement, such as the South Blaney neighborhood, and areas with higher concentrations of residents with disabilities, such as the Rancho Rinconada and Fairgrove neighborhoods, as sites become available.*

(New)

Strategy HE-2.3.12 **Live/Work Units.** Encourage the development or conversion of affordable live/workspace units to reduce displacement of residents and employees, specifically when replacing older strip mall type developments along busier streets (e.g., S. De Anza Boulevard and Stevens Creek Boulevard) to preserve the more urban and mixed-use character of the street. This would allow ~~for~~ the street frontage to remain commercial use while the residential portion of the units would be located towards the rear of the site or in upper floors.

The City will also help to market the Homeownership Assistance Programs offered by Housing Trust Silicon Valley (HTSV) ~~ensure owners of existing live/work units are aware of the Homebuyer Assistance Program available for their unit when marketing their unit for resale,~~ in an effort to expand affordable homeownership options.

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: ~~*Conduct outreach to commercial property owners by June 2025, and establish public listing of potential live/work development or conversion sites within one year of Housing Element adoption; conduct outreach annually to commercial property owners to gauge interest. Market these opportunities to developers annually. Identify at least two opportunities during the planning period. Adopt any required zoning amendments by December 2025. Annually monitor applications and modify program if required.*~~

Funding Sources: *None required.*

Objectives: *10 live–work units to reduce displacement risk. Prioritize development in areas with high risk for displacement, such as the South Blaney neighborhood.*

(New)

~~**Strategy HE-2.3.9 Employee Housing.** The City permits employee housing in multiple zoning districts. Pursuant to the State Employee Housing Act, any employee housing consisting of no more than 36 beds in a group quarter or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located. The Employee Housing Act also specifies that housing for six or fewer employees be treated as a residential use. The City amended the Zoning Ordinance to be consistent with the State law and will continue to comply with the Employee Housing Act where it would apply.~~

~~*Responsibility:* *Cupertino Department of Community Development Planning Division and Housing Division*~~

~~*Timeframe:* *Ongoing*~~

~~*Funding Sources:* *None required*~~

~~*Objectives: N/A*~~

~~(Formerly HE-2.3.9)~~

GOAL HE-3 STABLE AND PHYSICALLY SOUND RESIDENTIAL NEIGHBORHOODS

Policies

Policy HE-3.1 **Housing Rehabilitation.** Pursue and/or provide funding for the acquisition/rehabilitation of housing that is affordable to very low-, low-, and moderate-income households. Actively support and assist non-profit and for-profit developers in producing affordable units.

(Formerly Policy HE-3.1)

Policy HE-3.2 **Maintenance and Repair.** Assist lower-income homeowners and rental property owners in maintaining and repairing their housing units.

(Formerly Policy HE-3.2)

Policy HE-3.3 **Conservation of Housing Stock.** The City's existing multi-family units provide opportunities for households of varied income levels. Preserve existing multi-family housing stock, including existing duplexes, triplexes, and fourplexes, by preventing the net loss of multi-family housing units upon remodeling, with~~in~~ new development and the existing inventory of affordable housing units that are at risk of converting to market-rate housing.

(Formerly Policy HE-3.3)

Strategies

Strategy HE-3.3.1 **Residential Rehabilitation.** The City will continue to:

- Use its Below-Market-Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds to support residential rehabilitation efforts in the community. These include:
    - Acquisition/rehabilitation of rental housing.
    - Rehabilitation of owner-occupied housing.
- Provide assistance for home safety repairs and mobility/accessibility improvements to income-qualified owner-occupants using CDBG funds. The focus of this strategy is on the correction of safety hazards.

- Partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low-~~–~~Income Housing Tax Credits (LIHTC), and mortgage revenue bonds.

Responsibility: *Cupertino Department of Community Development Housing Division~~; West Valley Community Services~~*

Timeframe: *Ongoing/annually publish RFPs to solicit projects. Provide information on the City's website as funding is available.*

Funding Sources: *BMR AHF, CDBG, HOME, LIHTC*

Objectives: *~~200~~ 100 households assisted with home safety repairs and mobility/accessibility improvements. Target outreach in areas with higher rates of older housing stock, including the South Blaney neighborhood, as well as higher rates of households with disabilities, such as the Fair Grove neighborhood.*

(Formerly HE-3.3.1)

Strategy HE-3.3.2 **Preservation of At-Risk Housing Units.** ~~Three housing project –~~Beardon Drive (8 units)~~,~~; WVCS Transitional Housing (4 units)~~,~~; and Sunny View West (100 units), as well as several below-market rate (BMR) units~~–~~ are considered at risk of converting to ~~marksetmarket~~-rate housing ~~during~~ in the next ~~ten~~ 10 years. ~~The City will proactively contact the property owner regarding its intent to remain or opt out of the affordable program.~~ For units at risk of converting to market rate, the City shall:

- Contact property owners of units at risk of converting to market-rate housing ~~within one year~~three years ~~of~~before affordability expiration to discuss the City's commitment to preserve these units as affordable housing.
- Coordinate with owners of expiring subsidies to ensure the required notices to tenants and to affordable housing developers are sent out at 3 years, 12 months, and 6 months or otherwise as required by state law.
- Reach out to agencies and to nonprofit housing developers interested in purchasing ~~or managing~~ or otherwise preserving at-risk units.
- ~~–~~Work with tenants and other organizations to ~~provide education regarding tenant rights and conversion procedures pursuant to California law~~reduce displacement and refer residents to an agency that can assist in providing alternative housing, if preservation is not possible. Ensure that tenants

have received all required notices and other information regarding conversion procedures.

- In the event the project becomes at risk of converting to market rate housing, the City will work with the property owner or other interested nonprofit housing providers to preserve the units. The City will also conduct outreach to the tenants to provide information on any potential conversion and available affordable housing assistance programs. The City will continue to monitor its entire portfolio of affordable housing for-sale and rental inventory annually. The City will

monitor its affordable for-sale inventory by requiring Below Market Rate (BMR) homeowners to submit proof of occupancy such as utility bills, mortgage loan documentation, homeowner's insurance, and property tax bills.

- The City will further monitor its affordable for-sale inventory by ordering title company lot books, reviewing property profile reports, and updating its public database annually.

- The City will monitor its affordable rental inventory by verifying proof of occupancy and performing annual rental income certifications for each BMR tenant. The City records a Resale Restriction Agreement against each affordable BMR for-sale unit and a Regulatory Agreement for BMR rental units to help ensure long-term affordability. To help further preserve the City's affordable housing stock, the City may consider providing assistance to rehabilitate and upgrade the affordable units as well.

Implement a policy that provides tenants or mission-driven non-profits the right of first refusal to purchase a property at market price when it is offered for sale, retaining the existing residents and ensuring long-term affordability of the units by requiring resale restrictions to maintain affordability.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *Annually monitor status of affordable projects to ~~at risk of converting, coordinate~~ensure noticing is provided as required per California law. In addition, contact property owners and tenants of at-risk project ~~and tenants of property~~, at least ~~one year~~three years in advance of potential conversion date to provide time for conservation, ~~and/or first right of refusal for~~and to avoid displacement of current tenants. ~~Formalize right of first refusal policy within six months of Housing Element adoption.~~*

Funding Sources: *BMR AHF~~,~~ CDBG~~,~~ HOME*

Objectives: *Preserve existing affordable housing units in the City's BMR inventory and attempt to preserve rental units at risk of loss. ~~In addition, preserve 209 lower-income units as funding expires to reduce displacement risk.~~ N/A*

(Formerly HE-3.3.2)

Strategy HE-3.3.3 **Condominium Conversion.** ~~One housing project —~~ The existing Condominium Conversion Ordinance regulates the conversion of rental units in multi-family housing development to preserve the rental housing stock. Condominium conversions are not allowed if the rental vacancy rate in Cupertino and certain adjacent areas is less than 5 percent at the time of the application for conversion and has averaged 5 percent over the past six months. The City will continue to monitor the effectiveness of this ordinance in providing opportunities for homeownership while preserving a balanced housing stock with rental housing.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *~~Ongoing~~Monitor annually and as projects come forward.*

Funding Sources: *None required*

Objectives: *N/A*

(Formerly HE-3.3.3)

Strategy HE-3.3.4 **Multifamily Housing Preservation Program.** When a proposed development or redevelopment of a site would cause a loss of multi-family housing, the City will grant approval only if:

- The project will comply with the City's Below Market- Rate Housing Mitigation Program Procedural Manual;
- The number of units provided on the site is at least equal to the number of existing units; ~~and~~
- Adverse impacts on displaced tenants, in developments with ~~more than~~ four or more units, are mitigated; and ~~.~~
- The project replaces existing units at the same or deeper affordability, with the same number of bedrooms and bathrooms, and comparable square

footage to the units demolished and provides displaced tenants with right of first refusal to rent new comparable units at the same rent as demolished units.

The City will review the program biannually and revise as needed; if revisions are needed, they will be adopted within one year of determination of need. In addition, indirect displacement may be caused by factors such as increased market rents as areas become more desirable. The City will participate, as appropriate, in studies of regional housing need and displacement, and consider policies or programs to address the indirect displacement of lower-income residents as appropriate.

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: *Ongoing, as projects come forward. Review program biannually; if revisions are needed, adopt revisions within one year of determination of need.*

Funding Sources: *None required.*

Objectives: ~~*N/A*~~*Prevent displacement of 50 households during the Housing Element period.*

(Formerly HE-3.3.4)

~~**Strategy HE-3.3.5 Neighborhood and Community Clean-Up Campaigns.** The City will continue to encourage and sponsor neighborhood and community clean-up campaigns for both public and private properties.~~

~~*Responsibility: Cupertino Department of Community Development*~~

~~*Timeframe: Ongoing*~~*Ongoing*

~~*Funding Sources: General Fund*~~

~~*Objectives: N/A*~~*Sponsor 5 community clean up campaignsthe annual Garage Sale event during the Housing Element period.*

~~(Formerly HE-3.3.5)~~

Strategy HE-3.3.5 Park Land Ordinance The City will review and revise its Park Land Ordinance to reduce any potential constraints on residential development while maintaining access to quality open space. The City will review

requirements for higher--density projects and evaluate the possibility of open space credits.

Responsibility: *Cupertino Department of Community Development and Cupertino Department of Public Works—,– Development Services Division*

Timeframe: *Review by December 2025, revise by June 2026.*

Funding Sources: *General Fund*

Objectives: ~~*N/A*~~*Facilitate the development of 350 units of housing affordable to lower-income households and 100 units affordable to moderate-–income households by removing constraints, as needed.*

(New)

Strategy HE-3.3.6 ~~**Rent Control Ordinance**. Study rent control ordinances in California and work with relevant stakeholders to establish a Rent Control Ordinance to ensure protections for renters.~~

Tenant Protections. Study rent stabilization and tenant protection ordinances in California and displacement in Cupertino due to rising rents and evictions. Work with relevant stakeholders to establish tenant protection and/or a rent stabilization to ensure protection for renters, as appropriate based on findings.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *Complete a study by December 2025; present implementing ordinance to Council by June 2026.*

Funding Sources: *General Fund*

Objectives: ~~*N/A*~~ *Present an implementation plan for a rent stabilization or tenant protection ordinances* ~~*rent control ordinance*~~ *to City Council. Prevent displacement of 100 households during the Housing Element period and work with relevant stakeholders to establish tenant protection and/or a rent stabilization to ensure protection for renters, as appropriate based on findings.*~~*and*~~

~~*implement a Rent Control Ordinance in accordance with the approved implementation plan.*~~

(New)

Strategy HE-3.3.7 Monitor Nongovernmental Constraints Impeding Residential Development. The City will monitor residential developments that have been approved by the City and where building permits or final maps have not been obtained, the City will make diligent efforts to contact applicants to discover why units have not been constructed within two years after approval. If due to nongovernmental constraints, such as rapid increases in construction costs, shortages of labor or materials, or rising interest rates, to the extent appropriate and legally possible, the City will seek to identify actions that may help to reduce or remove these constraints. Additionally, the City will proactively work with stakeholders to identify nongovernmental constraints or other considerations that may impede the construction of housing in Cupertino and work collaboratively to find strategies and actions that can eliminate or reduce identified constraints.

Responsibility: *Cupertino Department of Community Development*

Timeframe: *Monitor two years after project approval, implement as needed.*

Funding Sources: *General Fund*

GOAL HE-4 ENERGY AND WATER CONSERVATION

Policies

Policy HE-4.1 **Energy and Water Conservation.** Encourage energy and water conservation in all existing and new residential development.

(Formerly Policy HE-4.1)

Strategies

Strategy HE-4.1.1 **Enforcement of Title 24.** The City will continue to enforce Title 24 requirements for energy conservation and will evaluate ~~utilizing~~ using some of the other suggestions as identified in the Environmental Resources/ Sustainability Eelement.

Responsibility: *Cupertino Department of Community Development Building Division*

Timeframe: *Ongoing, as projects come forward.*

Funding Sources: *None required.*

~~*Objectives:* *N/A*~~

(Formerly HE-4.1.1)

Strategy HE-4.1.2 **Sustainable Practices.** The City will continue to implement the Landscape Ordinance for water conservation and the Green Building Ordinance (adopted in 2013) that applies primarily to new residential and nonresidential development, additions, renovations, and tenant improvements of 10 or more units. To further the objectives of the Green Building Ordinance, the City will evaluate the potential to provide incentives, such as waiving or reducing fees, for energy conservation improvements at affordable housing projects (existing or new) with fewer than 10 units to exceed the minimum requirements of the California Green Building Code. The City will also implement the policies in its climate action plan to achieve residential-focused greenhouse gas emission reductions and further these community energy and water conservation goals.

Responsibility: *Cupertino Department of Community Development Planning Division and Building Division*

Timeframe: *Ongoing; consider further incentives in Fiscal Year 2024-25 to encourage green building practices in smaller developments*

Funding Sources: *None required.*

~~*Objectives:* *N/A*~~

(Formerly HE-4.1.2)

Strategy HE-4.1.3 **Sustainable, Energy-Efficient Housing.** The City will work with and support housing developers to develop sustainable, energy-efficient housing. Such development should include solar panels, green roofs, energy-efficient lighting, and other features that aim toward carbon-neutral impacts while lowering energy costs.

Responsibility: *Cupertino Department of Community Development Planning Division and Building Division*

Timeframe: *Ongoing*

Funding Sources: *None required, as projects come forward.*

Objectives: ~~*N/A*~~*Facilitate the development of energy-efficient measures in all projects, approximately 2,000 units over the Housing Element period.*

(New Program)

Strategy HE-4.1.4 **Water and Wastewater Priority.** Consistent with the provisions of Government Code Section 65589.7 (Senate Bill 1087), the City will immediately forward its adopted Housing Element to its water and wastewater providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households.

Responsibility: *Cupertino Department of Community Development Planning Division and Building Division*

Timeframe: *Forward the Housing Element following adoption.*

Funding Sources: *None required.*

(New Program)

GOAL HE-5 SPECIAL SERVICES FOR LOWER-INCOME AND SPECIAL-NEEDS HOUSEHOLDS

Policies

Policy HE-5.1 **Lower-Income and Special-Needs Households.** Support organizations that provide services to lower-income ~~households~~ and special-need households in the city, such as ~~the~~ persons experiencing homelessness, extremely low-income households, seniors~~elderly~~, large households, persons with disabilities,~~disabled~~ and single-parent households.

(Formerly Policy HE-4.1)

Strategies

Strategy HE-5.1.1 **Emergency Shelters.** ~~To ensure compliance with State law,~~ The City commits to complying with the requirements of AB 2339 regarding emergency shelters. As part of this compliance, the City will:

- ~~C~~continue to facilitate housing opportunities for special-needs persons by allowing emergency shelters as a permitted use in the ~~"BQ" Quasi-Public~~ R4 zoning district and continuing to permit emergency shelters in the Quasi Public (BQ) zoning district.

- Amend the definition of emergency shelters to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care.
- Amend the Zoning Code to allow emergency shelters as a permitted use, without discretionary review, in the new R4 zoning district.
- Review and revise managerial standards, consistent with State law.

~~--The City will subject emergency shelters to the same development standards as other similar uses within the BQ zoning district, except for those provisions permitted by State law and provided in the Zoning Ordinance for emergency shelters.~~

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Ongoing; amend the Zoning Code by December 2024. Review and revise standards by June 2025 and amend the Zoning Code as needed.*

Funding Sources: *None required*

~~*Objectives:* *N/A~~

(Formerly HE-5.1.1)

Strategy HE-5.1.2 **Supportive Services for Lower-Income Households and Persons with Special Needs.** The City will continue to u~~tiliz~~e its Below-~~-~~Market-~~-~~Rate Affordable Housing Fund (BMR AHF), Community Development Block Grant (CDBG) funds, and General Fund Human Service Grants (HSG) funds to provide for a range of supportive services for lower-income households and persons with special needs.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *Through the annual ~~Annually through the~~ Notice of Funding Availability (NOFA) ~~Action Plan funding application~~ process, allocate CDBG, BMR AHF, and HSG funding to organizations that cater to the needs of lower-income and special-needs households.*

Funding Sources: *BMR AHF; CDBG; HSG.*

Objectives: ~~*N/A*~~ *Facilitate the provision of supportive services to 1,500 residents over the Housing Element period. Funding will be used to facilitate*

services citywide, but extra focus will be given to areas with historically higher areas of income segregation, such as the areas along the Interstate 280 corridor, in the areas abutting ~~at~~ the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.

(Formerly HE-5.1.2)

Strategy HE-5.1.3 **Rotating Safe Car Park~~Homeless Shelter~~.** The City will continue to support the operation of a Rotating Safe Car Park~~Homeless Shelter~~ program in collaboration with local nonprofit service providers, such as West Valley Community Services.

Responsibility: *Cupertino Department of Community Development Housing Division~~; Efaith in Action~~*

Timeframe: *Ongoing*

Funding Sources: *None required.*

Objectives: *~~N/A~~Support the operation of a rotating safe car park program~~shelter services~~ to serve at least 100 unhoused community members who are living in their vehicles.*

(Formerly HE-5.1.3)

Strategy HE-~~1.3.8~~5.1.4 Low-Barrier Navigation Center and Supportive Housing. The City will amend the Zoning Ordinance to allow supportive housing and low-barrier navigation centers for the homeless by right in mixed-use and nonresidential zoning districts where ~~uses permitting~~ multifamily uses are permitted~~zones permitting multifamily uses~~, per Government Code Sections 65650 et seq. and 65660 et seq. ~~, 65664, and 65666~~ ~~(AB 101, 2019).AB101 (2019) provides a pathway to permanent housing for people experiencing homelessness. In order to comply with State law, the City will amend its Zoning Code to allow "Low Barrier Navigation Center" by right in appropriate zoning districts.~~

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Amend the Zoning Code by June 2025.~~FY 2023-24~~*

Funding Sources: *None required.*

~~*Objectives:* *N/A*~~

(New)

Strategy HE-5.1.5 **Residential Care Facilities.** The Zoning Ordinance now allows residential care facilities for six clients or fewer to be treated as a single-family use consistent with California Health and Safety Code (HSC) Sections ~~1267.8, 1566.3, 1568.08. Residential Care Facilities with six or fewer persons will be treated as a single- family use~~. The City will amend the Zoning Ordinance to allow ~~and~~ larger residential care facilities ~~with seven or more~~ that operate as a single housekeeping unit ~~will be allowed~~ in all zones that permit residential uses, ~~of the same type~~ with objective standards similar to those applied to other residential uses permitted in that zoning district~~, in accordance with the City's definition of family~~.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Amend the Zoning Code by June 2025.*

Funding Sources: None required.

(New)

Strategy HE-5.1.6 **Manufactured Homes**. The City will amend the Zoning Code to permit manufactured homes, as defined in Government Code Section 65852.3, in the same manner and in the same zoning districts as conventional or stick-built structures are permitted.

Responsibility: *Cupertino Department of Community Development Planning Division*

Timeframe: *Amend the Zoning Code by June 2025.*

Funding Sources: None required.

(New)

GOAL HE-6 EQUAL ACCESS TO HOUSING OPPORTUNITIES

Policies

Policy HE-6.1 **Housing Discrimination.** The City will work to eliminate on a citywide basis all unlawful discrimination in housing with respect to age, race, sex, sexual

orientation, marital or familial status, ethnic background, medical condition, or other arbitrary factors, so that all persons can obtain decent housing.

(Formerly Policy HE-6.1)

Policy HE-6.2 **Housing Equity Education.** The City will work to create opportunities for public education around the issue of housing equity and education about the history of racial segregation to build community and raise awareness. This should include more opportunities for community dialogue and shared experiences. Outreach about these programs will be conducted citywide, but extra focus will be given to areas where long-term patterns- income segregation may be more prevalent, such as the areas along the Interstate 280 corridor, areas abutting ~~at~~ the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (the western edge of Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.

(New Policy)

Strategies

Strategy HE-6.1.1 Fair Housing Services. The City will continue to:

- Partner with a local fair housing service provider, such as Project Sentinel, to ~~P~~provide fair housing services, which include outreach, education, counseling, and investigation of fair housing complaints.
- ~~Retain a~~Partner with a local fair housing service provider, such as Project Sentinel, ~~fair housing service provider~~ to provide direct services for residents, landlords, and other housing professionals. Among other things, this should address issues related to the use of HUD-VASH vouchers, so that veterans may use such vouchers without discrimination.
- Partner with a local fair housing service provider, such as Project Sentinel, to assist~~s~~ individuals with housing problems such as discrimination and rental issues including repairs, and provide ~~–~~information and counseling regarding rights and responsibilities under California tenant landlord law. Additionally, provide annual training to landlords on fair housing rights and responsibilities with the intent of reducing, or eliminating, discrimination.
- Coordinate with efforts of the Santa Clara County Fair Housing Consortium to affirmatively further fair housing.
- Distribute fair housing materials produced by various organizations at public counters and public events.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: ~~*Ongoing*~~*Continue to partner with a local fair housing service provider, such as Project Sentinel, to provide fair housing services on an ongoing basis, and conduct citywide outreach at least twice during the Housing Element cycle. Provide annual fair housing trainings for landlords.*

Funding Sources: *BMR AHF; CDBG*

Objectives: ~~*N/A*~~*Distribute fair housing materials at two community events per year. Assist five households per year in obtaining fair housing counseling services. Fair housing outreach will be conducted citywide, but extra focus will be given to areas with higher potential for income segregation due to zoning patterns, such as the areas along the Interstate 280 corridor, in the areas abutting the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (in the western edge of the Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.*

(Formerly HE-6.1.1)

~~**Strategy HE-6.1.2 Housing Equity Awareness.** The City will work with one or more companies like "Bang the Table" reto provide virtual public space within which housing issues, including issues related to housing equity, can be discussed on an ongoing basis. This virtual space should include resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act. The virtual space should also host quarterly (or more frequent) meetings with a group of panelists to discuss current housing challenges, and why they are important. The City should coordinate quarterly meetings with WVCS (West Valley Community Services and California Department of Housing and Community Development (HCD).~~

~~*Responsibility: Cupertino Department of Community Development Housing Division*~~

~~*Timeframe: Ongoing*~~

~~*Funding Sources: BMR AHF; CDBG*~~

~~*Objectives:* *N/A* *Host at least four tmeetings per year, either in person online, to discuss local housing issues.*~~

~~(New Program)~~

Strategy HE-6.1.2~~3~~ **Affirmative Marketing.** The City will work with affordable housing developers to ensure that affordable housing is affirmatively marketed to households with disproportionate housing needs, including Hispanic and Black households who work in and live outside of Cupertino (e.g., materials in Spanish and English, distributed through employers).

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *Ongoing*

Funding Sources: ~~*BMR AHF; CDBG*~~*None required*

Objectives: ~~*N/A*~~ *Housing staff will identify at least 50 local employers, in collaboration with Economic Development staff, to develop a distribution list for marketing materials. Outreach will be conducted citywide, but extra ~~focus~~ marketing efforts will be ~~given to~~requested of developers working in or around areas with historically higher areas of potential income segregation, such as the areas along the Interstate -280 corridor, in the areas abutting~~at~~ the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (in the western edge of the Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.*

(New Program)

Strategy HE-6.1.3 **Housing Mobility.** Work with a local fair housing service provider, such as Project Sentinel, to contact rental property owners and managers of multifamily apartment complexes to provide fair housing information and assistance. This outreach will include promoting the Housing Choices Voucher (Section 8) program to landlords that have not previously participated in the program and will target use of multi-lingual materials. Target additional outreach to higher-income neighborhoods, including, but not limited to, the Monta Vista and Height of the City neighborhoods.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *At least twice during the planning period.*

Funding Sources: *BMR AHF; CDBG*

Objectives: ~~N~~*Promote housing mobility and expanded opportunity for* ~~25~~*100 lower income households.*

(New Program)

Strategy HE-6.1.4 **Housing Project Coordinator.** To support the implementation of the multiple new and expanded housing programs and policies identified in the Housing Element, ~~hire~~assign a member of City staff as the ~~Hire a~~ housing project coordinator. This position would assist with developing outreach programs, writing and pursing grant applications, ongoing monitoring of affordable housing production, preservation and rehabilitation, coordination between affordable housing developers, the C~~c~~ity, and partner agencies and tracking progress on the many initiatives identified in this Housing Element.

Responsibility: *Cupertino Department of Community Development Housing Division*

Timeframe: *By 2025.*

Funding Sources: *General Fund*

(New Program)

GOAL HE-7 COORDINATION WITH REGIONAL ORGANIZATIONS, ~~AND~~ LOCAL SCHOOL DISTRICTS, AND COLLEGES

Policies

Policy HE-7.1 **Coordination with Local School Districts.** The Cupertino community places a high value on the excellent quality of education provided by the three public school districts ~~which~~ that serve residents. To ensure the long-term sustainability of the schools, ~~and~~ teachers, and faculty, in tandem with the preservation and development of vibrant residential areas, the City will continue to coordinate with the Cupertino Union School District (CUSD), Fremont Union High School District (FUHSD), and Santa Clara Unified School District (SCUSD).

(Formerly Policy HE-7.1)

Policy HE-7.2 **Coordination Regional Efforts to Address Housing-Related Issues.** Coordinate efforts with regional organizations, including Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD), as well as neighboring jurisdictions, to address housing and related quality of life issues (such as air quality and transportation).

(Formerly Policy HE-7.2)

Policy HE-7.3 **Public-Private Partnerships.** Promote public-private partnerships to address housing needs in the community, especially housing for the workforce.

(Formerly Policy HE-7.3)

Strategies

Strategy HE-7.3.1 **Coordinate with Outside Agencies and Organizations.** The City recognizes the importance of partnering with outside agencies and organizations in addressing local and regional housing issues. These may include, but are not limited to, the following:

- School districts
- De Anza College
- Housing providers
- Neighboring jurisdictions
- Association of Bay Area Governments (ABAG)
- Air Quality Management District
- Housing Trust Silicon Valley
- Santa Clara County Fair Housing Consortium
- Santa Clara County HOME Consortium
- Santa Clara County Continuum of Care (COC)
- Housing Authority of Santa Clara County (HASCC)
- Valley Transportation Authority (VTA)

Specifically, the City will meet with these agencies/organizations periodically to discuss the changing needs, development trends, alternative approaches, and partnering opportunities.

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: *Ongoing*

Funding Sources: *None required.*

~~*Objectives:* *N/A~~

(Formerly HE-7.3.)

Strategy HE-7.3.2 **Coordination with Local School Districts.** To ensure the long-term sustainability of public schools, teachers, and faculty, in tandem with the preservation and development of vibrant residential areas, the City will coordinate biennially with the local school districts and colleges to identify housing needs and concerns. The City will discuss potential partnerships for affordable housing developments for school district employees and college students, including on school district properties, on a biannual basis~~y, ~~. Depending on the outcome of these discussions with school districts and college leadership, the City will notify districts and partner developers about relevant funding opportunities as they become available, ~~offer~~coordinate technical assistance on grant applications and offer ~~which could be assisting with grant applications, incentives, and~~ other incentives listed in **Strategy HE-1.3.11**.

Responsibility: *Cupertino Department of Community Development Planning Division and Housing Division*

Timeframe: *Biennially meet with school districts. Provide information about funding opportunities as they become available, ~~offer grant application~~coordinate technical assistance and incentives as needed.*

Funding Sources: *None required.*

Objectives: *Assist with the development of 25 teacher/school district employee housing units to improve housing mobility opportunities for district staff and promote place-based revitalization. Focus will be given to areas with lower rates of renter households, such as the Monta Vista North neighborhood.*

(New)

~~PROGRAM OVERVIEW AND~~ QUANTIFIED OBJECTIVES

Quantified objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period based on optimal implementation of each program. The quantified objectives do not set a ceiling on development; rather, they set a target goal for the jurisdiction to achieve based on needs, resources, and constraints. Each quantified objective is detailed by income level, as shown in Table H-2, Quantified Objectives Summary.

Table H-2 Quantified Objectives Summary

Strategy	Income Category					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
New Construction						
HE-1.3.1: Land Use Policy and Zoning Provisions	596	597	687	755	1,953	4,588
HE-1.3.2: Rezoning to Achieve RHNA	596	597	687	755	1,953	4,588
HE-1.3.3: New Residential Zoning Districts and Land Use Designations	75	75	150	200	100	600
HE-1.3.4: Development on Non-Vacant Sites	100	100	100	100	100	500
Strategy HE-1.3.5: Encourage Mixed-Use Projects and Residential in Commercial Zones	150	150	300	-	-	600
Strategy HE-1.3.6: Encourage Missing-Middle Housing Developments to Affirmatively Further Fair Housing	50	75	125	250	-	500
Strategy HE-1.3.7: Lot Consolidation	-	10	17	-	48	75
Strategy HE-1.3.8: Accessory Dwelling Units	5	10	25	10	10	60
Strategy HE-1.3.9: Review Development Standards	25	25	125	150	500	825
Strategy HE-1.3.10: Innovative and Family-Friendly Housing Options	50	50	100	-	-	200
Strategy HE-1.3.12: Support Affordable Housing Development	100	100	250	-	-	450
Strategy HE-2.3.1: Office and Industrial Housing Mitigation Program	-	20	20	-	-	40
Strategy HE-2.3.2: Residential Housing Mitigation Program	50	50	150	-	-	250
Strategy HE-2.3.3: Below Market-Rate (BMR) Affordable Housing Fund (AHF)	-	25	25	-	-	50
Strategy HE-2.3.4: Housing Resources	10	10	30	-	-	50
Strategy HE-2.3.6: Incentives for Affordable Housing Development	-	400	250	-	-	650
Strategy HE-2.3.7: Density Bonus Ordinance	-	200	300	-	-	500
Strategy HE-2.3.8: Review Impact Fees	75	100	325	300	500	1,300
Strategy HE-2.3.9: Review Parking Standards	250	-	-	-	-	250

Table H-2 Quantified Objectives Summary

Strategy	Income Category					Total
	Extremely Low	Very Low	Low	Moderate	Above Moderate	
Rehabilitation						
Strategy HE-3.3.1: Residential Rehabilitation	-	-	150	50	-	200
Strategy HE-3.3.5: Park Land Ordinance	50	50	250	100	-	450
Preservation						
Strategy HE-2.3.10: Assistance for Persons with Developmental Disabilities		5	5			10
Strategy HE-2.3.11: Live/Work Units				10		10
Strategy HE-3.3.2: Preservation of At-Risk Housing Units			209			209
Strategy HE-3.3.6: Rent Control Ordinance		25	25	25	25	100
Strategy HE-4.1.3: Sustainable, Energy-Efficient Housing	100	100	300	500	1000	2000
Strategy HE-5.1.2: Supportive Services for Lower-Income Households and Persons with Special Needs	200	300	600	400		1500
Strategy HE-5.1.3: Rotating Safe Car Park	100					
Strategy HE-6.1.1: Fair Housing Services			3	2		
Strategy HE-6.1.2: Affirmative Marketing			25	25		
Strategy HE-6.1.3: Housing Mobility	205	~~530~~	~~2050~~			
Strategy HE-7.3.2: Coordination with Local School Districts				25		

Source: City of Cupertino, September 2023

~~Table H-2 Quantified Objectives Summary~~

~~Income Category~~	~~New Construction~~	~~Rehabilitation~~	~~Conservation/ Preservation~~
~~Extremely Low~~	~~596~~	~~50~~	
~~Very Low~~	~~597~~	~~50~~	~~112~~
~~Low~~	~~687~~	~~100~~	
~~Moderate~~	~~755~~		
~~Above Moderate~~	~~1,000~~		
~~Total~~	~~3,635~~	~~200~~	~~112~~

Housing Element Technical Report

B

APPENDIX

Table of Contents

1. INTRODUCTION

The City of Cupertino is a community with a high quality of life, a renowned school system, and a robust high-technology economy. The long-term vitality of Cupertino and the local economy depend on the availability of all types of housing to meet the community's diverse housing needs. As Cupertino looks towards the future, increasing the range and diversity of housing options will be integral to the city's success. Consistent with the goal of being a balanced community, this Housing Element continues the City's commitment to ensuring new opportunities for residential development, as well as for preserving and enhancing our existing neighborhoods.

This 2023-2031 Housing Element represents the City of Cupertino's intent to plan for the housing needs of the Cupertino community while meeting the State's housing goals, as set forth in Article 10.6 of the California Government Code. The California State Legislature has identified the attainment of a decent home and a suitable living environment for every Californian as the State's major housing goal. The Cupertino Housing Element represents a sincere and creative effort to meet local and regional housing needs within the constraints of a fully established built-out community, limited land availability, and extraordinarily high costs of land and housing.

1.1 ROLE AND CONTENT OF THE HOUSING ELEMENT

This Housing Element is a comprehensive eight-year plan to address the housing needs in Cupertino. The Housing Element is the City's primary policy document regarding the development, rehabilitation, and preservation of housing for all economic segments of the population.

Per State Housing Element law, the document must be periodically updated to:

- Outline the community's housing production objectives consistent with State and regional growth projections;
- Describe goals, policies, and implementation strategies to achieve local housing objectives;
- Examine the local need for housing with a focus on special-needs populations;
- Identify adequate sites for the production of housing serving various income levels;
- Analyze potential constraints to new housing production;
- Evaluate the Housing Element for consistency with other General Plan elements; and
- Evaluate Affirmatively Furthering Fair Housing.

This 6th Cycle Housing Element covers an eight-year planning period, from January 31, 2023, through January 31, 2031, and replaces the City's 5th Cycle Housing Element that covered the January 31, 2015, through January 31, 2023, planning period.

1.2 HOUSING ELEMENT TECHNICAL REPORT ORGANIZATION

The Housing Element Technical Report, Appendix B, includes the following sections:

Appendix B1 – Public Participation: This section summarizes public outreach and engagement efforts, including stakeholder interviews; Housing Element advisory committee meetings; housing commission, planning commission, and City Council workshops and study sessions; community workshops; public hearings; community input received; and noticing of the draft Housing Element.

Appendix B2 – Housing Needs Assessment: This section focuses on demographic information, including population trends, ethnicity, age, household composition, income, employment, housing characteristics, housing needs by income, and housing needs for special segments of the population.

Appendix B3 – Fair Housing Assessment: Includes a Fair Housing Assessment that aims to combat discrimination, overcome patterns of segregation, and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.

Appendix B4 – Housing Resources and Opportunities: This section describes Cupertino's housing resources as well as the city's existing housing stock and the potential areas for future housing development.

Appendix B5 – Housing Constraints: This section analyzes potential governmental and nongovernmental constraints to housing development. This includes the City's planning, zoning, and building standards that directly affect residential development patterns as well as influence housing availability and affordability. Potential nongovernmental constraints include the availability and cost of financing housing development, the price of land, and the materials for building homes. This section also discusses opportunities for energy conservation, which can reduce costs to homeowners and infrastructure costs to the City.

Appendix B6 – Review of Previous Housing Element: This section contains an evaluation of the prior Housing Element and its accomplishments and analyzes differences between what was projected and what was achieved.

1.3 CONSISTENCY WITH THE GENERAL PLAN

The City's 2040 General Plan was adopted in 2014, and the Housing Element has been reviewed for consistency with other General Plan elements. The policies and programs in this Housing Element are consistent with the policy direction contained in other parts of the General Plan. The City will continue to review and revise the Housing Element throughout the planning period, as necessary for consistency, when amendments are made to the General Plan (**Strategy HE-1.3.13**).

Per Assembly Bill (AB) 162 (Government Code Section 65302.g.3), upon the next revision of the Housing Element on or after January 1, 2014, the Safety Element shall be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas, as defined in Section 4102 of the Public Resources Code, and land classified as Very High Fire Hazard Severity Zones, as

defined in Section 51177. Senate Bill (SB) 379 (Government Code Section 65302.g.4) requires that the Safety Element be reviewed and updated as necessary to address climate change adaptation and applicable resiliency strategies. SB 1035 (Government Code Section 65302.g.6) requires that the Safety Element be reviewed and updated as needed upon each revision of the Housing Element or local hazard mitigation plan, but not less than once every eight years. SB 99 (Government Code Section 65302.g.5) requires that on or after January 1, 2020, the Safety Element includes information to identify residential developments in hazard areas that do not have at least two evacuation routes.

As of January 2023, the City is currently working to review and update the existing Safety Element, incorporating all State law changes, including applicable laws and any additional requirements and General Plan guidelines from the State of California Governor's Office of Planning and Research (OPR).

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Public Participation

B.1

APPENDIX

Table of Contents

Tables

B1 PUBLIC PARTICIPATION

This section describes the effort made by the City of Cupertino to engage all economic segments of the community (including residents and/or their representatives) in the development and update of the Housing Element. This public participation effort also includes formal consultation, pursuant to Government Code Section 65352.3, with representatives from nine Native American tribes that are present and active in Santa Clara County. It is also responsive to Assembly Bill (AB) 686 (Affirmatively Furthering Fair Housing), which requires local jurisdictions, as they update their housing elements, to conduct public outreach to equitably include all stakeholders in the Housing Element public participation program.

The 6th cycle Regional Housing Needs Assessment allocation (RHNA) numbers are a sea change for all California communities, and the success of the update process hinged in part on a community outreach and engagement program that was robust, inclusive, and meaningful. COVID-19 has complicated community outreach efforts, but the pandemic has also catalyzed the development of new digital tools that have brought interactive engagement to a new level. One such tool is an all-in-one digital community engagement platform called Engagement HQ or Bang the Table (https://www.bangthetable.com/).

B1.1 BANG THE TABLE

The City of Cupertino partnered with Bang the Table as a cornerstone of its community outreach and engagement program. Using this platform, the update team developed an interactive engagement plan that allowed community members to engage on their own time. Components of the interactive engagement plan included:

- **Website.** Engage Cupertino at https://engagecupertino.org/hub-page/housing-element is a dedicated website that provides a portal to all of the Housing Element-related public engagement activities that are available to members of the public. The page provides translation from English into four languages, including Chinese, Spanish, Russian, and Vietnamese. This website includes information on Housing Element basics, site surveys, a Senate Bill 9 survey, and materials from community workshops.
- **Places.** The update team gathered feedback from an interactive mapping program called Balancing Act, through the Sites Inventory process.
- **Stories.** The engagement process helped Cupertino better understand, empathize with, and relate to all who contributed to the many Housing Element discussions through video interaction and reflection opportunities.
- **Surveys.** The process encouraged Cupertino community members to voice their opinions in a convenient way that also helped City staff understand what areas need more encouragement to participate. Aggregate data also helped the City understand generally who is participating with the outreach tools.

B1.2 COMMUNITY WORKSHOPS

The following community workshops were held to connect with stakeholders and Cupertino residents and gather valuable insights that would contribute to the Housing Element update process.

- **October 13, 2021: West Valley Community Services (WVCS's) Envisioning an Inclusive Cupertino: Housing Element Town Hall**. This event was an opportunity for the Cupertino community to learn about the Housing Element through an informative presentation, and a panel featuring Assemblymember Evan Low, Bianca Neumann from EAH Housing, Nadia Aziz from the Silicon Valley Law Foundation, Matthew Reed from SV@Home, and Mair Dundon, affordable housing resident, and community advocate.
- **December 9, 2021: Housing Element Update Community Workshop**. The workshop was advertised to the public through a variety of efforts. The workshop, held at the height of COVID-19 restrictions, allowed attendees via Zoom. The workshop was live streamed to both the City of Cupertino's YouTube channel and the Granicus TV channel.
- **January 24, 2022: Senior Advisory Committee.** Staff attended this Committee meeting via Zoom to inform this senior-focused group about the Housing Element update and the community engagement opportunities that would be coming throughout the 2022 calendar year, and to encourage community participation in the update to the maximum extent possible.
- **April 23, 2022: Earth Day and Arbor Day Festival.** City staff attended this day-long event to update and inform the public about the importance of the Housing Element update and the ways the public can participate in the process.
- **May 23, 2022: Community Meeting for Inclusive Housing**. This workshop was hosted by WVCS. It focused on community dialogue and included a panel of individuals with a variety of backgrounds and life experiences, including former military veterans adjusting to civilian life, individuals on the edge of homelessness, and residents with physical and intellectual disabilities. Breakout rooms enabled participants to discuss their experiences and how to be engaged with the policy-making process. The workshop was advertised to the public through the various efforts, including the City's e-notification list of over 2,000 individuals and organizations. There were Zoom attendees and in-person attendees, with over 100 attendees in total. The meeting was also livestreamed to the City of Cupertino's YouTube channel and the Granicus TV channel.
- **July 20, 2022: Community Meeting to Focus on Needs for Students and Older Adults**. This workshop was also hosted by WVCS and featured a panel of younger and older adults, all of whom deal directly with high housing costs throughout the region, and more breakout room time than in previous meetings. It took place remotely on Zoom. The workshop was advertised to the public through various efforts, again including the City's e-notification list. ~~There were Zoom attendees and in-person attendees.~~ The meeting was also live-streamed to the City of Cupertino's YouTube channel and the Granicus TV channel.

- **September 26, 2022: Community Meeting to Better Understand Low-Income Homeowners**. This workshop was hosted by WVCS and~~,~~ focused on those who own a home in Cupertino but are otherwise low -income, and those who work in Cupertino but cannot afford to live in the city and thus face long daily commutes to and from work. The workshop was advertised to the public through various efforts, again including the City's e-notification list. ~~There were Zoom attendees and in-person attendees.~~ The meeting was also live -streamed to the City of Cupertino's YouTube channel and the Granicus TV channel.
- Cupertino's community engagement program included an initial presentation to City Council, five community meetings, and online/virtual participation opportunities made possible through Bang the Table (described previously).

B1.3 CITY PUBLICATIONS, LISTSERVS, NEWSLETTERS, AND OTHER SOCIAL MEDIA OUTREACH

The City released several newsletters to ensure the public was well informed of the Housing Element efforts. This included:

- City newsletters went out initially to 685 email subscribers for the October and December 2021 ~~12/1 and 12/22/21~~ community workshops. By late 2022, the list had grown to over 2,000 subscribers. E-notifications have been sent to list subscribers for every public meeting.
- Newsletters were sent to 1,856 subscribers on February 2, 2022 (Cupertino General News, Housing, or Housing Commission Meetings lists), with a 58 percent open rate and a 5 percent click rate.
- Since early 2022, the City has provided regular, generally monthly, updates on the Housing Element on its two electronic newsletters, *Items of Interest* and *The Scene* (also in print).
- Social media outreach included Cupertino Facebook, Twitter, ~~and~~ NextDoor, and eNotification. This outreach is summarized in **Table B1-1**, *Social Media Outreach*.

Table B1-1 Social Media Outreach				
	Facebook	NextDoor	Twitter	eNotification
Post 1 – Housing Element Community Workshop (11/30/21)	Reach: 453 Engagement: 10	Reach: 1,013 Engagement: 1	Reach: 783 Engagement: 1	Reach: 15,010 Engagement: 594
Post 2 – Workshop Reminder (12/6/21)	Reach: 303 Engagement: 1	Reach: 656 Engagement: 1	Reach: 1,096 Engagement: 16	Reach: 1,444 Engagement: 118

SOURCE: EMC Planning Group 2022

B1.4 MAILED OUTREACH

January Postcard: Mailed to every residence in the city the week of January 10, 2022, to 23,351 addresses. This was a city-wide effort to notify all residents of the Housing Element update.

The Cupertino Scene Newsletter: *The Cupertino Scene*, the City's official newsletter, is one method the City uses to communicate with residents to ensure the public has access to useful and important information. The Scene is printed every month, except in January and August. A printed version of the newsletter is mailed to more than 20,000 households with extra copies available at City Hall, Cupertino Library, Quinlan Community Center, Senior Center, among other spots across Cupertino. The Scene went out to 23,351 addresses on December 1, 2021, and February 2, 2022. Additional updates were also provided throughout 2022.

The City also sent direct mail to all property owners with sites larger than one half acre and up to 10 acres, consistent with California Department of Housing and Community Development (HCD) guidelines regarding potentially eligible housing sites.

B1.5 DEDICATED AFFH OUTREACH

The Cupertino public participation program was very responsive to affirmatively furthering fair housing (AFFH), which requires local jurisdictions to conduct public outreach to equitably include all stakeholders in the Housing Element public participation program ~~(see the discussion above for more complete information on AFFH)~~.

- **Flyer and Survey Distribution at West Valley Community Services (WVCS) Events**. Flyers promoting the Engage Cupertino Housing Element website and a survey were distributed to WVCS clients at several WVCS-sponsored events, including the December 11th Gift of Hope event and a handful of the weekly mobile market events between January and March of 2022. The flyers and surveys were available in English, Spanish, Russian, Vietnamese, and Simplified Chinese. A total of 38 surveys were received.

- **October 13, 2021:** WVCS's Envisioning an Inclusive Cupertino: Housing Element Town Hall.
- **May 23, 2022:** Community Meeting for Inclusive Housing.
- **July 20, 2022:** Community Meeting to Focus on Needs for Students and Older Adults.
- **September 26, 2022:** Community Meeting to Better Understand Low-Income Homeowners.
- **Additional Focus Group Meetings** focused on housing for people with disabilities and opportunities for faith-based organizations to contribute to affordable housing.

B1.6 TRIBAL CONSULTATION

This public participation effort includes formal consultation, pursuant to Government Code Section ~~§~~65352.3, with representatives from nine ~~(~~Native American tribes that are present and active in Santa Clara County. All tribal groups have received mailed notices regarding the Housing Element update and the California Environmental Quality Act (CEQA) process associated with it.

B1.7 ADDITIONAL OUTREACH

Through the month of August 2023~~2~~, the following outreach has been done for the Housing Element update. The following list includes public meetings for which notice was provided before the City's Commissions and Councils, as well as community meetings:

- Mid-January~~,~~ 2022,~~:~~ postcards were mailed to all Cupertino households (to over 23~~1~~,000 addresses~~postcards sent~~) to inform residents about the Housing Element update and to introduce them to the engagecupertino.org website and the range of information located there.
- January 19, 2022: To gauge property owner interest, letters of interest were sent by City staff to over 400 Cupertino property owners whose properties could potentially be viable housing sites per HCD criteria. An online owner interest form was created by the City's consultant, EMC Planning, and placed on the website. At present, there have been 59 property owners who have requested inclusion of their properties on the sites inventory. Staff did a focused, second mailing in early June to property owners who did not originally respond.
- Since December 2021, regular monthly updates on the Housing Element update's status and next steps have been provided on the City's *Items of Interest* and *The Scene* newsletters.
- Social media platforms, such as Facebook, Twitter, and NextDoor have been regularly used to inform residents about upcoming Housing Element update meetings.
- At present, over 3,700 individuals receive e-notifications from the City for Housing Element-related public meetings.
- Staff attended the January 24, 2022, Senior Advisory Committee and the March 9, 2022, Block Leaders meetings to provide an overview of the Housing Element update process and to inform meeting attendees about sources of information regarding the update.

- Staff attended the April 23, 2022, Earth and Arbor Day event at Library Park to inform residents and attendees about the Housing Element update and to let residents know that their input is valuable and necessary.
- May 23, 2022: A hybrid community meeting allowing for both virtual and in-person attendance was held at Community Hall. The meeting was coordinated by City staff, EMC Planning and West Valley Community Services (WVCS) and featured four panelists with lived-experience and/or special needs, including development disabilities, prior homelessness, housing insecurity, and adjustments to civilian life following military service. Over 100 people registered to attend the meeting, with approximately 70 participating; three-quarters attended virtually. This meeting was the first of three focus group community meetings, the second meeting was held on July 25, described below.
- July 25, 2022: Community Meeting focusing on housing-related issues germane to seniors and students. Similar to the May community meeting, approximately 100 people registered for the meeting, which was virtual-only. An upcoming community meeting is scheduled for September 26, focusing on the experiences of Cupertino workers who are priced -out of the local housing market and Cupertino homeowners who are lower income despite homeownership.
- Community Engagement Plan-Strategic Advisory Committee meetings: an ad hoc committee approved by the City Council on March 8 to focus on community engagement and AFFH issues, met on March 30, April 7 and 25, May 16, June 6, ~~and~~ July 25, September 16, ~~. An upcoming Advisory Committee meeting will be held on September~~ and October 28, 2022~~16~~. E-Notifications were sent out for all eight meetings of the c~~C~~ommittee ~~have been provided for all Advisory Committee meetings~~.
- City Council Study Sessions: Initial study sessions providing a big picture overview of the Housing Element update were held September 28 and November 16, 2021. Council subsequently held meetings on the formation of a Stakeholders Group on March 1 and March 8, 2022, leading to the establishment of the Strategic Advisory Committee. City Council meetings were held on the Sites inventory: August 16, 29, and 30, 2022.
- December 9, 2021: a morning Housing Commission study session and evening Community Meeting were held.
- Planning Commission: Study sessions providing an overview of the Housing Element update and, more specifically, on the Sites Inventory, were held on January 25, February 22, April 26, and May 24, 2022. Joint meetings with the Housing Commission were held on June 28 and July 5, 2022, at the conclusion of which both the Planning and Housing Commissions provided recommendations to the City Council on which sites to include on the Housing Sites Inventory.
- June 8, 2022: A meeting with Project Sentinel Executive Director, Carole Conn, and Fair Housing director, Molly Current, was held to discuss fair housing and rental housing issues in Cupertino and countywide.

- July 25, 2023: Study session with City Council on the progress on the Housing Element to date. In addition, the Council was updated on site selection and policy areas. The Council affirmed the site selection strategy outlined by staff and identified policy areas of interest by a motion that passed on a 4-0-1 vote.

B1.8 STUDY SESSIONS: SITES INVENTORY

City staff held numerous meetings related to the Housing Element update. During the 2022 calendar year, the Planning Commission held four public meetings on January 25, February 22, April 26, and May 24, 2022. Each of these meetings focused on a citywide discussion to select sites at specified densities for a potential housing sites inventory.

At the January 2022 and February 2022 Planning Commission study sessions, staff provided overviews of the housing sites selection process and identified nearly 400 properties citywide that could potentially be placed on the City's housing sites inventory. The sites inventory is the list of City Council-approved properties that identifies where housing will be developed during the 2023-2031 planning period. The majority of these properties fell within the property size range, 0.5-10 acres, recommended by HCD. The City's Planning Commission had the following recommendations:

1) That the housing sites should be dispersed throughout the city and strive for a balance between the City's eastern and western areas;

2) -New housing sites should avoid or minimize displacement of existing uses, particularly existing residential uses that would necessitate the relocation of residents;

3) The Housing Element should avoid significantly "up-zoning" sites to the extent feasible; and

4) The Housing Element should include new housing sites that could support the City's public schools and help counteract declining enrollment trends that are occurring city- and county-wide.

Based on the Planning Commission's' recommendation, City staff revised the site inventory and presented a reduced, more focused list of potential housing sites at the April 26 Planning Commission meeting. In the revised inventory, potential sites were grouped by neighborhood and special area to better illustrate the locations of the properties. Extensive comments were received at the April 26, 2022, Planning Commission meeting, where in the Planning Commission reiterated its previously -stated principles and goals for housing site selection and also directed staff to focus on the potential inclusion of several "key" sites along South DeAnza and Stevens Creek Boulevards.

On June 28 and July 5, 2022, the Planning and Housing Commissions held a special joint meeting (the meeting was continued from June 28 to July 5) to finalize their housing sites inventory recommendation to the City Council. The Planning Commission's sites inventory recommendation largely coincided with the staff's June 28 recommendation to the Planning and Housing Commissions, but it also includes key changes, notably increasing housing densities to areas on the city's west side, such as the South DeAnza Boulevard and Bubb Road special areas, as well as the North and South Monta Vista neighborhoods. Other recommendations also included that the development standards

be established that allow for more intensive development along the street frontage portions of the DeAnza and Stevens Creek Boulevard corridors but that development of the properties along these corridors adjacent to single-family neighborhoods be limited in scale to preserve the existing neighborhood character.

B1.9 FOCUS GROUP MEETINGS: REZONING

On August 16, 2023, the City held two focus group meetings related to rezoning for the Housing Element update. Over 75 local and national affordable and market-rate housing developers were invited to join the focus group meeting. Nearly 35 service providers, housing organizations, and local agencies were invited to join the focus group meeting for housing advocates and partner agencies.

Focus Group 1: Five housing developers attended, which included representatives from Charities Housing and Bay Area Housing Corporation/local affordable housing developers, Sand Hill Property Company, and Toll Brothers/local and national for-profit developers. The discussion with housing developers focused on housing densities and common obstacles, and potential solutions, to building medium- to very high-density residential developments in Cupertino. Participants shared that there are two primary forms of development and densities that are feasible in today's market – townhome development with a density of approximately 18 to 25 dwelling units per acre and podium development with a density of at least 80 dwelling units per acre. Market-rate developer participants noted that unless a jurisdiction has a large enough site of at least three to four acres that would allow for a mix of densities, it can be difficult to finance and build at the densities found between townhome and podium development. Additional participant suggestions to reduce barriers to development included expediting the permitting process, creating certainty and consistency for review, and allowing more flexibility in project design.

Focus Group 2: Four participants attended, which included representatives from Cupertino Union School District and Fremont Union High School District/local school districts, Silicon Valley Leadership Group/a local housing advocate, and West Valley Community Services/a local social services provider. Participants were asked to provide input on what type of housing or amenities they believe are currently lacking in Cupertino. School district representatives noted that they have been struggling to attract and retain employees and highlighted the need for workforce housing in the area. They also discussed student generation as it affects current enrollment, pointing out that higher-density development typically generates fewer students per household than single-family residential or townhome development. The service provider and housing advocate representatives emphasized the need for more affordable units and higher-density development, particularly along transit corridors. Participants were also asked to identify which amenities, services, or infrastructure they would like to see in new development projects. Participants encouraged the provision of community gathering areas, open space, and on-site social, childcare, youth, and senior services, as well as more mixed-use development and a mix of housing types in each project.

B1.10 COMMUNITY OPEN HOUSE: REZONING

In September 2023 the City hosted two community open house events on rezoning. An in-person open house was held on Saturday September 9, from 1:00pm to 3:00pm at the Quinlan Community Center. The second open house was held virtually through Zoom on Thursday, September 14 from 6:00pm to 8:00pm. Both open houses consisted of the same agenda, material, and approach. Approximately 40 in-person participants and 25 virtual participants attended the open house meetings.

The objectives of the open houses were to educate community members about Housing Element sites and densities; collect feedback about amenities, placemaking features, and development form; and address community questions. Each open house consisted of a presentation on the Housing Element Update, Regional Housing Needs Allocation (RHNA), and rezoning, followed by a question-and-answer session. Participants had the remainder of the meeting time to share their input and ideas at each of the three open house stations on: (1) Context and amenities, (2) Development types and forms for 25 dwelling units per acre, 50 dwelling units per acre, and 75 dwelling units per acre, and (3) Development standards for proposed density ranges of 25-50 dwelling units per acre and 50-75 dwelling units per acre. Participant feedback from the open house stations is summarized below.

Participants were asked to provide input through a visual preference survey regarding building amenities and placemaking features for new development.

Building Amenities

In-Person and virtual open house participants expressed support for community open spaces and courtyards in new developments. The in-person participants also showed support for retail uses and bicycle storage, and virtual participants supported community space, daycare, and bicycle storage. Additional ideas from both groups included: aging in place amenities such as community gathering space and medical services; social services; barbecue and picnic areas; recreational space for sports, such as basketball, skateboarding, yoga, martial arts, and roller hockey; space for gardening, dog parks; laundry and storage facilities for residents; and air conditioning.

Placemaking

Participants from the in-person workshop showed strong support for landscape and green infrastructure, followed by active street frontages. In the virtual open house, participants showed the most support for active street frontages and public plazas, followed by equal support of public art, landscaping and green infrastructure, and lighting. Additional ideas from both groups included: amenities like entertainment, grocery stores, and other social gathering places nearby; bike paths; and efforts to reduce greenhouse gas emissions through less parking and sidewalk enhancements, including outdoor dining.

25 Dwelling Units per Acre

Participants favored mixed-use development, followed by townhomes and multi-family projects. Some participants suggested that mixed-use development should incorporate inviting ground floor design with shops and bistros. Regarding townhome development, participants pointed out that developers are building very similar projects, which can lead to bland designs. They would prefer to see variation in roof lines, building step-backs, vertical articulation on the façade, and vegetation.

Others pointed out concerns about adequate residential parking and townhome design not being senior-friendly or incorporating aging-in-place design techniques.

50 Dwelling Units per Acre

Participants noted preferences for mixed-use and multi-family development for developments, citing mixed-use as tending to be both cost-effective and pleasant. However, one participant noted a preference for a combination of mixed-use and 100% residential projects when in close proximity to one another. Participants also preferred multi-family development design that incorporated variation in colors, materials, and roof lines, plus private and community open space such as balconies and landscaped areas. General comments about development at this density included: concerns that higher density development look "cookie cutter" and should incorporate "personality,"; and that density at this level is too high for Cupertino.

75 Dwelling Units per Acre

The in-person group showed a strong preference for mixed-use development over multi-family. The virtual group had a slight preference for multifamily. Comments from both groups related to mixed-use development included: direct lighting downward and toward building walls to minimize light pollution; require variation in height, rooflines, and color; and provide larger square footage for ground floor tenant spaces; and vegetation. Comments related to multi-family development included: trees along street frontages; balconies; and variation in height, rooflines, and color. General comments received for development at this density included: concerns that mixed-use can be noisy, so some developments should be designed as residential only; concerns that all higher density developments would look "cookie cutter" and should incorporate "personality"; preference for the highest density possible, even if it means taller buildings, for developments to have lower impact on greenhouse gas emissions and lower vehicle miles traveled through bike and walking amenities as well as less parking; and a note that density at this level is too high for Cupertino.

~~B1.8~~B1.11 PUBLIC REVIEW AND COMMENTS FOR DRAFT AND FINAL HOUSING ELEMENT

~~The City solicited ongoing public comments during the drafting of the Housing Element. All comments received as a result of the City's efforts to encourage public participation in development of the 2023-2031 Housing Element have been taken into consideration and, where appropriate, additional analysis, programs, and policies have been incorporated into the Housing Element.~~

The City received comments from the public, Cupertino residents, Silicon Valley Young Democrats, Cupertino for All, and Silicon Valley at Home, South Bay YIMBY, and comments received at Cupertino City Council Meetings. Public comments included, but were not limited to, the following topics:

- Include -housing strategies to develop more missing-middle housing for the area's workforce.
- Develop incentives including transitional housing on properties owned by public entities.

- Consider development of work/live units when replacing strip malls along major transportation corridors.
- Hire a housing program manager to assist with implementing housing programs.
- Address fair housing needs to affirmatively further fair housing.
- Ensure sufficient capacity to meet the RHNA that is distributed throughout the city.
- Explore increasing housing for the developmentally disabled population and reducing barriers to accessing below-market rate units.
- Reduce constraints to housing development, including parking reductions, reduced building setbacks, reducing park dedication fees, expanding single-family home floor-area ratio (FAR) requirements, and restructuring impact fees.
- Initiate policies and programs focusing on the development of extremely low-income, emergency interim, permanent supportive and transitional housing, housing for De Anza students, and focus on teacher housing for teachers of all academic levels.
- Add Tier 2 sites and Assembly Bill (AB) 2011 sites.
- Remove AB 2011 Retail Centers or any additional retail centers.
- Partner with local school districts and use underutilized land on school sites.
- Include reasonable renter protections, community land trusts, and rental tenant relocation and assistance.
- Approve housing projects that are transit oriented.
- Ensure multifamily housing is encouraged in high opportunity areas

All comments received were considered and used to inform the revised sites analysis and the assessment of fair housing. Goals, policies, and strategies were included and/or revised to incorporate the feedback received.

Revisions included new and revised strategies to strengthen the city's commitment to meeting the RHNA, through assistance with the development of non-vacant sites, mixed-use sites, lot consolidation, modifying development standards to ensure maximum densities can be achieved, and creating a new R-4 zoning district and new General Plan Land Use Designation to allow for higher densities than what currently exist in both the City's General Plan and Zoning Ordinance. Several revisions were made to the Fair Housing Assessment, including looking at RHNA distribution throughout the city, as well as modifying programs to assist residents with mobility constraints, displacement risk, offering a range of housing types, focusing efforts in high opportunity areas and areas of higher incomes, and to complete a study to determine if a rent control ordinance should be adopted by the City. Specific strategies were also modified to ensure compliance with State law. The City revised the sites inventory to remove sites that were not viable based on their existing uses, and

included additional information regarding their redevelopment potential, based on City knowledge and conversations with property owners.

The Draft Element, as revised, ~~will~~ remained available on the City's website during the second submittal to HCD (for 60 ~~-~~days). At this point, comments were received from two members of the public in December 2023 related to revisions made to the initial public draft. One expressed disagreement with the ACS data that was used in the housing needs assessment and felt that it did not match their lived experience as a resident, particularly around the availability of employment opportunities in the city and the number of households earning at or above 100 percent of the AMI, and expressed a desire for more housing resources to be made available, particularly to combat housing discrimination. The other community member expressed concerns about the availability of power infrastructure and potential traffic conditions and graffiti that the community member feels may result from increased housing development. These comments were considered during subsequent revisions.

In February 2024, prior to submitting the draft to HCD for a third round of review, the City received comments from Cupertino residents, and a member of the City Council. All comments received were considered and responses to the themes are summarized below. The City continues to make a diligent effort to achieve public participation of all economic segments through direct emails, and posting of the draft on the City's website.

- Release of the draft Housing Element was not consistent with State Law.
    - Similar to all other draft releases, consistent with AB 215, the City posted the draft revision on the website and emailed a link to all individuals and organizations that previously requested notices relating to the Housing Element or requested general City news.
- Request for additional public outreach.
    - There will be at least one meeting with the Housing and Planning Commissions in April 2024 followed by meetings with the City Council in May/June 2024. There will be several community meetings in the spring and summer to discuss rezoning, General Plan and objective design standards in relation to the Housing Element.
- Partner with school districts and other organizations to provide downpayment assistance or equity share program to help public agency employees, including the employees of the City of Cupertino, to become homeowners in our community.
    - Strategy HE-7.3.2 states that the City will coordinate with local school districts and colleges to identify housing needs and concerns. The City will discuss potential partnerships for affordable housing developments for school district employees and college students, including on school district properties. This ongoing implementation

of this program will help to strategize on how to expand housing opportunities for teachers and public employees.

- Remove housing opportunities on school sites.
  - Allowing for housing on school sites provides additional housing options for employees. The City determine the need based on the implementation of Strategy HE-7.3.2.
- Address the job-housing imbalance and discourage worsening the imbalance by not allowing incentives or waiver of standards or waiver of fees for projects that worsen the job-housing balance.
  - The Housing Element identifies over 60 priority housing sites, many at minimum densities of 50 units/acre, to provide much needed housing, particularly affordable units, to address the jobs-housing imbalance that exists in Cupertino and the job-rich northwestern portion of Santa Clara County.
- Prioritize smaller starter for-sale homes to incentivize housing for the Missing Middle.
  - The missing middle strategies would provide a higher proportion of rental units and townhome densities would allow for starter homes both allowing a product that is more affordable relative to the singe family detached housing that makes up the majority of the City's current housing stock.
- Strategy HE-1.3.6 should be changed from R3 to R2 (duplexes) to create a better transition for neighborhoods. Allowing R3 zoning allows for the use of density bonus law to eliminate the height, setbacks and parking requirements.
  - The R3 zoning standards discussed in the missing middle housing strategy (HE-1.3.6) would not allow more that 4 units on any R1 zoned lot, thus State density bonus law would not be applicable. At present, R1 and R2 lots throughout the City are able to have up to four units, the missing middle strategy would provide an opportunity for housing types, such as triplexes or fourplexes to be developed at neighborhood scale.
- Remove the option to waive park dedication fees and construction taxes.
  - This is a long standing policy and offers a way to remove constraints to the development of affordable housing.

As additional revisions are made to respond to HCD comments, this information will be posted on the City's website to ensure all members of the public and any interested parties have current information.

~~B1.9~~B1.12 NOTICING OF THE DRAFT HOUSING ELEMENT

Per California Government Code Section 65585, the draft Housing Element was made available for public comment for 30 days, from November 18, 2022, to December 23, 2022. Public comment was received, and an additional 10 business days was allowed to consider and incorporate public comments into the draft revision before submitting to HCD on February 3, 2023. The draft was made available on the City's website.

The City received a findings letter from HCD on May 4, 2023, and revised the draft Housing Element to address the identified findings. The revised draft Housing Element was posted on the City's website on October 6, 2023 and interested participants were notified of the availability, consistent with State law. The City resubmitted the revised Housing Element to HCD on October 16, 2023.

Housing Needs Assessment

B.2

APPENDIX

Table of Contents

Tables

Figures

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B2 HOUSING NEEDS ASSESSMENT

This section of the Housing Element Technical ~~Appendix~~ Report describes existing housing needs and conditions in the City of Cupertino. The analysis in this section primarily u~~tiliz~~es data compiled by Association of Bay Area Governments (ABAG) in the "Housing Needs Data Report: Cupertino" (ABAG/MTC, Baird + Driskell Community Planning, April 2, 2021). This data packet was approved by the California Department of Housing and Community Development (HCD).

B2.1 OVERVIEW OF BAY AREA HOUSING

The Bay Area is beginning to see a decrease in ~~continues to see growth has decreased in~~ n both population and jobs. In the past, population was increasing and housing production was stalled. With the decrease in population drawn to the Bay Area, there may be a decrease in the need for housing units, although the need for affordable housing is higher than ever. For example,~~-~~ in ~~, which means less~~more housing ~~of various types and sizes is~~ anticipated to be ~~needed to ensure that residents across all income levels, ages, and abilities have a place to call home. While the number of people drawn to the region over the past 30 years has steadily increased, housing production has stalled, contributing to the housing shortage that communities are experiencing today. In~~ many cities increasing housing costs coupled with~~,~~ the lack of affordable housing options ~~this~~ has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

The 2023-2031 Housing Element Update provides a roadmap for how to meet our growth and housing challenges. Required by the State of California (State), the Housing Element identifies what the existing housing conditions and community needs are, reiterates goals, and creates a plan to ensure there are housing options for all segments of the community. The Housing Element is an integral part of the General Plan, which guides the policies of Cupertino.

B2.2 POPULATION, EMPLOYMENT, AND HOUSEHOLD CHARACTERISTICS

POPULATION GROWTH

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the Great Recession. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth.

According to the data, the population of Cupertino was estimated to be 59,549 in 2020. The population of Cupertino makes up about 3.0 percent of Santa Clara County.[1] ~~In~~ Cupertino has seen a decrease in population of 1 percent over the past five years, from 2015 to 2020, and an additional 1

[1] To compare the rate of growth across various geographic scales, Figure B2-1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e., percentage change) in each of these geographies relative to their populations in 1990.

percent over the past three years, from 2020 to- 2023. ~~, roughly 14.3 percent of its population moved out of the City during the past year~~While Santa Clara County and the Bay Area saw an increase from 2015 to– 2020, there was a significant decrease from 2020 to- 2023, at 4 percent and 3 percent, respectively. ~~, a number that is slightly higher than the regional rate of 13.4 percent.~~ Table B2-1, Population Growth Trends, shows population growth trends for Cupertino, Santa Clara County, and the Bay Area as a whole.

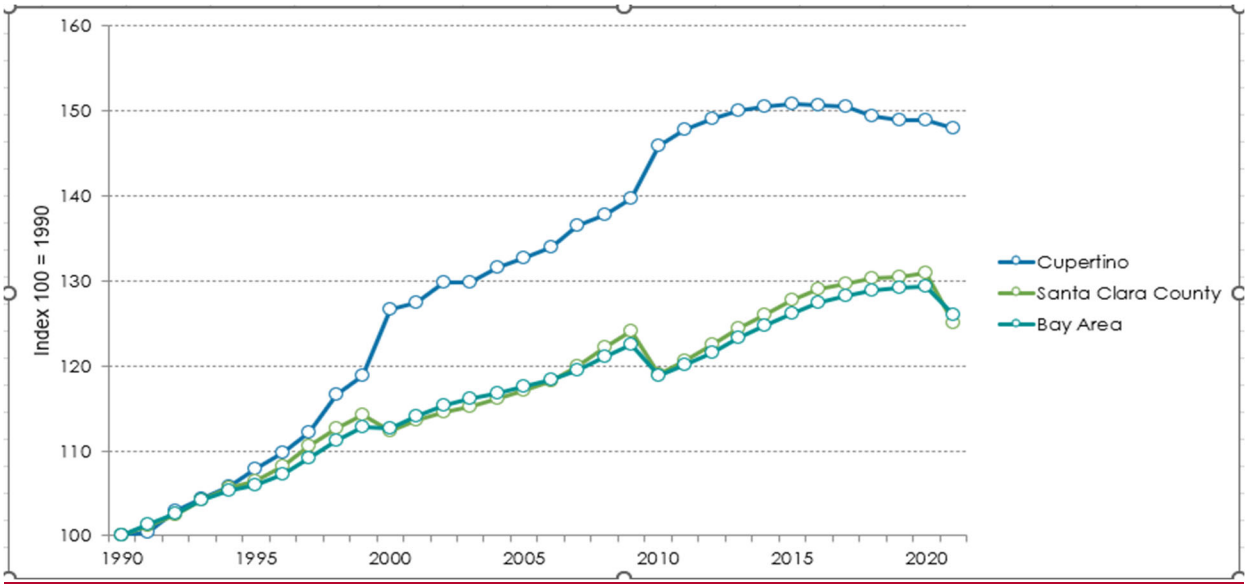
Table B2-1 Population Growth Trends

Geography	1990	1995	2000	2005	2010	2015	2020	2023
Cupertino	39,967	43,142	50,602	53,012	58,302[1]	60,260	59,549	59,154
Percentage Change	--	*8%*	*17%*	*5%*	*10%*	*3%*	*-1%*	*-1%*
Santa Clara County~~.~~	1,497,577	1,594,818	1,682,585	1,752,696	1,781,642	1,912,180	1,961,969	1,886,079
Percentage Change	--	*6%*	*6%*	*4%*	*2%*	*7%*	*3%*	*-4%*
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537	7,548,792
Percentage Change	--	6%	6%	4%	1%	6%	3%	-3%

SOURCE: California Department of Finance, E-5 series
NOTE: ~~Universe: Total population~~; For more years of data, please refer to the Data Packet Workbook, Table POPEMP-01.
[1]Removing the population increase from the Cupertino annexation,; total population is 56,702.

The city's population increased by 15 percent between 2000 and 2010, exceeding the growth rate of Santa Clara County and the San Francisco Bay Area. During this period, Cupertino grew from 50~~3~~,600~~1~~2 to 58,302 residents. A portion of this population growth can be attributed to the annexation of 168 acres of land between 2000 and 2008. The annexation of Garden Gate, Monta Vista, and scattered county "islands" added 1,600 new residents. After removing the population increases from these annexations, Cupertino experienced a 12 percent increase in its population during the previous decade. ~~Since 2000, Cupertino's population has increased by approximately 17.7 percent, which is below the rate for the region as a whole, at 14.8 percent. From 1990 to 2000, the population increased by 26.6 percent. During the first decade of the 2000s the population increased by 15.2 percent.~~ In the most recent decade, the population increased by 2~~2.1~~ percent; however, predictions show a decrease in population growth throughout the state. ~~—~~Figure B2-1, Population Growth Trends, shows population growth trends in percentages.

Figure B2-1 Population Growth Trends Chart



Source: California Department of Finance, E-5 series

AGE

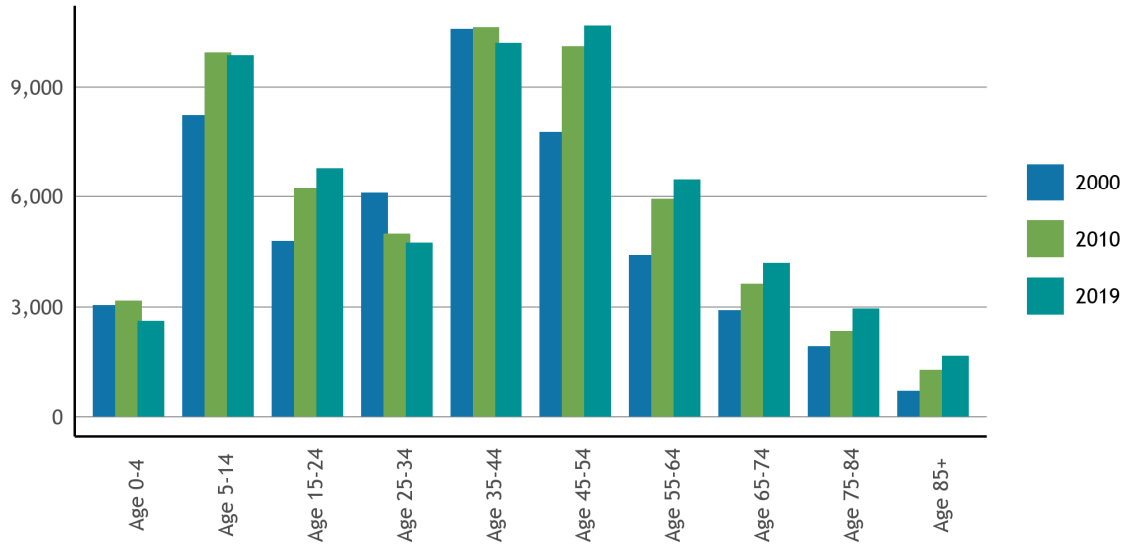
The distribution of age groups in a city shapes what types of housing the community may need in the near future. An increase in the older population may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. There has also been a move by many to age-in-place or downsize to stay within their communities, which can mean more multifamily and accessible units are also needed.

In Cupertino, the median age in 2000 was approximately 38 years. By 2019, the median age increased to approximately 40 years. The population of those under 14 has decreased since 2010, while the 65-and-over population has increased. Figure B2-2, Population by Age, 2000-2019, shows population by age for the years 2000, 2010, and 2019.

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color are even more likely to experience challenges finding affordable housing. People of color[2] make up 43.5 percent of seniors and 84.1 percent of youth under age 18. Figure B2-3, Population Age by Race, shows population age by race.

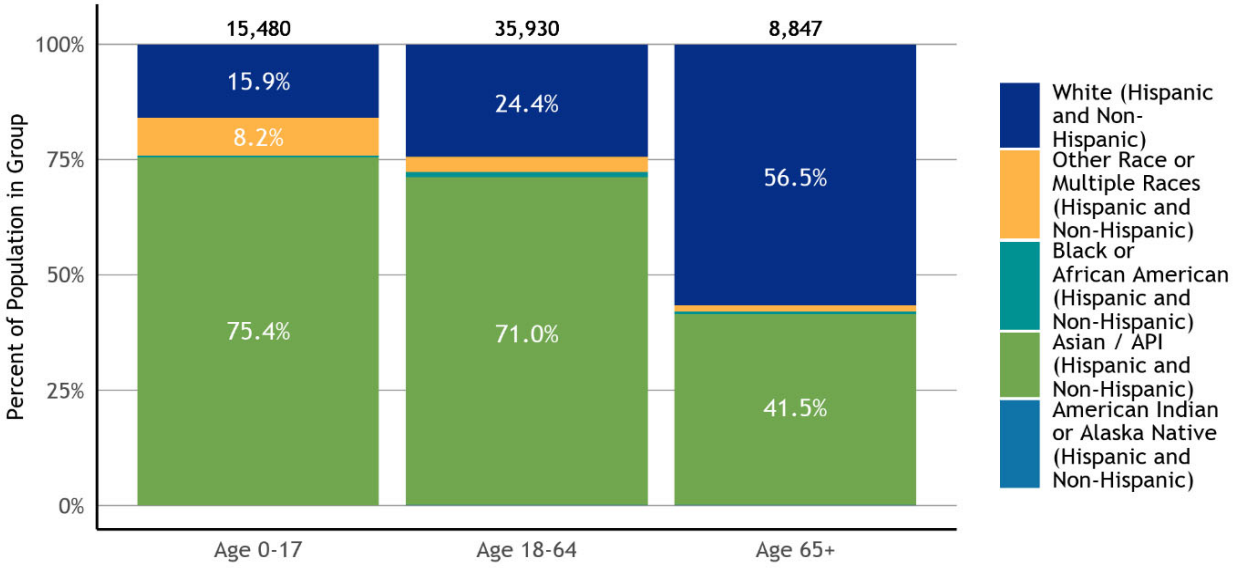
[2] Here, all non-white racial groups are counted.

Figure B2-2 Population by Age, 2000-2019



Sources: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-04.

Figure B2-3 Population Age by Race



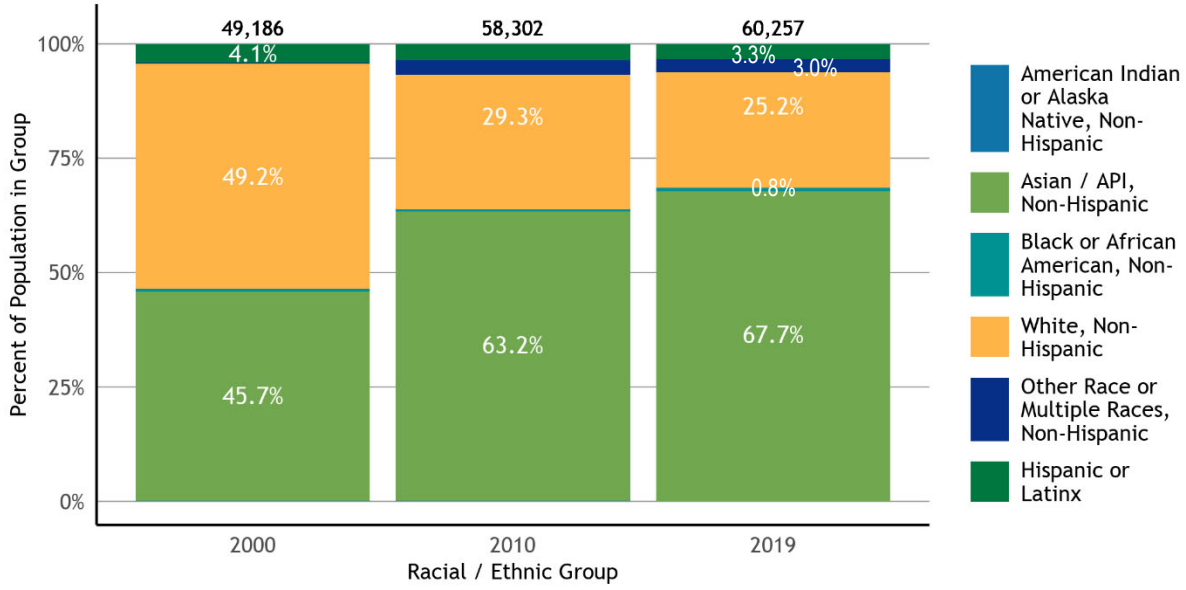
Sources: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-G). For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.

RACE AND ETHNICITY

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices, and displacement that has occurred over time and continues to impact communities of color today.[3]

Since 2000, the percentage of residents in Cupertino identifying as *White, Non-Hispanic,* has decreased by 24.0 percentage points, with this 2019 population standing at 15,168. By the same token, the percentage of residents of all *Other Race of Multiple Races, Non-Hispanic,* has increased. In absolute terms, the *Asian/API, Non-Hispanic* population increased the most while the *White, Non-Hispanic* population decreased the most. Figure B2-4, Population by Race, 2000-2019, shows population by race for 2000, 2010, and 2019.

Figure B2-4 Population by Race, 2000-2019



Sources: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-02.

[3] See, for example, Rothstein, R. (2017). *The color of law: a forgotten history of how our government segregated America*. New York, NY & London, UK: Liveright Publishing.

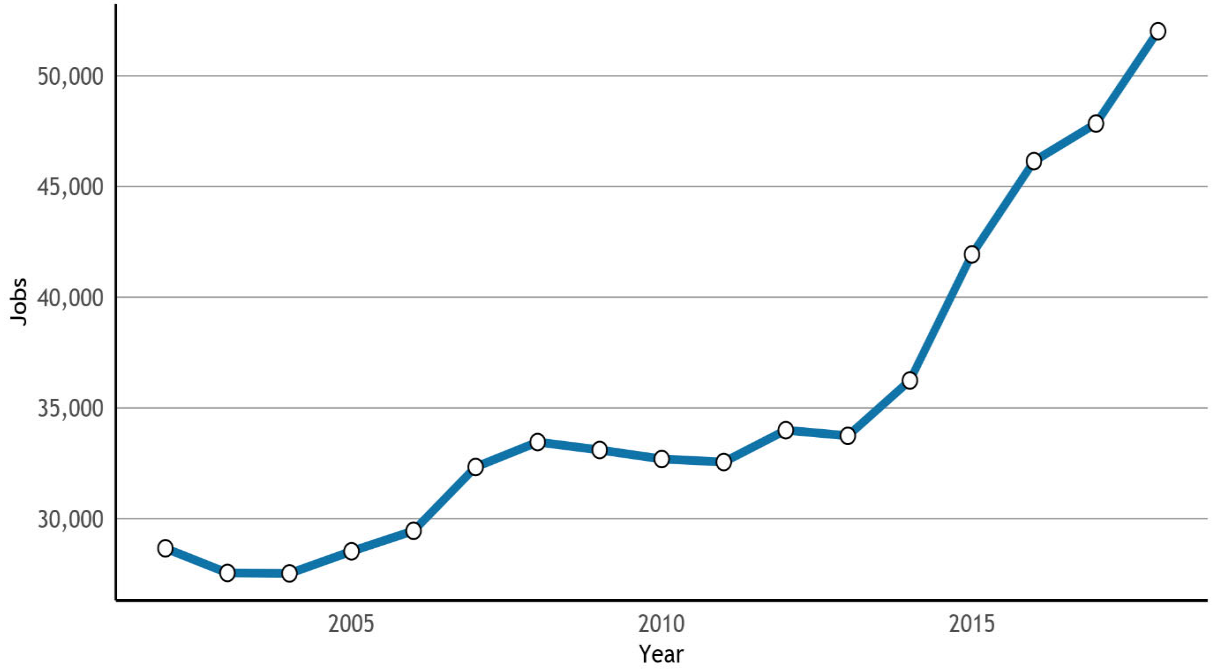
EMPLOYMENT TRENDS

BALANCE OF JOBS AND WORKERS

A city houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city may have job sites that employ residents from the same city but more often employ workers commuting from outside of it. Smaller cities typically will have more employed residents than jobs and export workers, while larger cities tend to have a surplus of jobs and import workers. To some extent, the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of this is the relationship between workers and jobs. A city with a surplus of workers "exports" workers to other parts of the region, while a city with a surplus of jobs must conversely "import" them. Between 2010 and 2018, the number of jobs in Cupertino increased by 59.1 percent. Figure B2-5, Jobs in a Jurisdiction, shows jobs in Cupertino between 2002 and 2018.

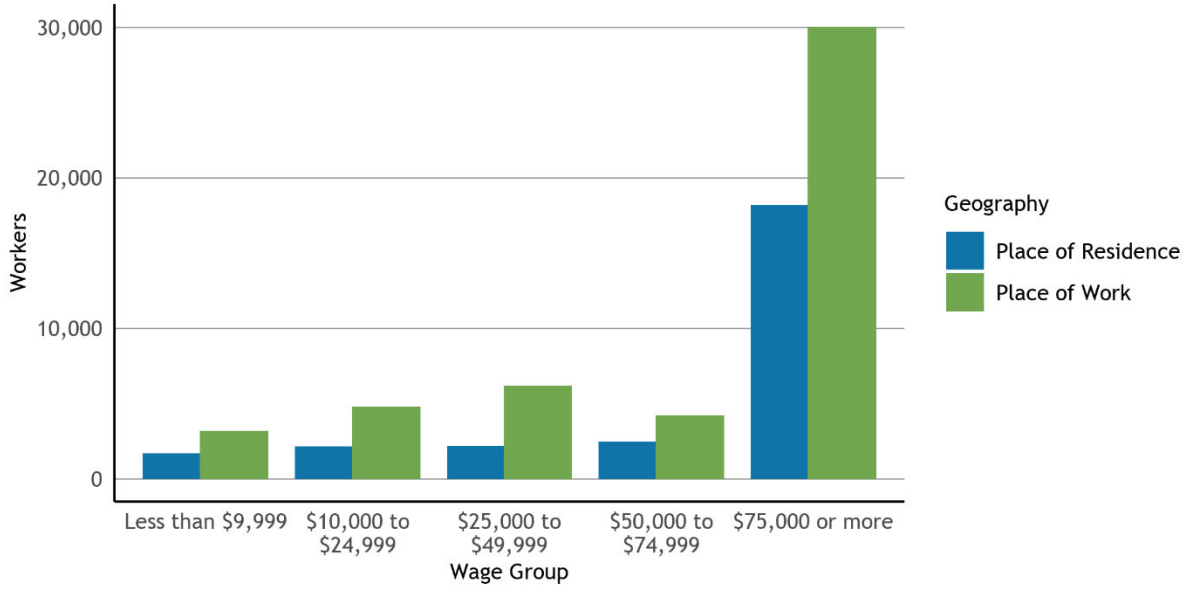
Figure B2-5 Jobs in a Jurisdiction



Sources: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 200B2-2018. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-11.

Figure B2-6, Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence, shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers. Conversely, it may house residents who are low-wage workers but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A relative surplus of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers mean the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear.

Figure B2-6 Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence



Sources: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

Cupertino has more low-wage jobs than low-wage residents (where low-wage refers to jobs paying less than $25,000). At the medium to high end of the wage spectrum on Figure B2-6, Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence (i.e., wages over $75,000 per year), the City has more high-wage jobs than high-wage residents.[4]

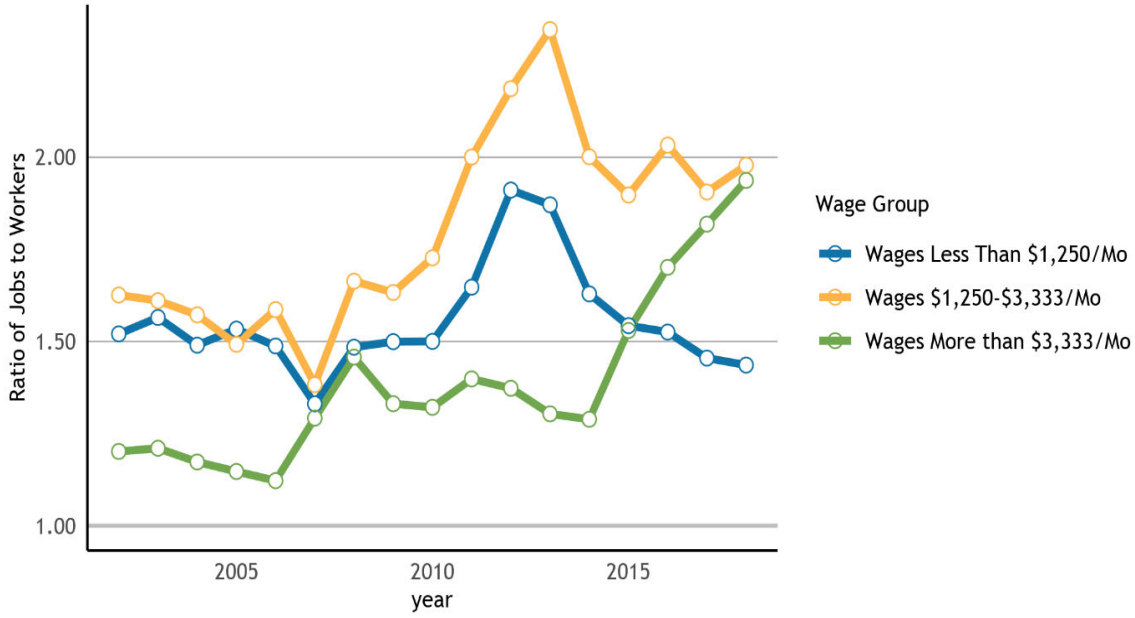
Figure B2-7, Jobs-Worker Ratios, By Wage Group, shows the ratio of jobs to workers, by wage group. A value of 1.00 means that a city has the same number of jobs in a wage group as it has resident workers, in principle, a balance. Values above 1.00 indicate a jurisdiction will need to import workers

[4] The source table is top-coded at $75,000, precluding more fine-grained analysis at the higher end of the wage spectrum.

for jobs in a given wage group. Cupertino's ratio of low-wage jobs to workers is 1.44, while the ratio of high-wage jobs to workers is 1.94.

Such balances between jobs and workers may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower--wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate, it contributes to traffic congestion and time lost for all road users.

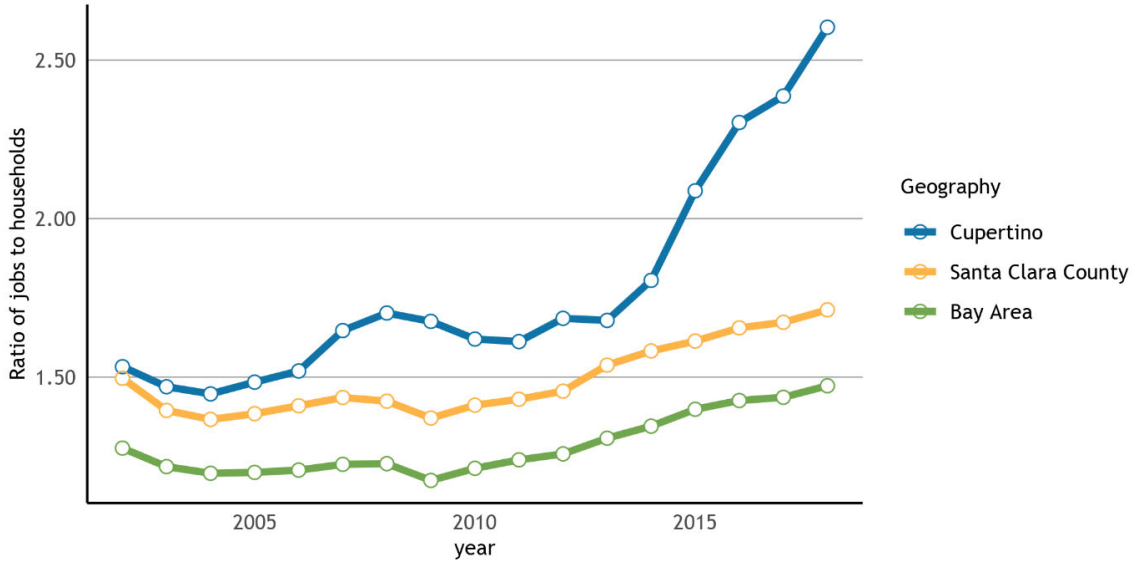
Figure B2-7 Jobs-Worker Ratios, By Wage Group



Sources: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-14.

If there are more jobs than employed residents, it means a city is relatively jobs-rich, typically also with a high jobs-to-household ratio. Thus, bringing housing into the measure, the jobs-household ratio in Cupertino has increased from 1.53 in 2002 to 2.60 jobs per household in 2018, with the steepest growth in jobs occurring in the period between 2015 and 2018. In short, Cupertino is a net importer of workers. Figure B2-8, Jobs-Household Ratio, shows Cupertino's jobs-household ratio.

Figure B2-8 Jobs-Household Ratio

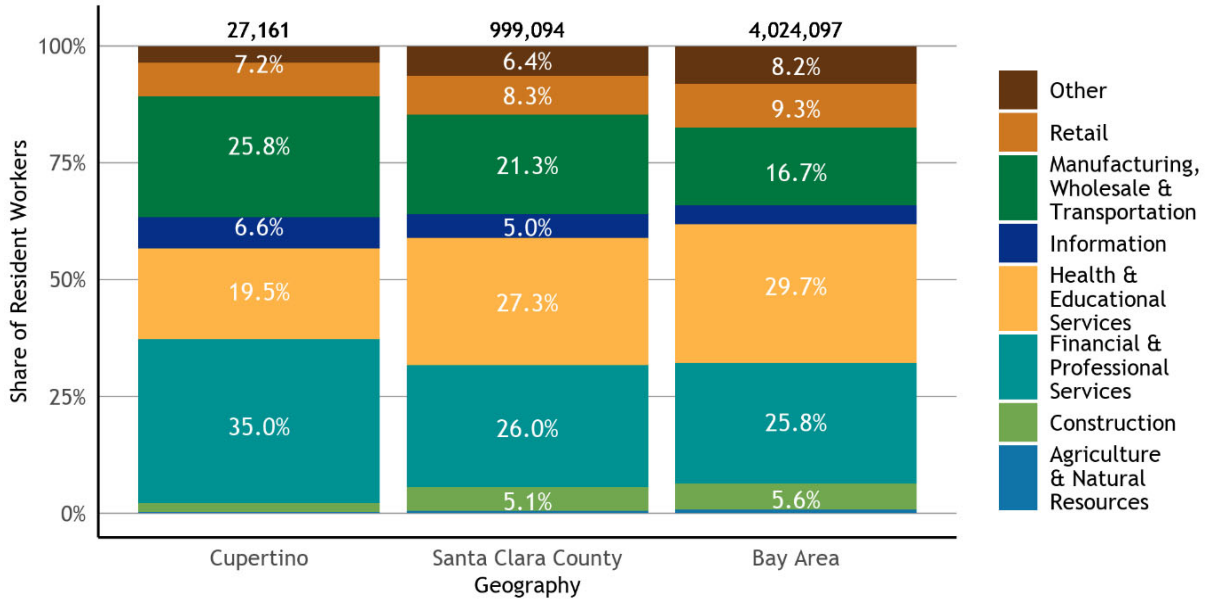


Sources: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 200B2-2018; California Department of Finance, E-5 (Households). For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-13.

SECTOR COMPOSITION

In terms of sectoral composition, the largest industry in which Cupertino residents work is *Financial & Professional Services*, and the largest sector in which Santa Clara residents work is *Health & Educational Services*. For the Bay Area as a whole, the *Health & Educational Services* industry employs the most workers. Figure B2-9, Resident Employment by Industry, shows resident employment by industry.

Figure B2-9 Resident Employment by Industry

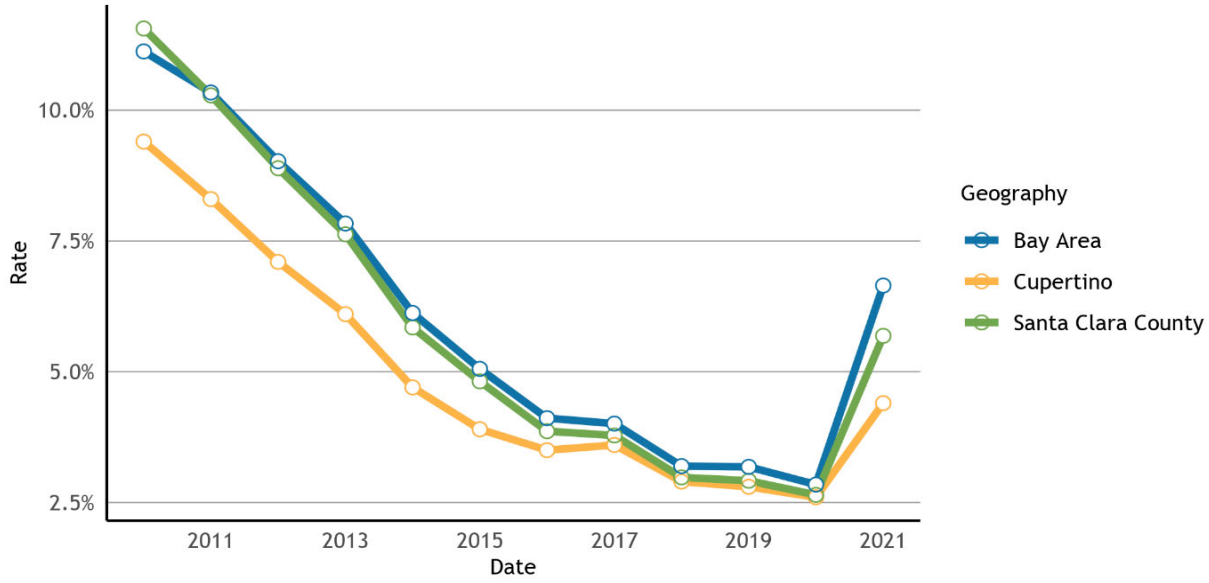


Sources: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-06.

UNEMPLOYMENT

In Cupertino, there was a 5.0 percentage point decrease (9.4 percent to 4.4 percent) in the unemployment rate between January 2010 and January 2021. Santa Clara County and the Bay Area also experienced a similar decrease between January 2010 and January 2021 (11.6 percent to 5.7 percent) and (11.1 percent to 6.6 percent). Jurisdictions throughout the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, though with a general improvement and recovery in the later months of 2020. Figure B2-10, Unemployment Rate, shows the unemployment rates over the last decade for Cupertino, Santa Clara County, and the Bay Area as a whole.

Figure B2-10 Unemployment Rate



Sources: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-15.

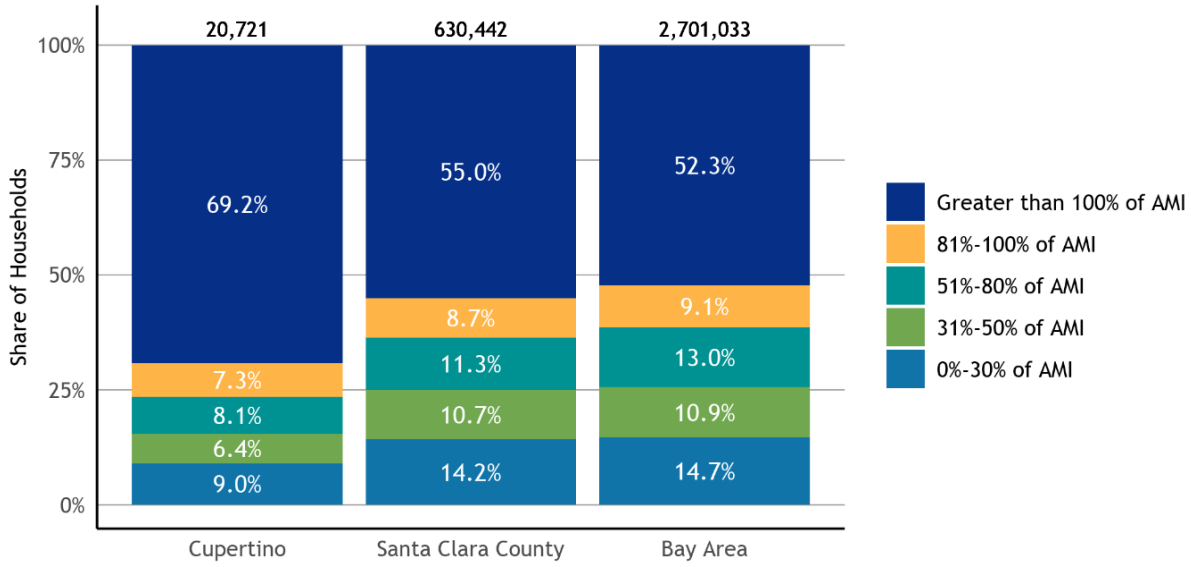
EXTREMELY LOW-INCOME HOUSEHOLDS

Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the nation, and the Bay Area has the highest income inequality between high- and low-income households in the state.[5]

[5] Bohn, S.et al. 2020. Income Inequality and Economic Opportunity in California. *Public Policy Institute of California*.

In Cupertino, 69.2 percent of households make more than 100 percent of the Area Median Income (AMI),[6] compared to 9.0 percent making less than 30 percent of AMI, which is considered extremely low-income. RegionallyCountywide, more than half (55 percent) of all households make more than 100 percent AMI, while 15 14.2 percent make less than 30 percent AMI and when looking at the Bay Area as a whole, 52 percent of households made more than 100 of the AMI, which 14.878 percent making less than 30 percent of the AMI. In Santa Clara County, 30 percent AMI is the equivalent to the annual income of $39,900 for a family of four. Many households with multiple wage earners, including food service workers, full-time students, teachers, farmworkers, and healthcare professionals, can fall into lower AMI categories due to relatively stagnant wages in many industries. Seniors relying on social security also tend to fall into the extremely low-income category. Figure B2-11, Households by Household Income Level, shows households by income level.

Figure B2-11 Households by Household Income Level



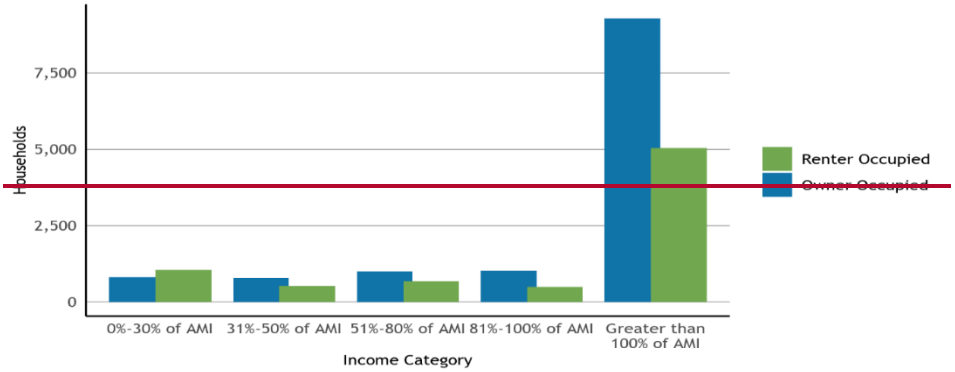
Sources: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-01.

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing available that is affordable for these households.

[6] Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine-county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50 percent are very low-income, and those making less than 30 percent are extremely low-income. This is then adjusted for household size.

In Cupertino, the largest proportion of both renters and homeowners fall in the *Greater than 100 percent of AMI* group (72 percent homeowners and 65 percent renters). Comparatively, 14 percent of extremely low-income households are renter-occupied, while 6 percent are owner-occupied. Very low-income households have a more similar tenure, with just a 1 percent difference between very low-income renters and owners (7 percent versus 6 percent). Similarly, there are slightly more low-income renters (9 percent) in Cupertino compared to owners (8 percent). Figure B2-12, Household Income Level by Tenure, shows household income by tenure.

Figure B2-12 Household Income Level by Tenure



OBJ

Sources: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-21.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to Wwhite residents.[7] These economic disparities also leave communities of color at higher risk for housing insecurity, displacement, or homelessness.

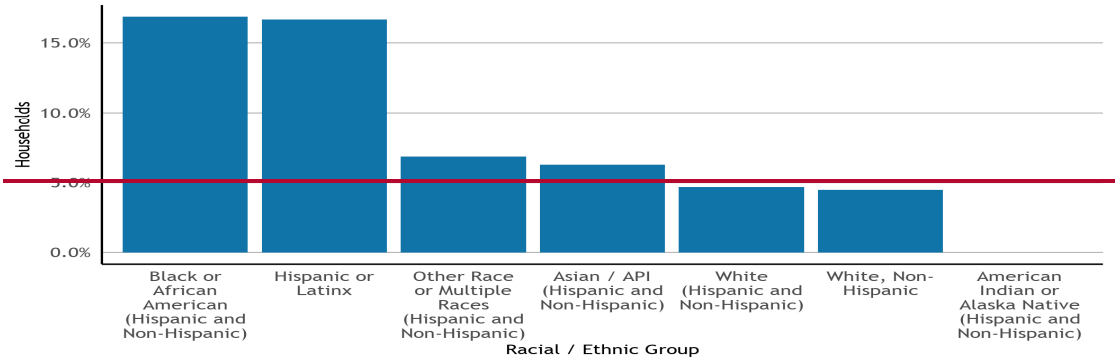
In Cupertino, while the majority of the population are people of color, Black or African American (16.9 percent) and *(Hispanic and Non-Hispanic* (16.9 percent)) residents (16.9 percent) experience the highest rates of poverty, followed by *Hispanic or LatinX* Other Race or Multiple Races *(Hispanic and Non-Hispanic)* residents (6.8 percent). The Hispanic population also experienced a high rate of poverty, at 16.7 percent. In Santa Clara County, residents of "Other Race or Multiple Races" experienced the highest rate of poverty (21.1 percent), followed by Asian/API (15.1 percent), and Black or African American (11.7 percent). However, it is worth noting that there is a smaller number of Black/African American households in Cupertino. Figure B2-13, Poverty Status by Race, shows poverty status by race.

[7] Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. *Hass Institute*.

Figure B2-13 Poverty Status by Race

OBJ

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I). For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-03.

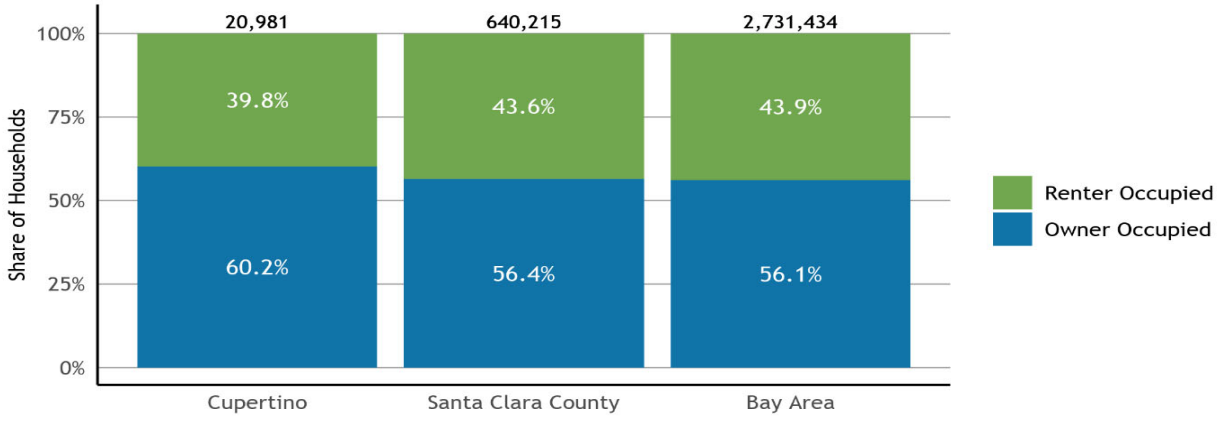


TENURE

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity (i.e., ability for individuals to stay in their homes) in a city and region. Generally, renters may be displaced more quickly if prices increase.

According to the 2015-2019 American Community Survey (ACS), ~~In Cupertino~~ there ~~are~~ were a total of 20,981 housing units in Cupertino. Looking at tenure, ~~and~~ fewer Cupertino residents rent than own their homes: 39.8 percent versus 60.2 percent. By comparison, 43.6 percent of households in Santa Clara County and 43.9 percent of households throughout the Bay Area are renters, which is slightly higher than Cupertino's rate. ~~, 43.6 percent and 43.9 percent, respectively of Bay Area households rent their homes.~~ Figure B2-14, Housing Tenure, shows housing tenure for Cupertino, Santa Clara County, and the Bay Area as a whole.

Figure B2-14 Housing Tenure



Sources: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-16.

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, State, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Bay Area communities.[8]

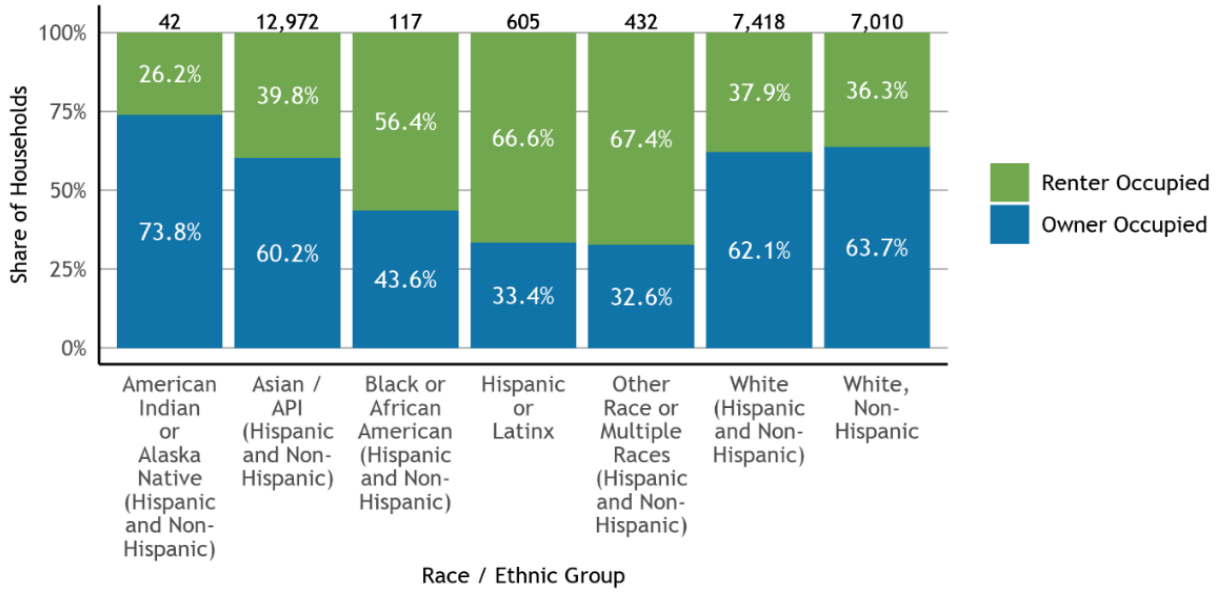
The Census Bureau defines Hispanic/Latinx ethnicity separate from other racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

In Cupertino, Asian households, followed by White households, had the highest rate of homeownership and Black or African Americans and American Indian and Alaska Native households had the lowest rate of homeownership. When looking at specific race categories, 43.6 percent of Black or African Americans households owned their homes, while homeownership rates were 60.2 percent for Asian households, 33.4 percent for Hispanic or Latinx households, and 62.1 percent for White households. Similarly, when looking at Santa Clara County, White households followed by Asian households had the highest rate of homeownership and American Indian and Alaska Native and Black households had the lowest rate of homeownership. (see Table B2-2, Housing Tenure by Race of Householder). Notably, recent changes to State law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

Figure B2-15, Housing Tenure by Race of Householder, shows housing tenure by the race of the householder. Table B2-2, Housing Tenure by Race of Householder for the City and County, shows the same data in tabular format and shows the city and county for comparison purposes.

[8] See, for example, Rothstein, R. (2017). *The color of law: a forgotten history of how our government segregated America.* New York, NY & London, UK: Liveright Publishing.

Figure B2-15 Housing Tenure by Race of Householder



Sources: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I). For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-20.

Table B2-2 Housing Tenure by Race of Householder for the City and County

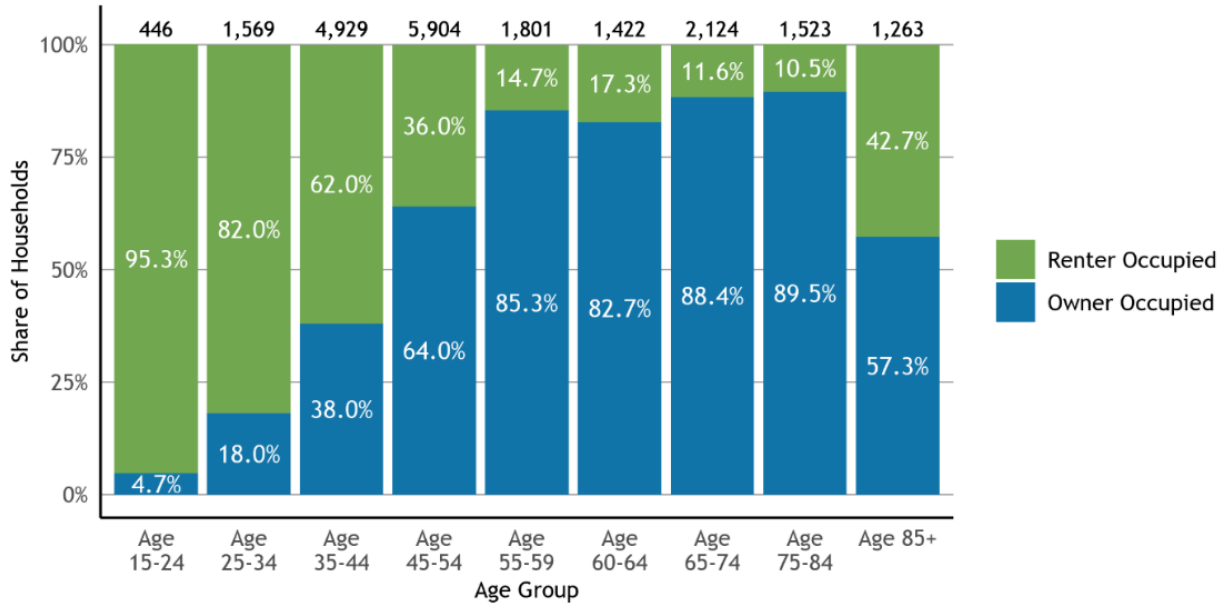
Racial / Ethic Group	City of Cupertino		Santa Clara County	
	Owner-Occupied Percentage	Renter-Occupied Percentage	Owner-Occupied Percentage	Renter-Occupied Percentage
White alone (Non-Hispanic)	30.9%	30.4%	42.8%	37.3%
Black or African American (Non-Hispanic)	0.7%	0.9%	2.1%	3.2%
American Indian and Alaska Native (Non-Hispanic)	0.3%	0.6%	0.4%	0.5%
Asian/API (Non-Hispanic)	62.1%	59.2%	30.0%	26.3%
Other Race or Multiple Races (Non-Hispanic)	3.1%	4.0%	8.9%	12.0%
Hispanic or Latinx	2.9%	4.8%	15.8%	20.8%
Total	**100.0%**	**100.0%**	**100.0%**	**100.0%**

Sources: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I) and Table S2502. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-20.

The age of residents who rent or own their home can also signal the housing challenges a community is experiencing. Younger households tend to rent and may struggle to buy a first home in the Bay Area due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options in an expensive housing market.

In Cupertino, 95.3 percent of householders between the ages of ~~between the~~ 15 and 24 are renters, 82.0 percent of householders ages 25 through 34 are renters, and 42.7 percent of householders over age 85 are renters. Homeownership increases between the ages of 34 and 85 and then reduces beyond that, presumably since homeownership may be a burden for senior households. Figure B2-16, Housing Tenure by Age, shows housing tenure by age categories.

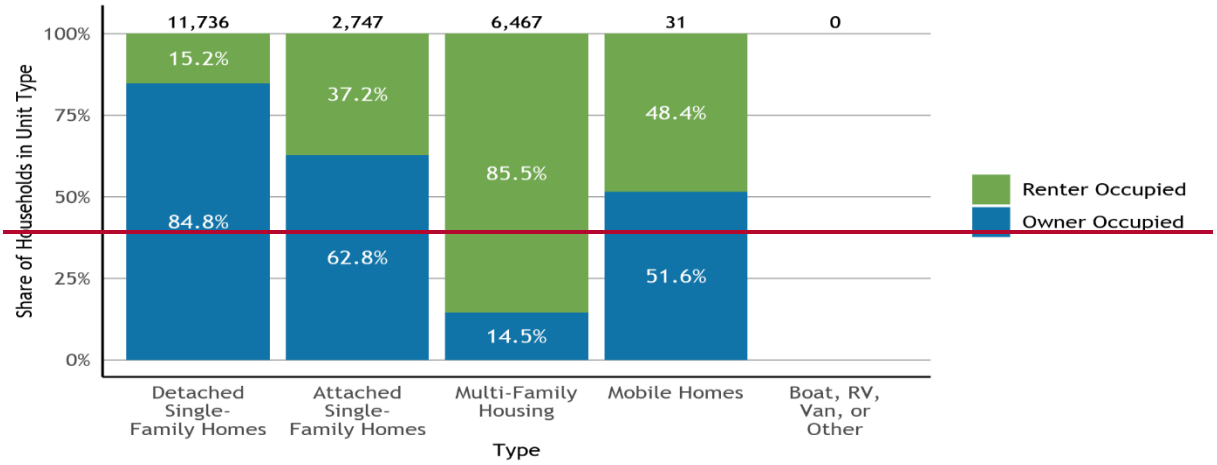
Figure B2-16 Housing Tenure by Age



Sources: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-18.

~~Figure B2-17, Housing Tenure by Housing Type, shows housing tenure by housing type.~~

Figure B2-17 Housing Tenure by Housing Type



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP 22.

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Cupertino, 84.8 percent of households in detached single-family homes are homeowners, while 14.5 percent of households in multi-family housing are renters. as shown in Figure B2-16.Figure B2-**Error! Reference source not found.** The City does not have any mobile home parks nor is staff aware of any mobile home installations, therefore there is little confidence that the data related to mobile homes is accurate.

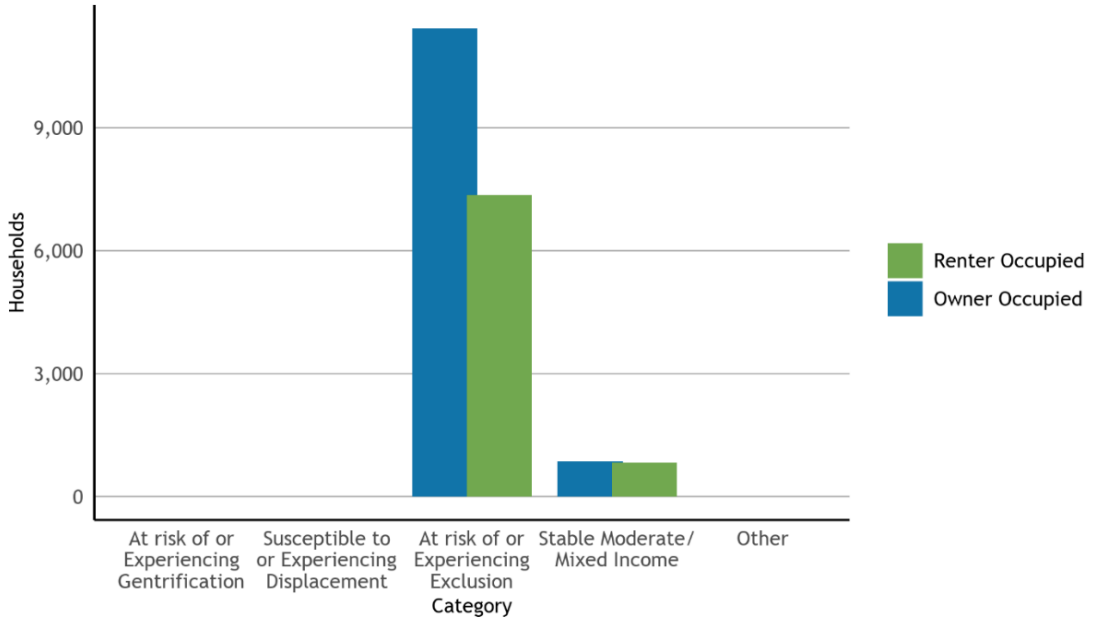
DISPLACEMENT

Because of increasing housing prices, displacement is a major concern in the Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

The University of California (UC), Berkeley, has mapped all neighborhoods in the Bay Area, identifying their risk for gentrification. They find that in Cupertino, there are no households that live in neighborhoods that are susceptible to or experiencing displacement and none live in neighborhoods at risk of or undergoing gentrification. Equally important, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates that 91.8 percent of households in Cupertino live in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs.[9] Figure B2-178, Households by Displacement Risk and Tenure, shows household displacement risk and tenure.

[9] More information about this gentrification and displacement data is available at the Urban Displacement Project's webpage: https://www.urbandisplacement.org/. Specifically, one can learn more about the different gentrification/displacement typologies shown in Figure 18 at this link: https://www.urbandisplacement.org/sites/default/files/typology_sheet_2018_0.png. Additionally, one can view maps that show which typologies correspond to which parts of a jurisdiction here: https://www.urbandisplacement.org/san-francisco/sf-bay-area-gentrification-and-displacement

~~Figure B2-18~~Figure B2-17 Households by Displacement Risk and Tenure



Sources: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-25.

B2.3 HOUSING STOCK CHARACTERISTICS HOUSING TYPES, YEAR BUILT, VACANCY, AND PERMITS

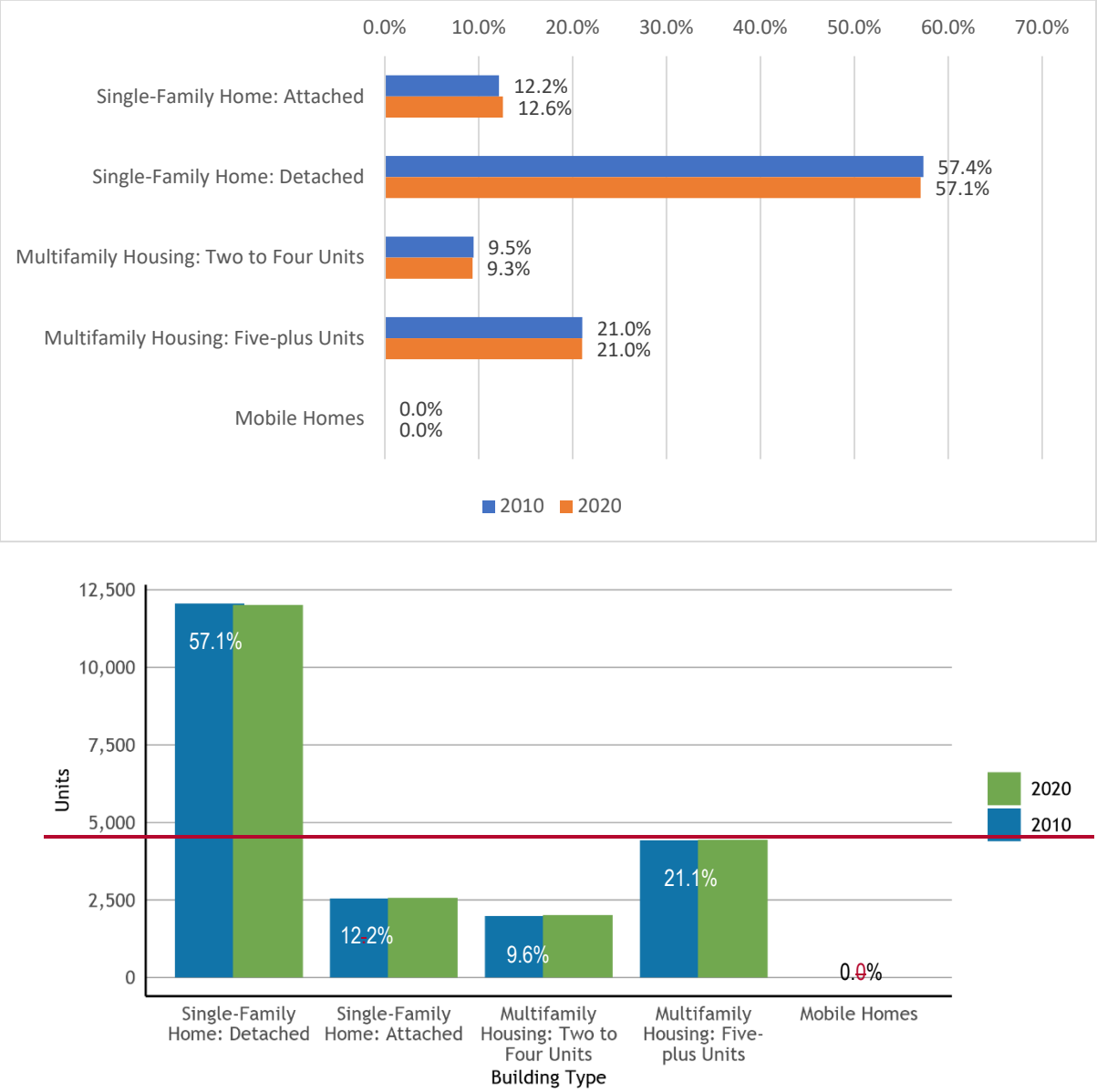
In recent years, most housing produced ~~in the region and~~ across the state consisted of single-family homes and larger multi-unit buildings. However, ~~some~~ households are increasingly interested in "missing middle housing," including duplexes, triplexes, townhomes, cottage clusters, and accessory dwelling units. These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

According to estimates from the California Department of Finance, the City of Cupertino had ~~21,050~~21,701 housing units in April 2020, up ~~only slightly (0.1~~3.2 percent ~~(or 23~~674 units) from the 21,027 units that existed in 2010[10]. The 2020 housing stock was made up of ~~57.1~~69.6~~3~~ percent single-family homes. Of those, 57.1 percent were detached single-family homes and 12.~~2~~6 percent were single-family attached homes. ~~: Detached, 12.2 percent Single-Family Homes: Attached, 9.6 percent~~ Multifamily h~~H~~ousing ~~comprised~~made up 30.74 percent of the housing stock, with 21.~~1~~0 percent having 5 or more units.~~:~~ ~~Two to Four Units, 21.1 percent Multifamily Housing: Five-Plus Units, and no Mobile Homes.~~ Overall, the housing stock in Cupertino has ~~remained the same~~shifted from 2010 to 2020 ~~with no notable changes~~to include a slightly greater percentage of attached single-family homes as a percentage of the while also increasing the number of housing units in each type~~.~~. ~~In~~

[10] Some past housing estimates by the Department of Finance have included a reporting error that has caused the city's total housing stock to be underreported. The City's records indicate that 534 units of housing were built between 2010 and the end of 2019, and that an additional 20 were built in 2020.

~~Cupertino, the housing type that experien witheed slight the most growth between 2010 and 2020 was Multifamily Housing: Two to Four Units with a 1 percent increase~~. Figure B2-1~~8~~9, Housing Type Trends, shows housing type trends in Cupertino for 2010 and 2020.

Figure B2-18 Housing Type Trends



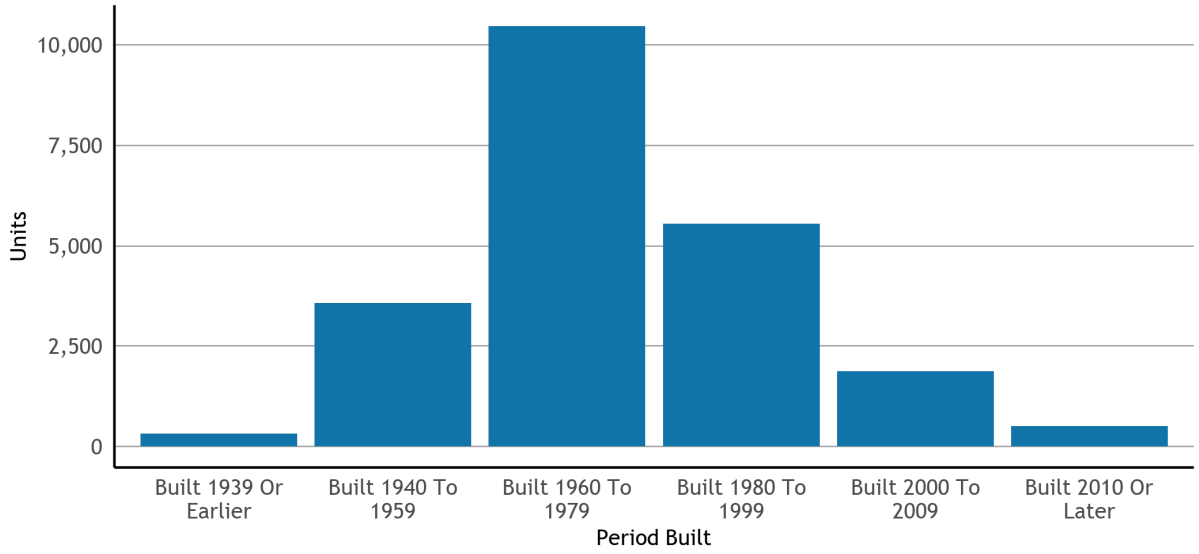
SOURCES:California Department of Finance, E-5 series, April 2010 and April 2020. ~~For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-01.~~

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In Cupertino, the largest proportion of the housing stock was built 1960 to 1979, with an increase of 10,462 units ~~constructed~~ during this period. The majority of

this growth can be attributed to annexations, where already developed neighborhoods were added to the Cupertino housing stock. ~~Since 2010, 2.3 percent of the current housing stock was built, which is 502 units.~~ Figure B2-~~20~~19, Housing Units by Year Structure Built, shows housing units by the year built.

Throughout the Bay Area, vacancies make up 2.6 percent of the total housing units, with homes listed for rent; units used for Recreational or Occasional Use, and units not otherwise classified (Other Vacant) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as For Recreational or Occasional Use are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals, like AirBnB, are likely to fall in this category. The Census Bureau classifies units as Other Vacant if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended ~~absence~~ period for reasons such as a work assignment, military duty, or incarceration.[11] In a region with a thriving economy and housing market like the Bay Area, units being renovated/repaired and prepared for rental or sale are likely to represent a large portion of the Other Vacant category. Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of Other Vacant units in some jurisdictions.[12]

Figure B2-19 Housing Units by Year Structure Built



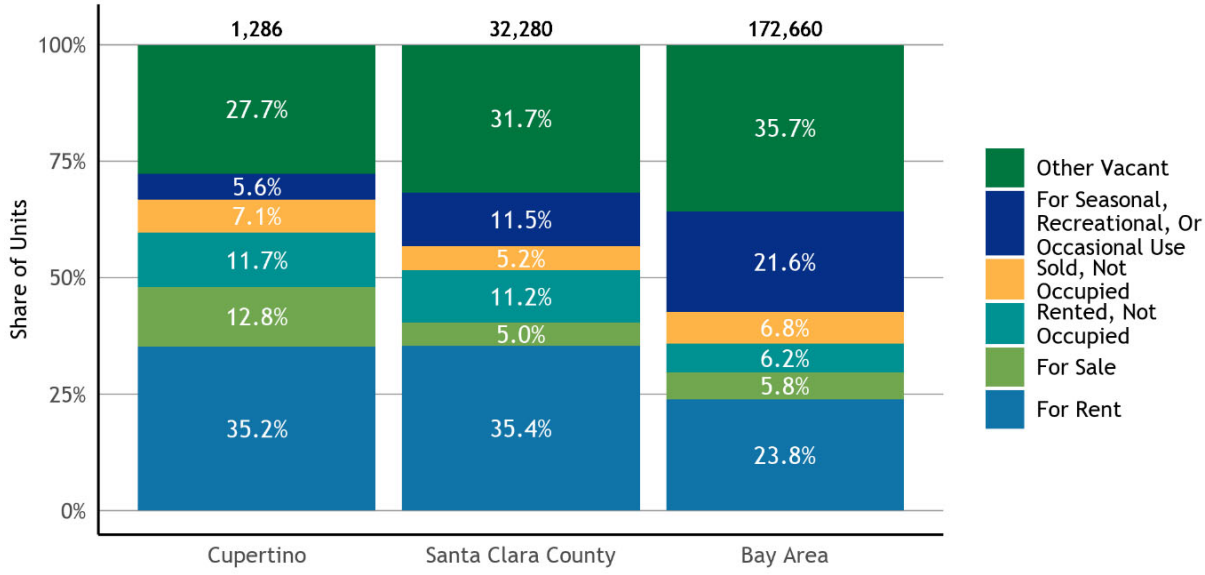
SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-04.

[11] For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: https://www.census.gov/housing/hvs/definitions.pdf.

[12] See Dow, P. ~~(~~2018~~)~~. *Unpacking the Growth in San Francisco's Vacant Housing Stock: Client Report for the San Francisco Planning Department*. University of California, Berkeley.

Vacant units make up 5.8 percent of the overall housing stock in Cupertino. The rental vacancy stands at 6.7 percent, while the ownership vacancy rate is 2.0 percent. Of the vacant units in Cupertino, the most common type of vacancy is For Rent, which represents a little more than a third of all vacant rental units.[13] Figure B2-~~21~~20, Vacant Units by Type, shows vacant units by type.

Figure B2-20 Vacant Units by Type



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-03.
NOTE: Universe: Vacant housing units

Between 2015 and ~~2021~~2022, ~~308~~546 housing units were issued permits in Cupertino. Of those, 58.8~~69.8~~ percent were for above moderate-income housing, ~~24.0~~28.9 percent were for moderate-income housing, and ~~6.2~~12.3 percent were for low- or very low-income housing. Table B2-~~2~~3, Housing Permits by Income Group, 2015 to ~~2021~~2022, shows housing permits issued by the City of Cupertino by income group.

~~Table B2-2~~Table B2-3 Housing Permits by Income Group, 2015 to 202~~1~~1

Income Group	Number	Percentage
Very Low-Income Permits	~~19~~48	~~6.2~~8.8%
Low-Income Permits	~~0~~19	~~0.0~~3.5%
Moderate-Income Permits	~~74~~158	~~24.0~~28.9%

[13] The vacancy-rates-by-tenure is for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (7.5 percent). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) but exclude a significant number of vacancy categories, including the numerically significant *other vacant*.

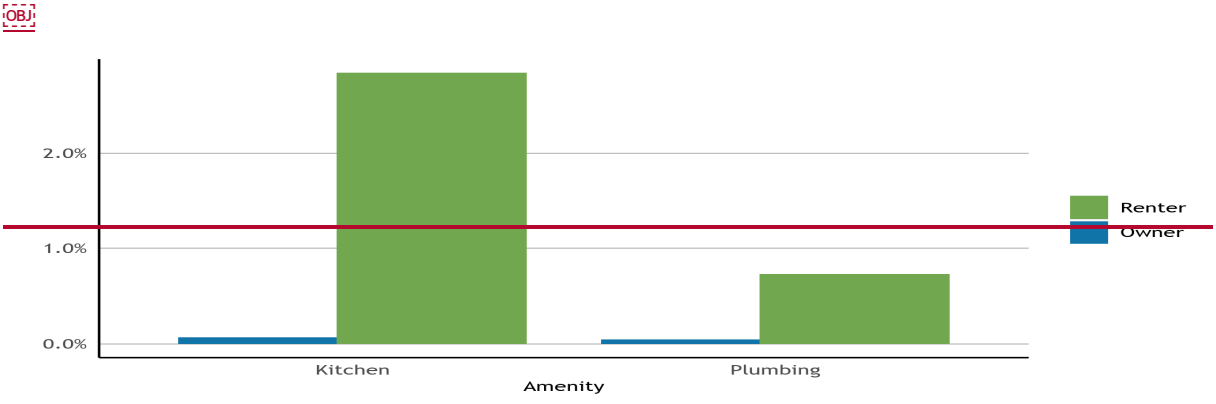
Above Moderate-Income Permits	~~215~~321	~~69.8~~58.8%
Total	**~~308~~546**	**100.0%**

SOURCE: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (~~20202~~2022). ~~This table is included in the Data Packet Workbook as Table HSG-11~~.

HOUSING IN NEED OF REHABILITATION ~~SUBSTANDARD HOUSING~~

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, ~~needing~~ having to live in substandard conditions ~~in order~~ to afford housing. Generally, there is limited data on the extent of ~~substandard~~ housing rehabilitation needs ~~issues~~ in the~~a~~ community. However, the Census Bureau data included in the graph ~~below~~ in Figure B2-21 gives a sense of some of the substandard conditions that may be present in Cupertino. For example, 2.8 percent of renters in Cupertino reported lacking a kitchen and 0.7 percent of renters lack plumbing, compared to 0.1 percent of owners who lack a kitchen and 0.05 percent who lack plumbing. In Santa Clara County, 0.7 percent of renter-occupied households reported lacking a kitchen and 0.2 percent of owners lacked a kitchen. Approximately 0.2 percent of renters and 0.1 percent of owners reported lacking plumbing in Santa Clara County. Figure B2-~~22~~21, Substandard Housing Issues, shows substandard housing issues in Cupertino. According to the 2015-2019 ACS, 77.0 percent of the homes in Cupertino were built in 1989 or earlier, which suggests that they are at the age where they may need minor repairs up to major rehabilitation such as new roofs, siding repair, paint, replacing cracked or inoperable windows, or plumbing systems. However, based on a visual assessment of Cupertino housing, the City estimates that fewer than five percent of units in the city may be in need of rehabilitation, and that only one to two homes in the city may have such severe need for rehabilitation as to be unsafe for habitation.

Figure B2-21 Substandard Housing Issues



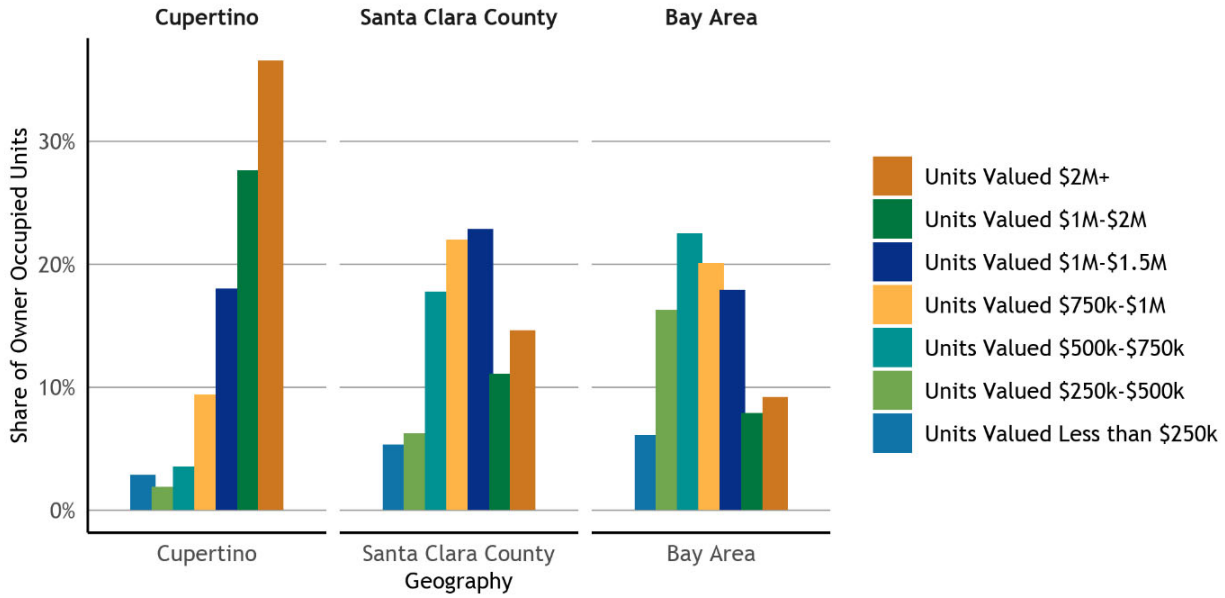
SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-06.

HOME AND RENT VALUES

Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages, and job outlook, coupled with land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation.

The typical home value in Cupertino was estimated at $2,275,730 by December 2020, per data from Zillow. The largest proportion of homes were valued at $2M+. By comparison, the typical home value is $1,290,970 in Santa Clara County and $1,077,230 in the Bay Area, with the largest share of units valued at $1M to $1.5M (county) and $500K to $750K (region). The high home values are most likely exacerbated by the high proportion of single--family homes. Figure B2-~~23~~22, Home Values of Owner-Occupied Units, shows home values of owner-occupied housing units in Cupertino.

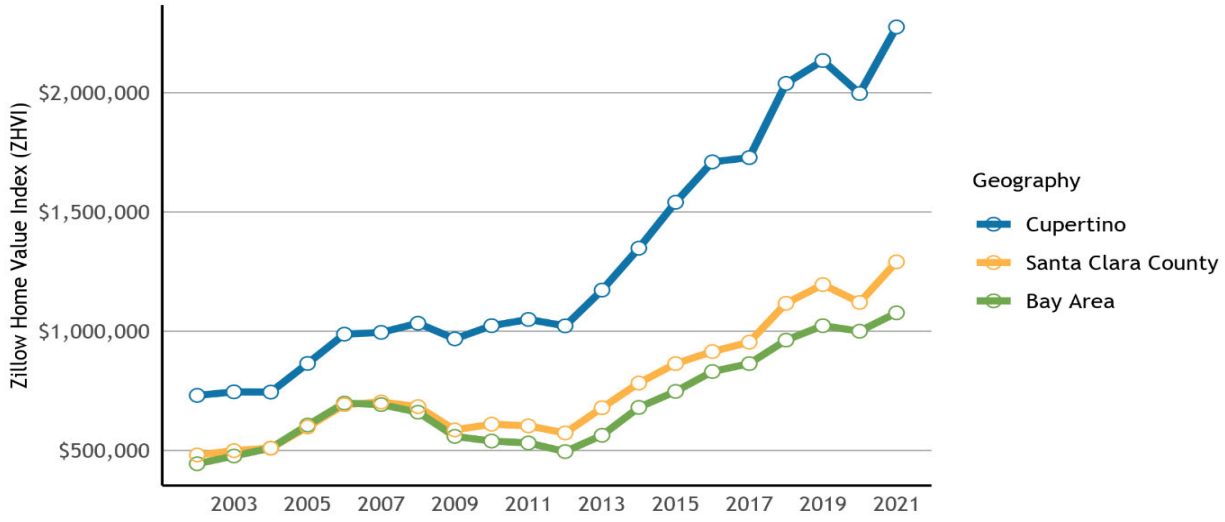
Figure B2-22 Home Values of Owner-Occupied Units



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-07.

The region's home values have increased steadily since 2000, besides a decrease during the Great Recession. In Cupertino, the rise in home prices has been especially steep since 2010, with the typical home value increasing 116.8 percent from $1,049,544 to $2,275,739. This change is considerably greater than the change in Santa Clara County and for the region as a whole. Figure B2-~~24~~23, Zillow Home Value Index (ZHVI), shows the Zillow home value index for Cupertino.

Figure B2-23 Zillow Home Value Index (ZHVI)

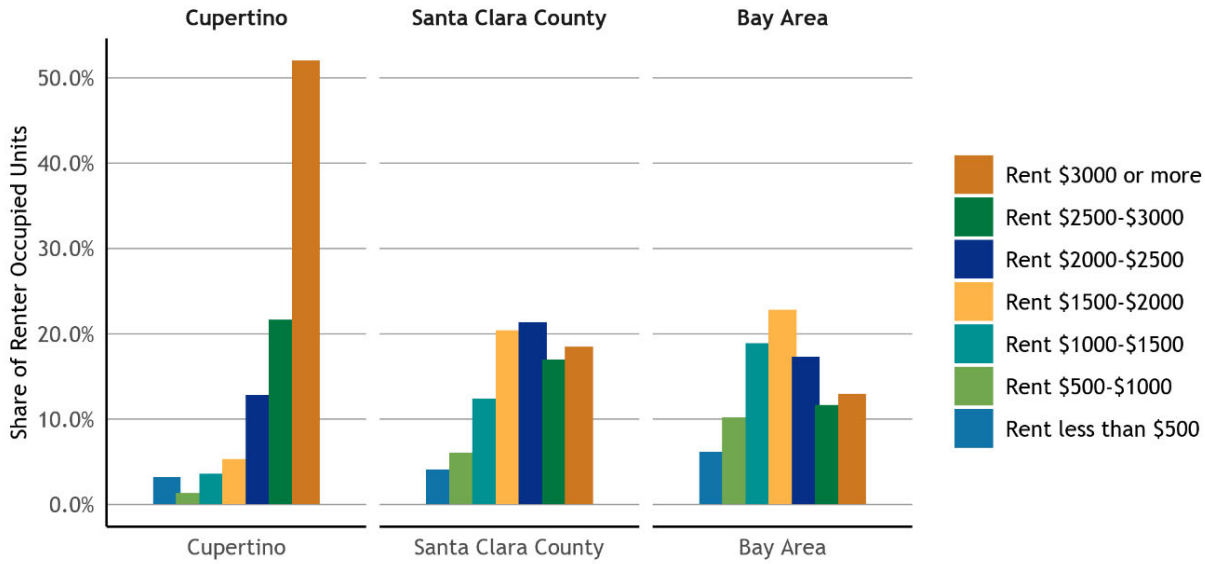


SOURCE: Zillow, Zillow Home Value Index (ZHVI). For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-08.

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Many renters have been priced out, evicted, or displaced, particularly communities of color. Residents finding themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

In Cupertino, the largest proportion of rental units rented in the *Rent $3,000 or more* category, totaling 52.0 percent, followed by 21.7 percent of units renting in the *Rent $2,500-$3,000* category. Looking beyond the city, the largest share of units is in the *$2,000-$2,500* category (county) compared to the *$1,500-$2,000* category for the region as a whole. Figure B2-~~25~~24, Contract Rents for Renter-Occupied Units, shows contract rents for renter-occupied units in Cupertino, Santa Clara County, and the Bay Area as a whole.

Figure B2-24 Contract Rents for Renter-Occupied Units



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-09.

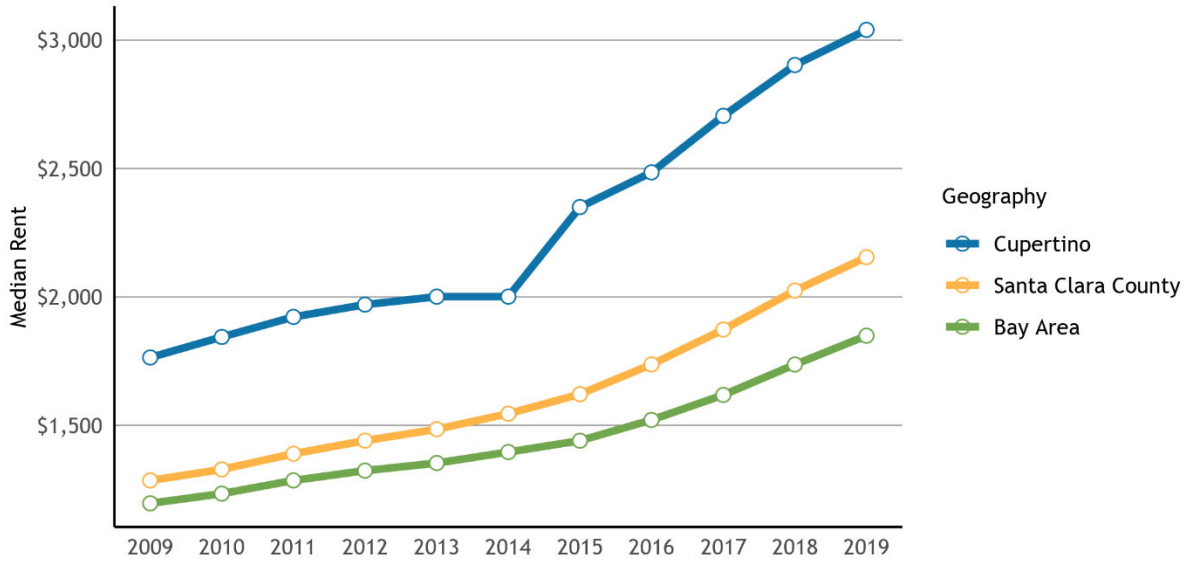
Since 2009, the median rent has increased by 52.0 percent in Cupertino, from $2,000 to $3,040 per month. In Santa Clara County, the median rent has increased 39.6 percent, from $1,540 to $2,150. The median rent in the region has increased significantly during this time from $1,200 to $1,850, a 54.2 percent increase.[14] Figure B2-~~26~~25, Median Contract Rent, shows median contract rent in Cupertino, Santa Clara County, and the Bay Area as a whole.

OVERPAYMENT AND OVERCROWDING

A household is considered "cost-burdened" if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered "severely cost-burdened." Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases.

[14] While the data on home values shown in Figure B2-24 comes from Zillow, Zillow does not have data on rent prices available for most Bay Area jurisdictions. To have a more comprehensive dataset on rental data for the region, the rent data in this document comes from the U.S. Census Bureau's American Community Survey, which may not fully reflect current rents. Local jurisdiction staff may want to supplement the data on rents with local realtor data or other sources for rent data that are more current than Census Bureau data.

Figure B2-25 Median Contract Rent

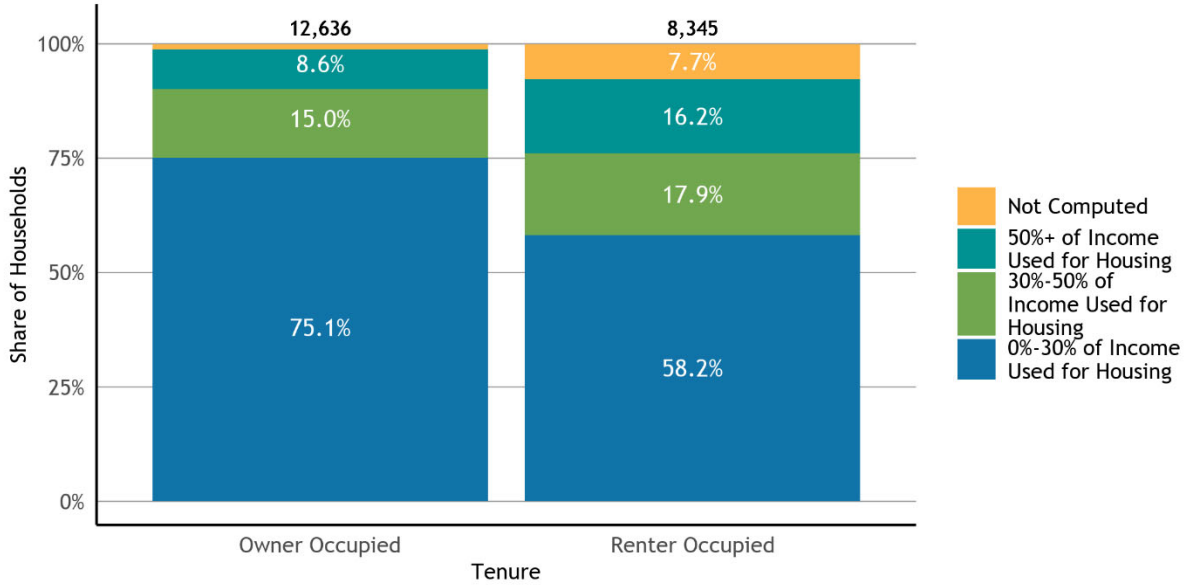


SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas). County and regional counts are weighted averages of jurisdiction median using B25003 rental unit counts from the relevant year. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-10.

When looking at the cost burden across tenure in Cupertino, 17.9 percent of renters spend 30 to 50 percent of their income on housing compared to 15.0 percent of those that own. Additionally, 16.2 percent of renters spend 50 percent or more of their income on housing, while 8.6 percent of owners are severely cost-burdened. Figure B2-~~27~~26, Cost Burden by Tenure, shows cost burden by tenure.

When one looks at both renters and owners together in Cupertino, 13.1 percent of households spend 50 percent or more of their income on housing, while 15.3 percent spend 30 to 50 percent. However, these rates vary greatly across income categories. For example, 75.1 percent of Cupertino households making less than 30 percent of AMI spend the majority of their income on housing. For Cupertino residents making more than 100 percent of AMI, just 1.4 percent are severely cost-burdened, and 86.5 percent of those making more than 100 percent of AMI spend less than 30 percent of their income on housing. Figure B2-~~28~~27, Cost Burden by Income Level, shows cost burden by income level.

Figure B2-26 Cost Burden by Tenure



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-06.

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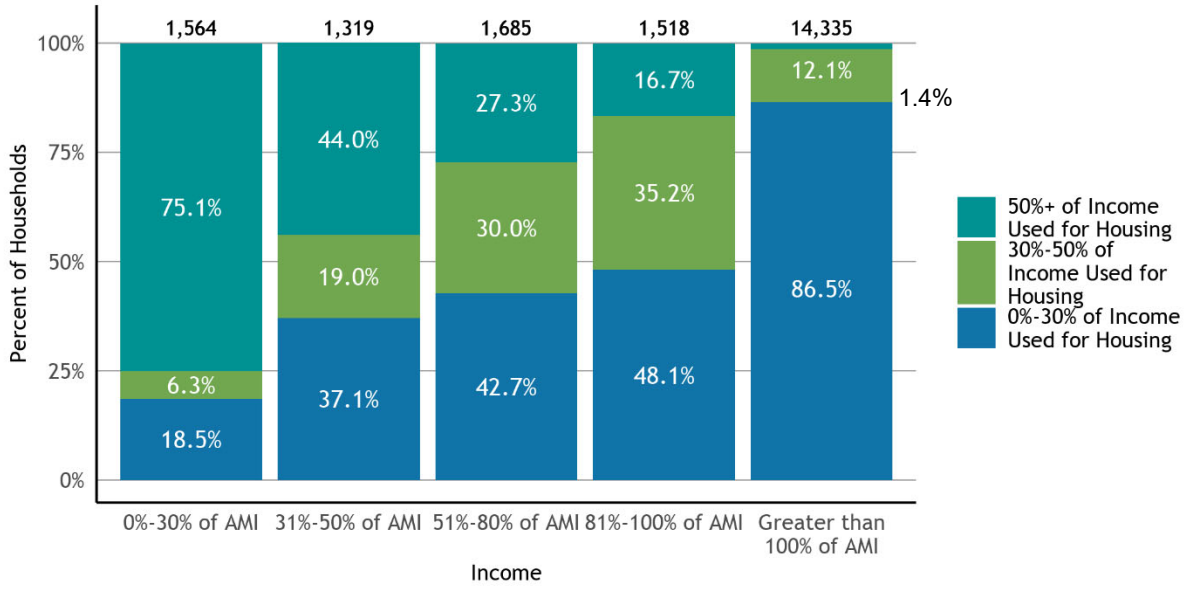
Figure B2-27 Cost Burden by Income Level

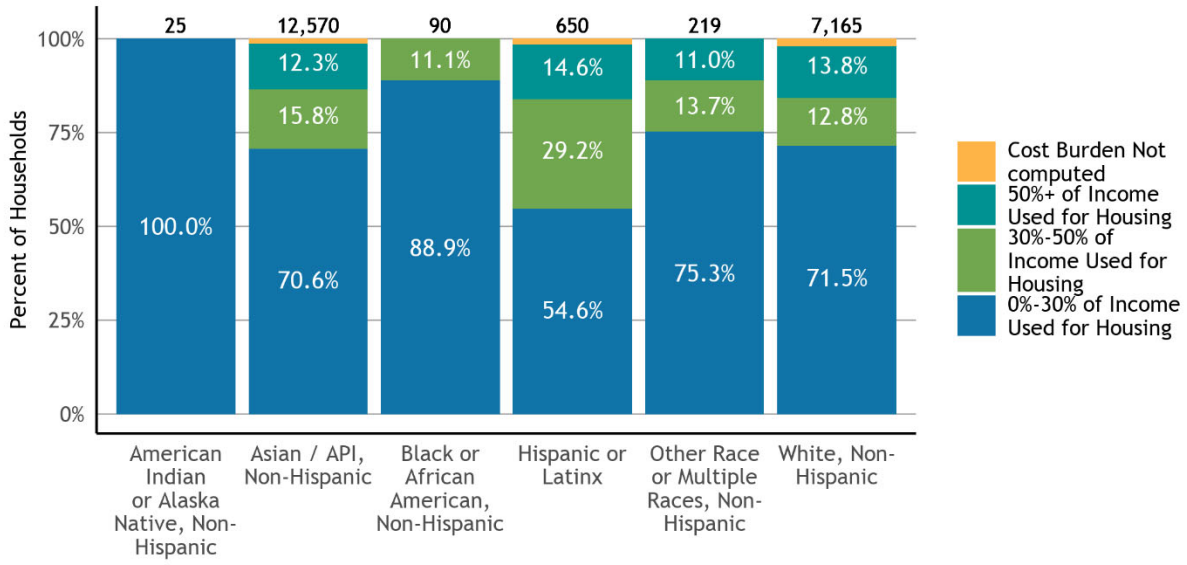


SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-05.

Currently, people of color[15] are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to White residents. As a result, they often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity.

Hispanic or Latinx residents are the most severely cost burdened, with 14.6 percent spending more than 50 percent of their income on housing. Black or African Americans (Non-Hispanic) residents are least cost burdened in Cupertino. Figure B2-2928, Cost Burden by Race and Ethnicity, shows cost burden by race and ethnicity.

Figure B2-28 Cost Burden by Race and Ethnicity



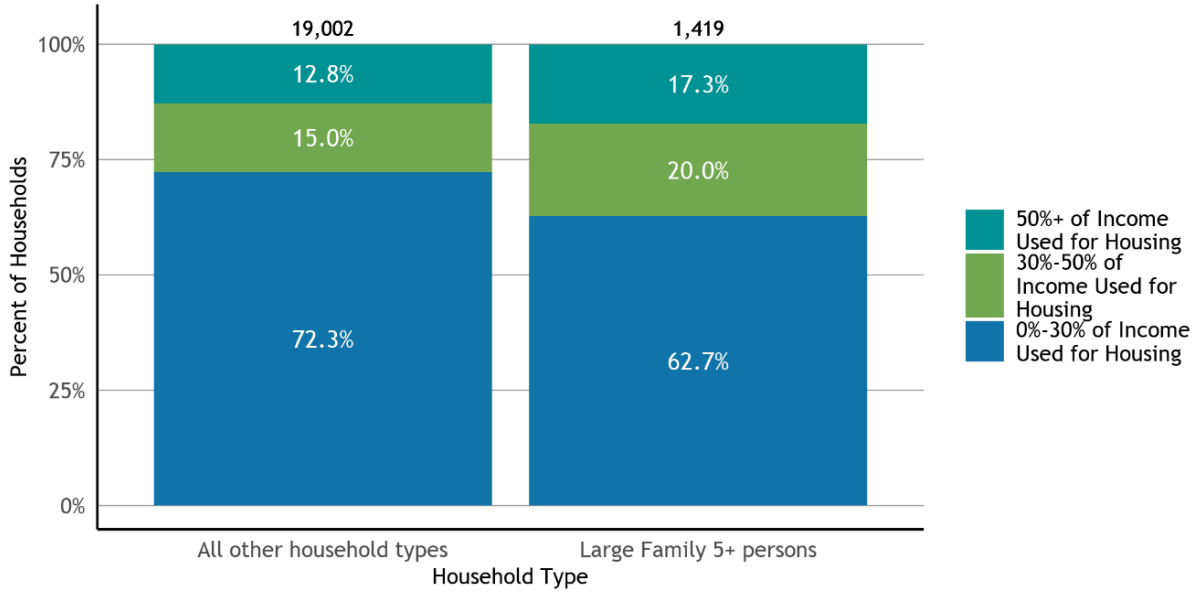
SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-08.

Large family households often have special housing needs due to a lack of adequately sized affordable housing available. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity.

In Cupertino, 20-0 percent of large family households experience a cost burden of 30 to 50 percent, while 17.3 percent of households spend more than half of their income on housing. Some 15.0 percent of all other households have a cost burden of 30 to 50 percent, with 12.8 percent of households spending more than 50 percent of their income on housing. Figure B2-3029, Cost Burden by Household Size, shows cost burden by household size.

[15] ~~As before, this~~ This category as it is used here includes all non-White persons.

Figure B2-29 Cost Burden by Household Size

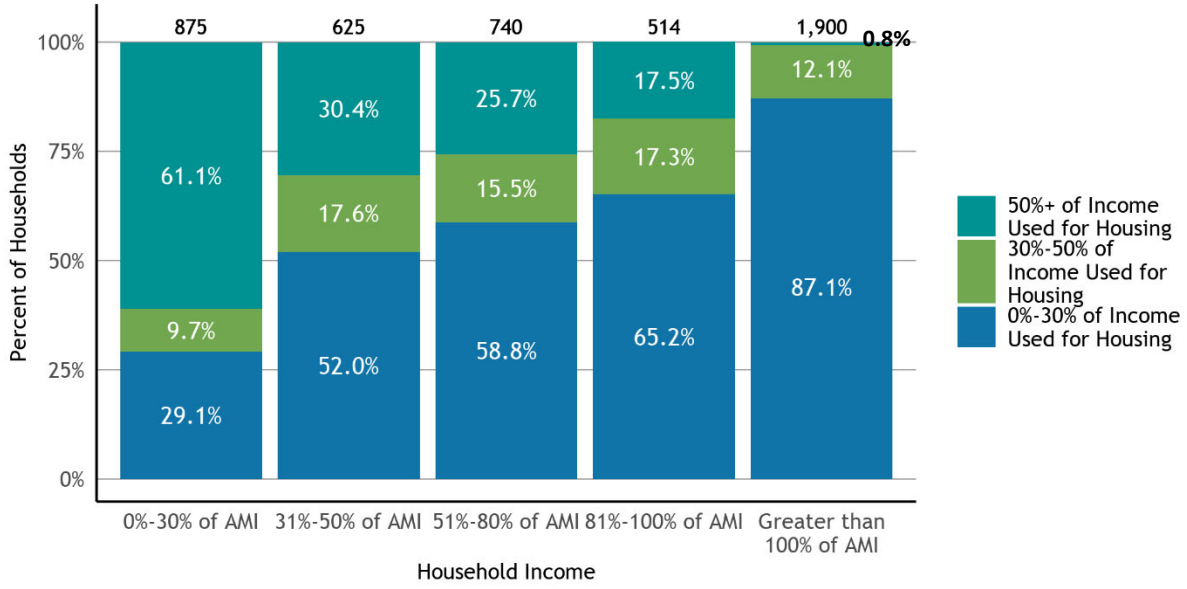


SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-09.

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors.

In Cupertino, 61.1 percent of seniors making less than 30 percent of AMI are spending the majority of their income (more than 50 percent) on housing. For seniors making more than 100 percent of AMI, only 0.8 percent are spending the majority of their income on housing. Figure B2-~~31~~30, Cost-Burdened Senior Households by Income Level, shows cost-burdened households by income level.

Figure B2-30 Cost-Burdened Senior Households by Income Level



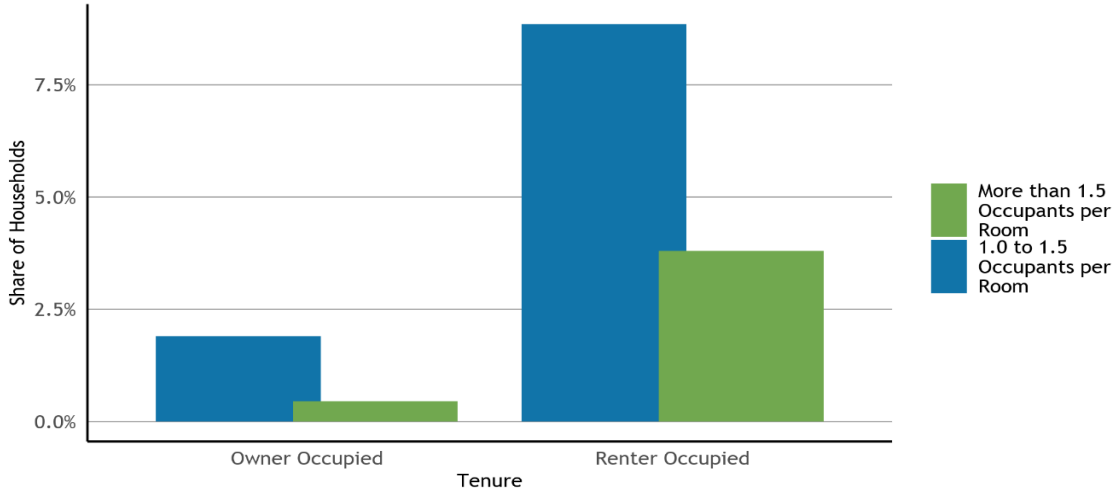
SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-03.

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold.[16] The Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded. Overcrowding is often related to the cost of housing and can occur when demand in a city or region is high. In many cities, overcrowding is seen more amongst those that are renting, with multiple households sharing a unit to make it possible to stay in their communities.

In Cupertino, 3.8 percent of households that rent are severely overcrowded (i.e., more than 1.5 occupants per room), compared to 0.5 percent of households that own. Figure B2-~~32~~31, Overcrowding by Tenure and Severity, shows overcrowding by tenure and severity.

[16] There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens).

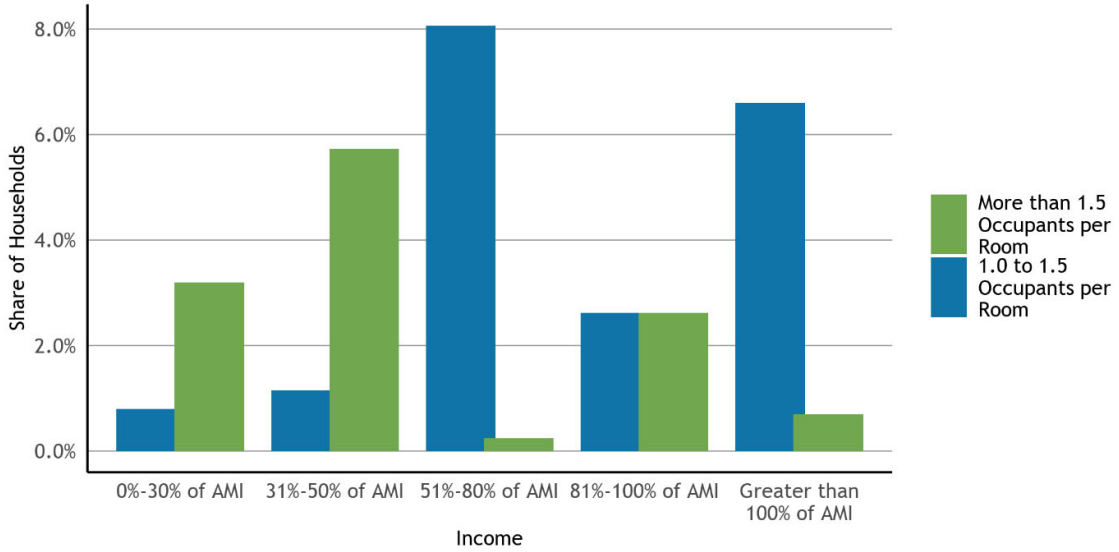
Figure B2-31 Overcrowding by Tenure and Severity



SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-01.

Overcrowding often disproportionately impacts low-income households. In Cupertino, 3.2 percent of ~~very~~ extremely low-income households (below 3~~5~~0 percent AMI) experience severe overcrowding, while only 0.7 percent of households above 100 percent AMI experience this level of overcrowding. Figure B2-32, Overcrowding by Income Level and Severity, shows overcrowding by income level and severity.

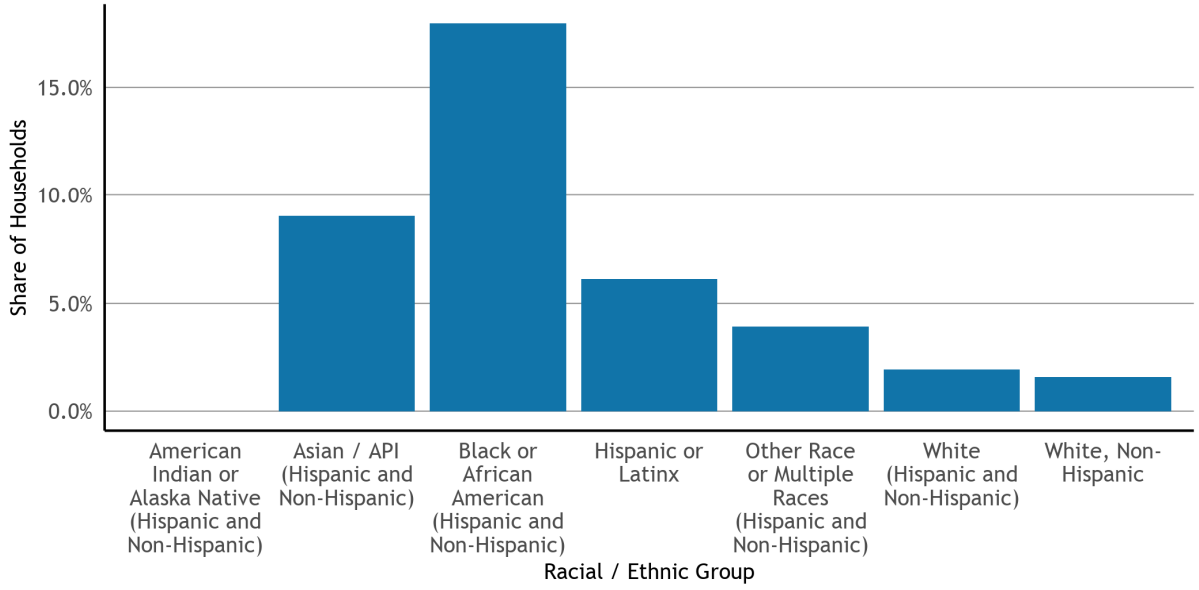
Figure B2-32 Overcrowding by Income Level and Severity



SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-04.

Communities of color are more likely to experience overcrowding just as they ~~similar to how they~~ are more likely to experience poverty, financial instability, and housing insecurity. People of color tend to experience overcrowding at higher rates than White residents. In Cupertino, the racial group with the largest overcrowding rate is Black or African American (Hispanic and Non-Hispanic). Figure B2-~~34~~ 33, Overcrowding by Race, graphically represents overcrowding data by race in Cupertino.

Figure B2-33 Overcrowding by Race



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014. For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-03.

ASSISTED HOUSING DEVELOPMENTS "AT-RISK" OF CONVERSION

As required by California Government Code Section 65583, the Housing Element must analyze the extent to which below-market rate units are at risk of converting to market-rate housing. If there are at-risk units, the element should include programs to encourage preservation of these units or to replace any that are converted to market rate. The units to be considered are any units that were constructed using federal assistance programs, State or local mortgage revenue bonds, redevelopment tax increments, in-lieu fees or an inclusionary housing ordinance, or density bonuses. Housing is considered to be "at risk" if it is eligible to be converted to non-low-income housing due to: (1) the termination of a rental subsidy contract, (2) mortgage prepayment, or (3) the expiration of affordability restrictions. The time period applicable in making this determination is the 10-year period following the last mandated update of the Housing Element, which, in the case of all Santa Clara County jurisdictions, is January 31, 2033.

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve currently affordable units that are at risk of converting to market -rate than it is to build new affordable housing.

The data in the following table comes from the California Housing Partnership Corporation (CHPC)~~'s Preservation Database, the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing.~~[17] and from the City's inventory of affordable units. ~~According to the data,~~As of July 2023, according to CHPC, there ~~are~~ were 184 assisted units affordable to lower-income households in Cupertino, of which, 112 units are at risk of converting to market rate in the next 10 years (by 2033), denoted in bold. When considering the inventory of BMR units, there was an additional 259 units affordable to moderate- and lower-income households~~;~~ however, 97 units are at -risk of converting to market rate within the next 10 years.~~Of these units, 112 were at high risk or very high risk of conversion.~~ Table B2-~~43~~, ~~Assisted Units at Risk of Conversion,~~Inventory of Affordable Units, summarizes assisted units at risk in Cupertino.

~~Table B2-3~~Table B2-4 Inventory of Affordable Housing Units

Development	Number of Affordable Units	Household Income		Funding Source	Earliest Termination Date
		Lower	Moderate		
Affordable Developments					
Sunny View **West 22449 Cupertino Rd.**	**100**	**100**	**0**	**HUD 202/811**	**3/31/2031**
Stevens Creek Village 19140 Stevens Creek Blvd.	40	8	0	CHFA, HUD & HOME	5/1/2037
Le Beaulieu Apartments 10092 Bianchi Way	27	27	0	CalFHA/CDBG	9/30/2038
WVCS Transitional Housing **10311-10321 Greenwood Ct.**	**4**	**4**	**0**	**CDBG**	**7/14/2026**
Beardon Drive **1019B2-10194 Beardon Dr.**	**8**	**8**	**0**	**CDBG**	**12/21/2024**
Senior Housing Solutions 19935 Price Avenue	1	1	0	CDBG	6/24/2066
Maitri Transitional Housing Undisclosed Location	4	4	0	CDBG	3/16/2064
The Veranda	19	18	0	LIHTC	2071

~~[17] This database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured in this data table.~~

~~Table B2-3~~Table B2-4 Inventory of Affordable Housing Units					
Development	Number of Affordable Units	Household Income		Funding Source	Earliest Termination Date
		Lower	Moderate		
19160 Stevens Creek Blvd.					
Westport Cupertino 21267 Stevens Creek Boulevard	48	47	0	LIHTC	2075
Total Units	**184**	**184**	**0**		
Total Units At-Risk	***112***	***112***	***0***		
BMR Rental Units					
Biltmore Apartments **10159 South Blaney Ave.**	**2**	**2**	**0**	**BMR**	**6/30/2029**
Park Center Apartments **20380 Stevens Creek Blvd.**	**4**	**4**	**0**	**BMR**	**7/8/2026**
The Hamptons **19500 Pruneridge Ave.**	**34**	**34**	**0**	**BMR**	**10/20/2027**
Arioso Apartments **19608 Pruneridge Ave.**	**20**	**20**	**0**	**BMR**	**1/29/2028**
Forge-Homestead Apartments **20691 Forge Way**	**15**	**15**	**0**	**BMR**	**1/16/2027**
Aviare Apartments **20415 Via Paviso**	**20** **2**	**20** **2**	**0** **0**	**BMR** **BMR**	**7/8/2026** **2038**
The Markham Apartments 20800 Homestead Road	17	17	0	BMR	2039
Lake Biltmore **19500 Pruneridge Ave.**	**2**	**2**	**0**	**BMR**	**2029**
Vista Village 101144 Vista Drive	24	24	0	BMR	11/29/2056
Greenwood Court 10311-10321 Greenwood Court	4	4	0	BMR	2116
Total BMR Rental Units	**~~138~~144**	**~~138~~144**			
BMR For-Sale Units					
Total BMR For-Sale Units* ~~(a)~~	~~122~~121119	0	~~122~~121119	BMR	Varies
Total BMR Units At-Risk	***97***	***97***	***0***		

~~S~~SOURCES: California Housing Partnership, Preservation Database (~~2020~~2023); City of Cupertino, 2023. ~~This table is included in the Data Packet Workbook as Table RISK-01.~~

Note:
* Property addresses of for-sale BMR units are not listed to protect the privacy of homeowners.
** Projects denoted in bold are at-risk of converting in 10 years.

PRESERVATION AND REPLACEMENT OPTIONS

The following analysis examines the cost of preserving the at-risk units and the cost of producing replacement rental housing comparable in size and rent levels to the units that might convert to market-rate prices. In addition, this analysis will compare the costs of preservation and replacement.

Acquisition and Rehabilitation

The factors used to determine the cost of preserving low-income housing include property acquisition, rehabilitation, and financing. Actual acquisition costs depend on several variables, such as condition, size, location, existing financing, and availability of financing (governmental and market). Looking at multifamily buildings throughout Santa Clara County in July 2023, acquisition prices ranged from $187,500 to $324,545 per unit for an 11-unit complex in San Jose and 12-unit complex in Mountain View. To acquire the 100-unit Sunny View West at a comparable per-unit cost, the total cost would likely be between $21,000,000 and $36,349,091. Additionally, if the property needs significant rehabilitation or if financing is difficult to obtain, the overall cost to preserve the affordable units may increase.

Replacement

Another alternative to preserve the overall number of affordable housing units in the county is to construct new units to replace other affordable housing stock that has been converted to market-rate housing. Multifamily replacements would be constructed with the same number of units, with the same number of bedrooms and amenities as the development removed from the affordable housing stock.

The cost of developing new housing depends on a variety of factors, such as density, size of units, location and related land costs, and type of construction. Land costs in the Bay Area are among the highest in the nation. The cost to replace 112 at-risk units in Sunny View West has been estimated using 21 Elements and Baird+ Driskell's San Mateo and Santa Clara Counties Development Counties Development Costs. The per-unit replacement cost is estimated to be $732,500 based on a 10-unit project and $786,500 per unit for a 100-unit project. Consequently, the replacement cost for the 112-unit Sunny View West Apartments would range from $82 million to $88 million.

Rent Subsidy

Housing affordability can also be preserved by seeking alternative means of subsidizing rents, such as Tenant Protection Vouchers, which are a subset of the Housing Choice Vouchers (HCV) program. Under HCVs, HUD pays the difference between what tenants can pay (defined as 30 percent of household income) and what HUD estimates as the fair-market rent on the unit. Based on HUD's 2023 fair-market rents and income limits, the subsidy needed to preserve a unit at an affordable rent for a four-person, very low-income household would be an estimated $1,682 per month for a three-bedroom unit, or $20,184 per year. For 30 years, the subsidy would be approximately $605,520 and

subsidizing all 112 units at risk of converting to market rate at very low-income rents would cost approximately $67,818,240 for 30 years, assuming no changes in the rent.

The subsidy needed to preserve a unit at an affordable rent for a low-income household would be an estimated $485 per month, or $5,814 per year. For 30 years, the subsidy would be about $174,420 for a four-person household. Subsidizing 112 units at a low-income rent for 30 years would cost an estimated $19.5 million, assuming no changes in rent.

Preservation Resources

Once the City becomes aware of an impending conversion, staff will begin exploring the availability of funding from various sources. -In many cases, the City will find it advantageous to collaborate with private affordable housing developers or managers to develop and implement a viable plan to preserve affordable housing units. –Private developers can often bring additional expertise and access to funding, such as tax credits. HCD maintains a list of qualified entities to assist with the preservation of affordable units.

These organizations include:

- Cambrian Center, Inc.
- Charities Housing Development Corp.
- Palo Alto Senior Housing Project, Inc.
- Mid-Peninsula Housing Coalition
- Affordable Housing Foundation
- Palo Alto Housing Corp.
- South County Housing, Inc.
- Satellite Housing, Inc.
- ROEM Development Corporation
- Silicon Valley at Home
- L + M Fund Management LLC

Programs for Preservation and Construction of Affordable Housing

The following is a summary of the current programs that the City is aware of and, if applicable, will seek to use to meet the City's goal of preserving and expanding affordable housing stock. Further, a list of funding sources the City will attempt to use to meet its affordable housing goals is provided in **Table B2-54, Financial Resources**.

- **Project Development:** The City's Community Development ~~Planning~~ Department will continue to provide technical assistance and administrative support for housing developments that expand affordable housing options for city residents.
- **Non-profit Support:** The City will continue its cooperative relationships with qualified non-profit groups, which may play a role in assisting in the preservation and expansion of affordable housing in the community.
- **Policy and Ordinance Review:** Current policies and ordinances will be continually reviewed to ascertain the realistic impact on retaining or expanding affordable housing in the city. When necessary, changes or additions to the City's guiding policies and ordinances should be adopted.
- **Housing Referral Service:** The City will continue to refine a listing of programs and a methodology for disseminating pertinent information about the types of subsidized housing and the various providers of housing-related services.
- **Housing Rehabilitation:** The City of Cupertino will continue to use its Below Market-Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds to support residential rehabilitation efforts in the community. These include acquisition and rehabilitation of rental housing and rehabilitation of owner-occupied housing.
- **City Programs:** The City understands the importance of preserving affordable housing units and has included **Strategies HE 2.3.2, 2.3.3,** and **3.3.2** to assist with preserving units that are at risk of converting to market rate.

Financial Resources

The programs in **Table B2-5~~11~~** are available to assist the City in meetings its affordable housing goals.

Table B2-5 Financial Resources

Program Name	Description of Program	Eligible Activities
Federal Programs		
Community Block Grant Program (CDBG)	Funding for this program has increased over the last couple of years. This program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities. ~~HCD administers an annual Notice of Funding Availability (NOFA) to competitively award these federal funds across the state in alignment with its HUD Consolidated Plan.~~	▪ Single-family housing rehabilitation, ▪ homebuyer assistance, ▪ infrastructure in support of housing, ▪ multifamily housing rehabilitation.
Home Investment Partnership Program (HOME)	Funding for this program has increased over the last couple of years. HCD administers an annual NOFA to competitively award these federal funds across the state in alignment with its HUD Consolidated Plan.	▪ New rental affordable housing,~~;~~ ▪ rehabilitation of existing rental affordable housing,~~;~~ ▪ programs to promote home ownership,~~;~~ ▪ owner-occupied housing rehabilitation,~~;~~ ▪ tenant-based rental assistance to prevent homelessness.
Home Investment Partnership Program–American Rescue Plan (HOME-ARP)	This one-time funding~~,~~ with HOME-ARP funds is available for expenditure until September 2030.	▪ vulnerable populations, including homeless, ▪ at risk of homelessness, and ▪ fleeing or attempting to flee domestic and related forms of violence (including human trafficking). ▪ production of affordable housing, ▪ tenant-based rental assistance,

Table B2-5 Financial Resources		
Program Name	**Description of Program**	**Eligible Activities**
		▪ homeless prevention services, and ▪ purchase or development of non-congregate shelter for individuals and families experiencing homelessness.
Housing Choice Voucher Program	-Local and County housing authorities receive funding for HCV (Section 8 of the United States Housing Act of 1937) from the federal government. Funding for the program has increased over the last couple of years.	Rental assistance for low-income households.
Project--Based Section 8 Vouchers	Local and County Housing authorities may dedicate a portion of their ~~h~~Housing C~~c~~hoice V~~v~~ouchers as project-based vouchers. Funding for the program has increased over the last couple of years.	Rental assistance for low-income households tied to units that can be underwritten by loans that finance housing projects.
HUD Veterans Affairs Supportive Housing (VASH) Vouchers	This federally funded program is managed through a partnership between housing authorities and the U.S. Dept. of Veterans Affairs (VA). Homeless veterans receive a rental subsidy from the housing authority and case management from the VA. Funding for this program has been increasing in recent years with strong bipartisan support in Washington D.C.	Rental assistance and supportive services for homeless veterans.
Continuum of Care (CoC) Programs	The NorCal CoC is currently accessing State resources (Emergency Solutions Grant, Homeless Housing Assistance and Prevention, Homeless Emergency Aid Program, etc.) and federal CoC funding through HUD. Funds are passed through to service providers at the county level.	▪ Rental subsidies, ▪ rapid rehousing, ▪ emergency shelter, ▪ homeless prevention.
State Programs		

Table B2-5 Financial Resources		
Program Name	**Description of Program**	**Eligible Activities**
Permanent Local Housing Allocation (PLHA Formula Funds)	Ongoing funding provided through Senate Bill 2 Building Homes and Jobs Act. Funding will fluctuate based on revenues taken in by the State and are administered through regional planning agencies and local housing authorities.	A wide range, which includes but is not limited to, ▪ affordable rental housing for households below 80% AMI; affordable rental and ownership housing, including accessory dwelling units (ADUs), for households earning up to 120% of AMI; or ▪ capital costs for navigation centers and emergency shelters, ▪ permanent and transitional housing for people experiencing homelessness.
Affordable Housing and Sustainable Communities Program (AHSC)	State program funded by greenhouse gas cap-and-trade program. Recent revisions to regulations encourage greater participation from rural communities.	Grants for infill low-income affordable housing, and infrastructure that encourages reductions in vehicle trips and greenhouse gas emissions.
Infill Infrastructure Grant Program (IIG)	This is funding from Proposition 1, the Veterans and Affordable Housing Bond Act. Therefore, this funding will sunset when all bond proceeds are disbursed. The State generally issues one NOFA each year	Gap funding for infrastructure improvements necessary for specific residential or mixed-use infill projects.
California Housing Finance Agency (Cal HFA) Residential Development Loan Program	Low--interest, short-term loans to local governments for affordable infill, owner-occupied housing developments. Links with CalHFA's Down Payment Assistance Program to provide subordinate loans to first-time buyers. Two funding rounds per year.	▪ New construction, ▪ rehabilitation, ▪ acquisition.

Table B2-5 Financial Resources		
Program Name	**Description of Program**	**Eligible Activities**
California Housing Finance Agency (Cal HFA) Homebuyer's Down Payment Assistance Program	CalHFA makes below-market loans to first-time homebuyers of up to 3% of sales price. Program operates through participating lenders who originate loans for CalHFA. Funds available upon request to qualified borrowers.	Homebuyer assistance.
California Housing Finance Agency (Cal HFA) Forgivable Equity Builder Loan	The Forgivable Equity Builder Loan gives first-time homebuyers a head start with immediate equity in their homes via a loan of up to 10% of the purchase price of the home. The loan is forgivable if the borrower continuously occupies the home as their primary residence for five years.	Homeowner assistance
HOME Investment Partnership Program	The State provides grants to local governments and nonprofit agencies for many homeowner and renter needs.	▪ Homebuyer assistance rehabilitation; ▪ new construction rental assistance
Building Equity and Growth in Neighborhoods (BEGIN)	A State-funded program administered by HCD that provides low- and moderate-income households up to $30,000 for a down payment.	Homebuyer assistance.
CalHome	Grants awarded to jurisdictions for owner-occupied housing rehabilitation and first-time homebuyer assistance by the California Department of Housing and Community Development (HCD)-.	▪ Homebuyer assistance; ▪ rehabilitation.
Low-Income Housing Tax Credits (LIHTC)	A 4% annual tax credit that helps owners of rental units develop affordable housing. The LIHTC can be used to construct new or renovate existing rental buildings. The LIHTC is designed to subsidize either 30 or 70 percent of the low-income unit costs in a project. -The 70% subsidy.	New construction.

Table B2-5 Financial Resources		
Program Name	**Description of Program**	**Eligible Activities**
	or 9 percent tax credit, supports new construction without any additional federal subsidies.	
HUD Emergency Shelter Grants (administered through the State)	Competitive grants to help local governments and nonprofits finance emergency shelters, transitional housing, and other supportive services.	▪ New construction,; ▪ rehabilitation,; ▪ homeless assistance,; ▪ public services.
Tax--Exempt Housing Revenue Bond	Supports low-income housing development by issuing housing tax-exempt bonds requiring the developer to lease a fixed percentage of the units to low-income families at specified rental rates.	▪ New construction,; ▪ rehabilitation,; ▪ acquisition.
Private Resources/Financing Programs		
California Community Reinvestment Corporation (CCRC)	Nonprofit mortgage banking consortium designed to provide long-term debt financing for affordable multi–family rental housing. Nonprofit and for-profit developers contact member banks.	▪ New construction,; ▪ rehabilitation,; ▪ acquisition.
Federal National Mortgage Association (Fannie Mae)	Fixed-rate mortgages issued by private mortgage insurers.	Homebuyer assistance.
	Mortgages that fund the purchase or rehabilitation of a home.	▪ Homebuyer assistance; ▪ rehabilitation.
	Low down payment mortgages for single--family homes in underserved low–income and minority cities.	Homebuyer assistance.
Freddie Mac Home Works	Provides first and second mortgages that include rehabilitation loans. Jurisdiction provides gap financing for rehabilitation components. Households earning up to 80% AMI qualify.	Homebuyer assistance.

Table B2-5 Financial Resources		
Program Name	**Description of Program**	**Eligible Activities**
Affordable Housing Program (Federal Home Loan Bank [FHLB])	Loans (and some grants) to public agencies and private entities for a wide variety of housing projects and programs. Participation is by FHLB-participating lenders.	▪ New construction,; ▪ homebuyer assistance,; ▪ rehabilitation,; ▪ housing supportive services.
Northern California Community Loan Fund (NCCLF)	Offers low-interest loans for the revitalization of low-income communities and affordable housing development.	▪ Acquisition,; ▪ rehabilitation,; ▪ new construction.
Low-Income Investment Fund (LIHF)	Provides below-market loan financing for all phases of affordable housing development and/or rehabilitation.	▪ Acquisition,; ▪ rehabilitation,; ▪ new construction.

Source: Local Housing Solutions, July 2023.

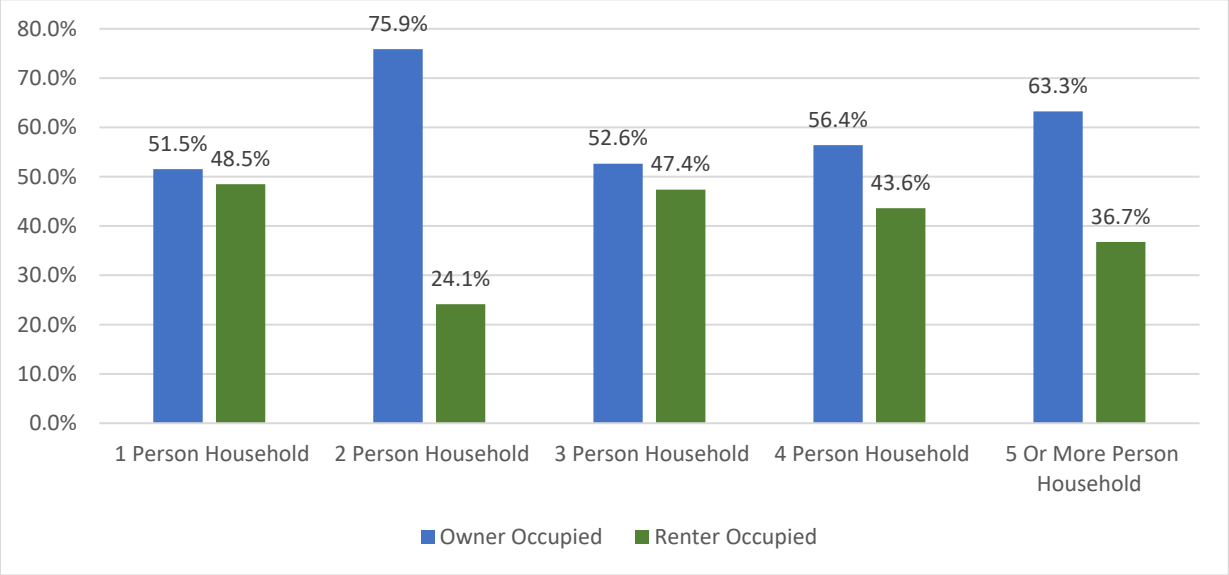
B2.4 SPECIAL HOUSING NEEDS

LARGE HOUSEHOLDS

Large households often have different housing needs than smaller households. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions.

In Cupertino, 6.7 percent of all households ~~in the City~~ are considered large~~r~~ households with five or more people. Larger households typically~~,~~ ~~who likely~~ need larger housing units with three or more bedrooms~~ or more~~. ~~Additionally, o~~Of ~~total households in Cupertino (21,981 households)~~these ~~, 6.1 percent of households are female-headed families, which are often at greater risk of housing insecurity. Large households made up 6.7 percent of all households in the City.~~ When looking at tenure, 63.3 percent of large households were owner-occupied households~~,~~ and 36.7 percent were renter-occupied households. ~~For large households with five or more persons, most units (63.3 percent) were owner-occupied.~~ Figure B2-~~35~~ 34, Household Size by Tenure, shows household size by tenure.

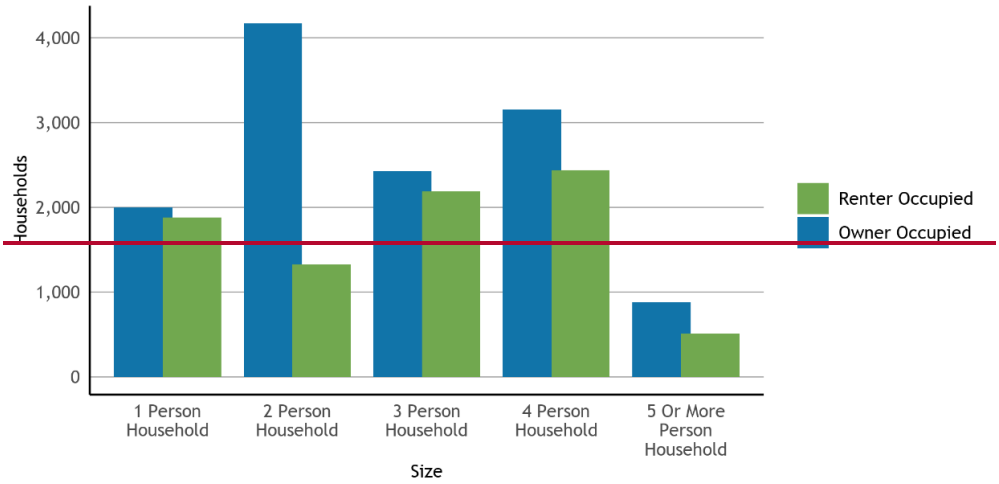
Figure B2-34 Household Size by Tenure



The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with three or more bedrooms. Cupertino has ~~There are, of which there are~~ 12,979 units (61.9 percent) ~~in Cupertino~~ with three or more bedrooms. Among these large units, ~~18.2 percent are owner~~renter~~-occupied, and~~ 81.8 percent are ~~renter~~ owner-~~occupied~~occupied units~~,~~ and 18.2 percent are renter-occupied units~~;~~, therefore, there is a lack of large rental units. ~~for large families seeking in the City of Cupertino.~~ The City does have resources available to l~~L~~arge households such as ~~can benefit from the~~ general housing programs and services offered like the BMR Program and housing rehabilitation programs. Other programs include Mortgage

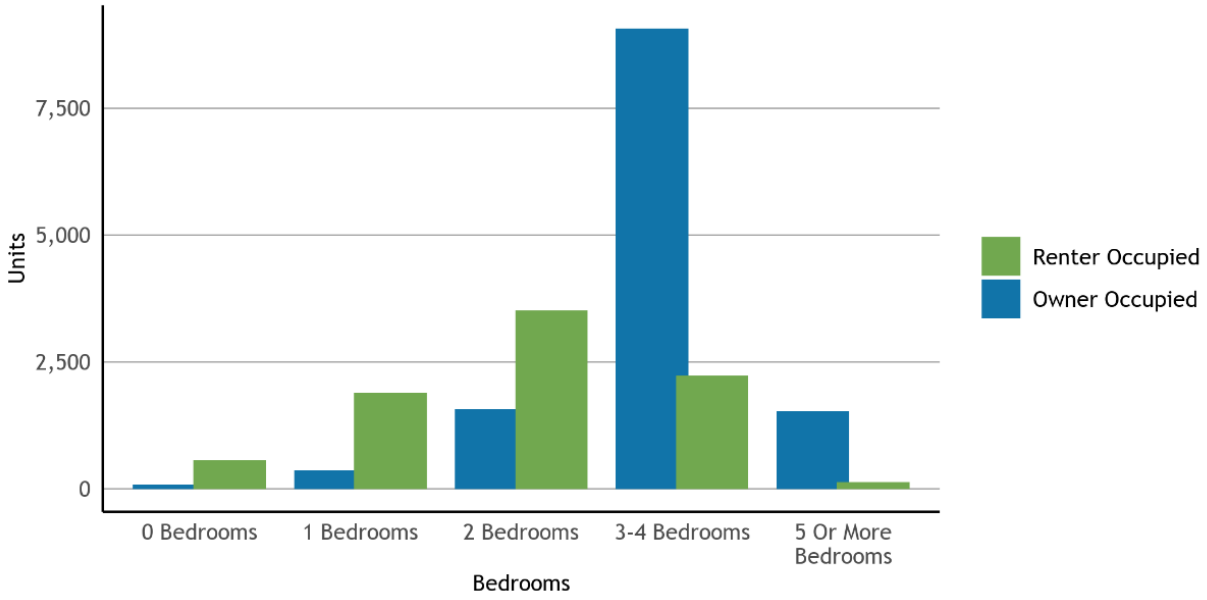
Credit Certificates and HCVs administered by the County, and homebuyer assistance offered by the Housing Trust Silicon Valley.

Figure B2-~~36~~ 35 summarizes housing units by the number of bedrooms.



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009. For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-01.

Figure B2-35 Housing Units by Number of Bedrooms



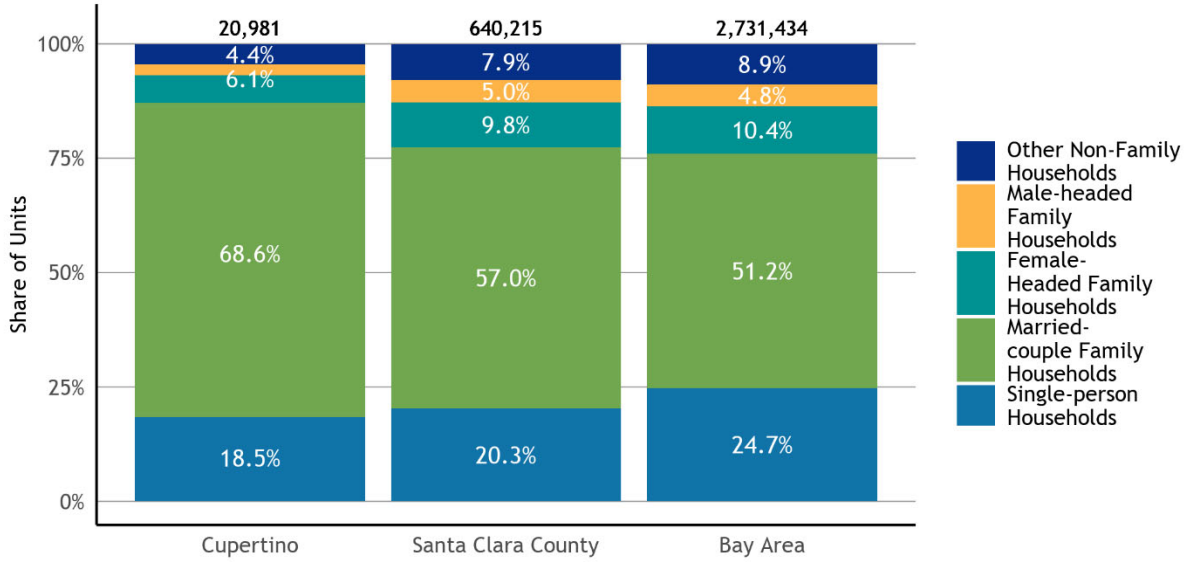
SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042. For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-05.

FEMALE-HEADED HOUSEHOLDS

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income.

In Cupertino, the largest proportion of households is Married-Couple Family Households at 68.6 percent of the total, while Female-Headed Family Households make up 6.1 percent of all households. Figure B2-~~37~~ 36, Household Type, provides information on household type in Cupertino.

Figure B2-36 Household Type



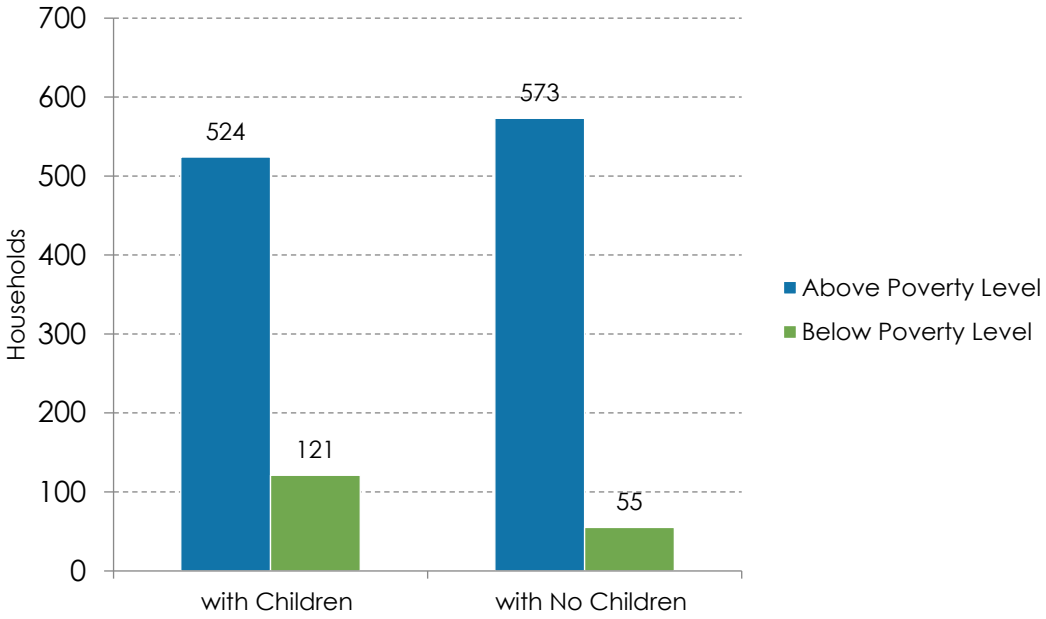
SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-23.

Female-headed households with or without children may face particular housing challenges. This could be due to~~, with~~ pervasive gender inequality resulting in lower wages for women or could be due to a single income. ~~Moreover, the added need for childcare can make finding a home that is affordable more challenging.~~

In Cupertino, 121 female-headed households with children (18.8 percent) ~~fell~~ were ~~(18.8 percent)~~ in the Below Poverty Level category, while 55 female-headed households without children (8.8 percent) ~~fell~~ were in the Below Poverty Level category. Figure B2-3~~8~~ shows female-headed households by poverty status.

Persons living with incomes below the poverty level can benefit from City programs and services that assist lower-income households in general, such as BMR, CDBG, and HSG programs. Households with incomes below the poverty level can also benefit from supportive services available to c~~C~~ounty residents through various organizations, including Catholic Charities of Santa Clara County, Choices for Children, InnVision Shelter Network, Second Harvest Food Bank, and West Valley Community Services, among others.

Figure B2-37 Female-Headed Households by Poverty Status



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012. For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-05.

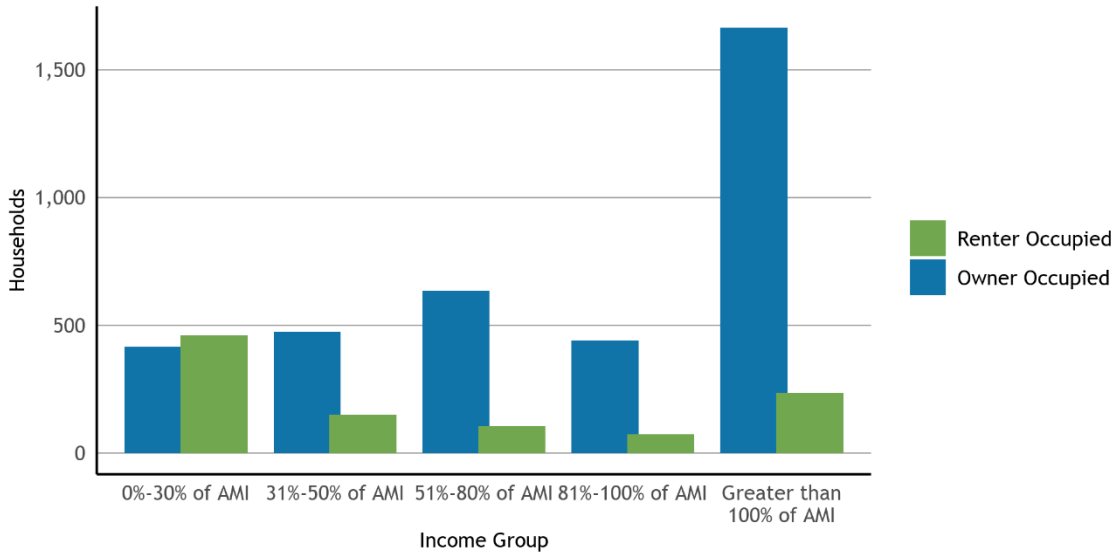
Single-parent households in Cupertino can benefit from City programs and services that assist lower-income households in general, such as the BMR, CDBG, and HSG Programs. Single-parent households can also benefit from supportive and childcare services available to county residents through various organizations, including Catholic Charities of Santa Clara County, Choices for Children, Grail Family Services, InnVision Shelter Network, Second Harvest Food Bank, and West Valley Community Services.

SENIORS

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. For example, seniors have unique housing needs due to fixed incomes, a high chance of having some type of disability, chronic health conditions, and/or reduced mobility. Therefore, seniors can require greater levels of affordability along with the need for supportive or assisted living services and/or accessible housing. Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups.

In Cupertino, seniors made up 14.7 percent of the population (8,847 individuals). T~~t~~he largest proportion of senior households who rent, make 0 to 30 percent of AMI, while the largest proportion of senior households who are homeowners falls into the income group Greater than 100 percent of AMI. This shows a potential need for affordable housing options for seniors. Figure B2-~~39~~ 38 shows senior households by income and tenure.

Figure B2-38 Senior Households by Income and Tenure



SOURCE: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 201B2-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-01.

Cupertino offers a number of resources for seniors. As shown in Table B2-6~~5~~, there are five residential care facilities for the elderly and three skilled nursing facilities in the city. Residential care facilities for the elderly (RCFEs), also known as "assisted living" or "board and care" facilities, provide assistance with some activities of daily living while still allowing residents to be more independent than in most nursing homes. Skilled nursing facilities—also known as nursing homes—offer a higher level of care, with registered nurses on staff 24 hours a day.

In addition to assisted living facilities, there are two subsidized independent senior housing developments in the city providing 100 units. Demand for these subsidized units is high. Staff at Sunny View estimate that over 700 people are on the waiting list, and the turnover rate for available units is about 10 to 15 per year.

The Cupertino Senior Center also serves as an excellent resource for seniors. The many different services at the center help seniors to obtain resources in the community that will assist them to continue to remain independent and safe in their own homes. Available programs include various social and recreation activities, special events, travel programs, transportation discounts, drop-in consultation, case management, medical, and social services.

Table B2-6 Housing Resources for Seniors		
Residential Care Facilities for the Elderly	**Location**	**Capacity**
The Forum at Rancho San Antonio	23500 Cristo Rey Drive	741
Paradise Manor 4	19161 Muriel Lane	6
Pleasant Manor of Cupertino	10718 Nathanson Avenue	6
Purglen of Cupertino	10366 Miller Avenue	12
Sunny View Manor (a)	22445 Cupertino Road	190
Total		**955**
Skilled Nursing Facilities		
Health Care Center at Forum at Rancho San Antonio	23600 Via Esplendor	48
Cupertino Healthcare & Wellness Center	22590 Voss Avenue	170
Sunny View Manor	22445 Cupertino Road	48
Total		**266**
Subsidized Independent Senior Rental Housing		
Sunny View West	22449 Cupertino Road	99
Senior Housing Solutions	19935 Price Avenue	1
Total		**100**
Adult Day Care		
Live Oak Adult Day Services	20920 McClellan Road	30
Cupertino Senior Center	21251 Stevens Creek	N/A

SOURCES: California Department of Social Services, Community Care Licensing Division Facility Search Form, 2023; California Department of Public Health, Health Facilities Search, 2023.

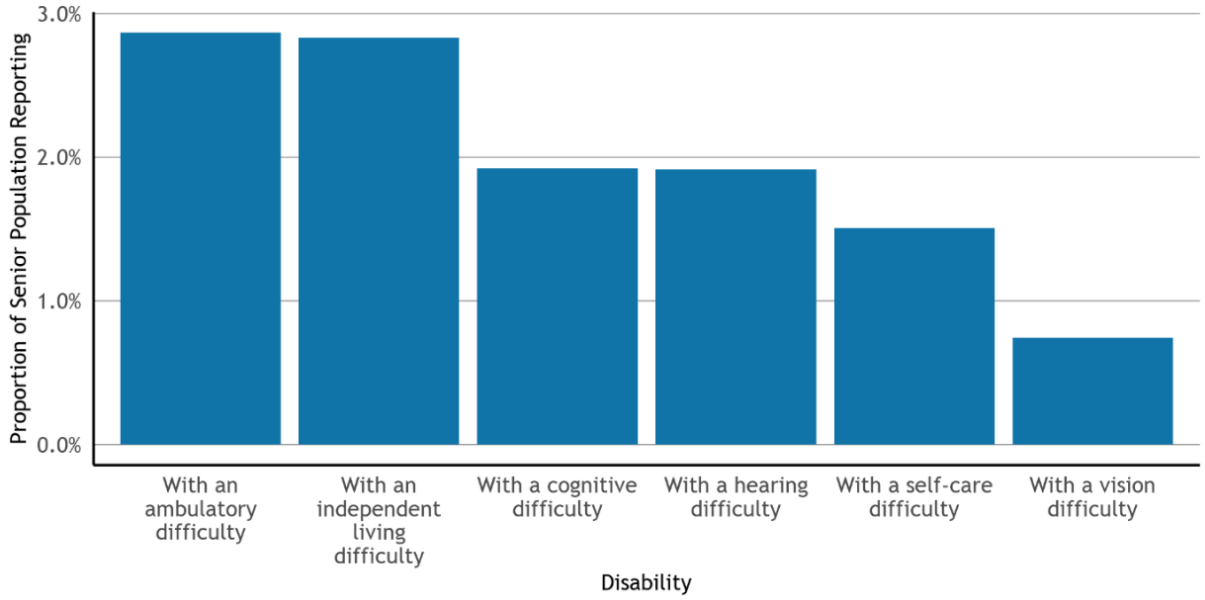
Notes: (a) Sunny View Manor has 115 units for independent and assisted (RCFE) living. All 115 units are licensed as RCFE units, but residents may choose between independent and assisted living options. The distribution of independent and assisted living units varies over time.

PEOPLE WITH DISABILITIES

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive, and sensory impairments, many people with disabilities live on fixed incomes and ~~are in need of~~need specialized care~~, yet~~. Due to the high cost of such specialized care, individuals with disabilities often must ~~often~~ rely on family members for assistance ~~due to the high cost of care~~. When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs what is available, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly when they lose aging caregivers.

Overall, 5.7 percent of people in Cupertino have a disability of some kind.[18] Figure B2-~~40~~ 39, Disability by Type, shows the rates at which different disabilities are present among residents of Cupertino.

Figure B2-39 Disability by Type



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107. For the data table behind this figure, please refer to the Data Packet Workbook, Table DISAB-01.

[18] These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

PERSONS WITH DEVELOPMENTAL DISABILITIES

According to Section 4512 of the Welfare and Institutions Code, "developmental disability" means a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. It includes intellectual disabilities, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities but does not include other conditions that are solely physical in nature. Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services provides community-based services to approximately 360,000 persons with developmental disabilities and their families through a statewide system of regional centers, developmental centers, and community-based facilities. The San Andreas Regional Center is one of 21 regional centers in California that provides point-of-entry services for people with developmental disabilities. The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

The San Andreas Regional Center, located in north San Jose, provides services to developmentally disabled persons throughout Monterey, San Benito, Santa Clara, and Santa Cruz Counties and acts as a coordinating agency for multiple service providers in the region. They provide a resource to those needing counseling, day care, equipment and supplies, behavior intervention, independent living services, mobility training, nursing, residential care facilities, supportive living services, transportation, vocational training, and other services.

Several housing types are appropriate for people living with a developmental disability: rent-subsidized homes, residential care facilities, Section 8 vouchers, special programs for home purchase, HUD housing, and Senate Bill (SB) 962 homes (these are adult residential homes for persons with specialized health care needs). Supportive housing and group living opportunities for persons with developmental disabilities can be an important resource for those individuals who can transition from the home of a parent or guardian to independent living.

The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating barrier-free design in all new multifamily housing (as required by California and federal fair housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

~~State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.[19]~~

In Cupertino, there are 154 children under the age of 18 ~~make~~ with a developmental disability (51.2 percent), while there are 147 adults with a developmental disability (48.8 percent). Table B2-~~4~~76 shows the number of persons in Cupertino with developmental disabilities by age.

~~Table B2-4~~Table B2-7 Population with Developmental Disabilities by Age

Age Group	Number
Age Under 18	154
Age 18+	147
Total	**301**

SOURCE: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020). This table is included in the Data Packet Workbook as Table DISAB-04.

The most common living arrangement for individuals with disabilities in Cupertino is the home of a parent, ~~/~~family, or ~~/~~guardian. Table B2-~~5~~87 shows the Cupertino population with developmental disabilities by residence.

~~Table B2-5~~Table B2-8 Population with Developmental Disabilities by Residence

Residence Type	Number
Home of Parent/Family/Guardian	257
Foster/Family Home	11
Independent/Supported Living	5
Other	5
Community Care Facility	23
Intermediate Care Facility	0

SOURCE: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020). This table is included in the Data Packet Workbook as Table DISAB-05.

~~[19] For more information or data on developmental disabilities in your jurisdiction, contact the Golden Gate Regional Center for Marin, San Francisco and San Mateo Counties; the North Bay Regional Center for Napa, Solano and Sonoma Counties; the Regional Center for the East Bay for Alameda and Contra Costa Counties; or the San Andreas Regional Center for Santa Clara County.~~

RESOURCES AVAILABLE

Table B2-9 lists the community care facilities in Cupertino available to those with developmental disabilities.

Table B2-9 Community Care Facilities in Cupertino, 2023

Adult Residential Facilities	Location	Capacity
Paradise Manor 2	19133 Muriel Lane	6
Paradise Manor 4	19161 Muriel Lane	6
Total		**12**
~~Group Homes~~		
~~Pace Morehouse~~	~~7576 Kirwin Lane~~	~~6~~
~~Pacific Autism Center for Education Miracle House~~	~~19681 Drake Drive~~	~~6~~
~~Total~~		~~12~~

Source: California Department of Social Services, Community Care Licensing Division Facility Search Form, 2023

HOMELESSNESS

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing- ~~–~~insecure have ended up homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction, and those dealing with traumatic life circumstances.

The very nature of homelessness makes it difficult to count persons with no permanent shelter. The Santa Clara County Continuum of Care oversees the C~~c~~ounty's assessment of homeless persons and conducts point-in-time homeless counts as required by HUD. The 2022 point-in-time count, conducted in February 2022, identified 102 homeless persons in Cupertino. All of the persons experiencing homelessness were unsheltered. For Santa Clara County, there were 9,684 homeless persons identified, of which, 77 percent were unsheltered and 23 percent were sheltered. When comparing the 2022 point-in-time numbers to 2019 data, Cupertino had a decrease in persons experiencing homelessness, going from 159 individuals in 2019 to 102 in 2022. Santa Clara County on the other hand had a slight increase, from 9,706 to 9,864 individuals. Figure B2-40 provides sheltered and unsheltered percentages for the homeless population in Cupertino and Santa Clara County as of 2022. Data by race or disability status is not collected at the individual jurisdiction level through the Point in Time Count. However, the countywide Point in Time Count results indicated an over-representation of Hispanic/Latinx, Black or African American, Native Hawaiian or Pacific Islander, Multi-Racial, and American Indian or Alaska Native community members within the county's homeless community as compared to these populations in the county as a whole. Additionally, it is estimated that community members with disabilities may be over-represented in the city's homeless population due to the existing challenges Bay Area residents with physical or mental disabilities face in accessing affordable housing.~~:~~

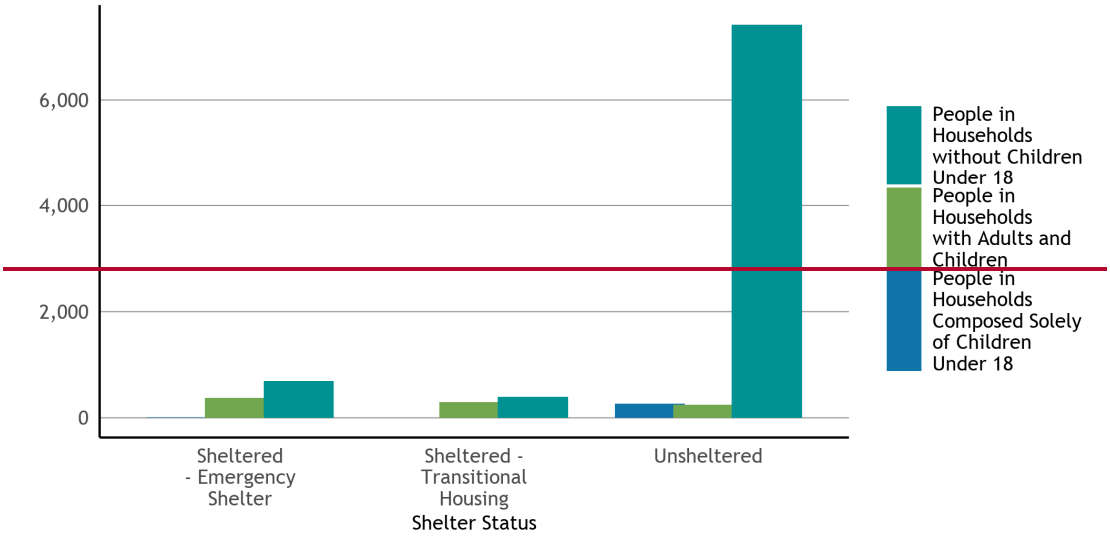
Figure B2-40 City of Cupertino Homeless Population

[OBJ]

Source: 2022 Santa Clara County Homeless Census and Survey

~~In Santa Clara County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 87.1 percent are unsheltered. Of homeless households with children, most are sheltered in emergency shelters. Figure B2-41 shows household type and shelter status in Santa Clara County.~~

~~Figure B2-40 Homelessness by Household Type and Shelter Status, Santa Clara County~~

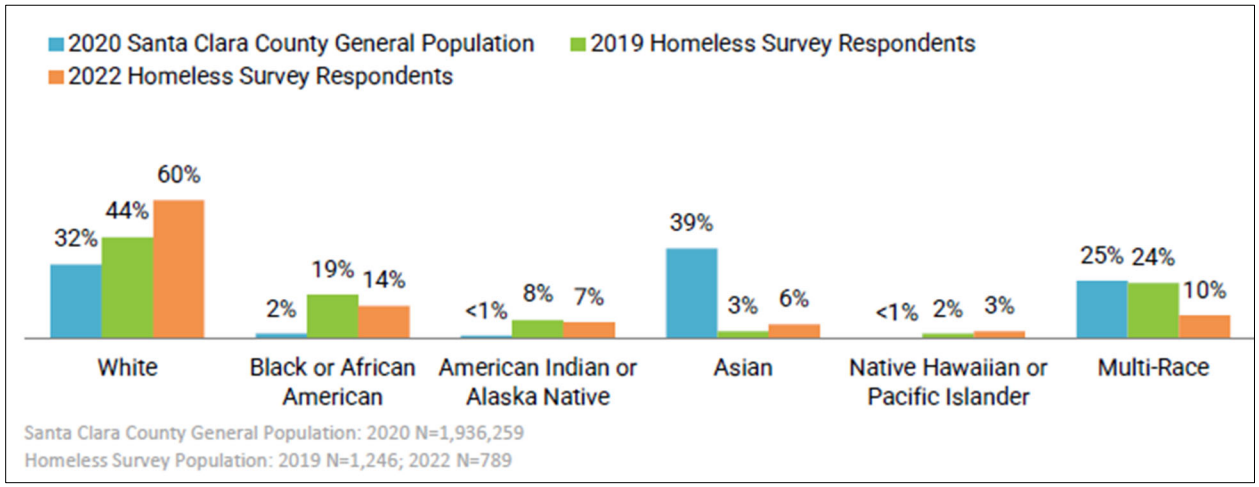


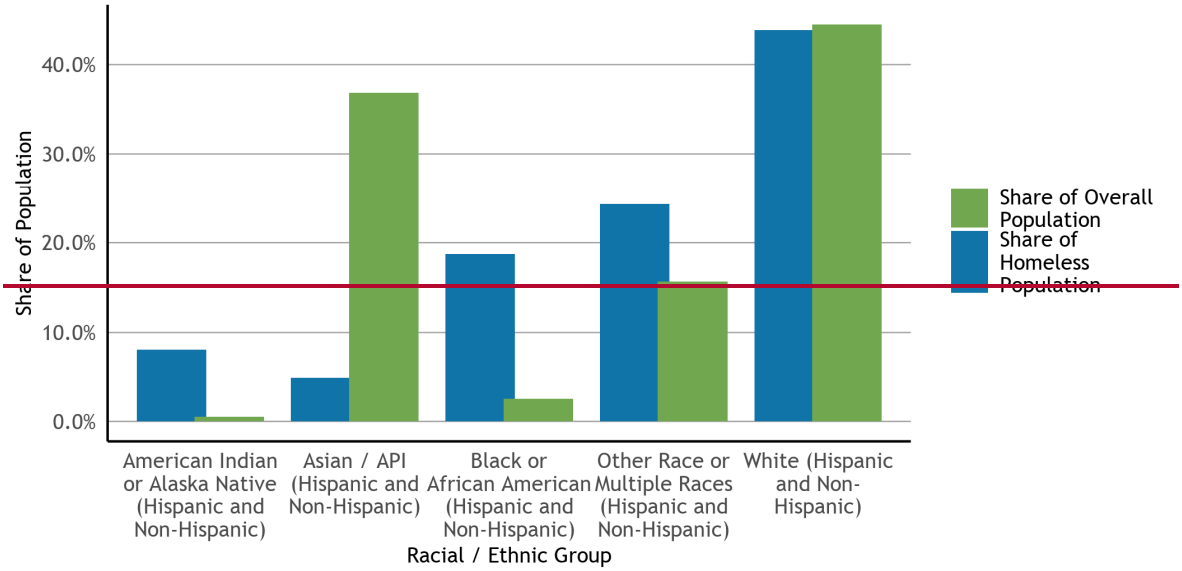
~~SOURCE: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-01.~~

When looking at race and homelessness, p~~P~~eople of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to White residents. Consequently, people of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area.

In Santa Clara County, White ~~*(Hispanic and Non Hispanic)*~~ residents represented the largest proportion of residents experiencing homelessness and account for ~~43.9~~44 percent of the homeless population, while making up 44.5 percent of the overall population. Figure B2-4~~3~~12 shows the racial group share of the county's homeless population.

Figure B2-41 ~~Racial Group Share of General and~~ Homeless Populations by Race, Santa Clara County



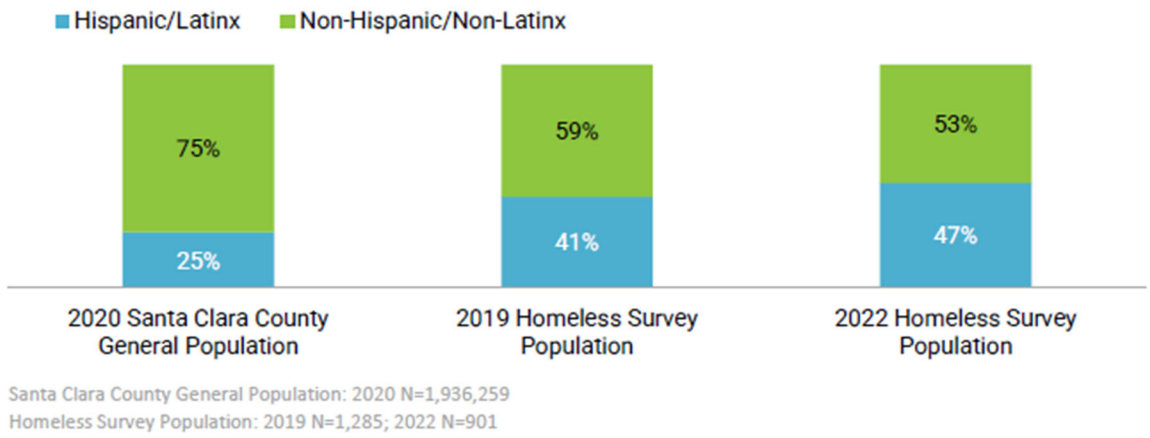


SOURCE: 2022 Santa Clara County Homeless Census and Survey.

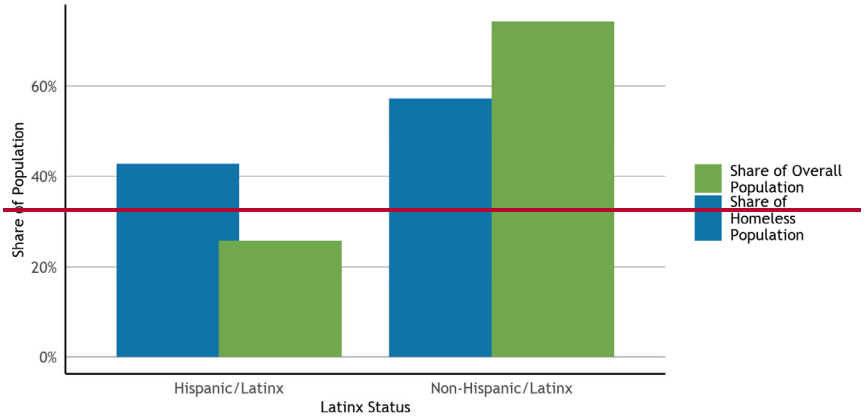
~~S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-02.~~

~~I~~In 2022 in Santa Clara County, Hispanic and Latinx residents represented ~~42.7~~47 percent of the population experiencing homelessness, while Hispanic and Latinx residents comprise 25.8 percent of the general population. ~~–~~Figure B2-4~~3~~42 ~~–~~shows the Hispanic and Latinx share of the homeless population in Santa Clara County.

Figure B2-42 Latinx Share of General and Homeless Populations, Santa Clara County, 2022



SOURCE: 2022 Santa Clara County Homeless Census and Survey



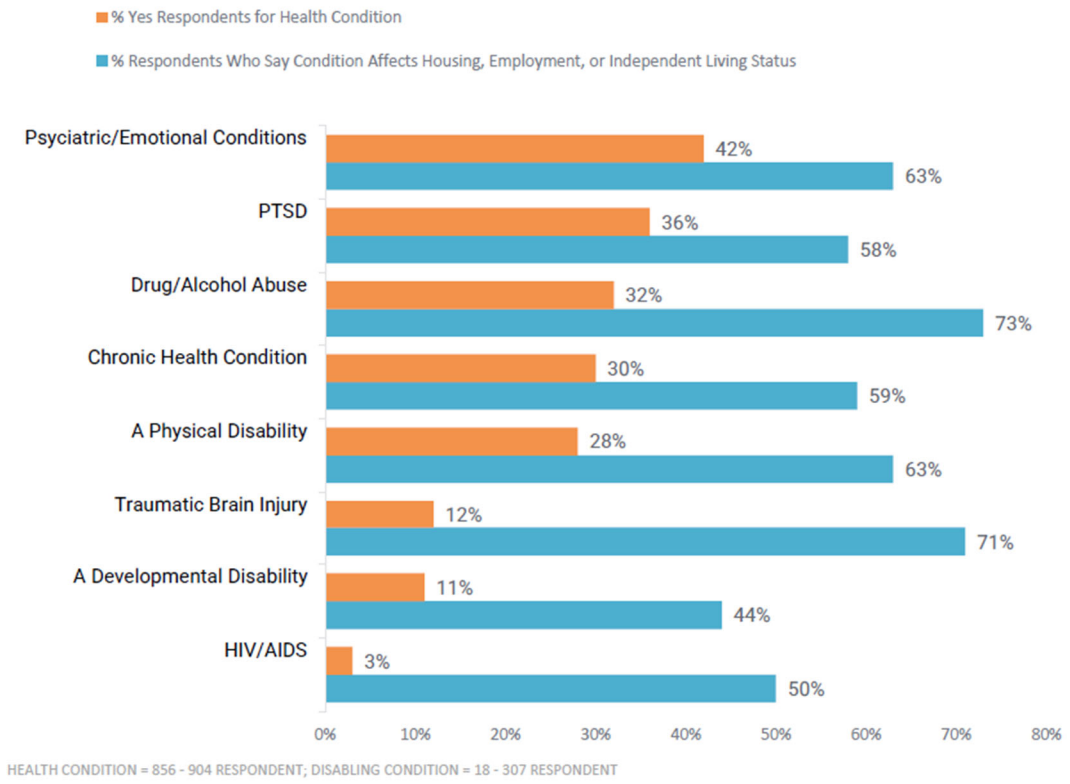
~~SOURCE: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-03.~~

Many of those experiencing homelessness are dealing with severe issues, including mental illness, substance abuse, and domestic violence, which are potentially life threatening and require additional assistance. As a result, to ensure that they are stably housed, individuals experiencing homelessness require not only affordable housing, but also housing accompanied by an array of transitional and supportive services, including counseling, mental health services, job training, and employment assistance. Therefore, emergency shelters with a full range of supportive services and transitional housing and supportive housing are best equipped to meet the needs of this special-needs population.

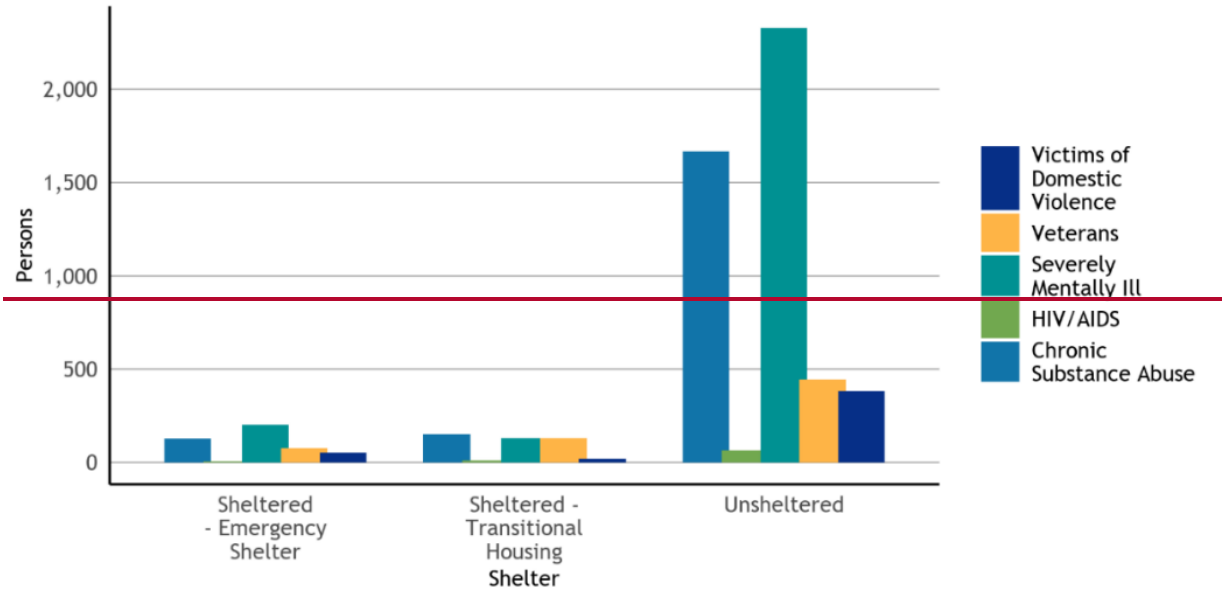
In Santa Clara County, similar to other jurisdictions, homeless individuals are commonly challenged by severe mental illness, ~~with 2,659 reporting this condition. Of those, some 87.6 percent are unsheltered, further adding to the challenge of handling the issue.~~ aAlong with other health concerns.

Figure B2-4~~534~~ shows selected characteristics of the homeless population in Santa Clara County in 2022.

Figure B2-43 Characteristics for the Population Experiencing Homelessness, Santa Clara County, 2022



SOURCE: 2022 Santa Clara County Homeless Census and Survey



~~SOURCE: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-04.~~

In Cupertino, there were no reported students experiencing homelessness in the 2019-2020 school year. In fact, the reported number of students experiencing homelessness dropped after the 2016-2017 school year to zero in the City of Cupertino. By comparison, Santa Clara County has seen a 3.5 percent increase in the population of students experiencing homelessness since the 2016-2017 school year, while ~~and~~ the Bay Area population of students experiencing homelessness decreased by 8.5 percent. Despite the recent regional decrease, during the 2019-2020 school year, there were still ~~some~~ 13,718 students experiencing homelessness throughout the Bay Area~~region~~, adding undue burdens on learning and thriving, with the potential for longer-term negative effects. Table B2-~~6~~ 10 summarizes students in public schools experiencing homelessness.

~~Table B2-6~~Table B2-10 Students in Local Public Schools Experiencing Homelessness

Academic Year	Cupertino	Santa Clara County	Bay Area
2016-17	17	2,219	14,990
2017-18	0	2,189	15,142
2018-19	0	2,405	15,427
2019-20	0	2,297	13,718

SOURCE: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020). This table is included in the Data Packet Workbook as Table HOMELS-05.

EMERGENCY SHELTERS AND TRANSITIONAL HOUSING

Santa Clara County has approximately 23 emergency shelters, providing close to 800 beds year-round, with an additional 300 beds available during the winter months (November through March). There are also over 1,100 transitional housing beds throughout the county that offer a combination of stable housing and intensive, targeted support services for the mentally ill, those with chronic substance abuse, developmental disabilities, and other factors that prevent the homeless from returning to permanent housing situations. Transitional housing includes both single-site and "scattered-site" programs. Table B2-~~8~~ 11~~0~~ provides a summary of emergency shelters and transitional housing that are near the City of Cupertino and available to residents.

~~Table B2-7~~Table B2-11 Homeless Facilities Near Cupertino

Facility	Beds	Target Population	Location
Emergency Shelters			
Asian Americans for Community Involvement	12	Women with Children	San Jose
City Team Rescue Mission	52	Single men	San Jose
Hospitality House, Salvation Army	24	Single men	San Jose
Our House Youth Services HomeFirst	10	Homeless and run-away youth	San Jose
San Jose Family Shelter	143	Families	San Jose
Support Network for Battered Women	18	Domestic violence shelter for- women and children	San Jose
Maitri	8	Transitional housing to victims of domestic violence	Cupertino
Emergency Shelter/Transitional Housing			
InnVision	178	Working men, women & children, mentally ill men & women	San Jose
James Boccardo Reception Center	370	Families and single adults	San Jose
Transitional Housing			
Next Door- Women with Children	19	Domestic Violence Shelter for -women and children	San Jose
St. Josephs Cathedral	45	Worker housing for- men, women, and children	San Jose
YWCA- Villa Nueva	126	Women and children	San Jose

SOURCE: Santa Clara County Consolidated Plan, 2010-2015

FARMWORKERS

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Accordingly, f~~F~~inding decent ~~and~~ affordable housing can be challenging, particularly in the current housing market.

In Cupertino, there were no reported students of migrant workers in the 2019-20 school year and the city and surrounding area lack viable agricultural land to employ migrant workers. The trend for the region for the past few years has been a decline of 2.4 percent in the number of migrant worker students since the 2016-17 school year. ~~The change at~~ the county level, there has been a 49.7 percent decrease in the number of migrant worker students since the 2016-17 school year. ~~-~~Table B2-~~7~~ 120 summarizes the migrant worker student population in Cupertino, Santa Clara County, and Bay Area as a whole.

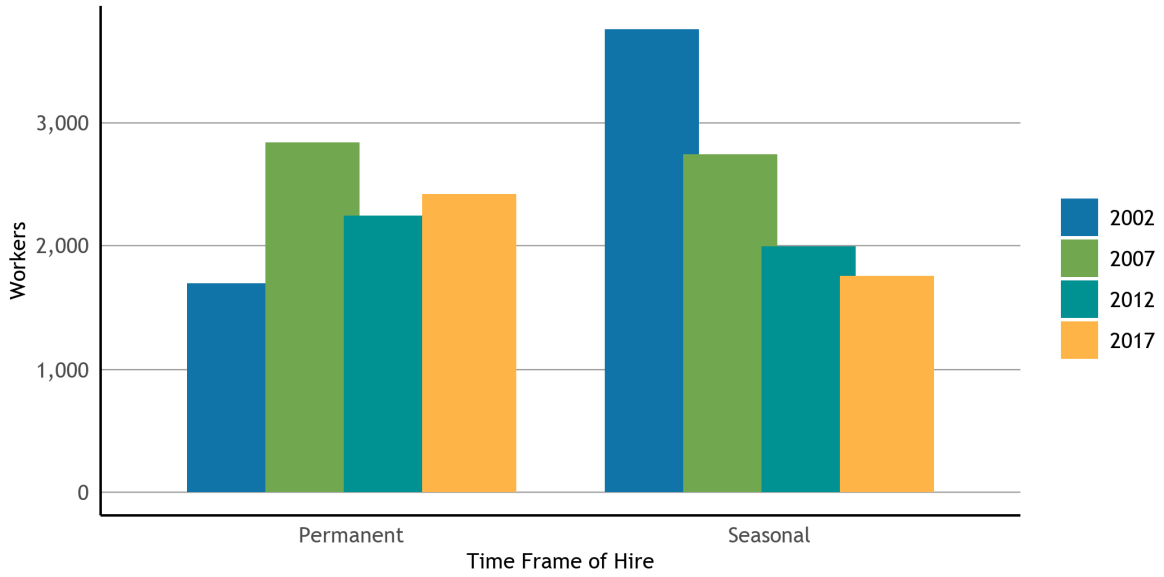
~~Table B2-8~~Table B2-12 Migrant Worker Student Population

Academic Year	Cupertino	Santa Clara County	Bay Area
2016-17	0	978	4,630
2017-18	0	732	4,607
2018-19	0	645	4,075
2019-20	0	492	3,976

SOURCE: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020). This table is included in the Data Packet Workbook as Table FARM-01.

According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm-workers in Santa Clara County has increased since 2002, totaling 2,418 in 2017, while the number of seasonal farm-workers has decreased, totaling 1,757 in 2017. This can be attributed to the types of crops grown in south Santa Clara County that require regular maintenance, or simply the nature of the farms/ranches. Figure B2-4~~65~~ shows farm operations and labor in Santa Clara County.

Figure B2-44 Farm Operations and Farm Labor, Santa Clara County



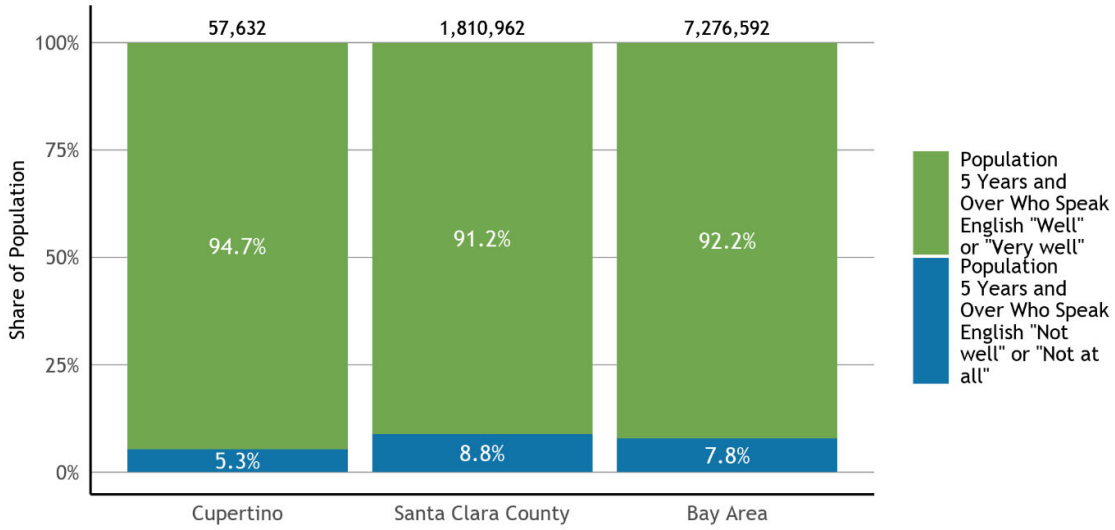
SOURCE: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor. For the data table behind this figure, please refer to the Data Packet Workbook, Table FARM-02.

NON-ENGLISH SPEAKERS

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limitation can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their civil and housing rights, or they might be wary to engage or ask questions due to their immigration status concerns. The unique housing needs for non-English speakers include having access to Fair Housing resources in in multiple languages as needed.

In Cupertino, 5.3 percent of residents five ~~(5)~~ years and older identified as speaking English not well or not at all, which was below the proportion for Santa Clara County (8.8 percent). Throughout the ~~region~~Bay Area, the proportion of residents five ~~(5)~~ years and older with limited English proficiency was 7.~~eight (~~8~~)~~ percent. Figure B2-~~46~~ 45 shows the population with limited English proficiency in Cupertino, Santa Clara County, and the Bay Area as a whole.

Figure B2-45 Population with Limited English Proficiency



SOURCE: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005. For the data table behind this figure, please refer to the Data Packet Workbook, Table AFFH-03.
NOTE: Universe: Population 5 years and over.

To the extent that farmworkers may want to live in Cupertino, their need for affordable housing would be similar to that of other lower-–income persons, and their housing needs can be addressed through general affordable housing programs for lower-income households, such as BMR, CDBG, and HSG programs.

~~B2.5 REHABILITATION OF EXISTING UNITS~~

~~The City had established a goal of rehabilitating 40 40 total housing units between 2015 and 2023.~~

~~B2.6 APPROPRIATENESS IN GOALS, OBJECTIVES AND POLICIES~~

~~The goals, objectives, and policies identified in the 2015 Housing Element were appropriate for the 2015-2023 timeframe because they directly relate to the program requirements listed by the California Department of Housing and Community Development.~~

~~As for new construction, the greatest progress was made in producing housing in the Moderate Income and Above Moderate Income categories, where the City permitted approximately 6858 percent and 11980 percent of the needed units, respectively. The City permitted only about 4713.4 percent of its needed Very Low-Income units and 0.19.1 percent of its Low-Income units. As was the case in the in prior years, the cost of housing continued to be high in Cupertino, making affordable housing difficult to develop in the Cupertino market.~~

~~B2.7 SUMMARY~~

~~Like many communities, the City of Cupertino experienced less development than expected in its 2015–2023 planning period. Of the 1,064 units it identified in its table of quantified housing objectives (Table HE-6 on page H-19 of the 2015 Housing Element), the City permitted only 418 units (approximately 39.2 percent), most of them for Above Moderate-Income households.~~

~~Nonetheless, the goals, objectives, policies, and actions in the 2015–2023 Housing Element complied with State Housing Law that was in effect at the tome and provided proper guidance for housing development in the City. In the 2023-2031 Housing Element update, objectives for each of the goals will be modified as appropriate to more specifically respond to the housing environment in Cupertino. Policies will also be modified as needed to respond to current Housing Element Law and existing and anticipated residential development conditions.~~

Affirmatively Furthering Fair Housing

B.3

APPENDIX

Table of Contents

Tables

Figures

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B3 CUPERTINO FAIR HOUSING ASSESSMENT

In 2018, Governor Brown signed Assembly Bill (AB) 686 requiring all public agencies in the state to affirmatively further fair housing (AFFH) beginning January 1, 2019.[1] The new requirements went into effect on January 1, 2019, and required all public agencies to "administer programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing, and take no action inconsistent with this obligation."[2] AB 686 also made changes to Housing Element law to incorporate requirements to AFFH as part of the housing element and general plan to include an analysis of fair housing outreach and capacity, integration and segregation, access to opportunity, disparate housing needs, and current fair housing practices.

The following report was prepared by Root Policy Research (Denver, Colorado) and is based on and expands previous work commissioned by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). The ABAG/MTC report was prepared in collaboration with the University of California (UC) Merced Urban Policy Lab and was entitled, *AFFH Segregation Report: Cupertino.*

Affirmatively Furthering Fair Housing

Affirmatively furthering fair housing means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a public agency's activities and programs relating to housing and community development. (Government Code, Section 8899.50, subd. (a)(1).)

Source: California Department of Housing and Community Development Guidance, 2021, page 14.

[1] Public agencies receiving funding from the U.S. Department of Housing and Urban Development (HUD) are also required to demonstrate their commitment to AFFH. The federal obligation stems from the fair housing component of the federal Civil Rights Act mandating federal fund recipients to take "meaningful actions" to address segregation and related barriers to fair housing choice.

[2] California Department of Housing and Community Development Guidance, 2021, page 9.

B3.1 HISTORY OF SEGREGATION IN THE REGION

The United States' oldest cities have a history of mandating segregated living patterns—and Northern California cities are no exception. ABAG, in its recent Fair Housing Equity Assessment, attributes segregation in the Bay Area to historically discriminatory practices—highlighting redlining and discriminatory mortgage approvals—as well as "structural inequities" in society, and "self-segregation" (i.e., preferences to live near similar people).

This history of segregation in the region is important not only to understand how residential settlement patterns came about—but, more importantly, to explain differences in housing opportunity among residents today. In sum, not all residents had the ability to build housing wealth or achieve economic opportunity. This historically unequal playing field in part determines why residents have different housing needs today.

Researcher Richard Rothstein's 2017 book, *The Color of Law: A Forgotten History of How Our Government Segregated America,* chronicles how the public sector contributed to the segregation that exists today. Rothstein highlights several significant developments in the Bay Area that played a large role in where the region's non-White residents settled.

In 1955, builders began developing workforce housing for the Ford Corporation's plant in the Santa Clara County region. Initially, the units were segregated as no one would sell to the local black workers. The American Friends Service Committee (AFSC) worked to find builders who would build integrated subdivisions. Unfortunately, after four purchased plots were subsequently rezoned to prevent integrated housing, the original builder quit. After multiple additional iterations, African American workers had "become so discouraged about finding housing opportunities" that they began carpooling from outside cities such as Richmond.[3]

A 2018 Berkeley publication titled, *Racial Segregation in the San Francisco Bay Area*, attempted to illustrate segregation in the Bay Area communities. In their study, they found that Santa Clara County contains "no truly integrated city."[4] The study also delved into the history of segregation, highlighting 1960s-era laws and practices connected to urban renewal projects that were displacing communities of color. The building of transportation infrastructure created a reduction of affordable housing due to a lack of one-for-one replacement in the area.

In addition to historical discriminatory practices that embedded segregation into living patterns throughout the Bay Area, it is also necessary to recognize the historical impacts of colonization and genocide on Indigenous populations and how the effects of those atrocities are still being felt today. The original inhabitants of present-day San Mateo County are the Ramaytush Ohlone, who have

[3] Rothstein, Richard. 2017. ~~Source: book~~ *The Color of Law: A Forgotten History of How Our Government Segregated America* ~~by Richard Rothstein~~, p 121. New York, NY: Liveright Publishing Corporation.
[4] Racial Segregation in the San Francisco Bay area, Part 1 | Othering & Belonging Institute (berkeley.edu)

"…lived on the San Francisco Peninsula for thousands of years and continue to live here as respectful stewards of the land."[5] However, "[d]ue to the devastating policies and practices of a succession of explorers, missionaries, settlers, and various levels of government over the centuries since European expansion, the Ramaytush Ohlone lost the vast majority of their population as well as their land."[6] The lasting influence of these policies and practices have contributed directly to the disparate housing and economic outcomes collectively experienced by Native American populations today.[7]

The timeline of major federal aActs and court decisions related to fair housing choice and zoning and land use appears ~~on the following page.~~in Figure B3-1.

As shown in the timeline in Figure B3-1, exclusive zoning practices were common in the early 1900s. Courts struck down only the most discriminatory and allowed those that would be considered today to have a "disparate impact" on classes protected by the Fair Housing Act. For example, the 1926 case *Village of Euclid v. Amber Realty Co. (272 U.S. 365)* supported the segregation of residential, business, and industrial uses, justifying separation by characterizing apartment buildings as "mere parasite(s)" with the potential to "utterly destroy" the character and desirability of neighborhoods. At that time, multifamily apartments were the only housing options for immigrants and people of color.

The Federal Fair Housing Act was not enacted until nearly 60 years after the first racial zoning ordinances appeared in U.S. cities. This coincided with a shift away from federal control over low-income housing toward locally -tailored approaches (block grants) and market-oriented choice (Section 8 subsidies)—the latter of which is only effective when adequate affordable rental units are available.

Figure B3-1, Major Public and Legal Actions that Influence Fair Access to Housing, shows a timeline for major public and legal actions related to fair housing access.

INFLUENCE OF LAND USE AND ZONING PRACTICES

While exclusive and discriminatory zoning is no longer legal, current land use and zoning patterns continue to influence neighborhood demographics, access to housing opportunities, and other housing outcomes.

The Othering & Belonging Institute, a UC Berkeley research center, published a report in 2020 analyzing the characteristics of communities in the Bay Area in relation to the degree of single-family zoning. The research findings identified that in Santa Clara County, and across the Bay Area regionally, cities with high levels of single-family zoning see greater access to resources resulting in positive life outcomes. Predominance of single-family zoning aligned with higher median incomes, home values, proficient schools, and other factors that are similarly associated with the highest-resource designation

[5] https://www.smcoe.org/for-communities/indigenous-people-of-san-mateo-county.html
[6] https://www.smcoe.org/for-communities/indigenous-people-of-san-mateo-county.html
[7] https://www.americanprogress.org/article/systemic-inequality-displacement-exclusion-segregation/

in the TCAC/HCD opportunity maps. The increased home values and scarcity of housing in these areas due to their lower density can make housing and other resources in the area unaffordable to lower-income households. Single-family zoning predominates residential areas in the Bay Area; the average proportion of residential land zoned exclusively for single-family housing in Bay Area jurisdictions was found to be 85 percent. Only in two jurisdictions of the 101 surveyed (Benicia and Suisun City) did single-family zoning make up less than 40.0 percent of the jurisdiction's land area. However, access to higher--quality resources was greatest in jurisdictions with at least 90.0 percent of the land area designated to single-family zoning.

During the study, it was determined that 91 percent of residentially zoned land in Cupertino was zoned exclusively for single-family housing[8], putting the City in the 75th percentile when compared to other jurisdictions in the Bay Area based on percentage of exclusively single--family land. All jurisdictions that had 90 to 100 percent of their land designated for single-family housing were considered to be "highly" exclusive. However, the City's estimate of land designated for single-family uses indicates a lower percentage of land with this designation (approximately 42 percent). In 2020, approximately 69.36 percent of Cupertino's housing stock was made up of single-family homes, with the remaining 30.74 percent being multifamily units. While single-family zoning can create highly desirable places to live, higher entry costs associated with this housing type can pose a barrier to access for low- and moderate-income households, restricting access to economic, educational, and other opportunities that are available in higher-resource communities.

In Cupertino, the R-2, R-3, and Planned Development zoning districts with residential uses allowed, permit multifamily housing, are primarily along the Interstate 280 corridor, at the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard, sprinkled along Miller Avenue, along sections of Bollinger Road, along major corridors in the city such as Stevens Creek Boulevard in the City's Heart of the City Special Area, De Anza Boulevard, Homestead Road, and N. Wolfe Road. As discussed in this assessment, neighborhoods that have multifamily land are also typically those with lower median incomes, higher rates of overcrowding and overpayment, and other indicators of fair housing issues. While multifamily offers valuable housing opportunities for lower- and moderate-income households, the limited, and concentrated, supply of suitably zoned land may result in patterns of income segregation. To combat this potential fair housing issue, the City has identified **Strategies HE-1.3.2**, **HE-2.3.2**, **HE-2.3.5**, and **HE-3.3.3** to promote accessory dwelling units (ADUs), require affordable units in all rental residential developments, facilitate infill development with affordable housing, and prevent condominium conversion when there is a shortage of rental units.

Feedback provided by community members in response to the Public Review draft of the Housing Element included input from local organizations such as Cupertino for All. Representatives from Cupertino for All expressed support for policies that permitted increased density, such as the

[8] https://belonging.berkeley.edu/report-single-family-zoning-dominates-bay-area-housing-presenting-barrier-integration

introduction of R-4 zoning and the "corner lot" policy which permits multifamily development at R-3-style densities on corners within R-1 zones. The group also encouraged increased height limits and future removal of parking requirements. Cupertino for All also indicated that they believe that recent historical trends have been to develop large single-family homes, which tend not to be affordable for lower-income households.

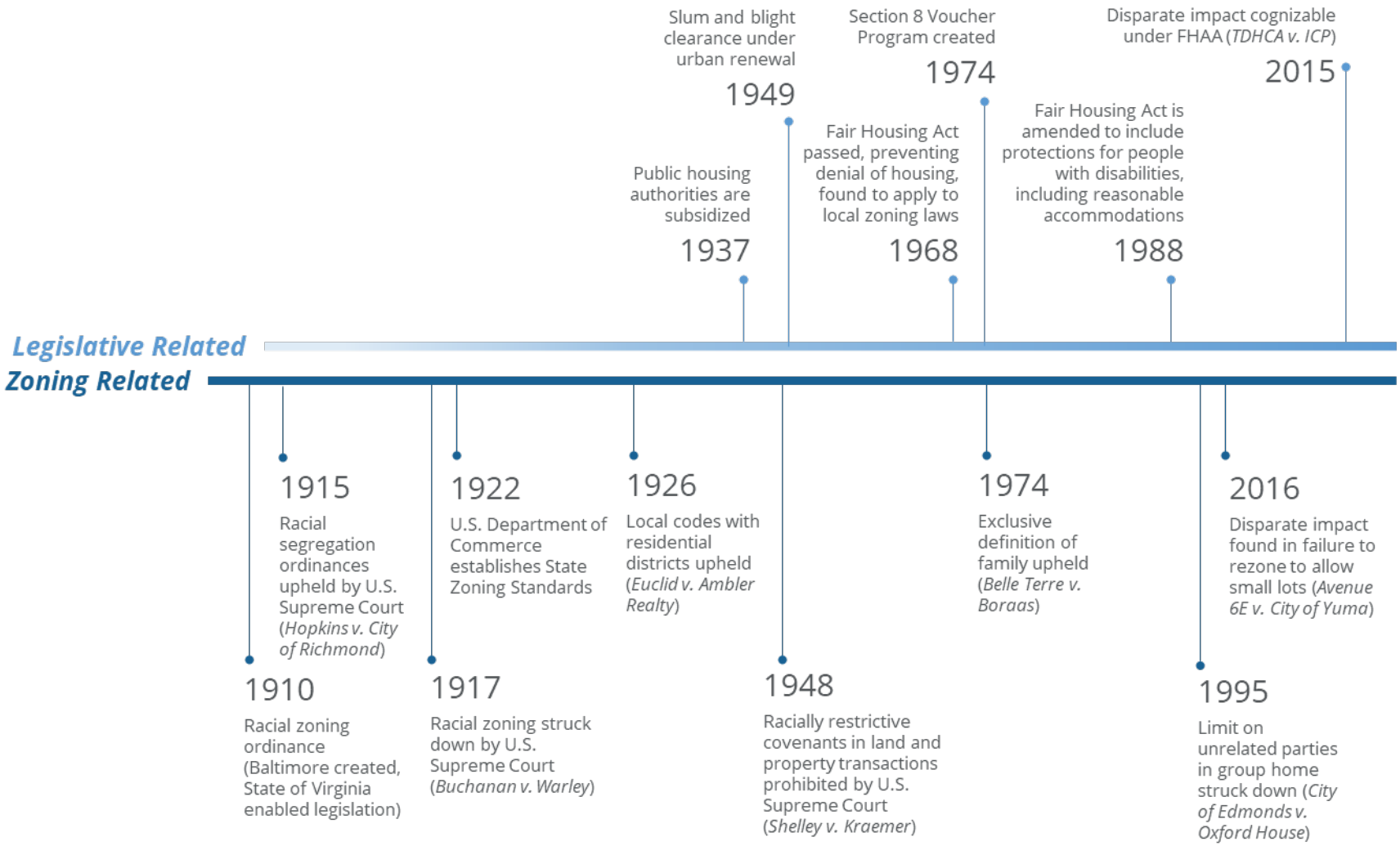
B3.2 REPORT CONTENT AND ORGANIZATION

This Fair Housing Assessment follows the April 2021 State of California ~~State~~ Guidance for AFFH and is organized into the following sections.

- Fair Housing Enforcement ~~and Outreach~~ Capacity reviews lawsuits/enforcement actions/complaints against the jurisdiction, and compliance with S~~s~~tate fair housing laws and regulations.~~; and jurisdictional capacity to conduct fair housing outreach and education.;~~
- Ongoing Outreach Capacity describes jurisdictional capacity to conduct fair housing outreach and education.
- Compliance with State Law summarizes key State laws and regulations related to mitigating housing discrimination and expanding housing choice.
- Integration and Segregation identifies areas of concentrated segregation, degrees of segregation, and the groups that experience the highest levels of segregation.~~;~~
- Access to Opportunity examines differences in access to education, transportation, economic development, and healthy environments.~~; and~~
- Disproportionate~~arate~~ Housing Needs identifies which groups have disproportionate housing needs, including displacement risk.
- Sites Analysis of the distribution of the City's sites inventory by income category compared to citywide patterns, in the context of the fair housing issues.
- Fair Housing Resources and Maps ~~and Data packet~~, including fair housing organizations in Santa Clara County, states the mission, services, and contact information~~; and~~ for these organizations.

~~State Fair Housing Laws and Regulations—summary of key state laws and regulations related to mitigating housing discrimination and expanding housing choice.~~

Figure B3-1 Major Public and Legal Actions that Influence Fair Access to Housing



B3.3 PRIMARY FINDINGS, CONTRIBUTING FACTORS, AND FAIR HOUSING ACTIONS

This section summarizes the primary findings from the Fair Housing Assessment for Cupertino, including the following sections: fair housing enforcement and outreach capacity, integration and segregation, access to opportunity, disparate housing needs, and contributing factors and the City's fair housing action plan.

- Cupertino's population has a moderate level of diversity for the region and a higher Asian population compared to the county (68 percent of residents identify as Asian). The City's residents have grown less racially diverse since 2000 with the Asian population increasing by 22 percentage points since 2000;
- Population growth in Cupertino began leveling off in 2014, with the county and regional growth index rates increasing, albeit slowly, while Cupertino's growth has stagnated;
- Most households in Cupertino earn more than 100 percent of the regional Area Median Income (AMI), and this is true across most racial and ethnic groups. Hispanic and non-Hispanic White households have the most income diversity;
- Poverty rates highlight the disparity in income and opportunities by race, with the Hispanic (16.7 percent) and Black/African American (16.9 percent) populations experiencing disproportionately higher poverty rates. No other group is above 7 percent;
- There were Since 2010, Cupertino has only added 502 housing units out of 22,267 total units (about 2 percent of total stock). A little more than 300546 residential permits were issued between 2015 and 2019202220;
- Jobs have grown significantly since 2004, with nearly all of the growth due to a boost in manufacturing and wholesale jobs, which increased by nearly 26,000 from 2002. At 2 jobs per household, housing these new workers would have required construction of more than 12,000 housing units. Cupertino's jobs to household ratio is 2.60—far higher than Santa Clara County overall (1.71) or the Bay Area (1.47), based on data from the California Department of Finance and the US Census Bureau's Longitudinal Employer-Household Dynamics survey, but lower than those of Palo Alto, Mountain View, or the City of Santa Clara;
- Access to Cupertino is limited by housing pricing and supply. Eighty-three percent of houses in the area are valued over $1 million. In 2020, Zillow reports reported the average market value at $2.25 million, significantly above the county's and Bay Area's market values. Fifty-seven percent of Cupertino's housing units are detached single-family units. The next-closest share is multifamily at 21 percent of units, followed by 12 percent attached apartment units

and 10 percent du-/tri-/fourplexes. While owners mostly occupy three- and four-bedroom homes (72 percent), 68 percent of renters occupy one- or two-bedroom units;

  - Renters, who make up 40 percent of all households, are facing the same cost pressures as owners with 87 percent of units renting for more than $2,000, and 52 percent renting for $3,000 and more. Of the city's rental units, 14 percent rent for $2,000 and less. The county has almost three times the proportion of rentals priced under $2,000 than the city.

- There are disparities in housing cost burden in Cupertino by race and ethnicity—and minimally by tenure (renters/owners). Hispanic households experience by far the highest rates of cost burden in the city (45 percent). Asian (28 percent), non-Hispanic White (27 percent), and Black/African American (11 percent) households ~~are least likely to be~~ experience the lowest rates of cost burden~~ed~~; however, it is worth noting that there are a small number of Black/African American households in the city.
- Barriers to housing choice are largely related to the city's very high costs of housing and lack of affordable production. Since 2015, the housing that has received permits to accommodate growth has largely been priced for above moderate-income households (~~215~~ 321 units or ~~70~~ 59 percent of all units), followed by moderate-~~-~~income households (~~74~~ 158 or ~~24~~ 29 percent). There were ~~No~~ 19 permits ~~were~~ issued for low-income units and ~~just 19~~ 48 permits were issued for very low-income units.~~;~~
- Cupertino has a lower proportion of residents with disabilities than the county. Unemployment among residents with disabilities is relatively high, with 16 percent of Cupertino residents with a disability unemployed, compared to 3 percent without a disability.
- Mortgage denial rates in the Census Tracts that include Cupertino are modest (14 to 17 percent of loans denied) and vary little across races and ethnicities except for Black/African American applicants.
- According to educational opportunity indices, every census tract in Cupertino scores higher than 0.75—indicating the highest positive educational outcomes. The City is home to very high performing schools.

FAIR HOUSING ISSUES AND CONTRIBUTING FACTORS

Cupertino's low production of affordable housing limits housing choices of all low-income households and has a disproportionate impact on ~~Black or African American and mixed race~~Asian and Hispanic households who face ~~very high~~disproportionate levels of cost burden.

Contributing factors:

- ~~Since 2010, Cupertino has added 108 housing units;~~

- Of the ~~116~~ 546 residential permits issued in Cupertino since 2015, ~~only~~ approximately 1~~2~~5 percent were ~~meant~~ for very low- and low-income households.~~;~~ ~~and~~
- Nearly ~~60~~ 44 percent of ~~Black/African American~~Hispanic households and 28 percent of Asian households in Cupertino are cost burdened compared to ~~45~~ 26 percent of non-Hispanic White households, ~~40 percent of Asian households,~~ and ~~40~~ almost 25 percent of ~~Hispanic~~ households of other or multiple races.

~~Fair Housing Issue~~

Cupertino's low production of housing limits the choices of lower- and moderate-income households.

Contributing factors:

- While Cupertino has approved more units than required in its 5th cycle RHNA, it has not received building permits to begin construction. In the long term, Cupertino has failed to permit enough housing to accommodate job growth and respond to supply shortages.~~;~~
- The housing that has been built in the city recently has largely been priced for above moderate-income households and moderate-income households. ~~No permits were issued for low-income units; and~~
- ~~Many current residents actively fight new development, which delays production and raises housing costs.~~ The community is sharply divided on issues surrounding development of new housing, with a vocal minority that consistently opposes higher-density development in the city.

~~FAIR HOUSING ISSUE~~

Lower-~~ ~~income households in the county and region are disproportionately likely to be Black or African American and Hispanic residents. As a result, it is possible that Black or African American and Hispanic residents with lower incomes are ~~excluded~~ priced out from living in Cupertino.

Contributing factors:

- ~~Black or African American and Hispanic residents typically work lower-~~ wage jobs, stemming ~~from h~~Historical employment discrimination and lack of access to quality educational environments for Black/African and Hispanic residents have resulted in their working lower-wage jobs, which~~. These jobs often~~ do not support the city's housing costs.

~~FAIR HOUSING ISSUE~~

~~Cupertino has been slow to implement housing policies to address needs and conform with new state laws.~~

~~*Contributing Ffactors:*~~

- ~~Lack of or conflicting commitment among City leadership;~~

- ~~Prioritization of economic development over housing choice; and~~

Concentration of lower- and moderate-income households in the northern Homestead Special Area neighborhood result in a potential concentration of poverty.

Contributing factors:

- Concentration of rental units that are typically more affordable;
- Shortage of workforce housing units
- Lack of affordable housing;
- Older housing stock; and
- High rates of overcrowding;

In response to these high priority factors, the City has included the strategies identified in **Table B3-1** to promote housing mobility and place-based revitalization, and to prevent displacement:

Table B3-1 Housing Element Strategies to Address Fair Housing Issues

Housing Element Strategy	Housing Mobility	Place-Based Revitalization	Displacement Prevention
HE-1.3.1: Land Use Policy and Zoning Provisions			X
HE-1.3.3: New Residential Zoning Districts and Land Use Designations			X
HE-1.3.4: Development on Nonvacant Sites			X
HE-1.3.5: Encourage Mixed-Use Projects and Residential in Commercial Zones			X
HE-1.3.7: Lot Consolidation			X
HE-1.3.8: Accessory Dwelling Units	X		X
HE-1.3.10: Innovative and Family-Friendly Housing Options	X		
HE-2.3.1: Support Affordable Housing Development	X		
HE-2.3.4: Below- Market Rate Affordable Housing Fund	X		
HE-2.3.7: Incentives for Affordable Housing Development	X		
HE-2.3.8: Density Bonus Ordinance	X		
HE-2.3.10: Extremely Low-Income Housing	X	X	X
HE-2.3.11: Assistance for Persons with Developmental Disabilities	X	X	
HE-2.3.12: Live/Work Units			X

Table B3-1 Housing Element Strategies to Address Fair Housing Issues

Housing Element Strategy	Housing Mobility	Place-Based Revitalization	Displacement Prevention
HE-3.3.2: Preservation of At-Risk Housing Units			X
HE-3.3.4: Housing Preservation Program			X
HE-3.3.6: Rent-Control Ordinance			X
HE-6.1.3: Housing Mobility	X		
HE-7.3.2: Coordination with Local School Districts	X	X	

Source: City of Cupertino, 2023

~~**Strategy HE-1.3.2** to rezone sites to accommodate higher- density housing;~~

~~**Strategy HE-1.3.9** to lower fees for all multifamily development and parking requirements for studio apartments and single- room occupancy units to encourage development of these housing types;~~

~~**Strategy HE-2.3.3** to target Below Market- Rate Affordable Housing Fund to benefit populations with the greatest need;~~

~~**Strategy HE-2.3.5** facilitate development of housing by partnering with developers to purchase surplus properties for development; and~~

~~**Strategy HE-2.3.6** to incentivize development of affordable housing.~~

The City has also included a range of programs to address other, lower--priority, contributing factors and patterns noted throughout this analysis.

B3.4 FAIR HOUSING ENFORCEMENT ~~AND OUTREACH~~ CAPACITY

This section discusses fair housing legal cases and inquiries, fair housing protections and enforcement, and outreach capacity.

FAIR HOUSING LEGAL CASES AND INQUIRIES

California fair housing law extends beyond the protections in the f~~F~~ederal Fair Housing Act (FHA). In addition to the FHA protected classes—race, color, ancestry/national origin, religion, disability, sex, and familial status—California law offers protections for age, sexual orientation, gender identity or expression, genetic information, marital status, military or veteran status, and source of income (including federal housing assistance vouchers).

The California ~~Department of Fair Employment in Housing~~Civil Rights Department (CRD, formerly the Department of Fair Employment in Housing or DFEH) was established in 1980 and is now the

largest civil rights agency in the United States. According to their website, the ~~DFEH~~CRD's mission is, "to protect the people of California from unlawful discrimination in employment, housing and public accommodations (businesses) and from hate violence and human trafficking in accordance with the Fair Employment and Housing Act (FEHA), Unruh Civil Rights Act, Disabled Persons Act, and Ralph Civil Rights Act.". ~~.~~[9]

~~DFEH~~CRD receives, evaluates, and investigates fair housing complaints. ~~DFEH~~CRD plays a particularly significant role in investigating fair housing complaints against protected classes that are not included in federal legislation and therefore not investigated by the United States Department of Housing and Urban Development (HUD). ~~DFEH~~CRD's website provides detailed instructions for filing a complaint, the complaint process, appealing a decision, and other frequently asked questions.[10] Fair housing complaints can also be submitted to HUD for investigation.

Additionally, Santa Clara County has a number of local resource and enforcement organizations:

- Project Sentinel: Assists with housing discrimination, mortgage foreclosures, rental issues, and more;
- Housing and Economic Rights Advocates (HERA): Legal and advocacy organization for vulnerable Californians facing discrimination and economic abuses related to households;
- Bay Area Legal Aid: Broad advocacy focused on helping low-income Bay Area residents lead stable lives, including housing stability; and
- Law Foundation of Silicon Valley: Legal advocacy for social change with a focus on finding stable homes for low-income residents.

From 2013 to 2021, 391 fair housing complaints in Santa Clara County were filed with the U.S. Department of Housing and Urban Development (HUD) or Fair Housing Advocates of Northern California (FHANC). Most of the county's valid complaints cited disability status as the bias. Of these complaints, 69 percent were considered valid and proceeded to actionable responses. ~~Accounting for population differences, Palo Alto had the highest total inquiries per 1000 people (0.37) while Cupertino had no complaints at all.~~ HUD also reported that five cases were filed by residents of the City of Cupertino between January 2013 and April 2021. However, one of these cases was closed when it was withdrawn by the complainant, and the other four were closed for no ~~–~~cause determinations. Three of the cases alleged discriminatory retaliation, two alleged discrimination on the basis of religion, two on the basis of disability, and one on the basis of national origin; some cases were made on more than one basis. There was no determined validity of the four cases where a determination was made. In addition to formal complaints, seven inquiries were made during the same time. Four were determined to have no valid issues or basis, two claimants failed to respond to follow-

[9] https://calcivilrights.ca.gov/~~https://www.dfeh.ca.gov/aboutdfeh/~~

[10] https://calcivilrights.ca.gov/complaintprocess/~~https://www.dfeh.ca.gov/complaintprocess/~~

up by HUD staff, and one claimant decided not to pursue a case. There have been no fair housing lawsuits or inquiries against the City.

While the cases filed during this period did not have cause, that does not necessarily mean there is no discrimination occurring. Therefore, the City has identified **Strategy HE-6.1.1 (Fair Housing Services)** to continue to ensure residents and housing providers are aware of fair housing laws, rights, and requirements, as well as resources available to residents should they experience discrimination. Further, the City will work with local and regional fair housing providers to facilitate a training for housing providers to prevent discriminatory actions and behaviors on an annual basis. **Strategy HE-6.1.1 (Fair Housing Services)** also commits the City to partner with a fair housing service provider, such as Project Sentinel, to provide direct services, including investigating complaints, obtaining remedies, and conducting fair housing testing when funding is available, and the need is present.

~~Nationally, the National Fair Housing Alliance (NFHA) reported a "negligible" decrease in the number of complaints filed between 2019 and 2020. The primary bases for complaints nationally of disability (55 percent) were represented in Marin County at a much higher rate (77 percent). Familial status represented 8 percent of complaints nationally, similar to the 7 percent of cases in the county.~~

~~NFHA identifies three significant trends in 2020 that are relevant for this AFFH:~~

- ~~First, fair lending cases referred to the Department of Justice from federal banking regulators has been declining, indicating that state and local government entities may want to play a larger role in examining fair lending barriers to homeownership;~~
- ~~Second, NFHA identified a significant increase in the number of complaints of harassment – 1,071 complaints in 2020 compared to 761 in 2019; and~~
- ~~Finally, NFHA found that 73 percent of all fair housing complaints in 2020 were processed by private fair housing organizations, rather than state, local, and federal government agencies – reinforcing the need for local, active fair housing organizations and increased funding for such organizations.~~[11]

Figure B3-2, Fair Housing Complaints and Inquiries, illustrates fair housing complaints and inquiries.

[11] ~~https://nationalfairhousing.org/2021/07/29/annual-fair-housing-report-shows-increase-in-housing-harassment/~~

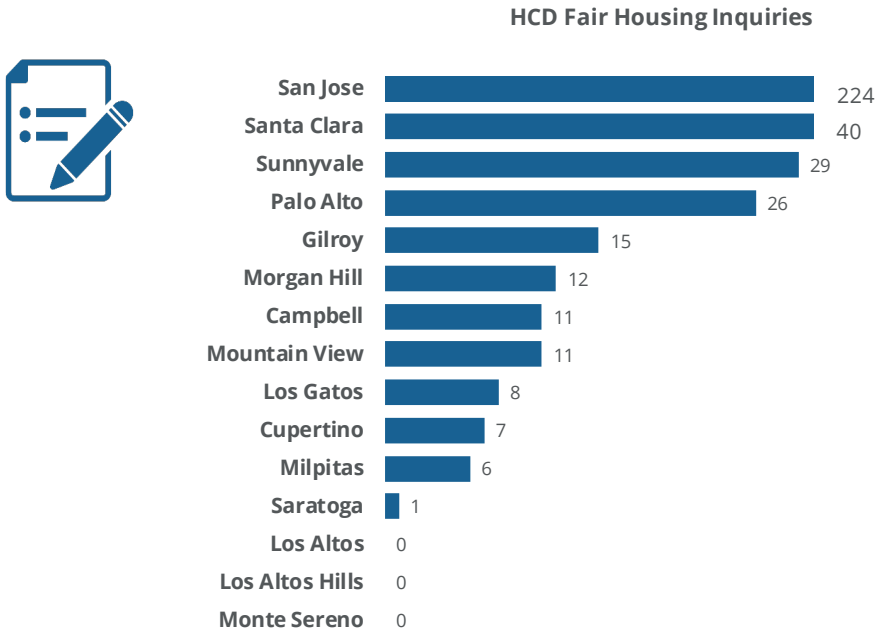
Figure B3-2 Fair Housing Complaints and Inquiries

Fair Housing Complaints and Inquiries

HUD Fair Housing Complaints, by Basis, Santa Clara County, 2017-2021

	Number	Percent
Disability	243	77%
Race	25	8%
Familial Status	14	4%
National Origin	42	13%
Religion	28	9%
Sex	21	7%
Total cases	**315**	

HCD Fair Housing Inquiries (2013- 2021) and HUD Fair Housing Complaints (2017- 2021)



B3.5 ONGOING OUTREACH ~~AND CAPACITY~~ON FAIR HOUSING ISSUES

The City of Cupertino's website contains many resources for learning more about or acquiring affordable purchase and rental units. For example:

- Rebuilding Together Silicon Valley helps locals update their homes;
- Housing Trust Silicon Valley programs;
  - Homebuyer Empowerment Loan Program (HELP) assists middle-income first-time homebuyers with down payment assistance.

- Empower Homebuyers Santa Clary County assists low- to moderate--income people with down payment assistance.
- Small Homes, Big Impact Accessory Dwelling Unit (ADU) Program helpsing residents add ADUs to their property.
- The HOME Program provides grants for families moving to permanent sustainable housing.

Figure B3-2 Fair Housing Complaints and Inquiries

- Santa Clara Mortgage Credit Certificate Program provides tax credits for federal income taxes to first--time homebuyers;
- Habitat for Humanity Silicon Valley works with those earning between 30 and -80 percent of AMI to attain homeownership;
- City of Cupertino Housing Program for De Anza Students supports college housing assistance; and
- The City's website also lists resources available for renters through Project Sentinel and the Housing Authority of the County of Santa Clara; however, there is no specific mention of fair housing.

In the event that a resident needs fair housing services, the following resources are available locally and regionally:

- **Project Sentinel:** Provides assistance and counseling regarding housing discrimination, tenant-landlord dispute resolution, and other housing counseling programs. Project Sentinel has received Public Service Grants from the City of Cupertino to continue to serve the community in the 2020/2021, 2021/2022, and 2022/2023 Fiscal Years.
- **ECHO Housing:** Provides education and assistance in obtaining and maintaining housing, as well as fair housing counseling, investigation, mediation, and enforcement.

Should a resident come to the City seeking counsel, staff connects them with these organizations, as well as state and federal resources.

The City provides translation for public meetings and materials by request, as there typically is little to no demand for translation services. However, to engage residents in the Housing Element update process, the City's Housing Element website offers information in English, Chinese, Spanish, Vietnamese, and Russian, though usage data indicates that there has been very little usage other than in English.

B3.6 COMPLIANCE WITH STATE LAW

The following State laws were reviewed for Cupertino's compliance:

- **Density Bonus Law (Government Code Section 65915).** The City has included **Strategy HE-2.3.7** to amend the density bonus ordinance as necessary to respond to any changes in State law.
- **No-Net-Loss (Government Code Section 65863).** The City has identified a surplus of sites available to meet the Regional Housing Needs Assessment allocation (RHNA). In total, the City's surplus unit capacity is ~~1,~~1,683~~166~~, which is made up of 356~~316~~ lower-income units, 84~~154~~ moderate-income units, and ~~729~~1,213 above moderate-~~-~~income units. While the City has included ADU capacity in **Appendix B4**, the City does not need to rely on ADUs to accommodate the RHNA.
- **Housing Accountability Act (HAA) (Government Code Section 65589.5)**. The City does not condition the approval of housing development projects for very low-, low-, or moderate-income households or emergency shelters unless specific written findings are made. Further, the City currently allows emergency shelters by-right, without limitations, in the BQ zoning district. **Strategy HE-5.1.1** has been included to allow emergency shelters in the R4 zoning district and review and revise managerial standards to ensure compliance with State law.
- **Senate Bill 35 (Government Code Section 65913.4).** The City of Cupertino enacted this authority in the Vallco Fashion Mall redevelopment to approve the development via ministerial approval~~,~~ and has adopted an established written policy/procedure to streamline the approval process and standards for other eligible projects.
- **Senate Bill 330 (Government Code Section 65589.5).** The City complies with SB 330, relying on regulations set forth in the law for processing preliminary applications for housing development projects, conducting no more than five hearings for housing projects that comply with objective general plan and development standards, and making a decision on a residential project within 90 days after certification of an environmental impact report (EIR) or 60 days after adoption of a mitigated negative declaration (MND) or an environmental report for an affordable housing project. The City has an established written procedure that is available on the City's website and at public counters.
- **California Fair Employment and Housing Act (FEHA) and Federal Fair Housing Act (FHA)**. The City provides protections to residents through referrals to legal assistance organizations, such as Fair Housing Advocates of Northern California (FHANC) and has included **Strategy HE-6.1.1** to meet with local fair housing and legal aid organizations to develop materials or annual training for landlords on fair housing rights and responsibilities with the intent of reducing~~,~~ or eliminating~~,~~ discrimination.

- **Review Processes (Government Code Section 65008).** The City reviews affordable development projects in the same manner as market-rate developments, except in cases where affordable housing projects are eligible for preferential treatment, including, but not limited to, on residential sites subject to AB 1397.
- **Assembly Bill 686 (Government Code Section 8899.50).** The City has completed this AFH and identified programs to address identified fair housing issues in Section B3.3 of this assessment.
- **Equal Access (Government Code Section 11135 et seq.).** The City offers translation services for all public meetings and offers accessibility accommodations to ensure equal access to all programs and activities operated, administered, or funded with financial assistance from the State, regardless of membership or perceived membership in a protected class.
- ~~Housing Accountability Act (Gov. Code. Section 65589.5) requiring adoption of a Housing Element and compliance with RHNA allocations—Cupertino City Council initially opposed this Act;~~
- ~~Senate Bill 35 (SB 35) which requires streamlined residential development approval in municipalities not meeting their RHNA allocation—Cupertino enacted this authority in the Valleo Fashion Mall redevelopment to approve the development via ministerial approval;~~
- **Below--Market Rate (BMR) program.** Cupertino's current Residential Housing Mitigation Program sets BMR requirements, which currently require a 15 percent affordable set aside for rental housing and a 20 percent affordable ~~contribution for both rental and~~set aside for for-sale housing in projects that propose seven or more units. A proposed change to this program would lower the threshold for for-sale projects to five units. ~~The AMI thresholds range from 50 percent to 80 percent AMI for rental units to 100 percent to 120 percent AMI for ownership units.~~The program requires units restricted by income – 9 percent of the units to very -low--income levels (up to 50 percent of AMI), 6 percent of the units to low-income levels (50 to -80 percent of AMI) for rental developments, 10 percent of the units for median-income levels (80 to -100 percent of AMI), and 10 percent of the units at moderate-income levels (100 to -120 percent of AMI) for for-sale developments. Fee-in-lieu mitigation payments are required for developments with six or fewer units. The fees are modest and range from $19.28 per square foot for detached single--family homes to $21.21 per square foot for small lot homes, $25.71 per square foot for attached homes, and $32.14 per square foot for higher-density multifamily developments.
- ~~State Density Bonus Law, amended by Assembly Bill 2345;~~

- **Housing Conversions.** Cupertino regulates conversion of apartments and other forms of rental units to condominiums by requiring that comparable replacement housing exists within the housing market area to accommodate displaced residents.

- ~~Accessory Dwelling Units (ADUs) – requires that ADUs are permitted on lots within any residential or mixed-use zoning district; does not allow short term rental use of ADUs; has streamlined development standards and use restrictions; and allows ministerial review for conforming units;~~
- ~~No Net Loss Law (Gov. Code Section 65863) requiring that adequate sites be maintained to accommodate unmet RHNA allocations;~~
- ~~Least Cost Zoning Law (Gov. Code. Section 65913.1);~~
- ~~Excessive Subdivision Standards Law (Gov. Code. Section 65913.2);~~
- ~~Limits on Growth Controls Law (Gov. Code. Section 65589.5); and~~
- ~~Employee Housing Act (25 CCR 600).~~

B3.7 INTEGRATION AND SEGREGATION

This section discusses integration and segregation of the population by protected classes, including race and ethnicity, disability status, familial status, and income status. The section concludes with an analysis of racially and ethnically concentrated areas of poverty and affluence.

Integration and Segregation

"Integration generally means a condition in which there is not a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability when compared to a broader geographic area.
Segregation generally means a condition in which there is a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a type of disability in a particular geographic area when compared to a broader geographic area."

Source: California Department of Housing and Community Development Guidance, 2021, page 31.

RACE AND ETHNICITY

Cupertino differs from the county and Bay Area overall for its majority proportion of residents identifying as Asian (68 percent in Cupertino compared to 37 percent in Santa Clara County). On the other hand~~On the flip side~~, the city has a disproportionately low Hispanic population (3 percent in Cupertino and 25 percent in the county). Cupertino's proportion of Black/African American and Other and mixed-race residents is similar to the county, in that it reports less than 4 percent for both groups.

The City's Asian population has grown by 22 percentage points since 2000, resulting in a smaller share of non-Hispanic White residents (49 percent in 2000 compared to 25 percent in 2020). The proportion of residents that identify as American Indian, Alaska Native, and Black or African American has remained relatively stable across this time period, with these residents accounting for 0.8 percent of the population in 2000 compared to 0.9 percent in 2020. The Hispanic population decreased slightly from 4.1 to 3.3 percent of the population. Almost all areas in Cupertino are now predominantly Asian, the only exception being the Oak Valley neighborhood, much of which is also occupied by the Fremont Older Open Space and the Gate of Heaven Cemetery. While this neighborhood is in a tract that is predominantly White, the portion within Cupertino is relatively sparsely populated with some single family homes and a large continuum of care facility (The Forum – with a skilled nursing facility, a memory care unit, assisted living units and a few independent living units), with the bulk of the population in the City of Los Altos' city limits.

Younger residents are less racially diverse than other age groups, with 75 percent of the population under 18 years identifying as Asian compared to 41 percent of those aged 65 or older. There is a slight increase in the number of residents identifying as Other or Multiple Races in the younger age group, but the main shift is the declining share of White (both Hispanic and non-Hispanic) residents. There are 57 percent of residents 65 and over that identify as White but only 16 percent of residents under 18 were White.

The racial and ethnic composition of Cupertino is similar to that found in communities to the north, such as Sunnyvale, San Jose, Milpitas, and Fremont, where the population is predominantly Asian. Cupertino differs from most of the communities close to it (i.e., Los Gatos, Los Altos, etc.), where White residents are in the majority. However, the diversity index in Cupertino is reflective of neighboring cities. It may also be the case that immigrant populations in the city may choose to live in higher-cost areas to be close to other community members with similar cultural backgrounds or higher-performing schools, despite the cost burden that may come with this choice.

Poverty rates are below the county rate, except for residents identifying as Hispanic or Black. The highest poverty rate by race and ethnicity in Cupertino is for Black/African American residents at 16.9 percent and Hispanic residents at 16.7 percent. This compares to a poverty rate of 6.3 percent for

Asian residents and 4.5 percent for non-Hispanic, White residents. However, there is a large margin of error on this data which could over or underrepresent the percentages.

DISSIMILARITY AND ISOLATION INDICES

ABAG created a 2021 report on segregation in Cupertino, measuring racial and income segregation within the community. This report analyzes two common indices that measure segregation: the isolation index and the dissimilarity index.

The Dissimilarity Index, or DI, is a common tool that measures segregation in a community. The DI is an index that measures the degree to which two distinct groups are evenly distributed across a geographic area. The DI represents the percentage of a group's population that would have to move for each area in the county to have the same percentage of that group as the county overall.

DI values range from 0 to 100—where 0 is perfect integration and 100 is complete segregation. DI values between 0 and 39 generally indicate low segregation, values between 40 and 54 generally indicate moderate segregation, and values between 55 and 100 generally indicate a high level of segregation.

The Isolation Iindex is interpreted as the probability that a randomly drawn minority resident shares an area with a member of the same minority, it ranges from 0 to 100 and higher values of isolation tend to indicate higher levels of segregation.

Overall, Cupertino has moderate diversity, and is more diverse than the nearby cities of Saratoga, Monte Sereno, and Los Gatos. The most segregated population is Asian residents, and this segregation has increased since 2000. Asian residents live in neighborhoods where they are less likely to come into contact with other racial groups. This is Segregation can also be seen when looking at the population through the lens of income. also true of aDue to the homogeneity of incomes within neighborhoods, Aabove moderate-income residents in Cupertino tend to, who also live in neighborhoods where they are less likely to encounter residents of other income groups.

As measured by the DI, segregation in Cupertino is similar to the Bay Aarea overall. Geospatially, in Cupertino, all but one census tracts hasve a predominant Asian population; however, as noted, this tract includes the unpopulated Fremont Older Open Space area and much of that tract is also located within the adjacent City of Los Altos. Each tract also has a high segregation of the Asian population.

ABAG's assessed measures of segregation above highlighted Asian residents as the most segregated compared to other groups, and Asian residents in the city are becoming more isolated over time. Overall, since 2010, Cupertino's racial segregation scores have remained steady or declined, as has income segregation between moderate- income residents and other groups.

DISABILITY STATUS

Persons with disabilities typically have special housing needs due to physical or developmental capabilities, fixed or limited incomes, and higher health costs. Seniors typically experience disabilities at higher rates. The share of the population living with at least one disability is 6 percent in Cupertino, compared to 8 percent in Santa Clara County. According to the 2015-2019 American Communities Survey (ACS), Cupertino has two census tracts where the population of persons with disabilities is between 10 and ~~20~~ 15 percent with the remainder less than 10 percent. In the Oak Valley neighborhood in northwest Cupertino, approximately 11.6 percent of the population has a disability, and in the Rancho Rinconada ~~School~~ neighborhood, approximately 12.1 percent of the population has a disability. In these neighborhoods, the percentage of seniors is 34.8 percent and 12.9 percent, respectively. It should be noted that within the portion of the tract in Cupertino, a Continuum of Care facility, The Forum operates with a skilled nursing facility, assisted living units, memory care units and some independent living units. The area with ~~the area with~~ the highest disability rate (12.1 percent) has among the lowest proportions of seniors in the city, suggesting that the rate of disability is not necessarily linked to age in that Tract/neighborhood. Further, senior retirement and assisted living facilities are located in the Creston-Pharlap neighborhood, where the disability rate is 8.2 percent. While the incidence of disability has increased from 7.7 percent in 2014 in the Rancho Rinconada neighborhood and from 7.5 percent in the Oak Valley neighborhood, this could be due to the Verandas senior housing project opening in 2019. This could have influenced the slightly higher rates of disability. Therefore, these patterns have not been identified as fair housing concerns.

Compared to neighboring cities, Cupertino residents experience disabilities at a similar rate, with less than 10 percent of residents experiencing a disability in most tracts. On the other hand, Cupertino residents experience disabilities at a lower rate than residents in higher-~~-~~density areas, such as South San Francisco, San Jose, Oakland, and San Francisco. In public comments to City Council, community members expressed a need for the City to explore ways to increase housing opportunities for the developmentally disabled population and reducing barriers to accessing below-market rate units. As part of Strategy **HE-5.1.2**, the City will continue to use its Below-Market-Rate Affordable Housing Fund (BMR AHF), Community Development Block Grant (CDBG) funds, and General Fund Human Service Grants (HSG) funds to provide for a range of supportive services for lower-income households and persons with special needs. Through **Strategy HE-2.3.1**, the City will also work with housing developers to expand opportunities for affordable lower-income housing for special-needs groups, including persons with physical and developmental disabilities by directly pursuing federal, state, and private funding for low- and moderate-income housing, partnering with nonprofit and for-profit developers to support their financing applications for affordable housing funding programs, and promoting the use of the density bonus ordinance.

To meet the needs of residents with disabilities throughout the city, group homes are permitted per State law, there is one licensed adult residential care facility (Paradise Manor 3) with capacity for six

residents, and four elderly assisted living facilities (Blended Family Care Home, Lotus of Cupertino Care Home, Paradise Manor 4, and Paradise Manor II), with a combined capacity for 36 residents. An additional assisted living facility is currently under construction in San Jose, but because of its close proximity to Cupertino, the facility will likely serve the needs of seniors from Cupertino. The Valley Transportation Authority (VTA) ACCESS Paratransit service is also available to residents and visitors in Cupertino and throughout its South Bay Area service area. VTA ACCESS is available to riders who cannot use conventional accessible bus and light rail transit services due to physical, visual, or cognitive disabilities. However, all VTA buses and light rail services are also accessible for persons using wheelchairs and include announcements of key destinations for persons with visual disabilities. Via-Cupertino, a local app-based ride-share program with fares subsidized by grant funds, also offers wheelchair-accessible vans for riders throughout the city.

FAMILIAL STATUS

Familial status can indicate specific housing needs and preferences. A larger number of nonfamily or single person households indicates a higher share of seniors living alone, young adults living alone or with roommates, and unmarried partners. Higher shares of nonfamily households indicate an increased need for one- and two-bedroom units.

Cupertino's households are mostly made up of three- and four-person households (49 percent) and two-person households (26 percent). Married-couple households make up a majority of Cupertino households (69 percent), while less than half of all households have at least one child under the age of 18 (47 percent).

Compared to the county, Cupertino has slightly fewer one-person households (18 percent compared to 20 percent in the county) and five-person households (7 percent compared to 12 percent in the county). The c~~C~~ity has about as many adults living alone (18 percent) as in the county (20 percent). ~~and no concentrations of adults living alone.~~ The city also has a lower percentage of single male-headed households compared to the county (2.4 percent in the city compared to 5.0 percent in the county) and single-person households (2.0 percent in the city compared to 2.3 percent in the county).

Geographically, there are no concentrations of single-parent, female-headed households or adults living alone. This may indicate an even distribution of housing opportunities for these household types, though more likely is reflective of the dominance of married--couple families in Cupertino. The City has included **Strategy HE-2.2** to encourage development of housing in a range of sizes and affordability to facilitate housing mobility for all household types.

~~Compared to the county, Cupertino has slightly fewer 1-person households (18 percent compared to 20 percent in the county) and 5-person households (7 percent v. 12 percent). The City has about as many adults living alone (18 percent) as in the county (20 percent) and no concentrations of adults living alone.~~

Cupertino's married couples overwhelmingly own housing: married couples make up 75 percent of the homeowners in Cupertino (**Figure ~~H-19~~B3-35**). Homeowners, unsurprisingly, reside in three~~3~~- and four~~4~~-bedroom homes more than any other housing type (**Figure ~~H-20~~B3-32**).

Almost as many renters and owners live alone in Cupertino (1,881 and 2,000 respectively). This represents 22.5 percent of renter households and 15.8 percent of owner households.~~Forty-two percent of renters in Cupertino occupy 2-bedroom housing units.~~

Cupertino's age distribution has shifted older, all categories of age above 45 have increased~~,~~ since 2000.

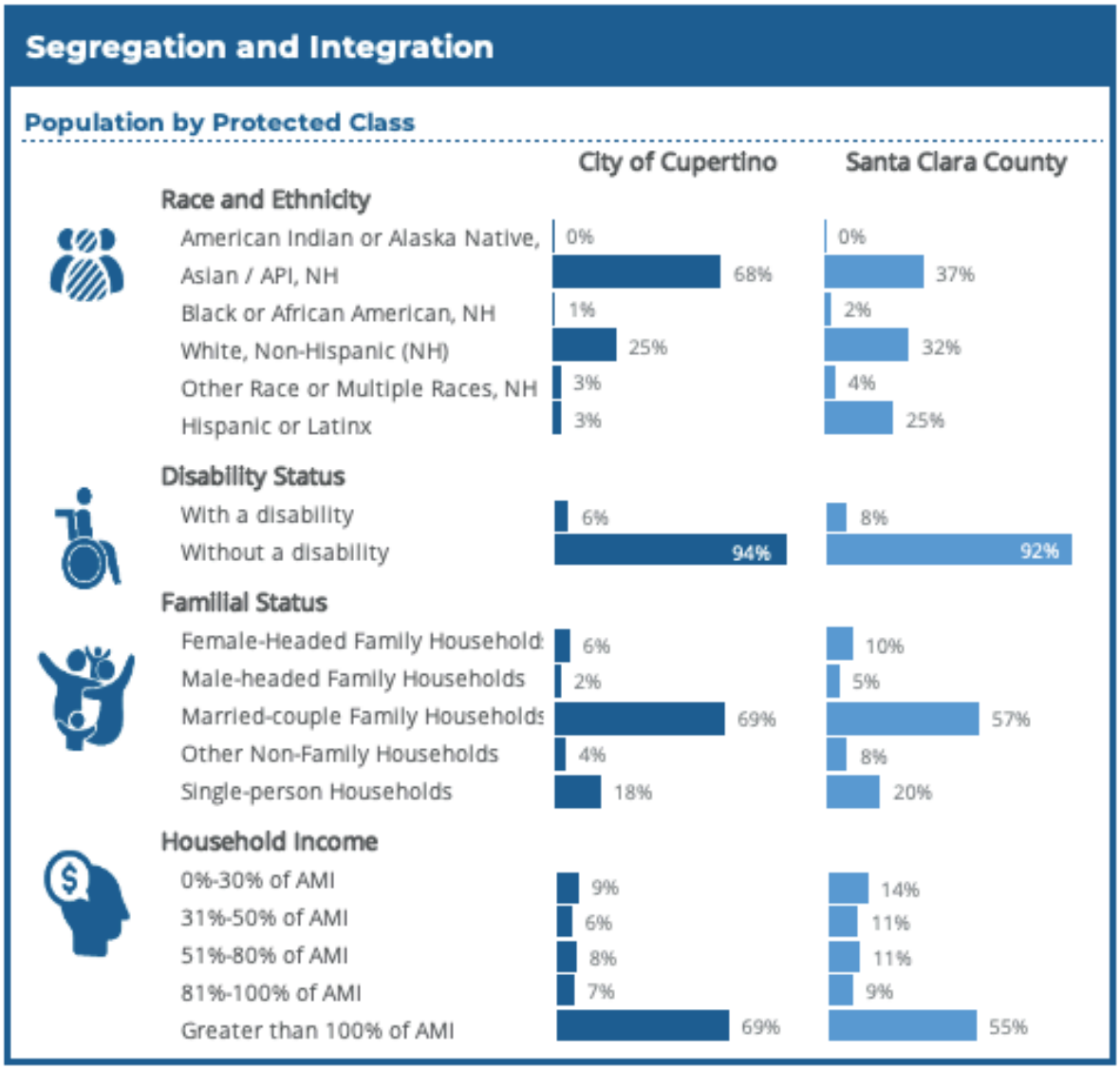
HOUSEHOLD INCOME

Cupertino's households are higher-income than the county and Bay Area overall: 69 percent of the city's households earn more than 100 percent of the AMI, compared to 55 percent for the county and 52 percent for the Bay Area (refer to Figure B3-3, Segregation and Integration). As shown in **Figure B3-36**, almost all census tracts in the city have a median income exceeding $125,000. The census block groups abutting the east side of N. Foothill Boulevard north of Stevens Creek and surrounding the Homestead Square Shopping Center have slightly lower median incomes, at $107,059 and $107,538, respectively. The Markham Apartments, Aviare Aparments, the NorthPoint town home community, and other small lot, medium- to high--density residential units are ~~in the~~around Homestead Square Shopping Center. While rents and home prices in Cupertino are high throughout the city, these slightly dated, in some cases deed-restricted, higher--density products may be marginally more affordable and attractive to households earning slightly lower incomes, thus resulting in a slightly lower median income. Similarly, as noted, the Foothill Heights Apartments, Sunny View Retirement Community, which includes 100 deed-restricted affordable units, and an assortment of smaller tri-plex and four-plexes, may contribute to the slightly lower income near Alpine Drive~~.~~ east of N. Foothill Boulevard. In both cases, the slightly lower income does not appear to reflect disparities in access by income, as apartment complexes are in other neighborhoods throughout the city. This may also be reflective of the investment apartment owners are making in their property to command higher rents.

In 2014, the lowest median income in the city ($98,422) was in ~~in~~ the census tract covering the Rancho Rinconada neighborhood in eastern Cupertino. In 2019, the median income in the two block groups in this neighborhood has increased to $128,576 and $200,227. The area near Homestead Square Shopping Center's ~~neighborhood~~ median income decreased slightly from $122,905 and the area near Alpine Drive, east of N. Foothill's median income decreased from $135,581. However, it is important to note that the available data in 2014 was at the tract level, while data in 2019 was at the block group level. The block group level provides a more granular level of detail and reflects a smaller area, while tract--level data includes areas that extend beyond the neighborhood boundaries identified for these areas. Considering these changes in data, the relatively small changes in median income in each of these notable neighborhoods do not appear to reflect exclusionary income patterns over time.

The poverty rate in the city is approximately 7.7 percent, compared to 6.1 percent in Santa Clara County. As shown in **Figure B3-38**, the highest rate of poverty (13.7 percent) is in the tract encompassing the interchange of Interstate 280 and Highway 85 north of Stevens Creek Boulevard between Mary Avenue~~,~~ and the railroad, along with~~nd~~ the area near Homestead Square Shopping Center. In 2014, this area had a poverty rate of 6.6 percent. In contrast to the rising rates of poverty in the area, the median income in this area increased from $122,905 in 2014 to approximately $136,759 in 2019. This may suggest growing income discrepancies in this area of the city as the median income increases~~,~~ It is also important to note that ACS data in this census tract~~s~~ in the city has a high (50%) margin of error.

Figure B3-3 Segregation and Integration



RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY AND AFFLUENCE

Racially Concentrated Area of Poverty or an Ethnically Concentrated Area of Poverty (R/ECAP) and Racially Concentrated Areas of Affluence (RCAAs) represent opposing ends of the segregation spectrum from racially or ethnically segregated areas with high poverty rates to affluent predominantly White neighborhoods. Historically, HUD has paid particular attention to R/ECAPs as a focus of policy and obligations to AFFH. Recent research out of the University of Minnesota Humphrey School of Public Affairs argues for the inclusion of RCAAs to acknowledge current and past policies that created and perpetuate these areas of high opportunity and exclusion.[12]

It is important to note that R/ECAPs and RCAAs are not areas of focus because of racial and ethnic concentrations alone. This study recognizes that racial and ethnic clusters can be a part of fair housing choice, if they occur in a non-discriminatory market. Rather, R/ECAPs are meant to identify areas where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity, and conversely, RCAAs are meant to identify areas of particular advantage and exclusion.

R/ECAPs

HCD and HUD's definition of a Racially/Ethnically Concentrated Area of Poverty is:
A census tract that has a non-White population of 50 percent or more (majority-minority) or, for non-urban areas, 20 percent, AND a poverty rate of 40 percent or more; OR a census tract that has a non-White population of 50 percent or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the county, whichever is lower.

Source: California Department of Housing and Community Development Guidance, 2021.

For this study, the poverty threshold used to qualify a tract as a ~~n~~R/ECAP was three times the average census tract poverty rate countywide—or 21.6 percent.

According to HCD, there were 11 census tracts in the county that qualify as R/ECAPs (19.4 percent poverty rate). All were located in San Jose. None of the R/ECAPs were in Cupertino.

~~RCAAS~~

~~At the time this report was written, HCD and HUD had not established standard definitions for Racially or Ethnically Concentrated Areas of Affluence (RCAAs). However, these are generally understood to be neighborhoods in which there are both high concentrations of non-Hispanic White households and high household income rates. Comparing Cupertino to the surrounding county and~~

[12] Goetz, E. G., Damiano, A., & Williams, R. A. ~~(~~2019~~)~~. "Racially Concentrated Areas of Affluence: A Preliminary Investigation." *Cityscape: A Journal of Policy Development and Research*, 21(1), 99–124

~~region, it is safe to speculate that the City has many neighborhoods that would be considered RCAAs. [check on ABAG data];~~. However, there is a concentration of poverty (13.7 percent) in the northern Homestead neighborhood and along Highway 85. While this area does not also have a comparatively high proportion of non-White residents, it does have a lower median income and higher rates of overcrowding, renter overpayment, and homeowner overpayment when compared to most other neighborhoods in the city. Therefore, while this area does not meet the definition of a R/ECAP, or potential R/ECAP, it is a notable area of disproportionate need.

RCAAs

HCD's definition of a Racially or Ethnically Concentrated Area of Affluence is:
A census tract that has a percentage of total White population that is 1.25 times higher than the average percentage of total White population in the given Council of Government (COG) region, and a median income that was two times higher than the COG AMI.

Source: California Department of Housing and Community, 2022.

RCAAs~~)~~ are generally understood to be neighborhoods in which there are both high concentrations of non-Hispanic White households[2] and high household income rates. Similar to the importance of identifying R/ECAP areas, which helps to identify areas that are segregated by race/ethnicity and poverty, it is also necessary to identify racially concentrated areas of wealth to further compare these patterns.

Using ACS 2015-2019 data, HCD developed a mapping tool that demonstrates the "location quotient" (LQ) for each California census tract; this quotient represents the percentage of total White population for each census tract compared to that of the average percentage of the Council of Government (COG) region. To determine the RCAAs, HCD takes the census tracts with an LQ of more than 1.25 and a median income that is 1.5 times higher than the COG region (or 1.5 times the State AMI, whichever is lower). Those tracts that meet these criteria are then assigned a numeric score of 1, which indicates that those tracts have an accumulation of high incomes and a White population, i.e., an RCAA. RCAAs are the inverse of R/ECAPs in that they illustrate where self-segregated and/or exclusive wealthy White neighborhoods are potentially located.

The tract northwest and west of Cupertino, which spans portions of Cupertino and Los Altos, is considered an RCAA (LQ of 1.63). The portion of the city within this tract includes part of the Oak Valley neighborhood. This area identified as an RCAA in the HCD mapping tool encompasses a lot of open spaces, such as Fremont Older, Rancho San Antonio, all the way to Foothills Park (in Palo Alto). The area also includes large areas of property in Los Altos, Los Altos Hills, and Palo Alto, which are majority White, unlike Cupertino. -In this area, 66.9 percent of the population identifies as White, the median income is $169,896, and 27.3 percent of renters and 37.7 percent of owners are overpaying

for housing. These overpayment rates are notably lower than those found in tracts to the east. However, as described in the analysis of household income, the median income throughout Cupertino is relatively high, ranging from $107,059 in the western part of the Creston-Pharlap neighborhood to $236,719 in the Garden Gate neighborhood. While there is only one potential RCAA by definition, the very high median income in the city indicates a concentration of affluence that likely reflects the availability of higher-income tech jobs and high home costs.

These conditions in Cupertino are reflective of most jurisdictions in the southern portion of the Bay Area, particularly in Santa Clara and San Mateo Counties. Neighboring RCAAs are present in Los Altos, Woodside, Stanford, Palo Alto, Mountain View, Menlo Park, Redwood City, San Carlos, San Mateo, Hillsborough, Burlingame, Millbrae, Half Moon Bay, Pacifica, Saratoga, Campbell, and Los Gatos, among others in the region. Typically, in the Bay Area, the median income is highest in lower- and medium-density, primarily single-family areas that are removed from the bay but are within a short commute distance of concentrations of jobs along the bay. While Cupertino has characteristics that suggest a concentration of affluence, the concentration is not isolated to the city, and instead exists in most similarly situated communities in the Bay Area.

The concentration of affluence in Cupertino appears to be primarily driven by housing demand and proximity to high-paying jobs, as is found in most neighboring communities. While sites that are zoned R-3, P(Res) and P(Res/CG), which allow high-density residential development, are dispersed throughout the city and located in most neighborhoods, the largest concentration of R-3 land is in the northern portion of the city, where the median income is comparatively low, when compared to the rest of the city, though still exceeding $100,000 annually. This slightly lower-income area is likely a result of a higher concentration of older stock, multifamily units, which are typically more affordable than single-family units. However, all deed-restricted affordable units are in other areas of the city, thus providing housing mobility opportunities for lower-income households throughout more neighborhoods and areas (see **Table B2-3, Assisted Units at Risk of Conversion**, in Appendix B2). By ensuring that land for multi-family development at higher densities is available in most neighborhoods, and deed-restricted units are dispersed throughout the city, the City ensures that lower- and moderate-income households have housing options citywide, combating patterns of affluence. In comments received during City Council meetings, community members expressed a desire to see multifamily housing developed in areas of high opportunity. It is estimated that many of the Housing Element's programs, including HE-1.3.4, HE-1.3.5, and HE-2.3.1, will encourage that development, and that on a regional scale multifamily housing developed in Cupertino will put this development in a higher-opportunity area. Therefore, the concentration of affluence in Cupertino is driven by regional economic conditions, rather than local practices. However, to provide additional opportunities and combat displacement risk that increases as local and regional housing prices rise, the City has included **Strategies HE-1.3.1, HE-1.3.4, HE-1.3.7, HE-1.3.8, HE-1.3.10, HE-1.3.11, HE-2.3.1, HE-2.3.3, HE-2.3.9, HE-2.3.11, HE-2.3.12, HE-3.3.2, HE-3.3.4, and HE-3.3.6.**

B3.8 ACCESS TO OPPORTUNITY

This section discusses disparities in access to opportunity among protected classes, including access to quality education, employment, transportation, and environment. The California Tax Credit Allocation Committee (TCAC), in collaboration with HCD, developed a series of opportunity maps that help to identify areas of the community with good or poor access to opportunity for residents. These maps were developed to align funding allocations with the goal of improving outcomes for low-income residents, particularly children.

Access to Opportunity

"Access to opportunity is a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity oftentimes means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to 'high resource' neighborhoods. This encompasses education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, and other opportunities, including recreation, food, and healthy environment (air, water, safe neighborhood, safety from environmental hazards, social services, and cultural institutions)."

Source: California Department of Housing and Community Development Guidance, 2021, page 34.

~~The California Tax Credit Allocation Committee (TCAC) in collaboration with HCD developed a series of opportunity maps that help to identify areas of the community with good or poor access to opportunity for residents. These maps were developed to align funding allocations with the goal of improving outcomes for low-income residents—particularly children.~~

The opportunity maps highlight areas of highest resource, high resource, moderate resource, moderate resource (rapidly changing), low resource, and high segregation and poverty. TCAC provides opportunity maps for access to opportunity in quality education, employment, transportation, and environment. Opportunity scores are presented on a scale from zero to one and the higher the number, the more positive the outcomes.

TRANSIT

Transit mobility refers to an individual's ability to navigate the city and region on a daily basis to access services, employment, schools, and other resources. Indicators of transit mobility include the extent of transit routes, proximity of transit stops to affordable housing, and frequency of transit.

Residents of Cupertino are served by the Santa Clara Valley Transportation Authority (VTA) buses and Via-Cupertino (Silicon Valley Hopper), an app-based ride-share transportation services, both of

which provide connections to a variety of local resources and services, as well as to regional connections.

Fares for VTA range from $2.50 for a single ride to $990 for an annual pass, with options for day and monthly passes as well. Discounted rates are available for seniors, disabled riders, Medicare riders, and youth up to age 18. Children under age five ride free. Frequent VTA buses run along Stevens Creek Boulevard ~~and~~while local bus routes operate along major thoroughfares (Wolfe, Miller, Bollinger, De Anza and Homestead). Together, these routes offer intra- and inter-city connections to Downtown San Jose, the Mineta San Jose International Airport, job centers and services throughout the South Bay area, and regional transit centers to connect to additional transportation options. The frequent bus (Route 23) runs from De Anza College to Alum Rock Station 7 days per week with 15- to 30-minute headways. Local bus Route 51 operates on weekdays with 50- to 60-minute headways, running from West Valley College to the Ames Research Center, with stops in Cupertino. Local buses Routes 55 and 56 operate 7 days per week with approximately 30-minute headways, running from the Santa Clara Convention Center to De Anza College (Route 55) and Lockhe~~a~~ed Martin Transit Center to Tamien Station in San Jose (Route 56) with stops in Cupertino.

Via-Cupertino, recently rebranded as Silicon Valley Hopper, is an on-demand ride-share program in the city. The program is supported in large part through a grant~~s~~ from the State and is currently anticipated to run for four years before funding for the program must be considered again. Riders can request transportation via the app, or by calling a number on the city's website. Vans offer bike racks, and two vans are also wheelchair accessible. Fares are $3.50 per ride or $25 for a weekly pass, and $1 for each additional rider. Discounted fares (50 percent and no additional rider fees) are available for seniors, students, low-income residents, and persons with disabilities. The service provides door-to-door transportation within city limits, to the Sunnyvale and Mountain View Caltrain Stations, and to El Camino Hospital in Mountain View. -Service is anticipated to expand into the City of Santa Clara sometime during 2023.

AllTransit is a transit and connectivity analytic tool developed by the Center for Neighborhood Technology for the advancement of equitable communities and urban sustainability. The tool analyzes the transit frequency, routes, and access to determine an overall transit score at the city, county, and regional levels. AllTransit scores geographic regions (e.g., cities, counties, Metropolitan Statistical Areas) on a scale of 0 to 10, with 10 being complete transit connectivity. Transit in the City of Cupertino has a score of 5.4, reflecting moderate accessibility to jobs and services via transit. However, this score is slightly lower than surrounding cities. For example, Santa Clara scores 7.0, Sunnyvale scores 7.2, Campbell scores 7.3, and Mountain View scores 7.7. Jurisdictions with lower scores than Cupertino include Los Altos (4.8) and Saratoga (3.6). Not surprisingly, transit scores typically go up in higher-~~-~~intensity urban areas, in areas with proximity to fixed-rail transit (e.g., Caltrans/BART/VTA Light Rail) and closer to San Jose. Overall, Santa Clara County scores 6.5, demonstrating that Cupertino has more limited access than the county on average.

EDUCATION

TCAC's education score is based on math proficiency, reading proficiency, high school graduation rates, and the student poverty rate. According to TCAC's educational opportunity map, every census tract in Cupertino scores higher than 0.75—indicating the highest positive educational outcomes. Opportunity scores are presented on a scale from zero to one and the higher the number, the more positive the outcomes.

Cupertino is served by Cupertino Union School District for K-8 (25 different schools), which is the largest elementary school district in Northern California. Children living in a northeast section of the cCity are served by the Santa Clara Unified School District.

The Cupertino Union School District had a 2019 enrollment of 17,363 students, with a declining enrollment, as is evidenced in data for much of the county and state. Student demographics included 73.1 percent Asian, 5.1 percent Hispanic, and 14.5 percent White. As of this point in time, the district educated had in its student body 4 homeless students, 1,050 socioeconomically disadvantaged students, and 1,192 students with disabilities. Socioeconomically disadvantaged students are defined as students who are eligible for free or reduced--priced meals; or have parents/guardians who did not receive a high school diploma. The highest proportion of socioeconomically disadvantaged students at schools within the Cupertino Union School District attend Manuel De Vargas Elementary (18.7 percent) and Warren E. Hyde Middle (12.5 percent). Hyde Middle serves the S. Blaney, Fairgrove, and Rancho Rinconada neighborhoods, both of which have lower median incomes, higher rates of overpayment and overcrowding, and other indicators of potential fair housing issues, likely stemming from a concentration of relatively affordable housing options. However, students at Manuel De Vargas Elementary generally do not live within Cupertino, as the district serves several surrounding jurisdictions, and the school itself is not within Cupertino. To ensure all students have access to equal educational opportunities, the City has included **Strategy HE-1.3.2** to promote construction of ADUs and other infill strategies to increase the supply of affordable housing options in areas with higher access to resources, including areas with higher incomes and jobs proximity index scores.

Graduation rates were not available through the California Department of Education dashboard for 2019, 2020, or 2021.

Fremont Union (the high school district to which teenagers in the whichthat students in the northeast City attend) had 11,022 students enrolled in 2019, with 60 percent Asian, 14 percent Hispanic, and 17 percent White populations. The district serves all residents of the City of Cupertino, a large part of the City of Sunnyvale, some portions of the cities of Los Altos, Santa Clara, San Jose, and Saratoga. At this time, the district educated had in its student body 15 homeless students, 1,634 socioeconomically disadvantaged students, and 1,053 students with disabilities. Unfortunately, students with a disability and homeless students each graduated at much lower rates, with homeless students graduating at a 28 percentage points lower rate than the state. It is, however, hard to

determine whether these students were residents of Cupertino or not. The overall graduation rate (95.5 percent) was almost 10 percentage points higher than the state average.

All schools in Cupertino are highly rated according to the California School Dashboard, with little variance in proficiency among schools. ~~Cupertino~~ Monta Vista High has a slightly better record in English Language Learner progress than Cupertino High and ranks higher in above-standard mathematics and English Language Arts proficiency, although Homestead High (in Fremont Union) also performs well on these measures. Regionally, students in Cupertino are expected to have similar or better educational opportunities when compared to other communities in the county and greater Bay Area.

In a focus group of school district leaders and other community services organizations, district staff indicated that a lack of affordable housing has caused challenges in teacher hiring and retention, and that higher-density development tends to generate fewer students per household than lower-density or single-family development. As part of **Strategy HE-2.3.6**, the City will evaluate the feasibility of developing special housing for teachers or other employee groups on City-owned surplus properties and will research other jurisdictions' housing programs for teachers for their potential applicability in Cupertino. Additionally, rezoning efforts in **Strategy HE-1.3.2** will encourage higher-density housing development, which will not only encourage more affordable housing but will do so in a way that has the potential to put less pressure on school enrollment.

EMPLOYMENT

Cupertino's job market is heavily ~~impacted~~ influenced by Apple, whose headquarters are in the c~~C~~ity. The city's job proximity index shows the city to have better employment opportunities than any immediately surrounding area~~s~~. Six block groups score above an 80, indicating very close proximity to jobs, due in large part to their proximity to Apple campuses. However, it is unclear how many of the residents of the block groups work at Apple. Regionally, communities in the southern portion of the Bay Area typically have the highest scores for proximity to jobs, likely due to the concentration of large campus employment opportunities. However, many of these communities are more densely developed than Cupertino. Cupertino has among the highest jobs proximity index scores among similarly situated, predominantly single-family communities in the South Bay.

In 2014, the jobs-~~-~~to-~~-~~household ratio for Cupertino began to diverge significantly from the county and Bay Area. As of 2018, Cupertino's jobs-to-household ratio ~~exceeds~~ exceeded 2.5, indicating the City has strong job opportunities for residents within Cupertino and from surrounding communities. The high ratio is also an indicator of the lack of workforce housing opportunities within the city and the need for Apple and other employers to draw heavily on workers living in other cities.

The job opportunities, especially with the proximity of Apple, likely contribute to the fact that most block groups in Cupertino have a median household income of $125,000 or more. The City has only

four small sections with higher than the minimum poverty concentration of low-income households and minor areas of concentrated poverty in a Census Tract which straddles both Cupertino and Sunnyvale. ~~parts of the City shared with Sunnyvale~~.

~~Starting in~~ Between ~~2005~~2015 and 2018, Manufacturing & Wholesale jobs ~~began growing~~ have grown ~~swiftly~~ in the city. ~~Since then~~In this time period, jobs in this industry have increased by ~~more than 25,000 jobs~~43 percent, or 9,331 jobs. However, because the specific businesses included in the Census Bureau~~"~~s Longitudinal Employer-Household Dynamics Workplace Area Characteristics (WAC) are not available, it is difficult to determine which businesses or positions may have been included in this category. However, it should be noted that there are no mid-size or large manufacturing or wholesale operations located in Cupertino. The population of Cupertino, comparatively, ~~increased by 11,000~~decreased by 551 during the same period, ~~and r~~while~~esidential development grew by fewer than 2,000 units~~only ~~546~~ residential units were developed between 2015 and 2022. Given the City's slow pace of development relative to job growth, ~~Cupertino employers have had to draw on workforce outside of the c~~City ~~to support their operations and growth~~it is safe to assume that many of these employees reside outside city limits.

Unemployment in Cupertino spiked in 2020 but is less than the county and region overall. This is an expected, COVID-19 pandemic-related trend; however, the unemployment rate has not yet reached pre-pandemic levels. Overall, the unemployment rate in Cupertino (4.4~~.~~ percent) is lower than the county as a whole (5.7 percent) and the larger Bay Area (6.6 percent), indicating a return to regular employment opportunities more quickly than other areas of the region.

TCAC's economic opportunity score consists of poverty, adult educational attainment, employment, job proximity, and median home value. All but two census tracts in Cupertino have high economic opportunity (> 0.75). The remaining two, in ~~-~~the Rancho Rinconada and Fairgrove neighborhoods, are still moderate opportunity areas, with scores between 0.50 and 0.75.

ENVIRONMENT

TCAC's opportunity areas environmental scores are based on the CalEnviroScreen 3.0 indicators, which identify areas disproportionately vulnerable to pollution sources, such as ozone, fine particulate matter ($PM_{2.5}$), diesel particulate matter (PM), pesticides, toxic releases, traffic, cleanup sites, groundwater threats, hazardous waste, impaired water bodies, and solid waste sites.

Most census tracts in Cupertino ~~score low on positive~~have scores associated with positive environmental outcomes based on CalEnviroScreen indicators ~~environmental outcomes~~, with no census tracts in the city scoring over 0.5 out of 1 (Figures ~~III-9 and III-10~~B3-51). ~~Conversely, the~~~~The City~~Cupertino scores even better on the California Healthy Places Index (HPI) developed by the Public Health Alliance of Southern California (PHASC) (Figure ~~III-11~~B3-52). It is not clear which is more reflective of the area's environmental health. The HPI includes 25 community characteristics in

eight categories, including economic, social, education, transportation, neighborhood, housing, clean environment, and healthcare.

A disadvantaged community or environmental justice community ("EJ Community") is identified by the California Environmental Protection Agency (CalEPA) as "areas [sic] that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation," and may or may not have a concentration of low-income households, high unemployment rates, low homeownership rates, overpayment for housing, or other indicators of disproportionate housing need.[13] In February 2021, the California Office for Environmental Health Hazard Assessment (COEHHA) released the fourth version of CalEnviroScreen, a tool that uses environmental, health, and socioeconomic indicators to map and compare a community's environmental scores. In the CalEnviroScreen tool, communities that have a cumulative score in the 75th percentile or above (25 percent highest score census tracts) are those that have been designated as disadvantaged communities under Senate Bill (SB) 535.[14] The cumulative score for each census tract includes an exposure score, with a low score being a positive outcome, for each of the following:

- "Ozone concentrations
- $PM_{2.5}$ concentrations
- Diesel particulate matter emissions
- Drinking water contaminants
- Children's lead risk from housing for children
- Use of certain high-hazard, high-volatility pesticides
- Toxic releases from facilities
- Traffic impacts[15]"

Communities that are identified as disadvantaged communities based on their cumulative pollution exposure score are targeted for investment through the State cap-and-trade program. However, the condition of these communities poses fair housing concerns due to disproportionate exposure to unhealthy living conditions. In the City of Cupertino, the cumulative scores of all census tracts are below the 30th percentile, with most below the 20th percentile, indicating that there are no areas that meet the criteria of a disadvantaged community and are not disproportionately exposed to high levels

[13] California Health and Safety Code, Section ~~§~~ 39711

[14] California Office of Environmental Health Hazard Assessment. June 2017. *SB 535 Disadvantaged* Communities~~, June 2017~~. https://oehha.ca.gov/calenviroscreen/sb535

[15] California Environmental Protection Agency, California Office of Environmental Health Hazard Assessments. February 202. *Update to the California Communities Environmental Health Screening Tool: CalEnviroScreen 4.0 Public Review Draft*~~, February 2021~~. https://oehha.ca.gov/media/downloads/calenviroscreen/document/calenviroscreen40reportd12021.pdf.

of pollutants compared to other census tracts in the state. These scores reflect extremely positive environmental conditions for residents of Cupertino.

However, Interstate 280 runs east to west along the northern portion of the city and Highway 85 runs north to south through the western portion of the city. The confluence of these freeways is adjacent to the Monta Vista Village and Garden Gate neighborhoods, where poverty rates are highest (13.7 percent of the population), though the median income is still $142,969. The locations of these freeways, however, may pose a potential environmental concern for adjacent residential areas, who may face increased exposure to traffic emissions and particulate matter. CalEnviroScreen reports that the pollution burden for diesel particulate matter and traffic in this area are in the 88th and 83rd percentiles, respectively. However, Highway 85 has limited truck traffic because semi-trucks are prohibited south of Stevens Creek Boulevard.

In Santa Clara County, cumulative pollution exposure scores are relatively consistent among similarly situated, suburban and urban communities. Scores increase in higher--intensity areas, such as in San Jose.

In a community workshop, participants expressed a desire for developments to have lower impact on greenhouse gas emissions and lower vehicle miles traveled, and for buildings to have private and community open space such as balconies and landscaped areas, while avoiding privacy impacts to adjacent lower density residential developments. Through **Strategy HE-7.3.1**, the City will coordinate with the Valley Transportation Authority to ensure adequate transit access for new developments, which can encourage residents to reduce their vehicle miles traveled and may reduce traffic emissions. The City will also continue to implement its General Plan policies in the Mobility Element by developing programs to help improve the transportation network and impacts to the environment. The City implements environmental requirements including those related to Air Quality, Biological and Cultural Resources through its Municipal Code. Additionally, through **Strategies HE-4.1.2** and **4.1.3**, the City will continue to implement the Landscape Ordinance, which will require water-efficient landscaping in new residential projects throughout the city, and provide incentives for energy conservation improvements at small affordable housing projects to exceed the requirements of the California Green Building Code.

DISPARITIES IN ACCESS TO OPPORTUNITY

Because Cupertino offers high opportunity neighborhoods throughout, all residents live in highly resourced areas, regardless of race or ethnicity. ~~Los Gatos and other surrounding areas are also entirely high opportunity cities.~~

The Social Vulnerability Index (SVI) provided by the Center for Disease Control (CDC)—ranks census tracts based on their ability to respond to a disaster—includes four themes of socioeconomic

status, household composition, race or ethnicity, and housing and transportation. Cupertino scores well on the SVI; no neighborhoods are ill equipped to respond to disasters.

Cupertino does not have any disadvantaged communities as defined under SB 535 as "the top 25 percent scoring areas from CalEnviroScreen along with other areas with high amounts of pollution and low populations."[16]

DISPARITIES SPECIFIC TO THE POPULATION LIVING WITH A DISABILITY

Of the population in Cupertino, 7 percent is living with at least one disability, compared to 8 percent in the county. The most common disabilities in the c~~C~~ity are ambulatory (3.9 percent), self-care (3.6 percent), and independent living difficulty (3.0 percent). For the population 65 and over, the share of the population with ambulatory difficulties increases to 11.4 percent while hearing difficulty becomes a top ~~-~~three issue at 9.4 percent. As is shown in ~~There were no unemployed persons with a disability in Cupertino.~~ Figure B3-~~4~~43, Access to Opportunity, 16 percent of Cupertino residents with a disability are not employed, compared to 3 percent of residents without a disability. Unemployment rates for Cupertino residents with disabilities are higher than the rate countywide (10 percent). ~~summarizes access to housing opportunities.~~

Disability

"Disability types include hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty."

Source: California Department of Housing and Community Development Guidance, 2021, page 36.

B3.9 DISPROPORTIONATE HOUSING NEEDS

This section discusses disparate housing needs for protected classes, including cost burden and severe cost burden, overcrowding, substandard housing conditions, homelessness, displacement, and other considerations.

Disproportionate Housing Needs

"Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. For

[16] CalEPA. 2022. SB 525 Disadvantaged Communities (2022 Update). https://oehha.ca.gov/calenviroscreen/sb535

purposes of this definition, categories of housing need are based on such factors as cost burden and severe cost burden, overcrowding, homelessness, and substandard housing conditions."

Source: California Department of Housing and Community Development Guidance, 2021, page 39.

HOUSING NEEDS

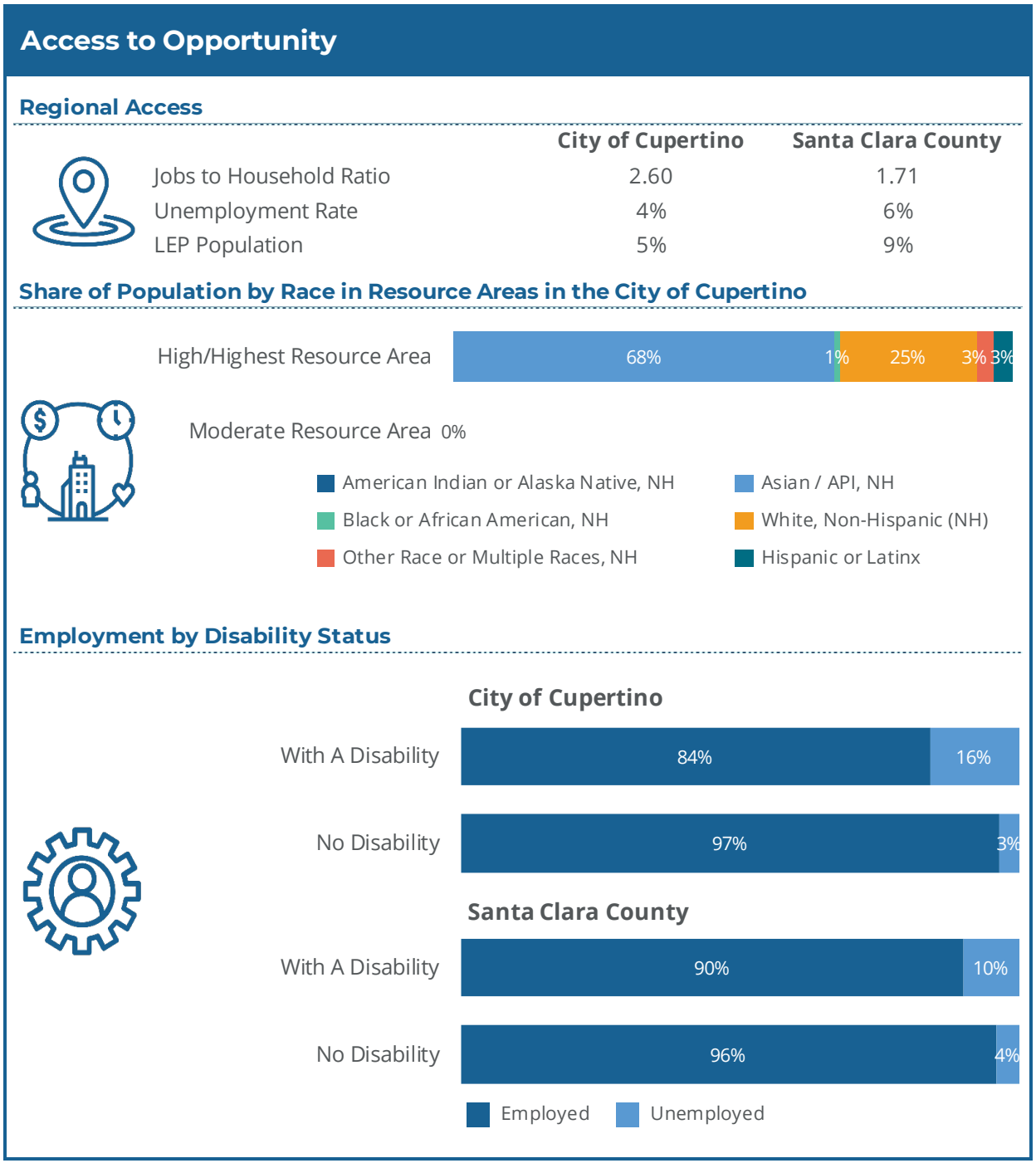
Population growth in Cupertino accelerated in 1994, outpacing the county trends; however, the rate of growth has leveled off since 2018. A portion of this population growth can be attributed to the City's annexation of 168 acres of land between 2000 and 2008. ~~–~~Cupertino's annexation of Garden Gate, Monta Vista, and scattered county "islands" added 1,600 new residents.

As discussed earlier, residential development in Cupertino has lagged behind job growth significantly. Almost three quarters of the city's homes were built between 1960 and 1999. After this period, housing production slowed dramatically, with only 502 houses built since 2010. However, as with the population growth discussed previously, housing units were also added to the city through the annexation of 168 acres of land between 2000 and 2008.

Since 2015, the housing that has received permits to accommodate growth has largely been for higher-income builds, with ~~215~~ 321 units ~~permitted~~ for above moderate-income households~~, and only~~ 19 for low-~~ or very low~~ income households, 48 for very ~~-~~low-~~-~~income households and 158 for moderate-income units have been permitted, for a total of 546 units.

According to 2020 estimates by the California Department of Finance, 57 percent of Cupertino's housing units are ~~single~~ single-family detached units. The next closest share is multifamily at 21 percent of units, followed by 12 percent single-family attached units and 10 percent du-/tri-/fourplexes. As of the 2015-2019 ACS, ~~While~~ owners in Cupertino mostly ~~occupy~~ occupied ~~3- and 4-~~four or more-bedroom homes (~~72~~ 50.7 percent), while ~~68~~ 60.8 percent of renters occupy ~~1- or 2-~~two or three-bedroom units. Countywide during the same time period, 55.7 percent each of owners and renters occupied two or three-bedroom units.

Figure B3-4 Access to Opportunity



Ownership in Cupertino comes at a steep price. Of owner-occupied homes in the city, 83 percent are valued over $1 million, with 37 percent valued above $2 million. This compares to 48 percent for the county and 35 percent for the Bay Area overall of homes over $1 million. According to the Zillow Home Value Index, between 2001 and 2020, Cupertino's home values ~~followed county and regional area pricing trends until 2011~~have been consistently higher than those of the county and Bay Area overall, and are now roughly double the ~~prices~~ home values in the county and Bay Area overall.

Rentals are very expensive in Cupertino, with 52.0 percent of units renting for $3,000 per month and ~~87~~ 86.5 percent renting above $2,000 per month. Both categories are considerably higher than in the county (56.9 percent above $2,000 and 18.5 percent above $3,000) and Bay A~~a~~rea overall (42.0 percent above $2,000 and 13.0 percent above $3,000). Only 4 percent of all renters pay less than $1,000 per month in Cupertino, compared to 10.2 percent in the county and 16.3 percent in the Bay Area. While the rates in Cupertino are higher than the county's rates, the trends are similar.

According to HCD's AFFH Data Viewer (HCD data viewer), Cupertino does not have any public housing buildings. Additionally, none of the census tracts in the city show data for Housing Choice Voucher usage. However, HUD and California Housing Finance Authority (CalHFA) have funded a total of 127 units of subsidized housing in Cupertino. Additionally, during the 5th cycle planning period, the City's Below Market Rate Affordable Housing Fund (BMR AHF) funded the conversion of three units into BMR rental housing, and as part of the City's BMR~~)~~ ownership program, 99 households were assisted in buying affordable units.

COST BURDEN AND SEVERE COST BURDEN

Despite Cupertino's high housing costs, cost burden, which occurs when households spend more than 30 percent of their gross income on housing costs, is slightly better than the county and Bay Area. This outcome is likely due to the lack of low-income households living in the city, as lower-income households are much more likely to face cost burden. Cost burden is much higher for the city's lowest-income households, 75 percent of whom pay more than 50 percent of their gross household incomes in housing costs.

Cost burden does vary by tenure (rentership or ownership) in Cupertino with renters ~~more by renters~~ (37 percent burdened) more likely to experience burden than owners (24 percent). As seen in **Figure B3-7~~3~~, Overpayment (Cost Burden) for Renter Households by Census Tract, 2019,** renter overpayment is highest in the area around Homestead Square Shopping Center, Jollyman/Faria, S. Blaney, S. Vallco Park, and Rancho Rinconada neighborhoods. In these areas, the rate of renter overpayment ranges narrowly from 40.2 percent of renters in the S. Vall~~i~~co Park~~way~~ neighborhood to 43.5 percent of renters in each of the Rancho Rinconada and the census tracts that include parts of the Creston-Pharlap, Monte Vista Village, Bubb Road, Heart of the City, and Jollyman neighborhoods. Many of these neighborhoods tend to have a higher proportion of renters in general, likely due to the placement of multifamily housing near major thoroughfares, commercial centers, and the college. The

greatest concentrations of owner overpayment, in contrast, range from 43.1 percent in the Rancho Rinconada area to 43.5 percent in the ~~northern~~area including parts of the Garden Gate Neighborhood and areas west of the Homestead Square Shopping Center. In parts of each of the neighborhoods with rates of homeowner overpayment exceeding 40 percent, nearly 30 percent of households are lower-to-moderate income, which likely contributes to the higher rates of overpayment.

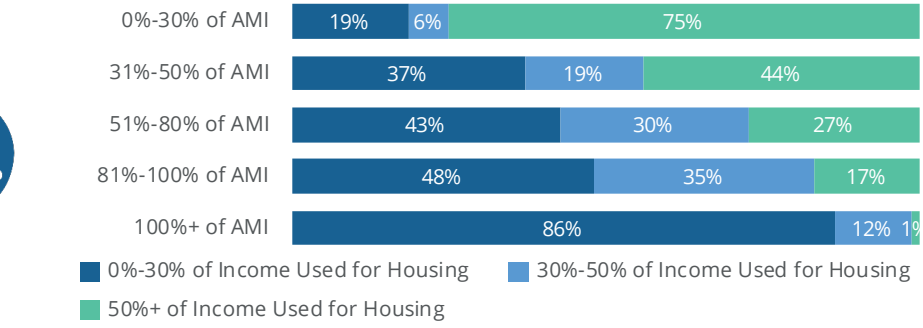
There are also disparities in housing cost burden in Cupertino by race and ethnicity. Hispanic households experience by far the highest rates of cost burden in the city (45 percent). Asian (28 percent), non-Hispanic White (27 percent), and Black/African American (11 percent) households are least likely to be cost burdened, with Black/African American residents reporting zero cost burden.

Figure B3-5 summarizes disproportionate housing needs in Cupertino.

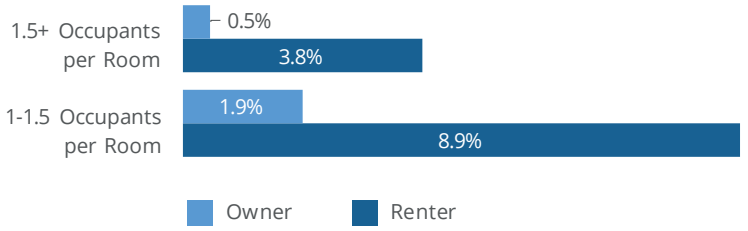
Figure B3-5 Disproportionate Housing Needs

Disproportionate Housing Needs

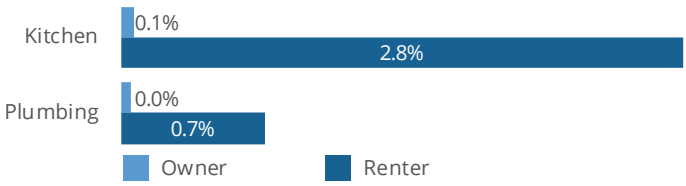
Cost Burden, City of Cupertino, 2019



Overcrowding, City of Cupertino, 2019



Substandard Housing, City of Cupertino, 2019



Homelessness, Santa Clara County, 2019

Race and Ethnicity	Share of Homeless Population	Share of Overall Population
American Indian or Alaska Native	8%	1%
Asian / API	5%	37%
Black or African American	19%	2%
White	44%	44%
Other Race or Multiple Races	24%	16%

Displacement, 2020

Assisted Units at High or Very High Risk of Displacement	City of Cupertino	Santa Clara County
Number of Units	0	417
% of Assisted Units	**0%**	**1%**

OVERCROWDING

The vast majority of households (94 percent) in Cupertino do not live in overcrowded conditions, indicated by more than one occupant per bedroom. However, renter households are more likely to be overcrowded, with 12.7 percent of renter households overcrowded, compared to 2.4 percent of owner households. One factor in this difference may be the practice of landlords renting shared units on a "~~"~~by the bed"~~"~~ basis rather than ~~on~~ as full units, increasing the density of residents in each apartment.

Furthermore, Black/African American households are significantly more likely to be living in overcrowded conditions (17.9 percent) than the rest of the City's residents, though the sample size of Black/African American households is smaller than that of other populations.

As shown in **Figure B3-74**, overcrowding is highest in the Garden Gate neighborhood (10.2 percent), Jollyman/Faria (11.1 percent), the tract including parts of the Creston-Pharlap, Garden Gate, Homestead Villa and Homestead Road areas (12.3 percent), and the Rancho Rinconada neighborhood (14.0 percent).

In the Rancho Rinconan~~n~~da neighborhood, there is likely a higher concentration of families with children due in part to housing turnover and redevelopment within the past 10 to 15 years, as well as the proximity to early childhood, elementary, middle, and high schools, as well as other resources for children such as parks~~,~~ and socc~~k~~er fields. At other points in the city~~'~~s history, overcrowding has concentrated in other areas in close proximity to different schools as housing turnover occurred in those areas (e.g. around Lincoln, Kennedy and Monta Vista High). Children up to age 18 comprise approximately 28.8 percent of the population, and the average household size is 3.1, compared to a citywide average household size of 2.8. Though a marginal difference, the slightly larger household sizes in this neighborhood paired with higher overcrowding rates may reflect children sharing rooms and/or smaller home sizes. The Rancho Rinconada neighborhood was developed in the unincorporated part of western Santa Clara County as workforce housing in the 1950s. ~~-~~The typical home size was 800 square feet on 4,700 to 5,100-square-foot~~-~~ lots. While the neighborhood ha~~i~~s been going through a rapid transition in the last 20 years, many of the homes continue to be smaller with fewer rooms. These smaller homes may be more affordable due to their size and age~~,~~ but may not suit growing families or one- or two-person households.

As mentioned previously, the areas near the Homestead Square Shopping Center have a higher proportion of townhomes and other multifamily housing units that are typically more affordable. In these instances, households may be living in units that are smaller than is needed for their family or may be sharing with roommates or other households to afford housing costs. Overcrowding in this neighborhood, as well as the Garden Gate and Jollyman/Faria neighborhoods, may reflect a need for more affordable, larger housing options or more units affordable to single-person or small households.

~~Four census tracts had over 8.3 percent overcrowding, with one full tract experiencing over 12 percent.~~

SUBSTANDARD HOUSING

Data on housing condition are very limited, with the most consistent data available across jurisdictions found in the American Community Survey (ACS)—which captures units in substandard condition as self-reported in census surveys. Only 0.1 percent of owner households in Cupertino report living in substandard housing, all of which arose out of a lack of complete kitchens ~~and only for lacking complete kitchens~~. About 2.8 percent of renter households lack complete kitchens and 0.7 percent lack complete plumbing. In the City of Cupertino, the median home value in December 2020 was $2,275,730, and the median income was estimated at approximately $182,857 in 2020. The median income is too low for existing residents to afford a new home at the median sales price, but it is assumed that current property owners are most likely completing ongoing maintenance and repairs to maintain the values of their homes. Therefore, while the 2015-2019 ACS reported that 77.0 percent of the homes in Cupertino are at the age where they may need minor repairs up to major rehabilitation (built in 1989 or earlier) such as new roofs, siding repair, paint, replacing cracked or inoperable windows, or plumbing systems, based on visual reconnaissance of Cupertino neighborhoods, the City estimates that fewer than five percent of units in the city may be in need of rehabilitation, and that only one to two homes in the city may have such severe need for rehabilitation as to be unsafe for habitation.

The City estimates that, based in part on housing stock age, the greatest need for rehabilitation is likely in the Monta Vista Village area and parts of the S. Blaney neighborhood. Until recently, Rancho Rinconada had the greatest rehabilitation need.~~;~~ However, over the last 20 years, there has been a significant amount of rehabilitation as homes have been replaced, thereby reducing rehabilitation need in this area. Older neighborhoods that still have smaller, older homes~~,~~ likely need greater rehabilitation investment due to the age of the housing stock, as was the case in Rancho Rinconada. Rehabilitation might be most necessary for housing occupied by seniors on fixed incomes, where such turnover has not occurred.

HOMELESSNESS

~~In 2019, 9,706 people were experiencing homelessness in the county during the One-Day Count (Point-In-Time), with only 18 percent of people in emergency or transitional shelter while the remaining 82 percent were unsheltered. The majority of unsheltered people experiencing homelessness were in households without children. The majority of people in transitional housing were in households with children.~~ In May 2022, Santa Clara County published its 2022 Point-in-Time Report on Homelessness (PIT), which estimated 10,028 persons experiencing homelessness in Santa Clara County. Of that number, 2,320 persons were sheltered homeless and 7,922 were unsheltered homeless. Of this population, 102 individuals were counted in the City of Cupertino, all of whom were unsheltered. This was a decrease of approximately 36 percent, from 159 homeless persons in Cupertino in 2019.

The PIT provides the demographic composition of the homeless population at the county level, but not at the local level. Therefore, **Table B3-21, Demographic Composition of the Homeless Population, 2022**, identifies the proportion of each of these protected characteristics from the 2022 PIT compared to the proportion of total population in Cupertino to identify whether any protected classes are disproportionately represented as part of the homeless population. It is worth noting that, given the small proportion of the homeless population that was counted in Cupertino, it is unlikely that all protected characteristics are represented in the homeless populations of these jurisdictions. However, without data available at the local level, it is assumed that the percentages of each protected class apply to the local homeless population.

~~Table B3-1~~Table B3-2 Demographic Composition of the Homeless Population, 2022		
Characteristic	Percentage of Santa Clara County Homeless Population	Percentage of City of Cupertino Population
Female	37.1%	50.2%
Male	60.8%	**49.8%**
Transgender	<0.1%	No data
Gender Nonc-Conforming	<0.1%	No data
Hispanic/Latinx	47.0%	**3.3%**
White	60.0%	**25.2%**
Black or African American	14.0%	**0.8%**
American Indian or Alaska Native	7.0%	**0.1%**
Asian	6.0%	67.7%
Native Hawaiian or Pacific Islander	3.0%	**<0.1%**
Multi-race or Other	10.0%	**3.0%**
Under 18 Years	<1.0%	**20.7%**
Senior	16.0%	14.7%

Source: Santa Clara County 2022 Point in Time; American Community Survey 2015-2019.

As seen in **Table B3-1,** all groups except females, seniors, and Asian-identifying residents were overrepresented in the Santa Clara County homeless population, compared to the City of Cupertino population. Bolded figures in **Table B3-1** represent over-represented demographic groups. Though data by race is not collected at the individual jurisdiction level through the Point in Time Count, it is estimated that the over-representation of Hispanic/Latinx, Black or African American, Native Hawaiian or Pacific Islander, Multi-Racial, and American Indian or Alaska Native community members that is seen in the countywide count may also be true of the homeless community within the city at any given time. Additionally, though data on the number of homeless community members in the city who have one or more disabilities is not counted at the city level, it is estimated that they may be over-represented due to the existing challenges Bay Area residents with physical and mental disabilities face in accessing affordable housing. To address the needs of these groups, the City will support homeless services providers, support new affordable housing development and prioritize projects targeting special needs groups such as those experiencing homelessness, and revise the Zoning Code to facilitate the development of emergency shelters and low-barrier navigation centers through Policy HE-5.1 and Strategies HE-2.3.1, HE-5.1.1, and HE-5.1.4. -Approximately 34.0 percent

of homeless individuals that responded to the survey reported that they believe rent or mortgage assistance would have prevented homelessness for them, 28.0 percent believed that employment assistance would have prevented homelessness, 28.0 percent reported alcohol and drug counseling as a prevention tool, 26.0 percent reported mental health services, and 23.0 percent reported general assistance accessing benefits. The primary barriers to obtaining housing were the ability to afford rent (69 percent of respondents), lack of a job and income (55 percent), lack of available housing (32 percent), shortage of money to afford moving costs (28 percent), and challenges of navigating the housing process (18 percent).

Homeless residents typically congregate to camp in the Lawrence Mitty Park area in east Cupertino on a property that the City acquired with the intention of developing it as a park along the Lawrence Expressway. While encampments are frequent in this area, it is not near transit or homeless services. Additional areas where homeless residents camp include along most freeway on- and off-ramps, embankments off roadways and overpasses, and parks. Most areas are out of sight from the roadway. One particular area, in addition to Lawrence Mitty, is at the south embankment at Tantau Avenue and I-280 (on the south side of 280), in the Caltrans right-of-way. This location is not close to transit or services and the individuals there are either chronically homeless/jobless with no evidence that they are using public transit, or those individuals that have their own personal vehicles.

Additionally, many transient unhoused residents sleep in parks and vehicles overnight then pack up and leave during the day. In particular, Alves Drive, Civic Center, and Memorial Park are examples of areas where unhoused residents frequently spend the night and leave the areas during the daytime. The City has a permitted rotating car park facility used by unhoused residents that have their own vehicles that they park overnight at the facility. The facility is closer to transit but the individuals using the facility have personal vehicles.

The City participates in, and offers, several countywide and local homelessness resources to meet the needs of this population. Programs that are available regionally and locally include the following.

- Countywide Resources and Services:
  - Sacred Heart Community Service provides several homelessness prevention programs, including emergency rent and deposit financial assistance.
  - Here4You Hotline is a centralized referral system to connect residents with temporary housing programs, rental assistance, and referrals to other community services.
  - Emergency Assistance Network provides emergency financial assistance and other services to prevent homelessness, utility disconnections, and hunger. Services include one-time rent and mortgage payment assistance, move-in costs for rental deposits, one-time utility assistance, one-site information and referrals, food pantries, and more.

  - Santa Clara County Homeless Prevention System assists low-income families or individuals at risk of losing their housing through temporary financial assistance, legal support, and case management.
  - Law Foundation of Silicon Valley has a legal aid program providing housing discrimination and eviction prevention representation.

- Local Resources and Services:
  - West Valley Community Services (10104 Vista Drive) provides rental and utility assistance, case management services, information, referrals, food pantry, and transitional housing for single adults and women with children under age six.
  - De Anza College Housing Assistance Grants Program provides funds to eligible students to prevent eviction, assist with move-in costs, or to maintain secure housing to be able to continue their education. The City of Cupertino has contributed $50,000 to the program, eligible students may receive up to $2,000 in assistance.
  - West Valley Rotating Safe Car Park Program is a partnership between the City of Cupertino, faith-based communities, and service organizations and consists of volunteer sites that host overnight guests for up to two months on an annual rotating basis, allowing for temporary overnight parking. The program also connects homeless individuals and families with case management and hospitality services.

DISPLACEMENT

The ~~severe~~ shortage of housing in Cupertino, particularly in relation to the number of jobs in the city, creates a market where households do not move regularly. ~~Similar to the county, around 86 percent of Cupertino households have not moved recentlyin the last year.~~ Owners move very infrequently: ~~96~~ 22.1 percent of homeowners moved into their current residence ~~on~~ in or before 1989, and 73.9 percent moved into their current residence in 2009 or earlier. In contrast, ~~81~~ 45.9 percent of renters have moved to their current residence since ~~2017~~2015.

Another indicator of displacement is the potential of assisted units converted to market-~~-~~rate properties. Cupertino reports 153 units at a low risk of conversion, with no other units at risk. According to the Sensitive Communities map of vulnerable communities, five of the City's census tracts are vulnerable to displacement, which is similar to surrounding areas.

Displacement Sensitive Communities

"According to the Urban Displacement Project, communities were designated sensitive if they met the following criteria:

- They currently have populations vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing cost. Vulnerability is defined as:
  - Share of very low-income residents is above 20 percent, 2017

  AND

  - The tract meets two of the following criteria:
    - Share of renters is above 40 percent, 2017
    - Share of people of color is above 50 percent, 2017
    - Share of very low-income households (50 percent AMI or below) that are severely rent burdened households is above the county median, 2017
    - They or areas in close proximity have been experiencing displacement pressures. Displacement pressure is defined as:
      - Percent change in rent above county median for rent increases, 2012-2017

        OR

      - Difference between tract median rent and median rent for surrounding tracts above median for all tracts in county (rent gap), 2017"

Source: https://www.~~sensitivecommunities~~UrbanDisplacement.org/.

A combination of factors can result in increased displacement risk, particularly for lower-income households. These factors include overpayment, overcrowding, and housing condition, as well as vacancy rates, availability of a variety of housing options, and increasing housing prices compared to wage increases. The Urban Displacement Project analyzes income patterns and housing availability to determine the gentrification displacement risk at the census tract level. Seven displacement typologies exist in Santa Clara County:

- **Low-Income/Susceptible to Displacement:** These tracts are predominantly low- or mixed-income, susceptible to changes if housing prices increase.
- **Ongoing Displacement:** These tracts were previously low income, before seeing a significant loss of low-income households between 2000 and 2018.

- **At Risk of Gentrification:** These are low- or mixed-income tracts with housing affordable to lower-income households; however, the tract has seen increases in housing costs or rent values at a greater rate than regional increases or resulting in a larger rent gap locally than regionally.

- **Stable Moderate/Mixed Income:** These tracts are predominantly occupied by moderate-, mixed-moderate, mixed-high, or high-income households.

- **At Risk of Becoming Exclusive:** These tracts are also predominantly occupied by moderate-, mixed-, or high-income households, with housing affordable to middle- to high-income households but ongoing increases in prices.

- **Stable/Advanced Exclusive:** These are high-income tracts with housing only affordable to high-income households, and marginal or rapid increases in housing costs.

- **High Student Population:** These are areas excluded from the classification spectrum due to their high concentration of student residents.

All of Cupertino, with the exception of the Rancho Rinconada neighborhood, is considered Stable/ Advanced Exclusive. Rancho Rinconada is considered Stable Moderate/Mixed Income. Dramatic increases in home and rental prices have impacted residents throughout Cupertino and the greater Bay Area, though renters are typically disproportionately burdened by housing market increases in annual rate increases, compared to homeowners who have fixed-rate mortgages. However, the Urban Displacement Project has not identified any areas of Cupertino that have a greater risk of displacement for lower- and moderate-income renters compared to the rest of the state.

According to the Zillow Home Value Index (ZHVI), the average home value in Cupertino has increased by nearly 60 percent between February 2015 and February 2023, from $1,602,012 to $2,562,110, for an average increase of approximately 7.5 percent annually. Despite this rapid increase, housing prices in Cupertino have increased at a slower rate than most other incorporated jurisdictions in Santa Clara County, with the exception of the Cities of Palo Alto (5.2 percent) and Los Altos Hills (6.2 percent). While the prices have increased more slowly in these cities, the median home value in both exceeds that of Cupertino, with a median value of $3,125,678 in Palo Alto and $5,340,078 in Los Altos Hills. However, the median home price in Cupertino is still only affordable to above moderate-income households. Rent prices in Cupertino have increased at a significantly slower rate than home values, but still present a barrier for lower-income households. Between February 2015 and 2023, the average rent for a two-bedroom unit, for example, increased from $3,414 to $3,899 according to a survey of online rent tracking platforms, resulting in an annual average increase of 1.8 percent. The median rent in February 2023 was affordable to moderate-income households.

While the rate of increase in wages has kept up with increases in rent in Cupertino, they have not matched increases in home values. The median income in Cupertino has increased approximately 4.8 percent annually, from $120,201 in 2010 to $171,917 in 2019, according to the ACS. The difference

in these trends indicates growing unaffordability of housing in the city. To address affordability challenges, the City will encourage and incentivize development of affordable housing units, particularly in areas in close proximity to resources and will identify funding for financial assistance for first-time homebuyers. (**Strategies HE-2.3.1** and **HE-2.3.5**).

Strategy HE-1.3.2 to rezone sites to accommodate higher density housing;

Strategy HE-1.3.9 to lower fees for all multifamily development and parking requirements for studio apartments and single--room occupancy units to encourage development of these housing types;

Strategy HE-2.3.4 to target Below-Market -Rate Affordable Housing Fund to benefit populations with the greatest need;

Strategy HE-2.3.6 to facilitate development of housing by partnering with developers to purchase surplus properties for development; and

Strategy HE-2.3.7 to incentivize development of affordable housing.

Displacement risk increases when a household is paying more for housing than their income can support, their housing condition is unstable or unsafe, and when the household is overcrowded. Each of these presents barriers to stable housing for the occupants. As discussed in Section B3.7, Integration and Segregation, the rate of poverty in Cupertino is approximately 7.7 percent, with the highest rate in the northern portion of the city. The City has included several programs to increase the supply of affordable housing by providing assistance with acquisition, rehabilitation, and construction; providing technical assistance, streamlining, and other incentives; and working with affordable housing providers to preserve units. Public comment received during City Council meetings also expressed a desire to see reasonable renter protections; **Strategy HE-3.3.6** proposes to study rent stabilization and tenant protection ordinances in California and displacement in Cupertino due to rising rents and evictions. Work with relevant stakeholders to establish tenant protection and/or a rent stabilization to ensure protection for renters, as appropriate based on findings.

ACCESS TO MORTGAGE LOANS

In many communities, disparities by race and ethnicity are prevalent for home mortgage applications, particularly in denial rates. This is true in the Census Tracts that include Cupertino, but primarily only for Black/African American applicants. Mortgage denial rates are consistent by race—, ranging from 18 percent to 20 percent, --with the exception of Black/African American applicants (33 percent). It should be noted that only six applicants from Black/African American applicants were received out of 2,214 total applications in 2018 and 2019, so these findings may not represent a larger, more generalizable pattern in the region. Figure B3-5, Disproportionate Housing Needs, summarizes information on disproportionate housing needs in the city.

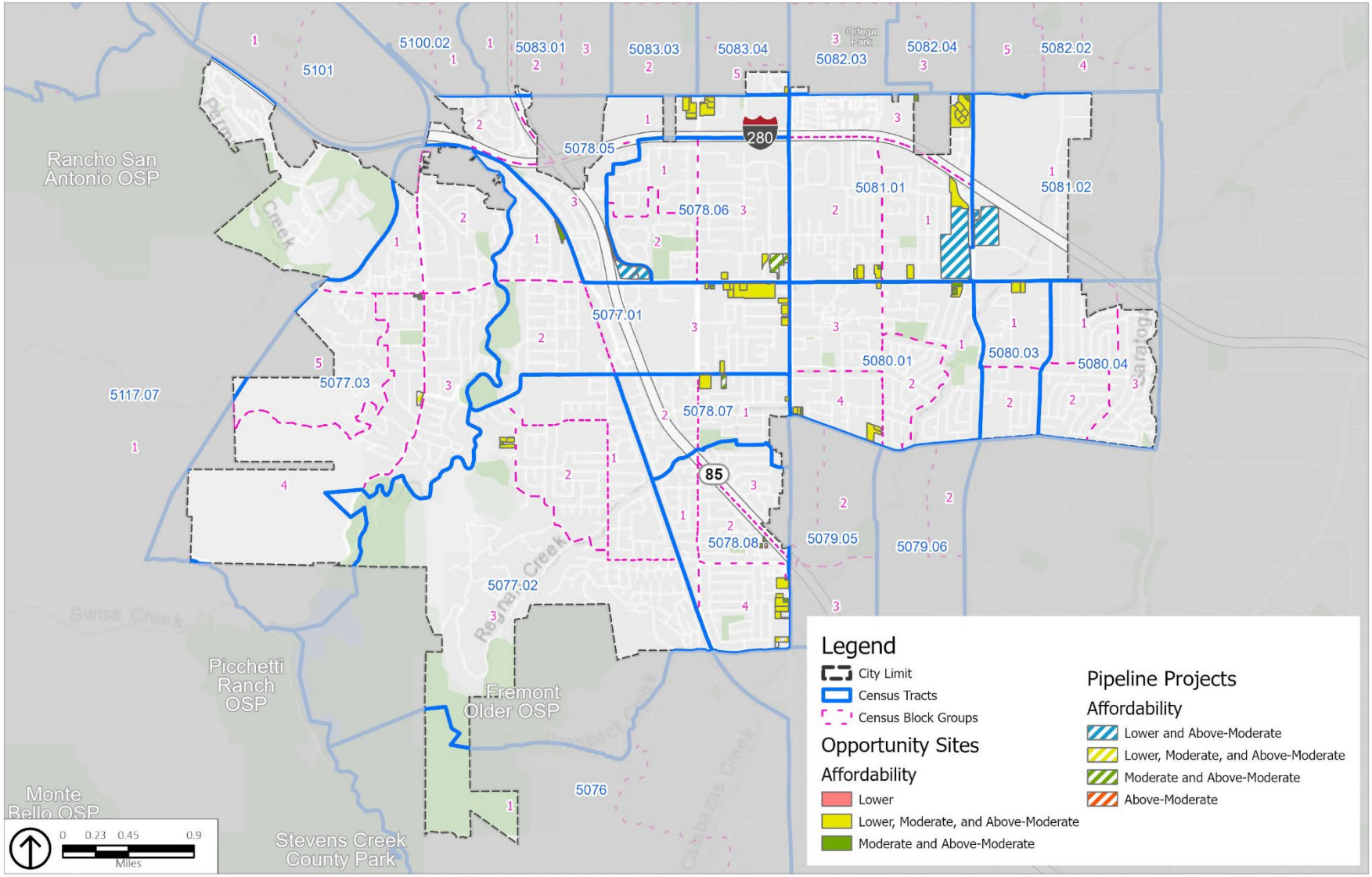
B3.10 SITES ANALYSIS

The location of housing in relation to resources and opportunities is integral to addressing disparities in housing needs and opportunity and to fostering inclusive communities where all residents have access to opportunity. This is particularly important for lower-income households. Assembly Bill (AB) 686 added a new requirement for housing elements to analyze the location of lower-income sites in relation to fair housing factors to determine whether the sites inventory further entrenches existing fair housing issues. When patterns of fair housing issues do overlap with sites identified in the inventory (parcels with pipeline projects, parcels that are vacant, and parcels that are considered underutilized), the City is obligated to establish strategies to mitigate and improve conditions contributing to fair housing issues. What follows is an analysis of the distribution of the City's sites inventory by income category compared to citywide patterns, in the context of the fair housing issues discussed earlier in the Fair Housing Assessment.

OVERALL SUMMARY

For the purposes of this analysis, the location of the sites within the city will be described by their associated census tracts and census block groups. **Figure B3-~~6~~5** illustrates the distribution of the sites inventory by affordability along with the boundaries of the city's census tracts and block groups. **Table B3-3~~2~~,** summarizes the conditions in areas of the city with RHNA sites or projects, organized by census tract and block group, with the percentage of units in a given income category that are in this block group. Please note, Figure B3-5 shows tract boundaries prior to the 2020 Census update to match ACS data used in the analysis.

Figure B3-6 RHNA Sites by Affordability with Census Tract and Block Group Boundaries



Source: City of Cupertino, 2023; US Census Bureau, 2023; ESRI, 2023; PlaceWorks, 2023

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Table B3-3 Fair Housing Factors and Percentage of RHNA Units

Tract and Block Group	RHNA Inventory, by Affordability Category						TCAC Opportunity Area, 2021	TCAC Education Score	Jobs Index	In a Racially Concentrated Area of Affluence?	CalEnviro-Screen 4.0 Percentile	Median Household Income	Households with Income Under the Poverty Line (%)	Households with a Disability (%)	Children in Female-Headed House-holds (%)	Non-White (%)	Households Experiencing Overcrowding (%)	Renters Overpaying for Housing (%)	Homeowners Overpaying for Housing (%)	Community Vulnerable to Dis-placement?
	VLI & LI Units	VLI & LI Units (%)	Mod. Income Units	Mod. Income Units (%)	Above-Mod Income Units	Above Mod Income Units (%)														
Census Tract 5077.01, Block Group 13	0	0.0%	2	0.2%	11	2.43%	Highest Resource	0.999	61	No	11.5	$160,491	4.7%	7.5%	3.4%	62.0%	0.9%	43.5%	36.6%	No
Census Tract 5077.01, Block Group 3	162	7.27 8%	70	8.27%	181	65.67%			82			$183,750				77.5%				
Census Tract 5077.02, Block Group 3	310	1.45%	18	2.21%	35	1.31%	Highest Resource	0.999	45	No	2.3	$205,804	4.4%	5.9%	0%	73.9%	1.3%	16.3%	33.3%	No
Census Tract 5077.03, Block Group 4	1	0.0%	5	0.6%	22	3.87%	Highest Resource	0.966	51	No	5.8	*Data Not Available*	5.3%	8.2%	4.9%	66.0%	3.6%	32.2%	24.9%	No
Census Tract 5078.05, Block Group 1	254	11.312 2%	99	12.311.6 %	268	9.78.5%	Highest Resource	0.959	71	No	19.2	$107,538	13.7%	5.2%	10.7%	79.6%	12.3%	42.1%	43.5%	No
Census Tract 5078.05, Block Group 3	88	3.94 2 %	0	0.0%	211	7.66.7%			68			$142,969				77.7%				
Census Tract 5078.06, Block Group 3	48	2.43%	55	6.95%	221	6.97.0%	Highest Resource	0.996	81	No	17.9	$144,239	7.9%	3.7%	9.2%	92.6%	10.2%	28.2%	42.4%	Yes
Census Tract 5078.07, Block Group 1	15	0.7%	12	1.4%	21	0.7%	Highest Resource	1	72	No	No	14.2	$178,750	1.8	6.2	7.7	83.1	11.12	27.8	31.2
Census Tract 5078.08, Block Group 2	0	0.0%	2	0.2%	18	0.6%	Highest Resource	0.997	52	No	1.5	$197,625	2.5%	2.8%	2.1%	85.4%	2.9%	19.4%	21.7%	No
Census Tract 5078.08, Block Group 4	118	5.37%	53	6.6%	160	55.1.8%			43			$211,111				82.2%				

Table B3-3 Fair Housing Factors and Percentage of RHNA Units

Tract and Block Group	RHNA Inventory, by Affordability Category						TCAC Opportunity Area, 2021	TCAC Education Score	Jobs Index	In a Racially Concentrated Area of Affluence?	CalEnviro-Screen 4.0 Percentile	Median Household Income	Households with Income Under the Poverty Line (%)	Households with a Disability (%)	Children in Female-Headed House-holds (%)	Non-White (%)	Households Experiencing Overcrowding (%)	Renters Overpaying for Housing (%)	Homeowners Overpaying for Housing (%)	Community Vulnerable to Dis-placement?
	VLI & LI Units	VLI & LI Units (%)	Mod. Income Units	Mod. Income Units (%)	Above-Mod Income Units	Above Mod Income Units (%)														
Census Tract 5080.01, Block Group 1	00	0.0%	93	11.610.9%	70	2.52%	Highest Resource	0.998	80	No	18.3	$171,351	4.6%	5.7%	1.5%	77.1%	4.57%	40.4%	32.3%	Yes
Census Tract 5080.01, Block Group 3	12	0.56%	5	0.6%	12	0.4%			81			$128,250				78.4%				
Census Tract 5080.01, Block Group 4	82	3.73.9%	3435	4.0%4.4%	98102	3.1%3.7%			78			$221,563				69.6%				
Census Tract 5080.03, Block Group 1	83	3.74.0%	33	4.13.9%	87	3.12.8%	Highest Resource	0.964	72	No	17.1	$158,971	7.8%	12.1%	0.8%	79.2%	14.0%	41.3%	43.1%	Yes
Census Tract 5081.01, Block Group 1	2072503	9.212.2%	13081	10.115.3%	21648	7.81.5%	Highest Resource	0.973	81	No	18.3	$224,438	1.4%	3%	2.7%	77.7%	7.3%	20.5%	24.2%	No
Census Tract 5081.01, Block Group 2	89	4.93%	126	15.714.8%	62	2.22.0%			80			$201,563				78.2%				
Census Tract 5081.01, Block Group 3	252	11.312.1%	111	13.08%	290	10.59.2%			79			$174,929				79.3%				
Census Tract 5081.02, Block Group 1	78558 1	35.128.6%	0	0.0%	7841.3 21	28.3%339.9%	Highest Resource	0.905	69	No	18.1	$171,324	4.8%	2.9%	4.5%	76.5%	4.7%	40.2%	13.5%	No
Census Tract 5083.04, Block Group 5	11	0.5%	4	0.5%	11	0.43%	Highest Resource	0.903	76	No	11.8	$90,515	9.2%	4.7%	14.6%	81.5%	13.8%	47.0%	25.3%	Yes

Source: American Communities Survey (2015-2019); US Department of Housing and Urban Development (2014-2017); ESRI, 2018; California Tax Credit Allocation Committee (TCAC) 2021 and 2023; OEHHA, 2022; UC Berkeley Urban Displacement Project, 2018.

ANALYSIS OF FAIR HOUSING FACTORS RELATING TO RHNA SITE AND PROJECT PLACEMENT

Similarities

As ~~is~~ shown in **Table B1-~~.~~1,** many of the areas in the city that include RHNA sites have similar conditions to each other, and therefore are not expected to reinforce existing patterns of segregation or poverty by disproportionately concentrating housing sites of a particular income level in areas with high or low levels of poverty or segregation. All of the city's units to meet RHNA are within areas that were designated Highest Resource under the California Tax Credit Allocation Committee's (TCAC) opportunity areas classification system in 2021. In 2023, when the opportunity areas methodology was shifted to evaluating each census tract in comparison to other cities in the Council of Governments area, none of the census tracts in the city were identified as an Area of High Segregation and Poverty. TCAC's evaluation of education outcomes in the area scored all of the census tracts with inventory sites or projects in Cupertino within the 90th percentile or better.~~.~~

In all of the census tracts with sites or pending projects in the inventory, rates of poverty are below 15 percent, which is similar to the overall rates of poverty citywide. None of the sites are in RCAAs, as defined and identified by HCD.

None of the census tracts in Cupertino are considered a disadvantaged community under SB 535, which refers to a census tract with a CalEnviroScreen 4.0 score in the 75th percentile or higher. None of the parts of Cupertino where RHNA sites or projects are located has a CalEnviroScreen 4.0 score higher than the 20th percentile. Though not identified in **Table B1.1**, nearly all of Cupertino, including all areas where RHNA inventory sites or projects are located, was ranked in the 80th percentile or better on the Public Health Alliance of Southern California (PHASC) Healthy Places Index in 2021.

Additionally, because the zones to which many of the inventory sites will be rezoned have maximum permitted densities of 65 dwelling units per acre, the City has estimated that sites larger than 0.5 acres will develop with affordability levels that can accommodate a mix of lower-, moderate-, and above moderate-~~—~~income households. This can help to avoid any overconcentration of housing to accommodate a particular income level in any one part of the city.

~~The remaining analysis will focus on ways that conditions in some parts of the city differ from others as it relates to the proportion of sites in each part of the city and the affordability level of housing that is estimated may develop on the site.~~

AREAS OF DIFFERENCE

The remaining analysis will focus on fair housing factors that meaningfully differ between some parts of the city and others as it relates to the proportion of sites in each part of the city and the affordability level of housing that is estimated may develop on the site.

~~*The following discusses the conditions where*~~ *Access to Employment*

Cupertino is known regionally as a jobs center, so fittingly many of the census block groups with sites in the inventory or pending projects have high scores on HUD's Jobs Proximity Index, indicating that residents of those census block groups live within close proximity to jobs. However, because much of the city's employment is centered in the Stevens Creek Boulevard corridor, at De Anza College, and near the Apple campus, residents of areas on the outskirts of the c~~C~~ity may have a higher transportation cost to access employment opportunities. Additionally, because not all workers in these areas live within Cupertino and not all Cupertino residents work in these areas, city residents may have longer distances to travel to work despite living in areas close to office and commercial uses. It is important to note that the decision regarding where to reside is not solely dependent on the location of one's job; other factors such as access to schools, preferred social and cultural amenities and experiences, and demography also influence this decision. Most of the block groups with RHNA sites or projects have a Jobs Proximity Index score of at least 68, indicating a moderate to close proximity to employment areas. Four block groups with RHNA sites or projects have scores lower than 60.

In Block Group 3 of Tract 5077.02, which is south and west of the De Anza College area, the Jobs Index score is 45, among the lowest in the city. Just 1.45 percent of the lower-income units, 2.~~2~~1 percent of moderate units and 1.~~3~~1 percent of above-~~-~~moderate units are estimated to develop in this block group. This will not reinforce any historic patterns of siting more affordable housing far from employment centers. Additionally, sites in the inventory that are within this block group are located in the part of the block group that is closest to commercial areas in central Cupertino, which may help to mitigate the distance of the block group overall.

In Block Group 4 of Tract 5077.03, which is due west of De Anza College, the Jobs Proximity Index score was 51. This block group is predominantly a lower-density residential area near several large park areas. Two pending projects are identified within this area. One, the Canyon Crossing project, is planned to be predominantly market-rate housing with a small number of moderate- and lower-income units. The other, currently called the "Bateh Brothers/Alan Row" project, will only include moderate- and above -moderate-~~-~~income units. Combined, these project units represent less than 0.1 percent of the lower-income units, 0.6 percent of moderate-~~-~~income units, and 0.87 percent of above moderate-~~-~~income units in the combined sites inventory and projects. Accordingly, placement of these projects is not expected to significantly establish or reinforce patterns of affordable housing units being placed far from job centers.

Block Groups ~~3~~ 2 and 4 of Tract 5078.08 are due south of central Cupertino and just west of the I-85 and De Anza Boulevard corridors and have Jobs Proximity Index scores of 52 and 43, respectively. It is estimated that ~~8.25~~.37 percent of lower-income units, 6.4~~8~~ percent of moderate-income units, and ~~8.765~~.74 percent of above moderate-income units are expected to develop in the two block groups combined. This area has one transit route along De Anza Boulevard with 30-minute transit frequency, which can help to mitigate the cost associated with accessing employment from farther away.

Additionally, several of the sites in this area (including sites 54, 55, and 56) are already allowed to develop at 60 dwelling units per acre under AB2011 and SB6, and are being targeted for rezoning by the City to mixed-use zones, which can help to promote the development of additional employment opportunities in close proximity to new housing.

Disability

The city as a whole has low rates of households with any members who have disabilities, and none of the census tracts in the city has a rate of more than 20 percent of households with members who have disabilities. Only one census tract has a rate of disability between 10 and 20 percent, Tract 5080.03. In this census tract, 12.1 percent of households report having a member with a disability. This tract also includes a non-profit-run housing project for adults with disabilities, Adults Toward Independent Living. Sites 5 and 6 are within this census tract, and together represent ~~3.7~~4.0 percent of the lower-income units, ~~4.1~~3.9 percent of moderate-income units, and ~~3.1~~2.8 of above moderate-income units of the sites and projects counted towards RHNA. By identifying sites in this area with a high level of density, it is estimated that more affordable units may develop here, which can help to prevent displacement for households with disabled members.

Race

As a whole, the population of Cupertino is majority non-white, with no census block groups in the city having a majority of White residents. The most common non-white racial group that Cupertino residents identify with is Asian, and Asian community members are the predominant group in the Garden Gate and Jollyman/Faria neighborhoods. Census tracts in southern and eastern Cupertino also have sizeable Asian populations, though with a lower "predominance gap."~~:~~ No other non-white racial groups are predominant in any other part of Cupertino, and only a small portion of the far northwest corner of the city is predominantly White. This area is the neighborhood surrounding Rancho San Antonio County Park and a large portion of this tract is located in Los Altos, which has a majority White demographic.

Citywide, the lowest rate of minority residents is 59.0 percent non-white; among census block groups with sites or projects in the RHNA inventory, the lowest rate is 62.0 percent of residents identifying as non-white (Block Group ~~4~~1 of Tract 5077.01). This tract had a median household income of $160,491 as of the 2015-2019 ACS. Few of the RHNA inventory sites or projects are in this block group, including no lower-income units, 0.2 percent of moderate-income units, and 0.43 percent of above moderate-income units are estimated to develop in this block group. This block group is on the far west side of the city in a predominantly low-density residential area. Because of the low number of units expected to develop in this area, it is unlikely that their development would establish or reinforce any existing fair housing concerns in this area.

The block group with one of the highest rates of non-white residents is Block Group 3 of Tract 5078.06. Of the total population in this block group, 92.6 percent identify as non-white. Of the RHNA

units in the sites inventory and project list, it is estimated that 2~~.3~~12.3 percent of lower-income units, 7.1~~6~~.95 percent of moderate-~~-~~income units, and 8.3~~0~~7.0 percent of above moderate-income units will develop in this area. The median household income here is $144,239, which is high compared to the state as a whole but on the mid- to lower-end of median incomes in Cupertino. The development of moderate-income housing in this area may allow for existing community members who are experiencing housing cost burden to find more affordable options without leaving established community networks.

Household Income, Housing Affordability, Familial Status, and Overcrowding

The median income for all block groups in the city in 2019 is higher than the 2020 state median income of $87,100, and for many of the block groups in the city, the median income is greater than $125,000. Two block groups with RHNA units have median incomes below $125,000: Block Group 1 of Tract 5078.05 has a median income of $107,538, and Block Group 5 of Tract 5083.04 has a median income of $90,515. Though these levels of income are relatively high compared to the state as a whole, the high cost of housing in this area means that high-earning households may still experience a meaningful cost burden or may experience overcrowding. Additionally, a high level of households with single female households can be correlated with lower median incomes and higher housing cost burden. Much of Block Group 5 of Tract 5083.04 extends into areas of Sunnyvale with older stock, multi-family housing, which may contribute to a relatively median lower income.

Block Group 5 of Tract 5083.04, which was mentioned as having the lowest median income in the city, also has the highest percentage of cost-burdened renter households of any of the block groups with inventory sites or pending projects (47.0 percent of renter households). Though it does not have a high rate of homeowners experiencing cost burden, it does have the second-highest rate of household overcrowding of any tract in the city with sites or projects in the RHNA inventory (13.8 percent of households). This tract also includes the highest rate of families with children and single-female heads of household at 14.6 percent of households. This tract is on the north side of the city and extends beyond the city borders into Sunnyvale, with only a small piece of Block Group 5 included in Cupertino's boundary. Inventory sites in this area represent only 0.5 percent of lower-income units, 0.5 percent of moderate-~~-~~income units, and 0.43 percent of above moderate-income units. Therefore, it is not expected -that development of sites in the inventory will exacerbate any overconcentration of lower-income households that may exist in this census tract.

Block Group 1 of Tract 5078.05 has the city's second-lowest median income and is part of the census tract with the highest rate of homeowner cost burden and second-highest rate of renter cost burden of any tract in the city with sites or projects in the RHNA inventory (with 43.5 percent of homeowners and 42.1 percent of renters experiencing cost burden). This tract also has the third-~~-~~highest rate of households experiencing overcrowding of any with sites or projects in the inventory, at 12.3 percent, and the second-highest rate of children in female-headed households (10.7 percent). Of the units counted in the sites inventory and pending projects, ~~11.3~~12.2 percent of lower-income units, ~~12.3~~11.6

percent of moderate-~~-~~income units, and ~~9.7~~8.5 percent of above moderate-income units are in this block group. An additional ~~3.9~~4.2 percent of lower-income units and ~~7.9~~6.7 percent of above moderate-income units are estimated to develop in Block Group 3 of the same census tract. This tract is also on the north side of the city and the tract also includes two small areas within Sunnyvale. The mix of income levels estimated to develop on many of these sites is expected to increase the overall number of affordable units in this census tract without creating an overconcentration of lower-income units.

As mentioned previously, some areas with higher median incomes also experience the negative effects of an overall high cost of housing. For example, Census Tract 5080.03 has the highest rate of households experiencing overcrowding (14.0 percent) of any tract in the city where RHNA sites inventory or project units are located. It also has the second-highest rate of homeowner cost burden (43.1 percent) and the third-highest rate of renter housing burden (40.4 percent) of any tract in the city with RHNA sites inventory or project units. Block Group 1 of this census tract has a median income of $158,971. Though not among the highest median income levels in the city, this is also not among the lowest. This census tract is on the city's east side and has a low overall number of households, as a large percentage of the land area of the tract is made up of Cupertino High School, DJ Sedgwick Elementary School, Hyde Middle School, and a few large church properties.

Census Tract 5078.06 has the city's third-highest rate of homeowner cost burden, at 42.4 percent, though renters in this area do not experience the same high rate of housing cost burden (28.2 percent). This tract also has one of the higher rates of household overcrowding (10.2 percent). While the single-family homes that are present in this tract are relatively large, the tract contains a significant number of multi-family units. Block Group 3 is the block group in this census tract -where several RHNA inventory sites and pending projects are located. Located on the city's north side, this block group has a median household income of $144,239. Of the units in the RHNA sites inventory and pending projects, ~~2.3~~12.3 percent of lower-income units, ~~7.1~~6.5 percent of moderate-~~-~~income units, and ~~8.3~~7.0 percent of above moderate-income units are expected to develop in this area. It is expected that including units in this area that can accommodate higher-income households may provide more housing opportunities for moderate- or higher-income households that may be looking to move out of the housing where they have been experiencing cost burden without having to leave their current neighborhood.

~~*Education*~~

Vulnerability to Displacement

Four census tracts in the city were identified by UC Berkeley's Urban Displacement Project as being communities that are vulnerable to displacement. Three of the four have been discussed previously in this analysis in discussions of the fair housing factors that likely contribute to residents in these areas

experiencing a heightened vulnerability to displacement. Below is a summary of the vulnerability factors that exist in these three tracts:

- Tract 5078.06 has the city's third-highest rate of homeowner cost burden, at 42.4 percent. It also has a moderately high rate of households experiencing overcrowding (10.2 percent) and one of the city's largest non-white populations, at 92.6 percent.
- Tract 5080.03 has the highest rate of households experiencing overcrowding (14.0 percent) of any tract in the city where RHNA sites inventory or project units are located. It also has the second-highest rate of homeowner households experiencing housing cost burden (43.1 percent) and the third--highest rate of renter households experiencing housing cost burden (41.3 percent). It also has the highest rate of residents with disabilities in the city (12.1 percent). This tract contains a significant number of smaller multifamily units, which may contribute to overcrowding; however, its proximity to schools may make it a more attractive neighborhood for families with children.
- Tract 5083.04 contains a block group with the lowest median income and a comparatively high level of renter households experiencing cost burden. Among census tracts with RHNA inventory sites or projects, it is also the tract with the second--highest rate of households experiencing overcrowding (13.8 percent) and the highest rate of children in female-headed households (14.6). However, the majority of this census tract is not within Cupertino city limits.

One additional tract, Tract 5080.01, was not previously discussed in this analysis but was given a designation of being a community vulnerable to displacement. Of the sites in the RHNA inventory and project list, ~~4.4~~24.5 percent of lower--income units, ~~14.9~~16.5~~15.5~~ percent of moderate--income units, and ~~6.4~~5.7 percent of above -moderate--income units are estimated to develop in this census tract. The tract has relatively high rates of renters and homeowners experiencing cost burden (40.4 percent of renters and 32.3 percent of homeowners), but neither of these rates is among the highest levels citywide. Though each of these individual factors is not among the highest rates in the city, the combination of each of these factors can make residents in this area vulnerable to displacement.

~~Employment~~

~~Environment~~

~~Cost Burden~~

~~Overcrowding~~

~~Displacement Vulnerability~~

B3.11 FAIR HOUSING ~~AND~~ RESOURCES AND MAPS

~~B3.11~~ This section provides information on fair housing resources available in Santa Clara County and supporting maps.

FAIR HOUSING ENFORCEMENT AND OUTREACH CAPACITY

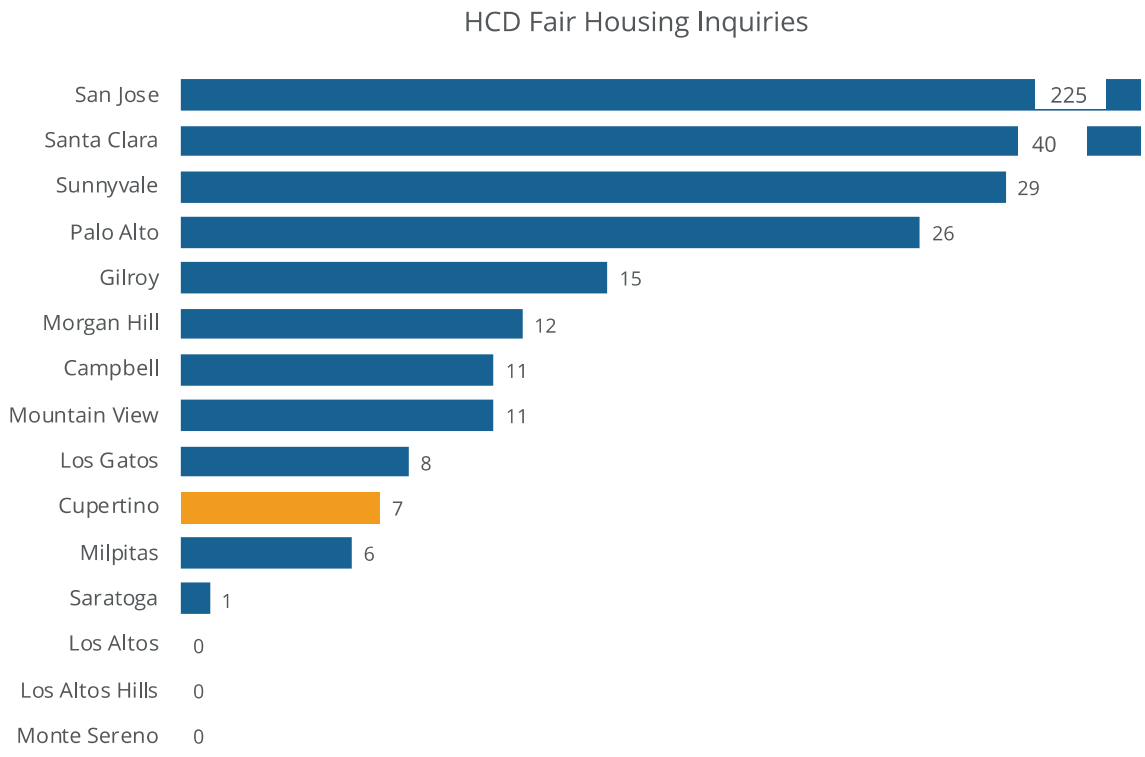
Fair housing assistance organizations in Santa Clara County are listed in **Figure B3-7.** Data regarding fair housing inquiries is depicted on **Figures B3-8** through **B3-10. Figure B3-11** shows the location of the county's public housing buildings. **Figure B3-12** shows HCVs by census tract.

~~Figure B3-6~~Figure B3-7 Fair Housing Assistance Organizations, Santa Clara County

Name	Service Area	Address	Phone	Website
Project Sentinel	Northern California	1490 El Camino Real, Santa Clara, CA 95050	(800) 339-6043	https://www.housing.org/
Housing and Economic Rights Advocates	State of California	1814 Franklin St. Ste. 1040 Oakland, CA 94612	(510) 271-8443	https://www.heraca.org
Bay Area Legal Aid	Parts of Santa Clara County	1735 Telegraph Ave. Oakland, CA 94612	(510) 663-4755	https://www.baylegal.org
California Department of Fair Employment and Housing	State of California	2218 Kausen Dr. Ste. 100 Elk Grove, CA 95758	(916) 478-7251	https://www.dfeh.ca.gov
Law Foundation of Silicon Valley	Greater Silicon Valley, Santa Clara County	152 N. 3rd St. #3 San Jose, CA 95112	(408) 293-4790	https://lawfoundation.org

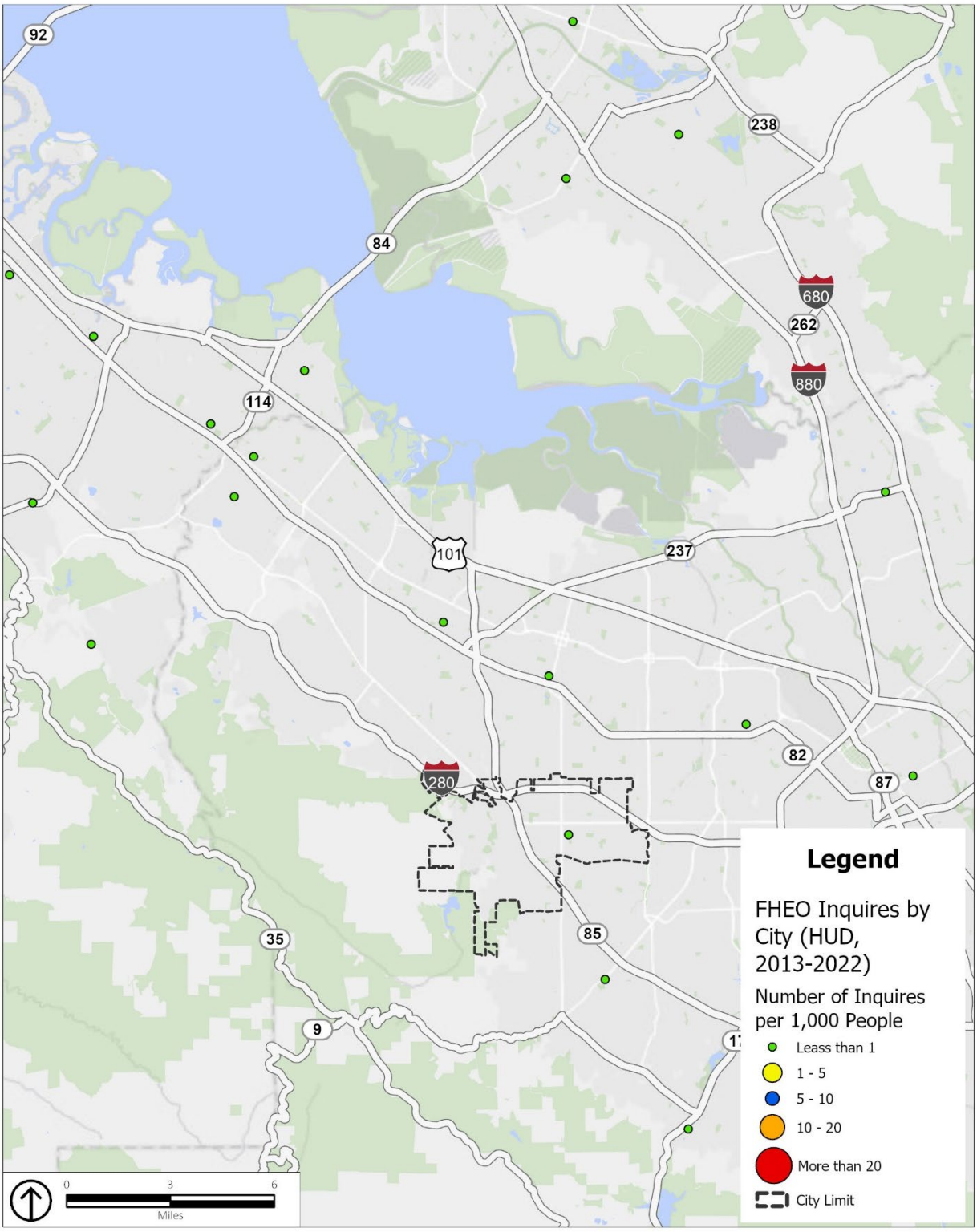
Source: Organization Websites

~~Figure B3-7~~Figure B3-8 HCD Fair Housing Inquiries, 2013-2021



Source: Organization Websites

~~Figure B3-8~~Figure B3-9 FHEO Inquiries by City to HCD, Santa Clara County, 2013-202~~1~~2



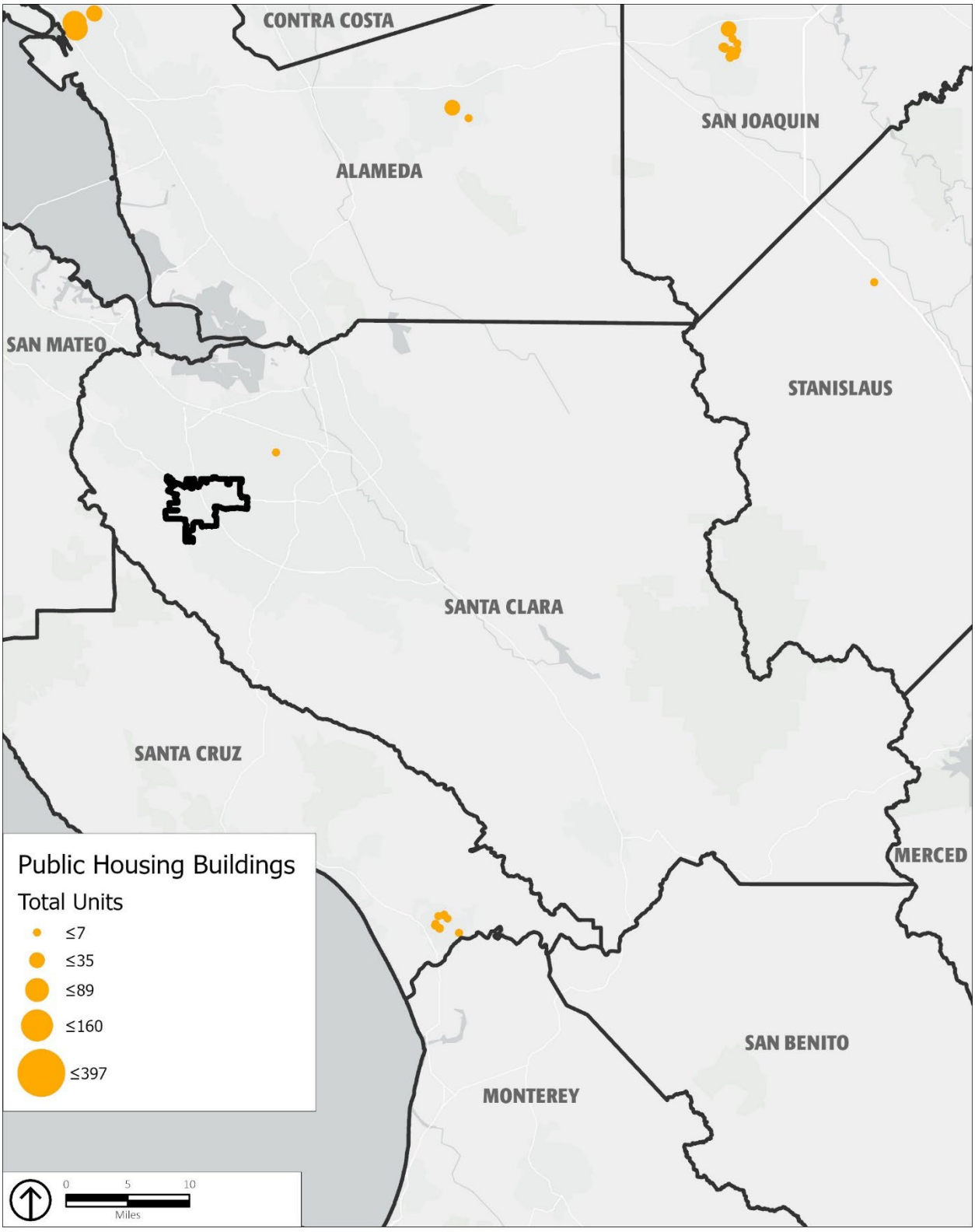
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-9~~Figure B3-10 HCD Fair Housing Inquiries by Bias, January 2013-March 2021

Jurisdiction	Disability	Race	Familial Status	National Origin	Religion	Sex	Color	None Cited	Decision Not To Persue	Failure to Respond	Total
San Jose	39	9	9	8	0	3	0	146	9	111	225
Santa Clara	2	2	4	4	0	0	0	26	1	12	40
Sunnyvale	7	1	3	0	0	0	0	17	1	16	29
Palo Alto	3	1	3	0	0	1	0	18	1	9	26
Gilroy	3	1	0	0	0	0	0	11	1	4	15
Morgan Hill	3	2	1	0	0	0	0	6	0	6	12
Campbell	3	1	0	0	0	0	0	7	0	5	11
Mountain View	1	0	1	0	0	0	0	9	0	6	11
Los Gatos	0	0	2	0	0	0	0	6	1	5	8
Cupertino	2	1	0	0	0	0	0	4	1	2	7
Milpitas	0	0	0	0	0	0	0	6	0	2	6
Saratoga	0	0	0	0	0	0	0	1	0	0	1
Los Altos	0	0	0	0	0	0	0	0	0	0	0
Los Altos Hills	0	0	0	0	0	0	0	0	0	0	0
Monte Sereno	0	0	0	0	0	0	0	0	0	0	0

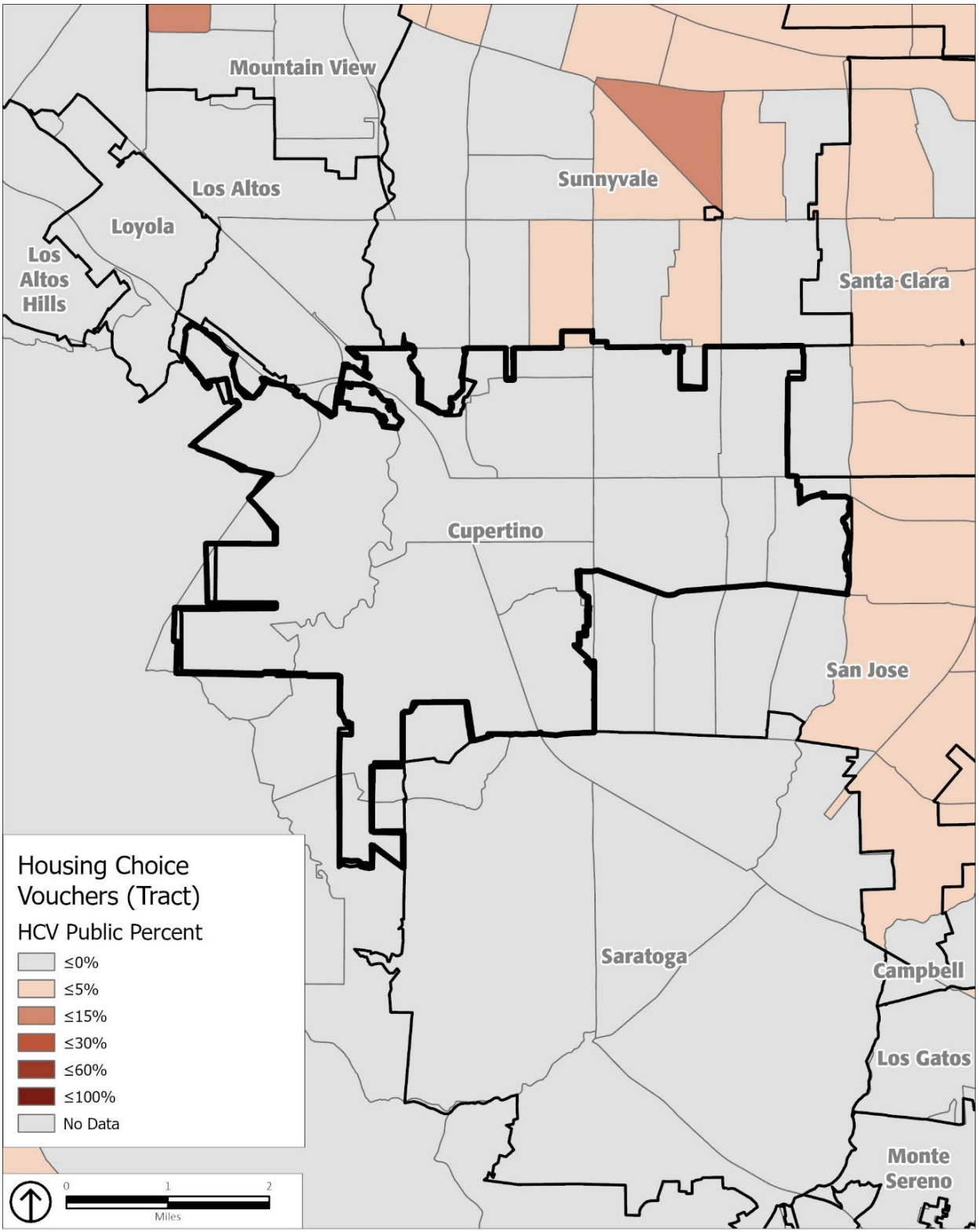
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-10~~Figure B3-11 Public Housing Buildings, Santa Clara County



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-11~~Figure B3-12 Housing Choice Vouchers by Census Tract



Source: California Department of Housing and Community Development AFFH Data Viewer

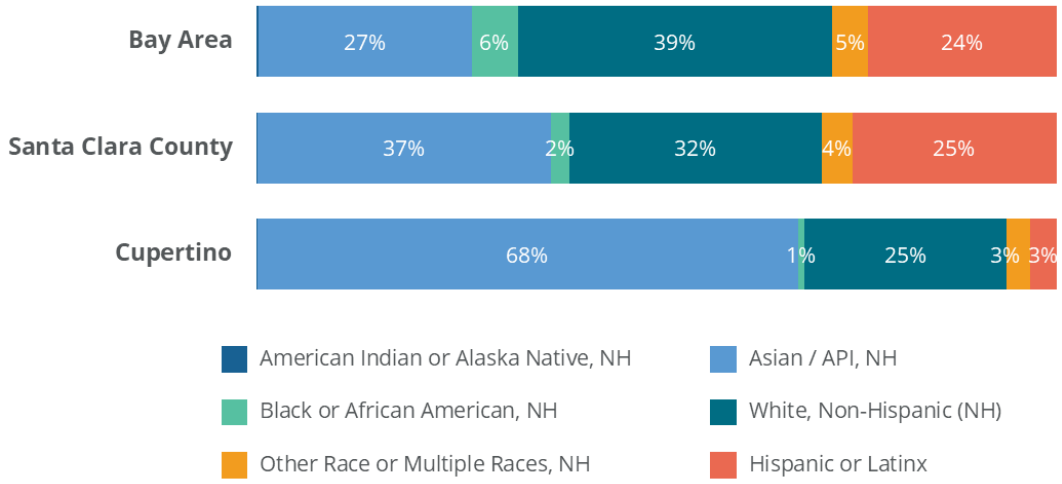
INTEGRATION AND SEGREGATION

This section provides information on factors such as race, ethnicity, diversity, segregation, and disability status in Cupertino, along with supporting maps.

RACE AND ETHNICITY

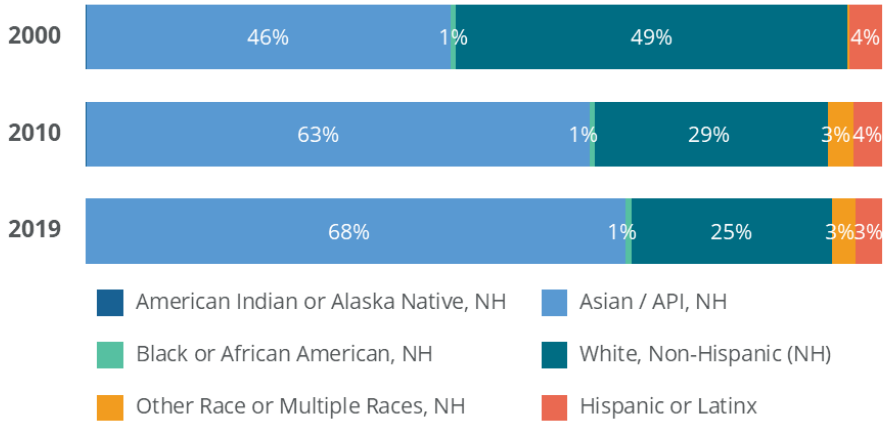
Figures B3-13 and **B3-14** show population by race and ethnicity in Cupertino. Figure B3-15 shows senior and youth population by race. **Figures B3-16** and **B3-17** show AMI and poverty rate by race and ethnicity. **Figure B3-18** shows the percentage non-white population by census block groups. **Figures B3-19** through **B3-21** show census tracts by racial majority. **Figure B3-22** shows neighborhood segregation by census tract. **Figures B3-23** and **B3-24** show the diversity index by block group. **Figure B3-25** shows the share of population in Cupertino by disability status and **Figure B3-26** shows population with a disability by census tract. **Figure B3-27** shows age distribution in Cupertino. **Figures B3-28** through **B3-31** show share of households by size, type, presence of children, and tenure. **Figure B3-32** shows housing units by number of bedrooms and tenure. Figure **B3-33** through **B3-36** show household data by census tract.

~~Figure B3-12~~Figure B3-13 **Population by Race and Ethnicity, Cupertino, 2019**



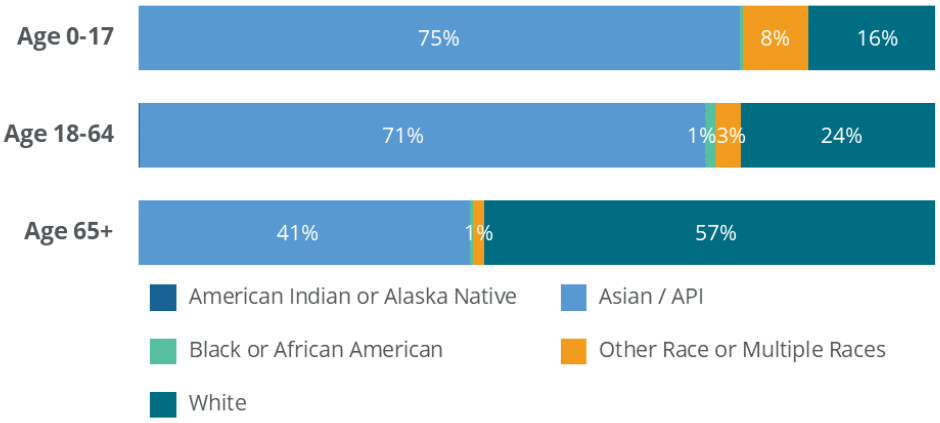
Source: ABAG Housing Needs Data Workbook

~~Figure B3-13~~Figure B3-14 Population by Race and Ethnicity, Cupertino, 2000-2019



Source: ABAG Housing Needs Data Workbook

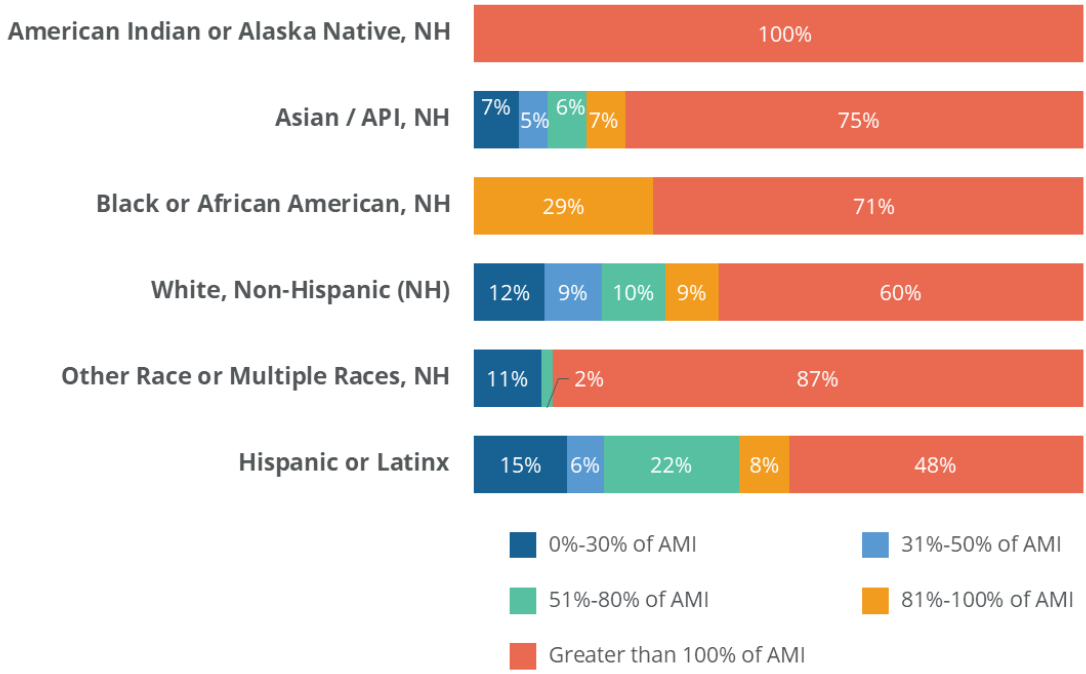
~~Figure B3-14~~Figure B3-15 Senior and Youth Population by Race, Cupertino, 2000-2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-15~~Figure B3-16

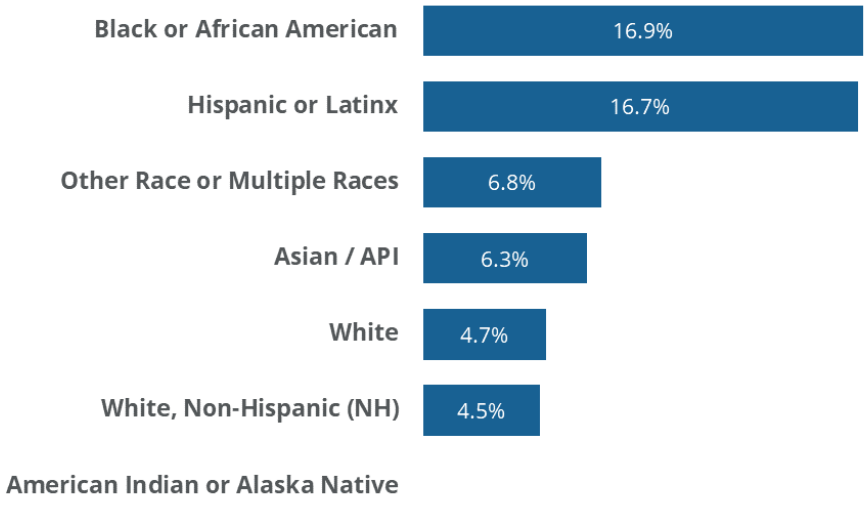
Area Median Income by Race and Ethnicity, Cupertino, 2019



Note: Black or African American Area Median Income comes from ABAG, but it does not align with Figure ~~II-5~~B3-17s poverty rate.

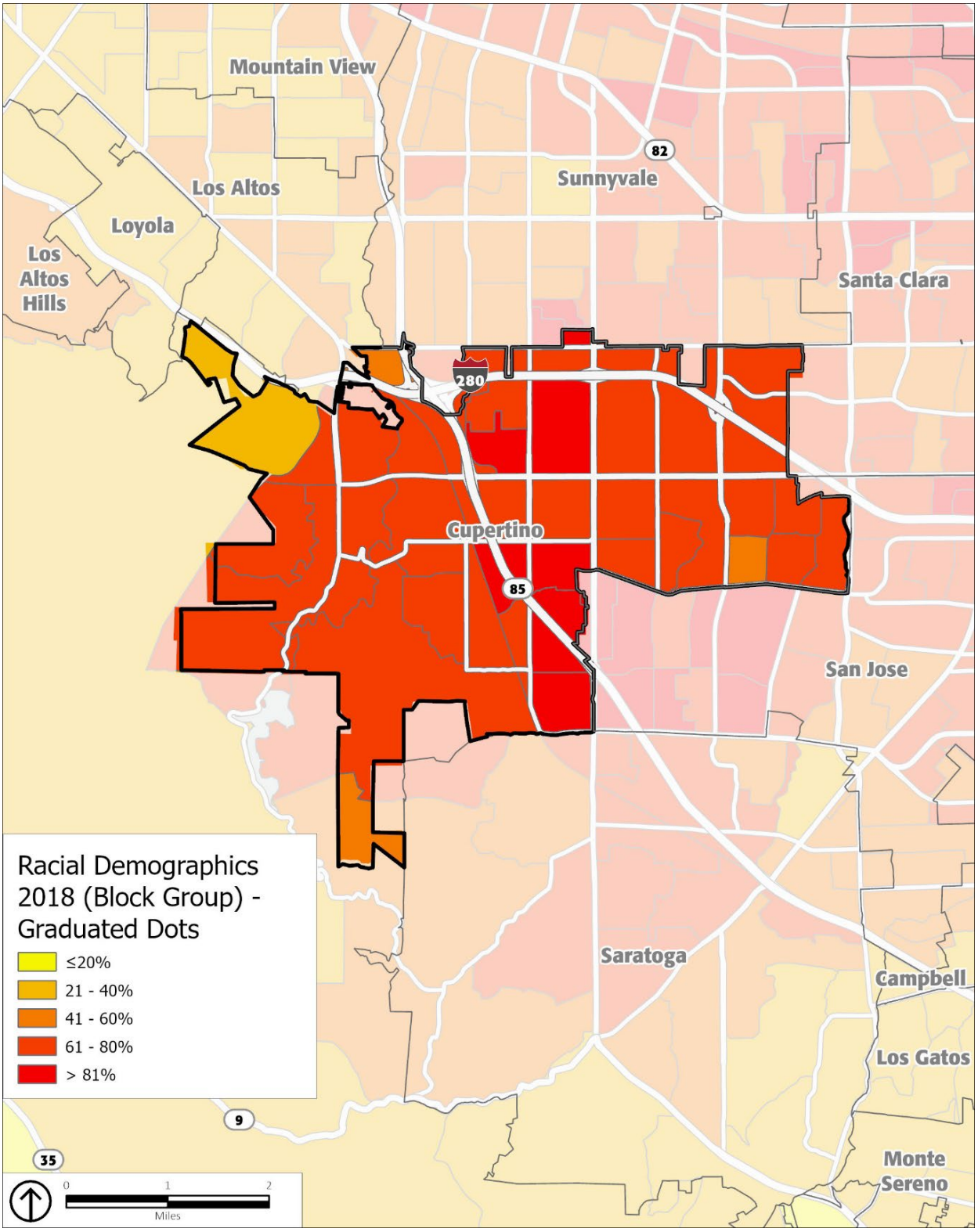
Source: ABAG Housing Needs Data Workbook

~~Figure B3-16~~Figure B3-17 Poverty Rate by Race and Ethnicity, Cupertino 2019~~[Whites have the second- lowest median income but lowest poverty rate?]~~



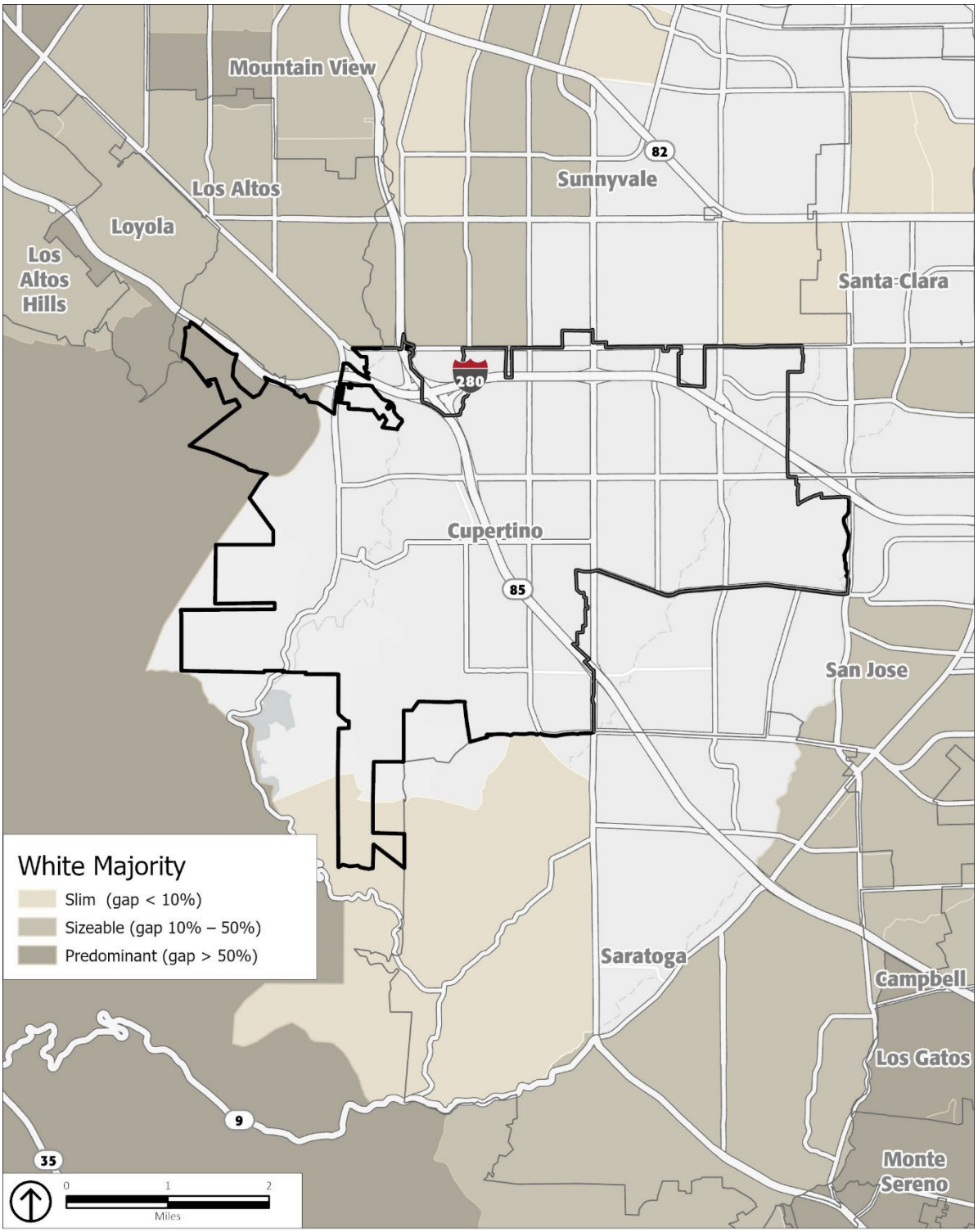
Source: ABAG Housing Needs Data Workbook

~~Figure B3-17~~Figure B3-18 Percentage Non-White Population by Census Block Groups, 2018



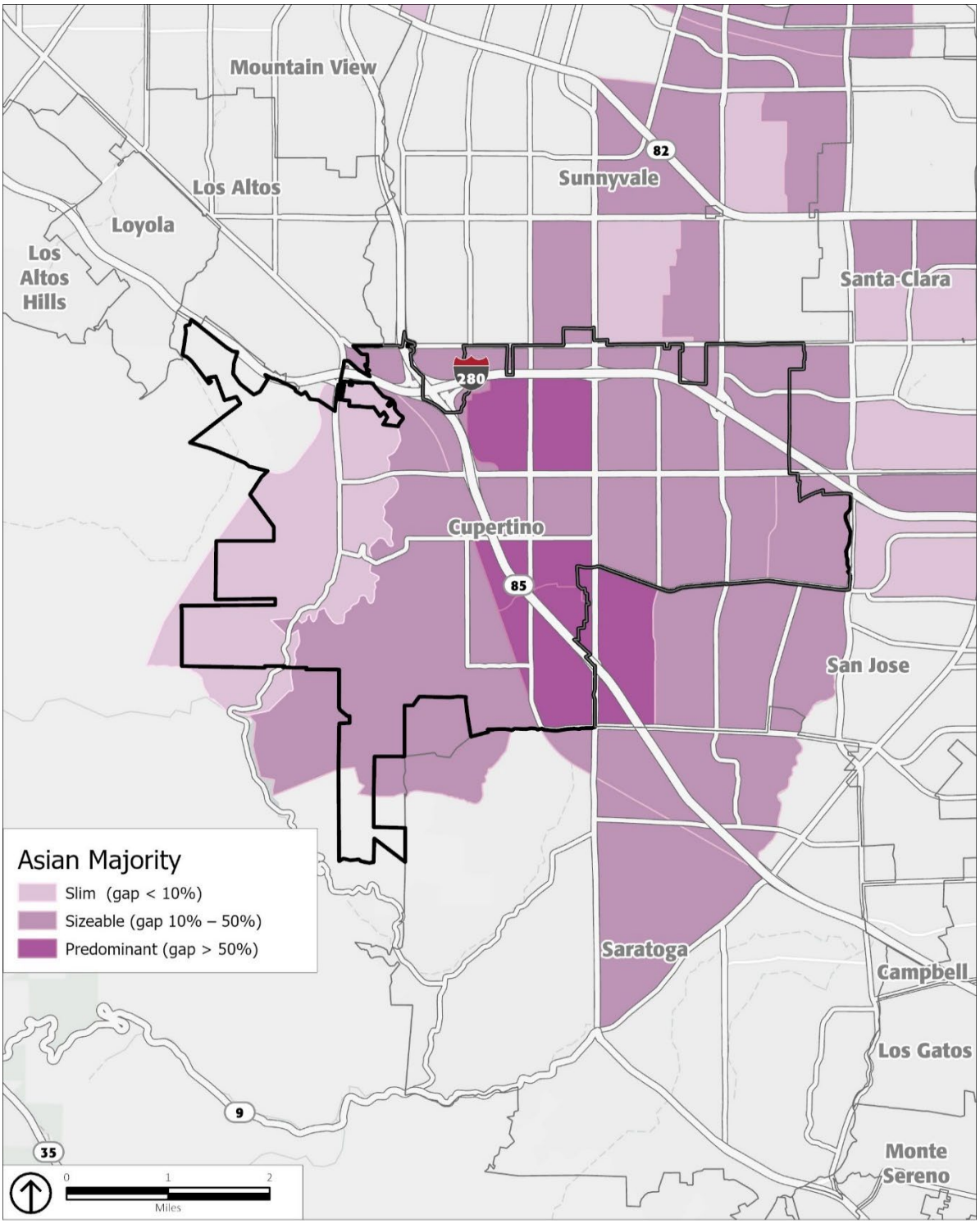
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-18~~Figure B3-19 White Majority Census Tracts



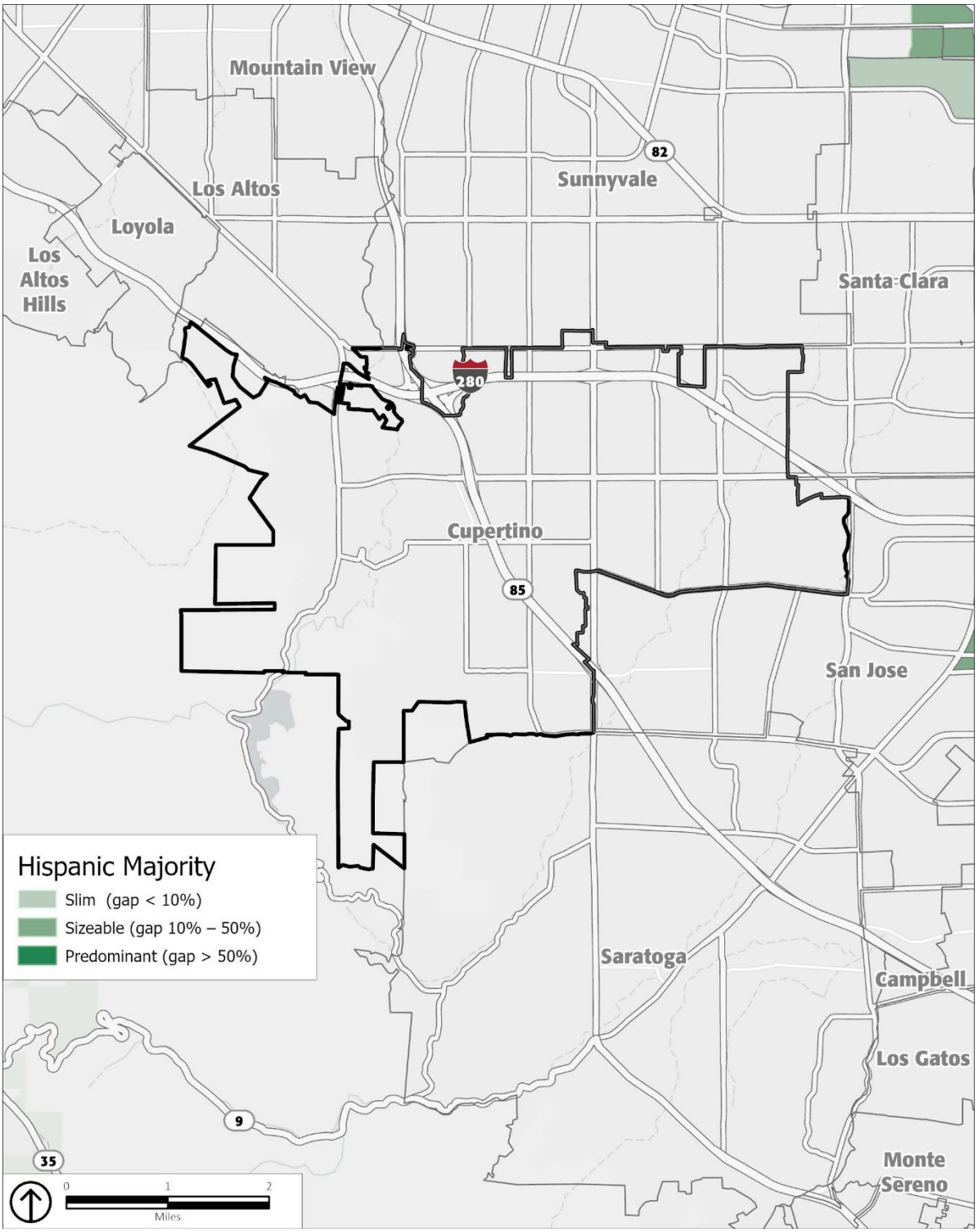
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-19~~Figure B3-20 Asian Majority Census Tracts



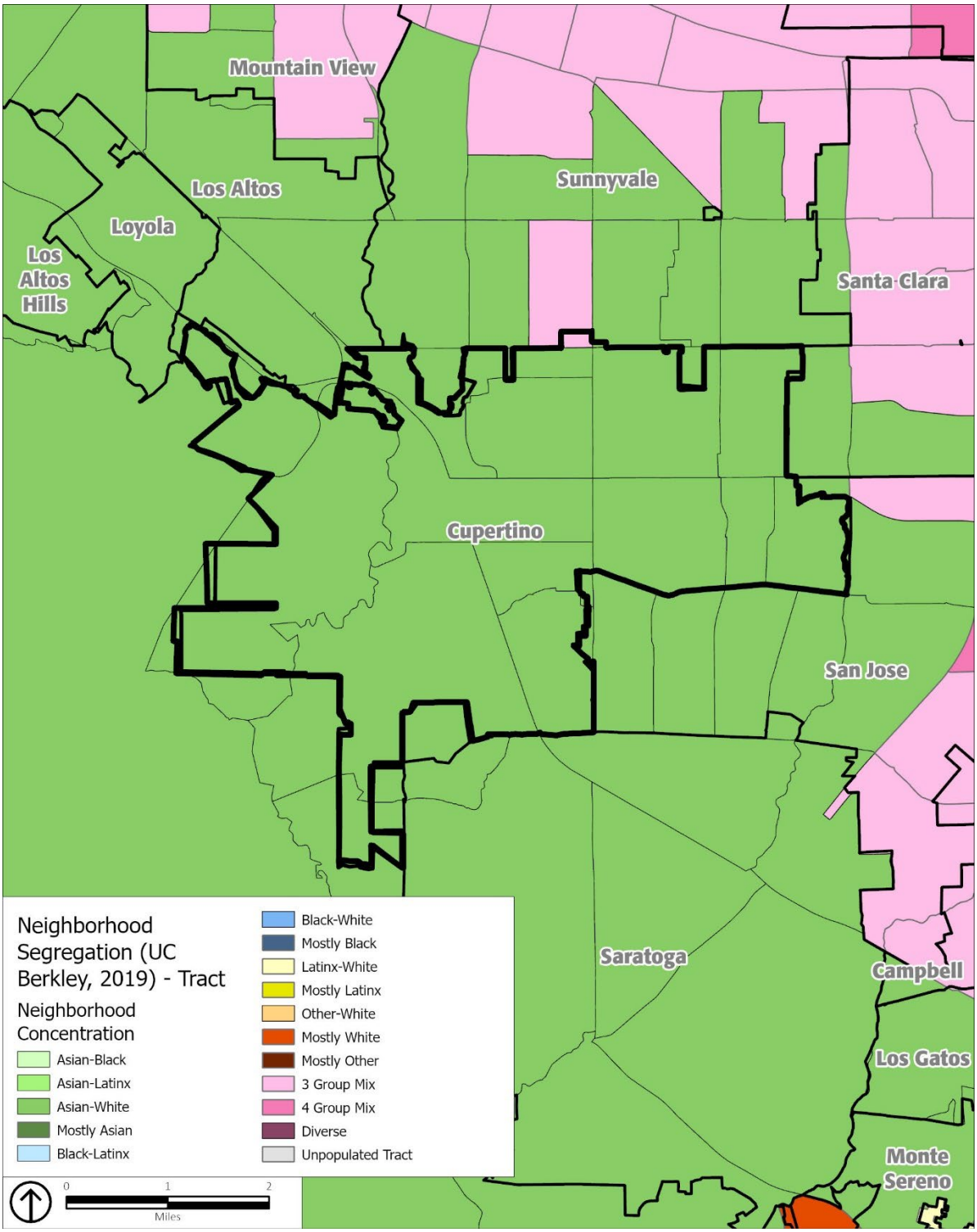
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-20~~Figure B3-21 Hispanic Majority Census Tracts



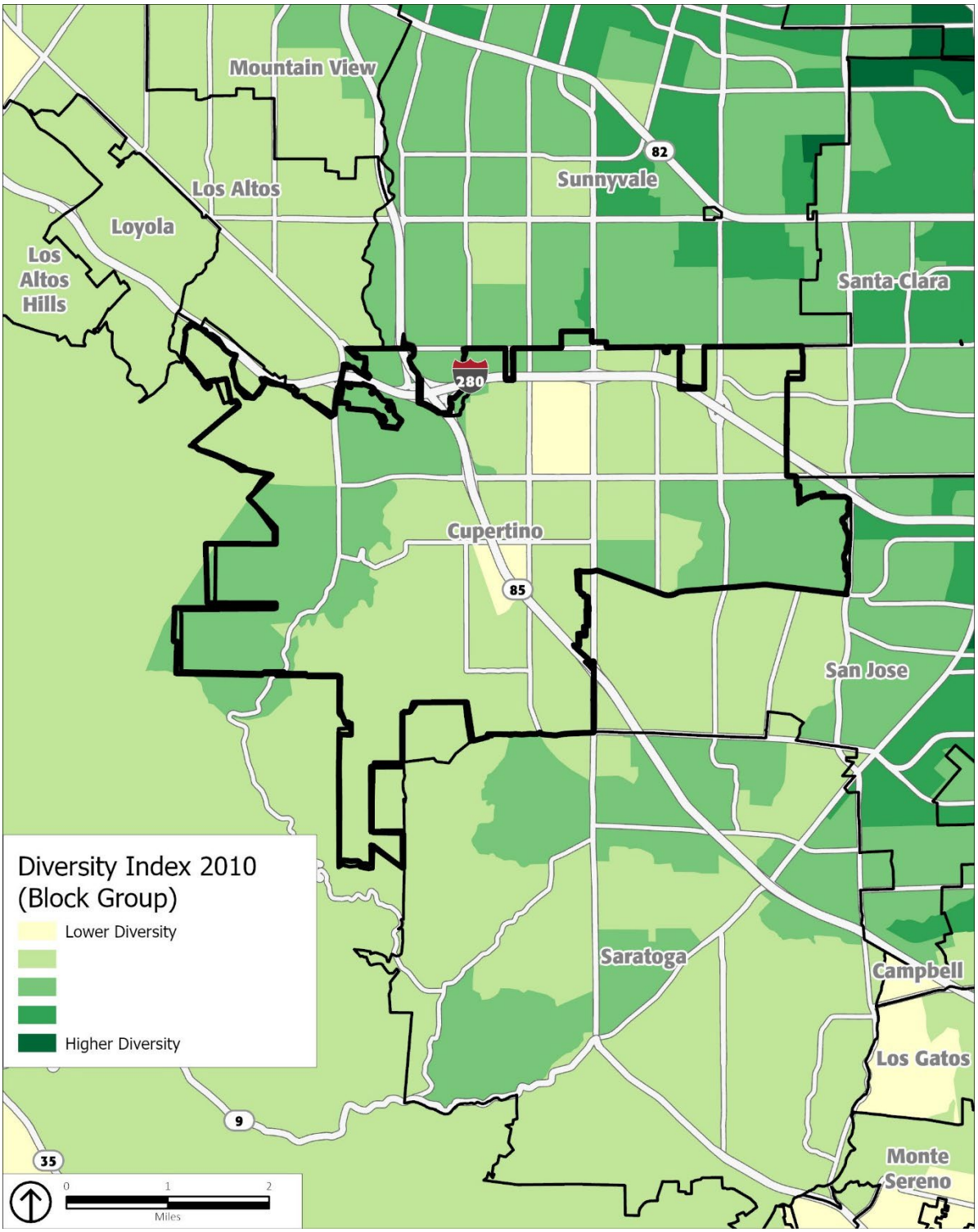
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-21~~Figure B3-22 Neighborhood Segregation by Census Tract, 2019



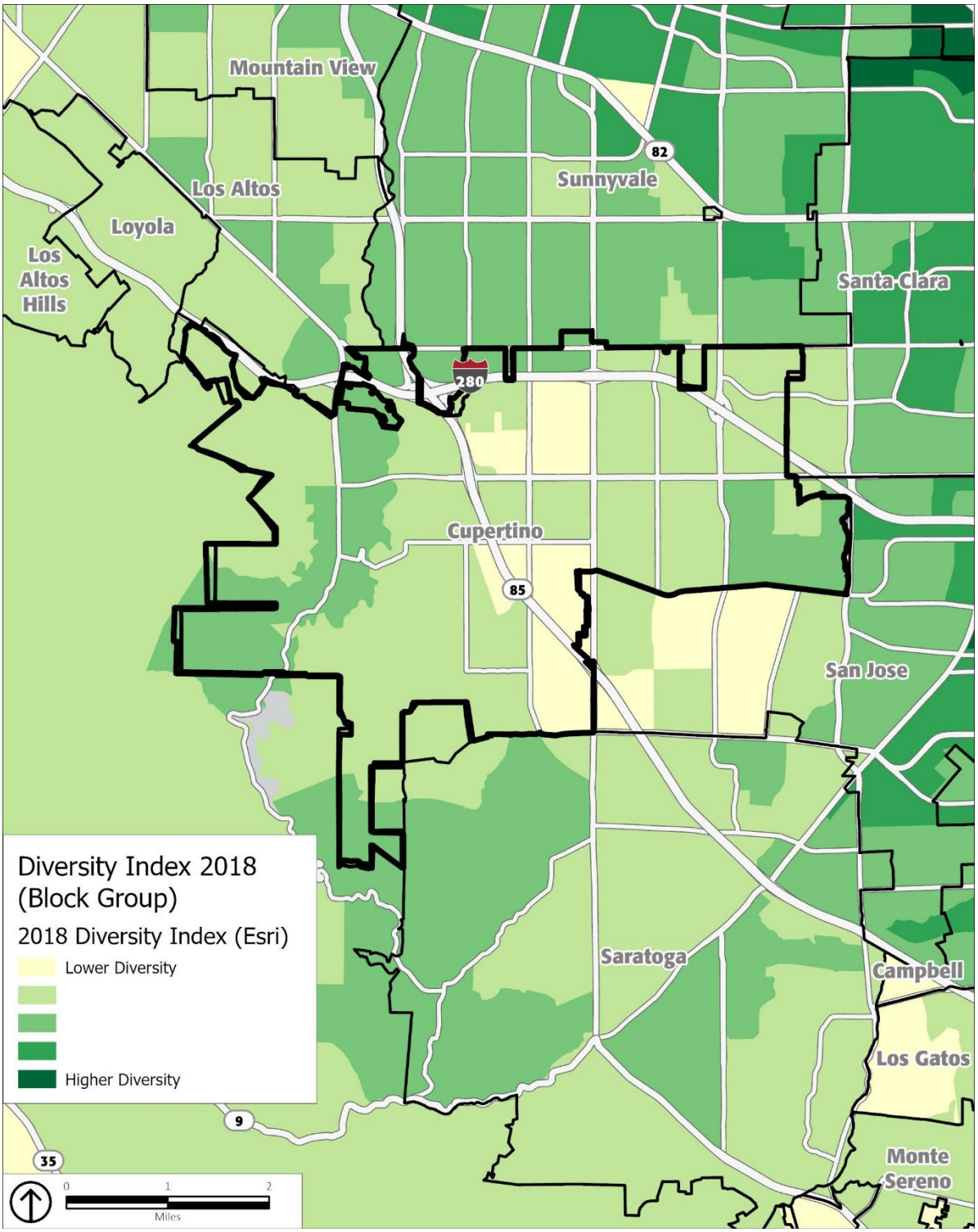
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-22~~Figure B3-23 Diversity Index by Block Group, 2010



Source: California Department of Housing and Community Development AFFH Data Viewer

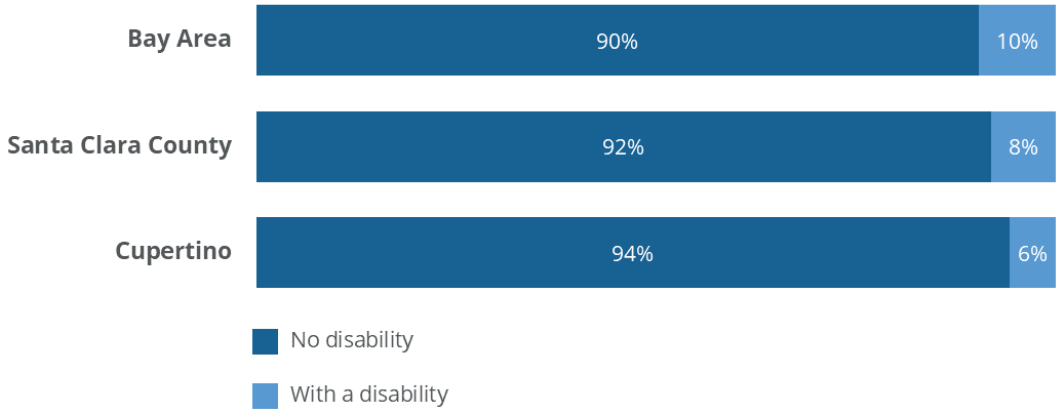
~~Figure B3-23~~Figure B3-24 Diversity Index by Block Group, 2018



Source: California Department of Housing and Community Development AFFH Data Viewer

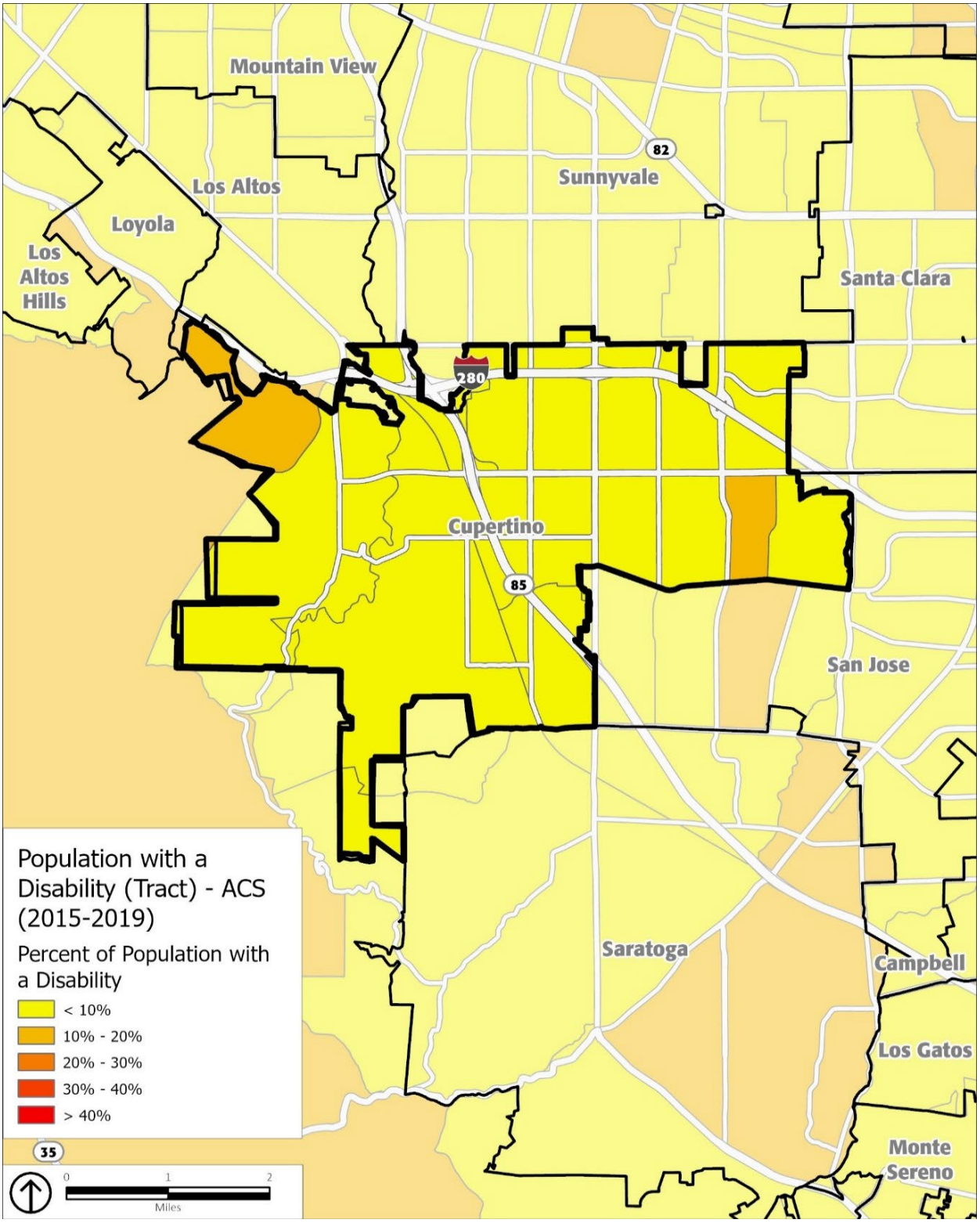
DISABILITY STATUS.

~~Figure B3-24~~Figure B3-25 Share of Population by Disability Status, 2019



Source: ABAG Housing Needs Data Workbook

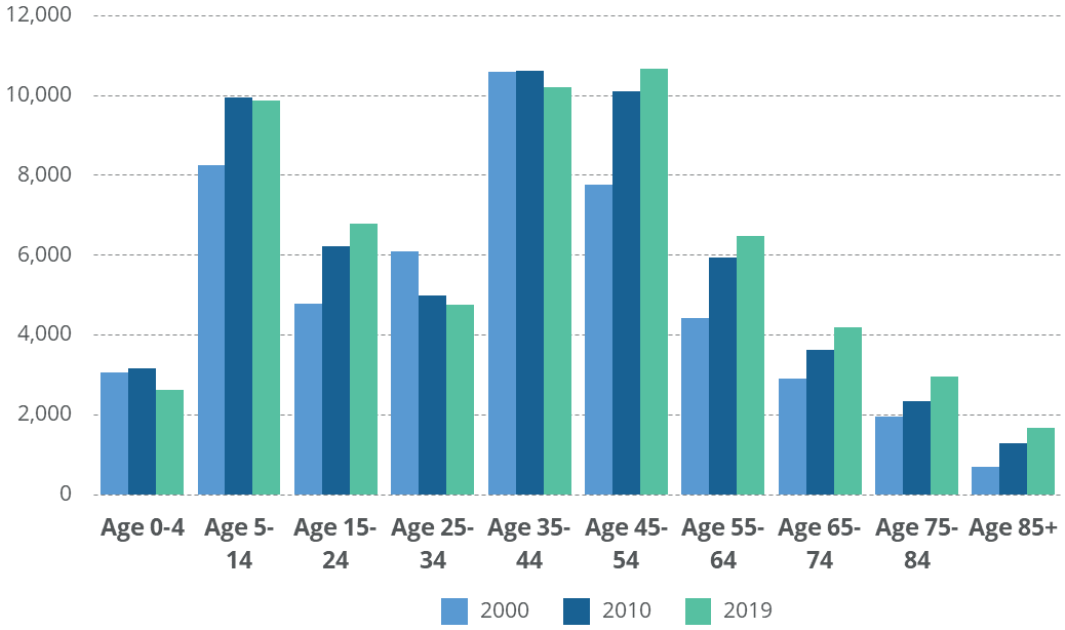
~~Figure B3-25~~Figure B3-26 Percentage~~%~~ of Population with a Disability by Census Tract, 2019



Source: California Department of Housing and Community Development AFFH Data Viewer

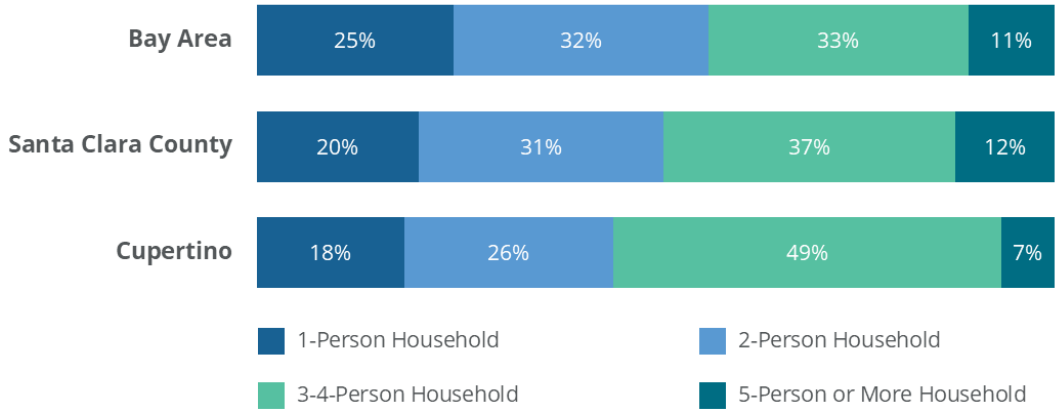
FAMILIAL STATUS.

~~Figure B3-26~~Figure B3-27 Age Distribution, Cupertino, 2000-2019



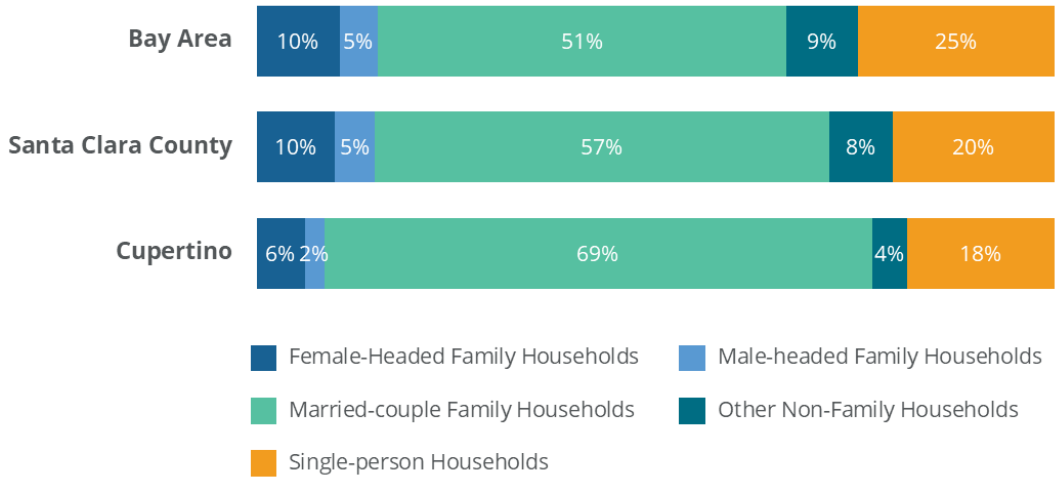
Source: ABAG Housing Needs Data Workbook

~~Figure B3-27~~Figure B3-28 Share of Households by Size, 2019



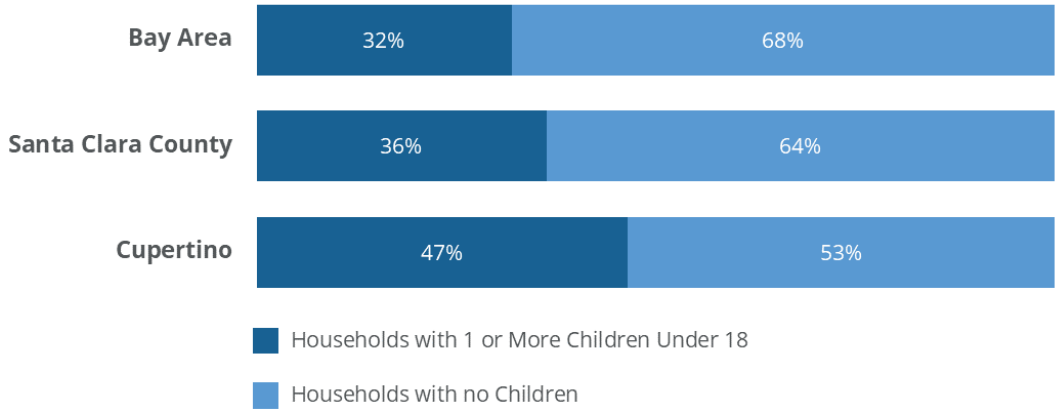
Source: ABAG Housing Needs Data Workbook

~~Figure B3-28~~Figure B3-29 Share of Households by Type, 2019



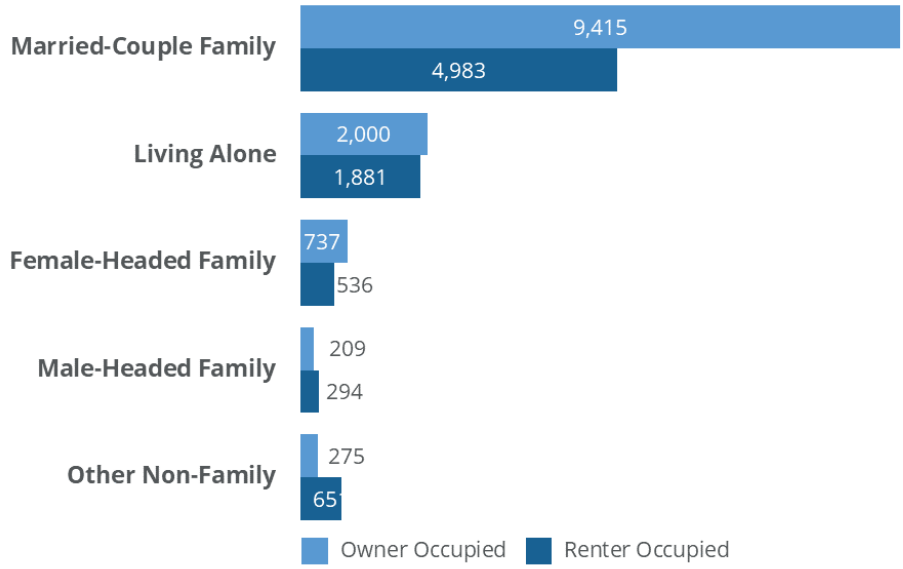
Source: ABAG Housing Needs Data Workbook

~~Figure B3-29~~Figure B3-30 Share of Households by Presence of Children (Less than 18 years old), 2019



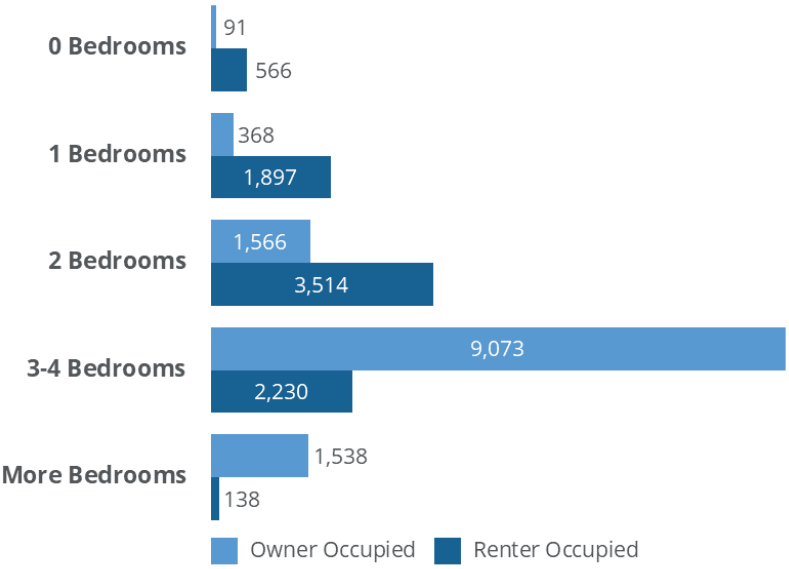
Source: ABAG Housing Needs Data Workbook

~~Figure B3-30~~Figure B3-31 Housing Type by Tenure, Cupertino, 2019



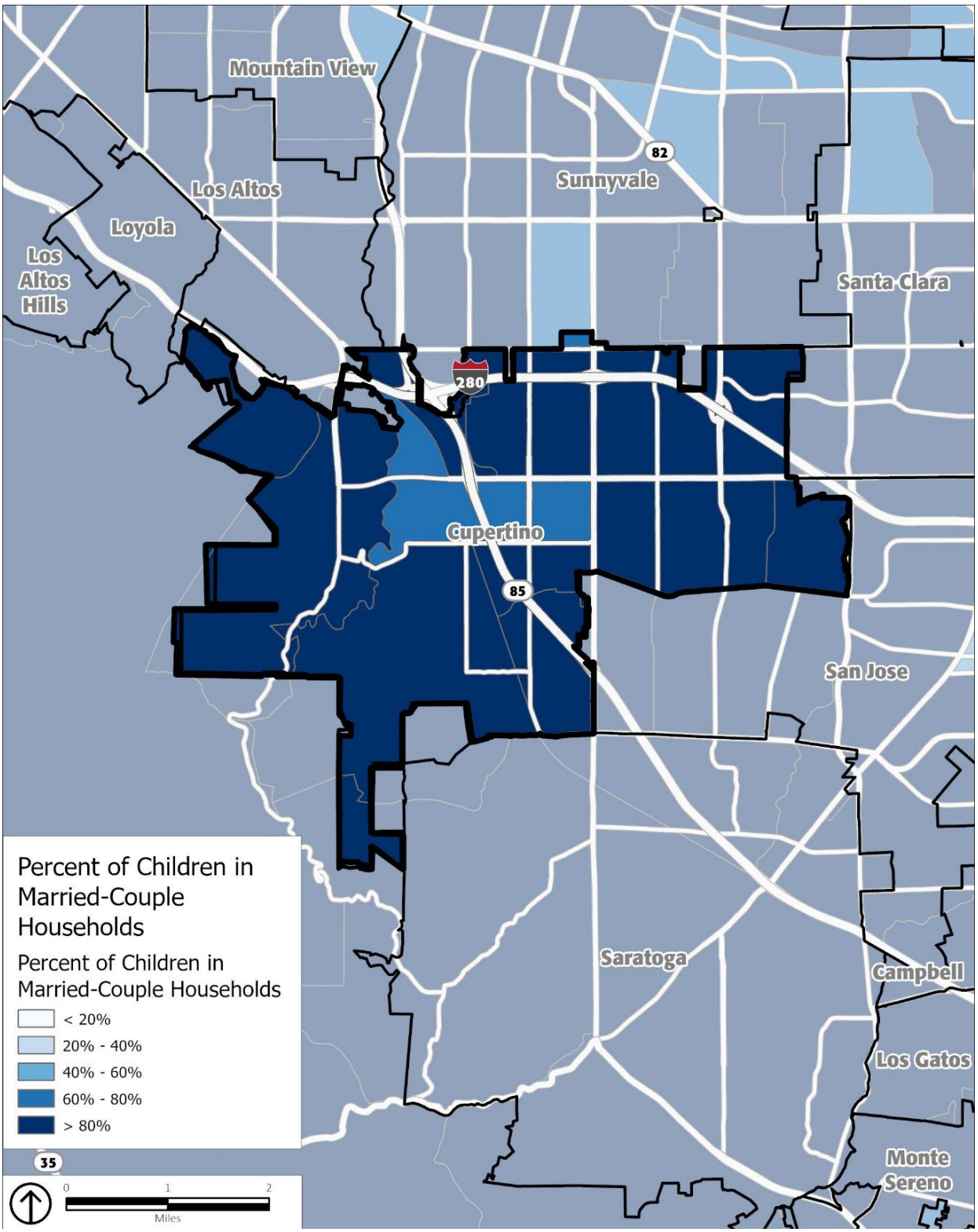
Source: ABAG Housing Needs Data Workbook

~~Figure B3-31~~Figure B3-32 Housing Units by Number of Bedrooms and Tenure, Cupertino, 2019



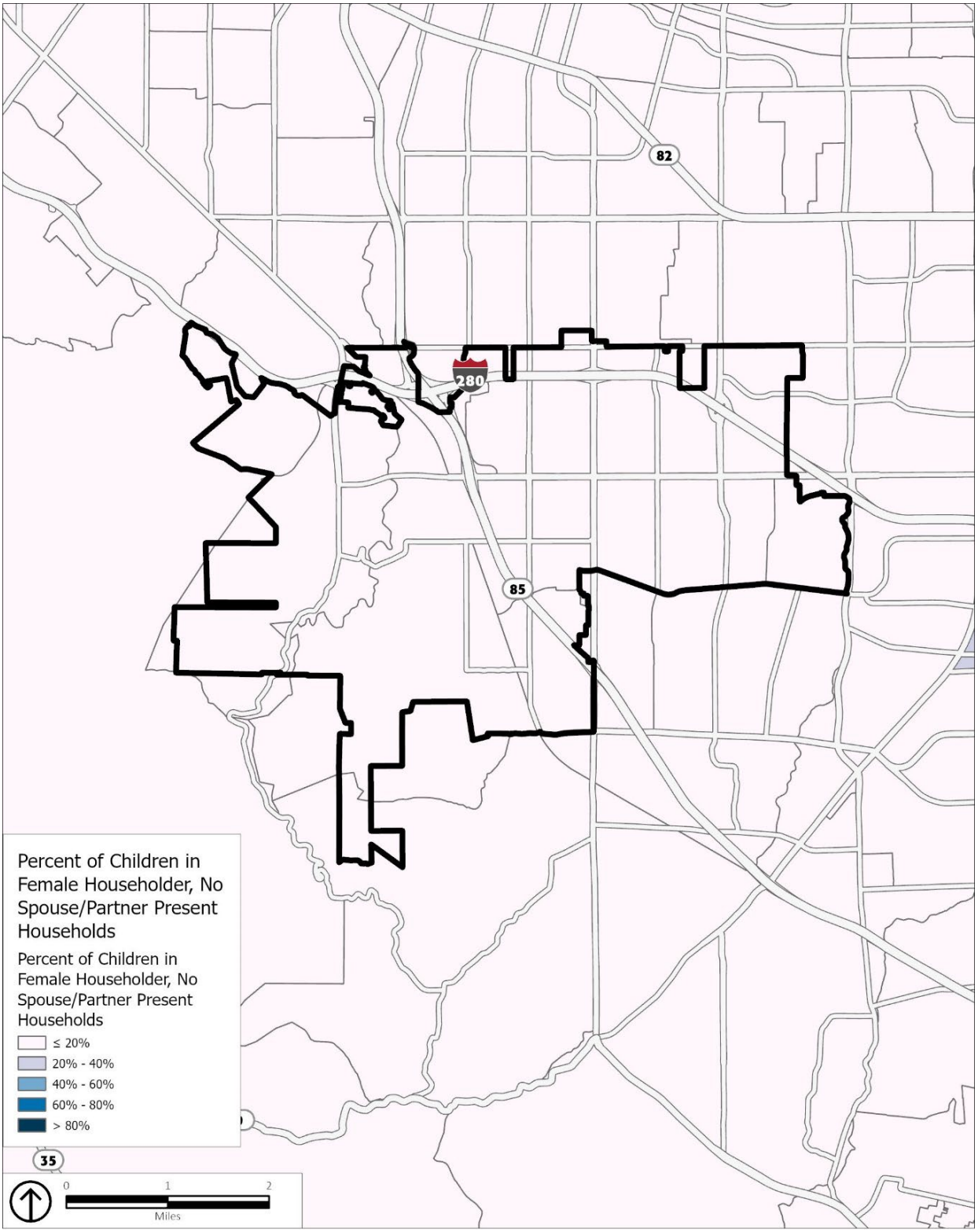
Source: ABAG Housing Needs Data Workbook

~~Figure B3-32~~Figure B3-33 Percentage of Children in Married-Couple Households by Census Tract, 2019



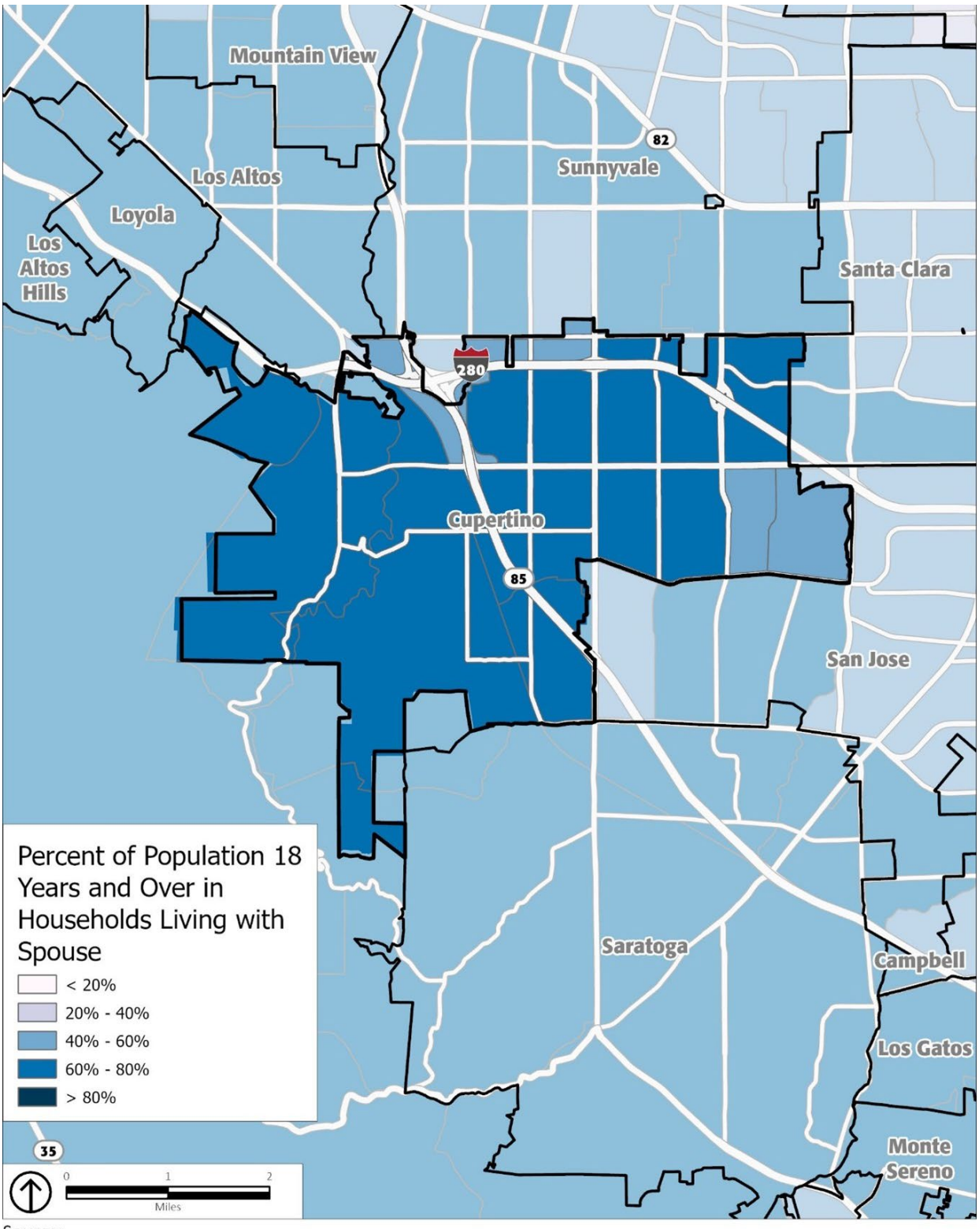
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-33~~Figure B3-34 Percent Households with Single Female with Children by Census Tract, 2019



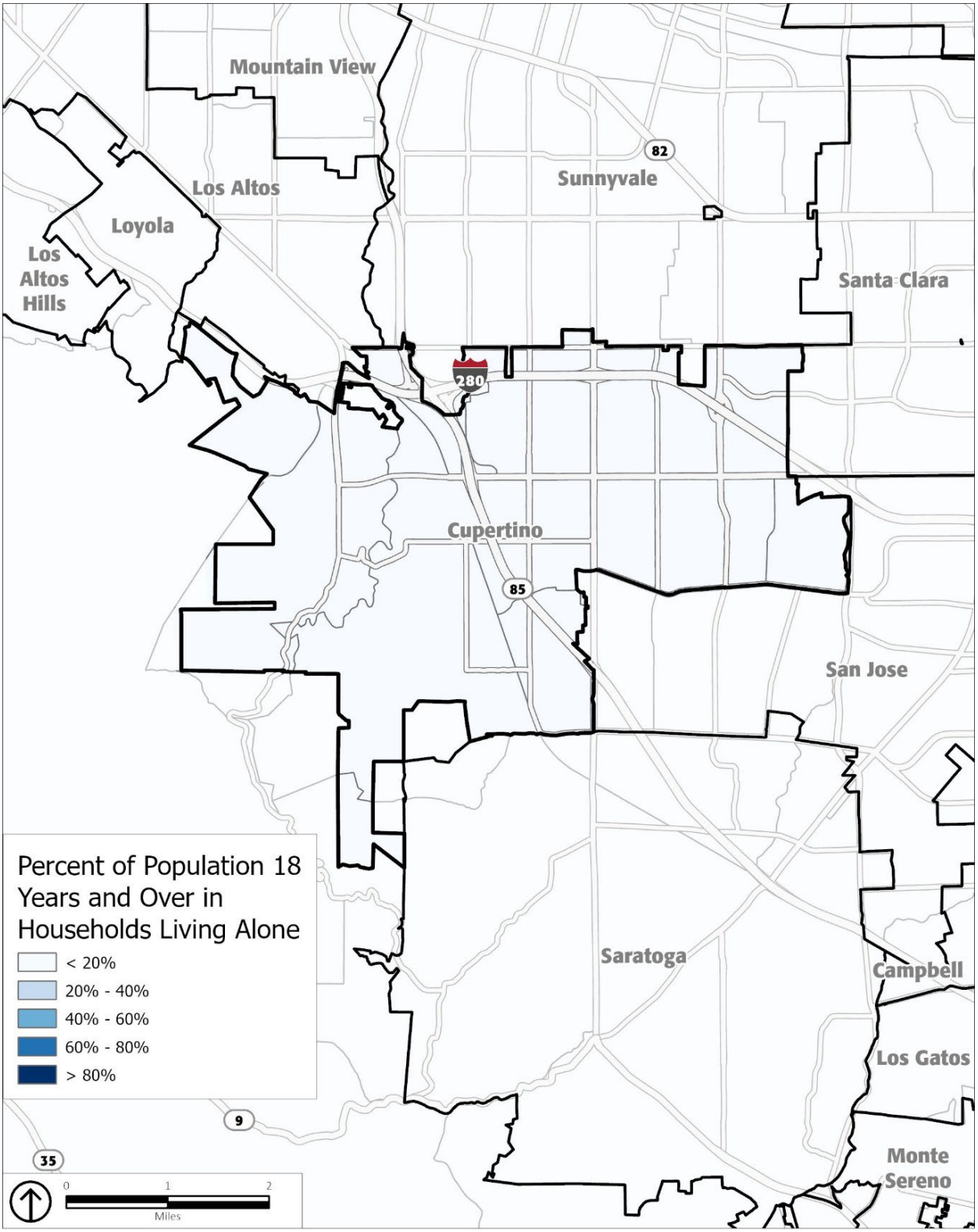
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-34~~Figure B3-35 Percentage of Married Couple Households by Census Tract, 2019



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-35~~Figure B3-36 Percentage of Adults Living Alone by Census Tract, 2019

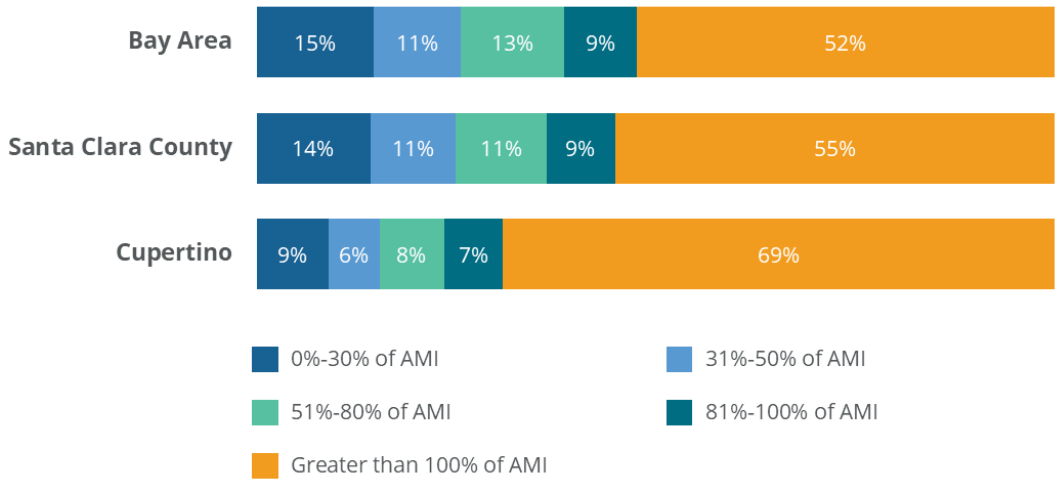


Source: California Department of Housing and Community Development AFFH Data Viewer

HOUSEHOLD ~~I~~INCOME.

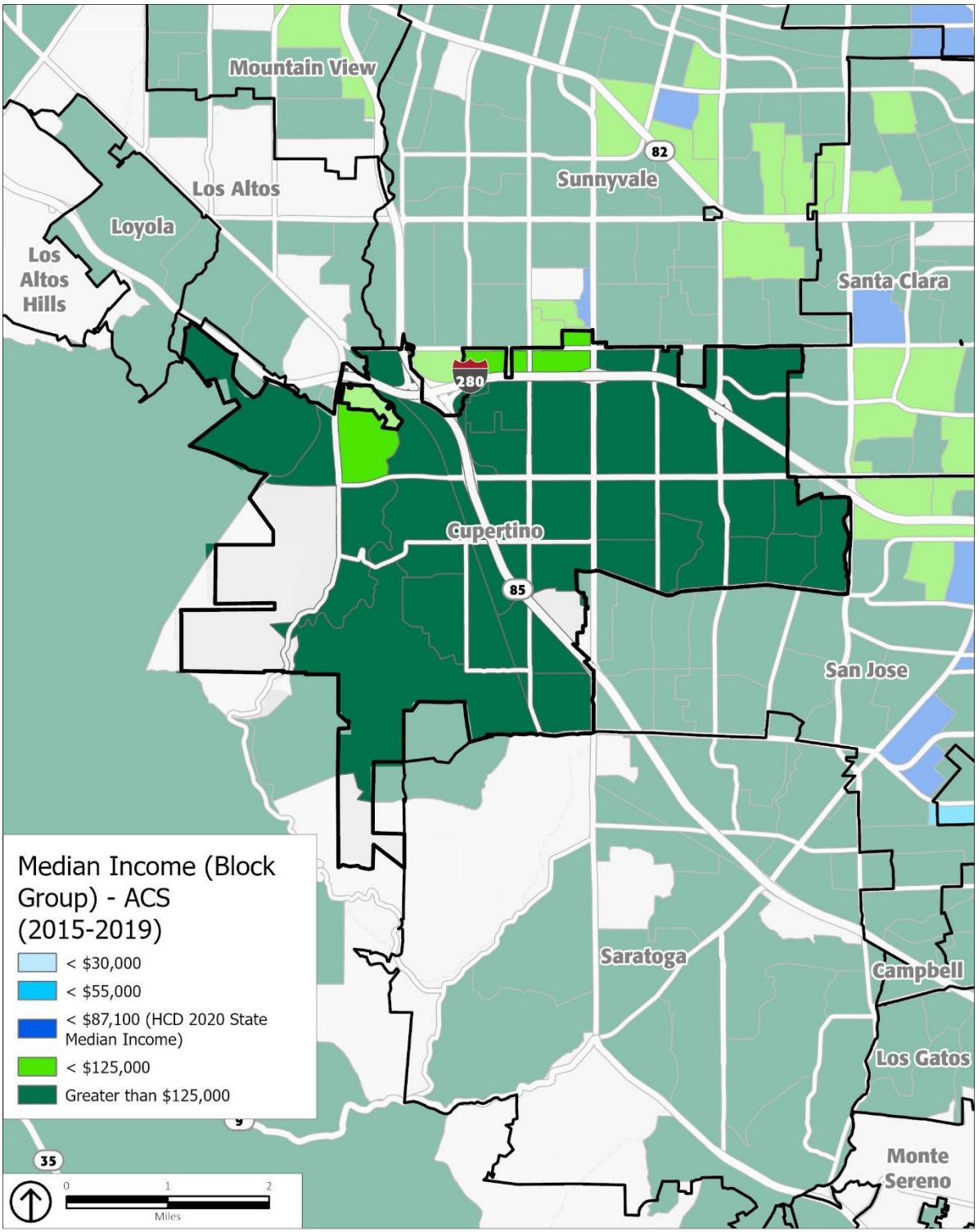
Figure B3-37 through **B3-41** depict data on housing income in Cupertino.

~~Figure B3-36~~Figure B3-37 Share of Households by Area Median Income (AMI), 2019



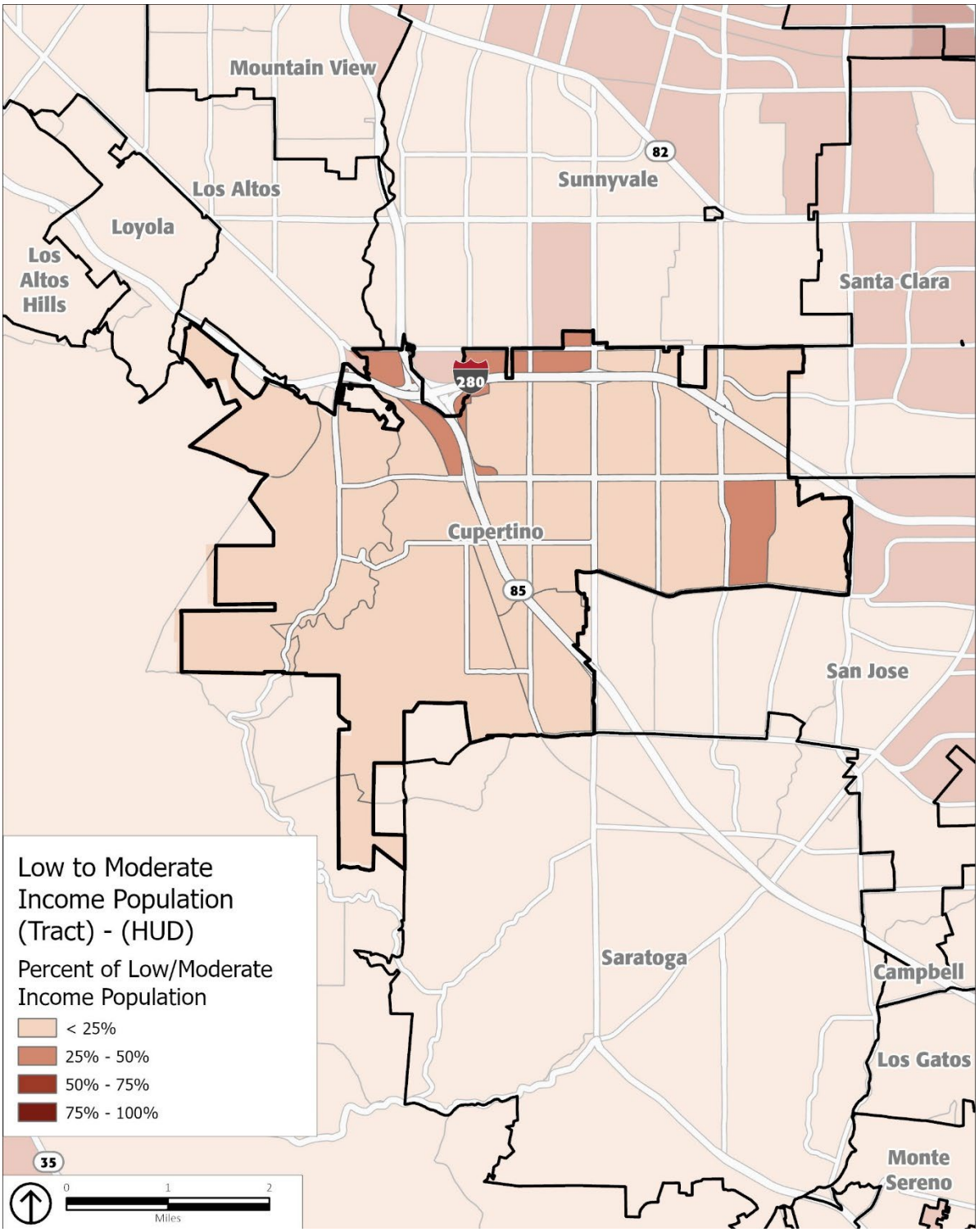
Source: ABAG Housing Needs Data Workbook

~~Figure B3-37~~Figure B3-38 Median Household Income by Block Group, 2019



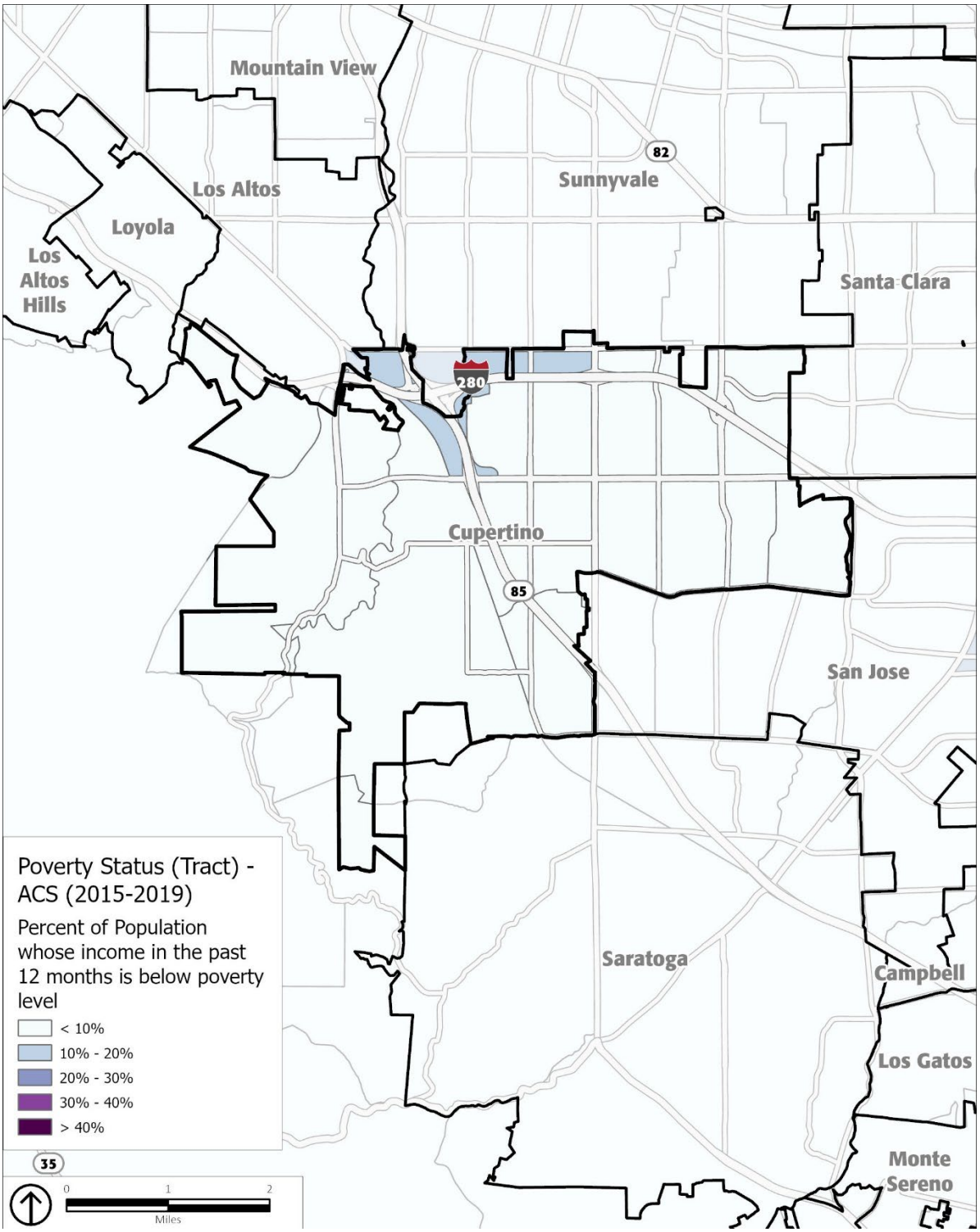
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-38~~Figure B3-39 Low to Moderate Income Population by Block Group



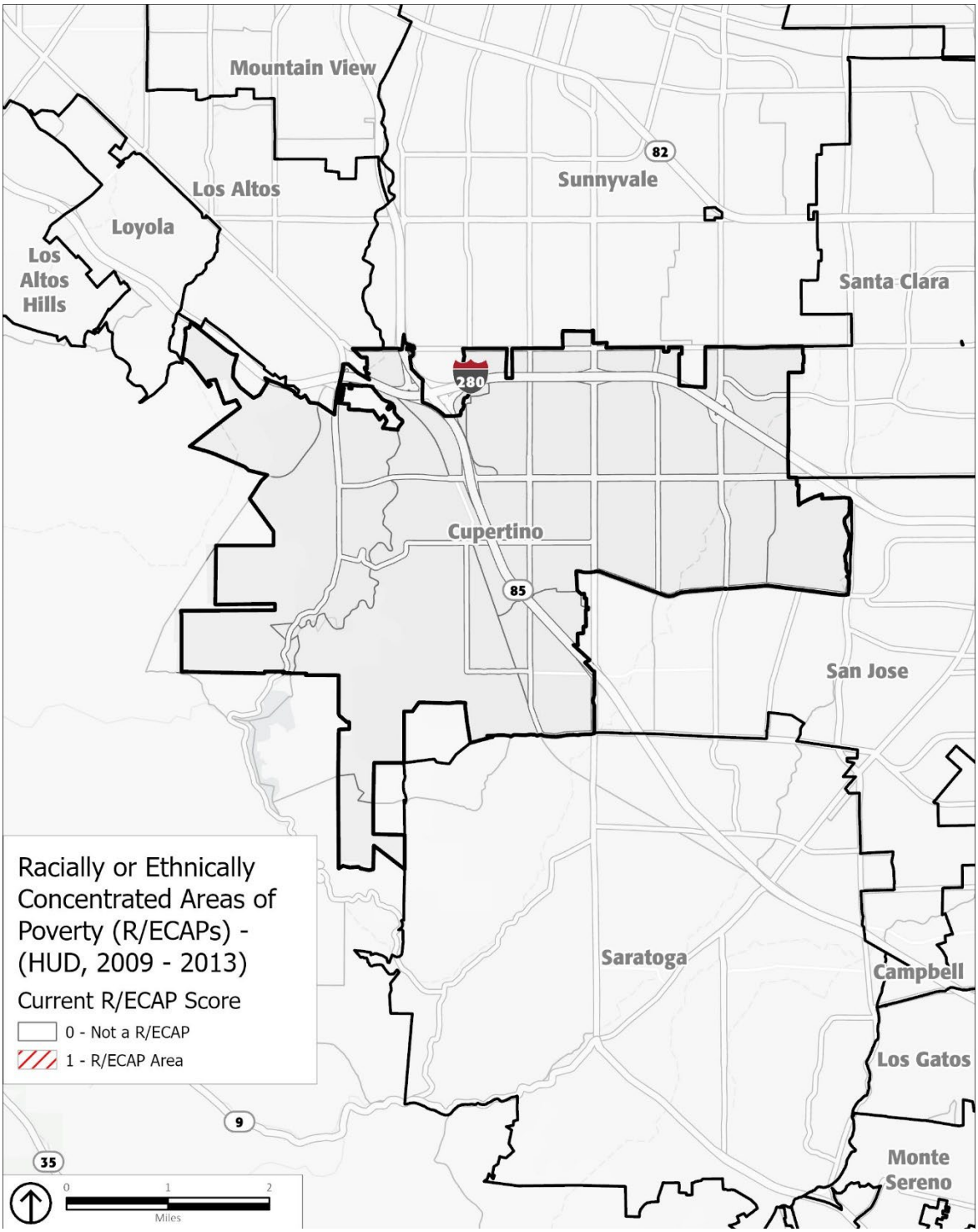
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-39~~Figure B3-40 Poverty Status by Census Tract, 2019



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-40~~Figure B3-41 R/ECAPs, 2013



Note: R/ECAPs are census tracts that have a non-white population of 50% ~~percent~~ or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the County (19.4% in 2010). Edge R/ECAPs are census tracts that have a non-white population of 50 percent or more (majority-minority) AND the poverty rate is two times the average tract poverty rate for the County (13% in 2010).

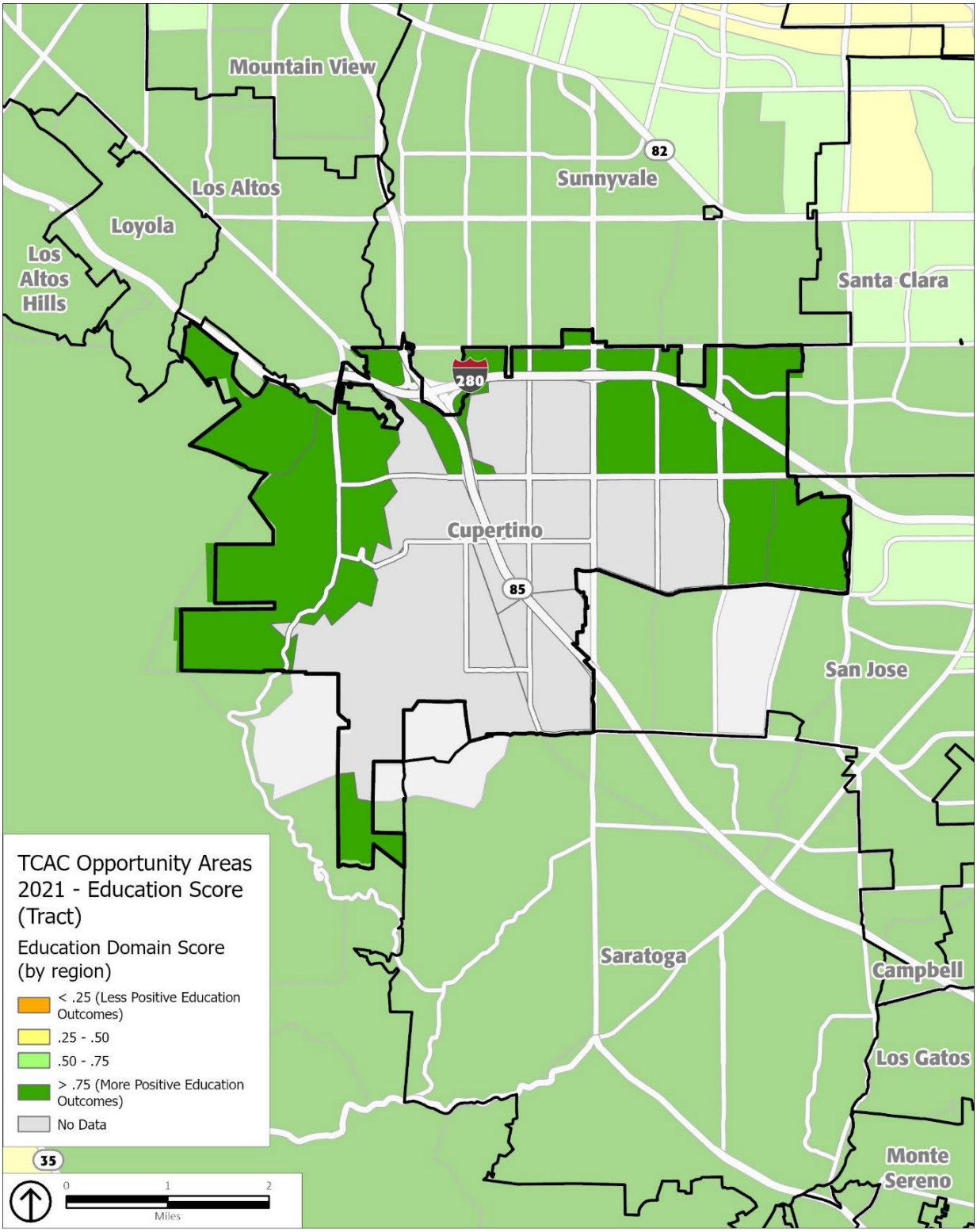
Source: California Department of Housing and Community Development AFFH Data Viewer

ACCESS TO OPPORTUNITY

EDUCATION

Figure B3-42 shows TCAC opportunity areas educational score by census tract.

~~Figure B3-41~~Figure B3-42 TCAC Opportunity Areas Education Score by Census Tract, 2021

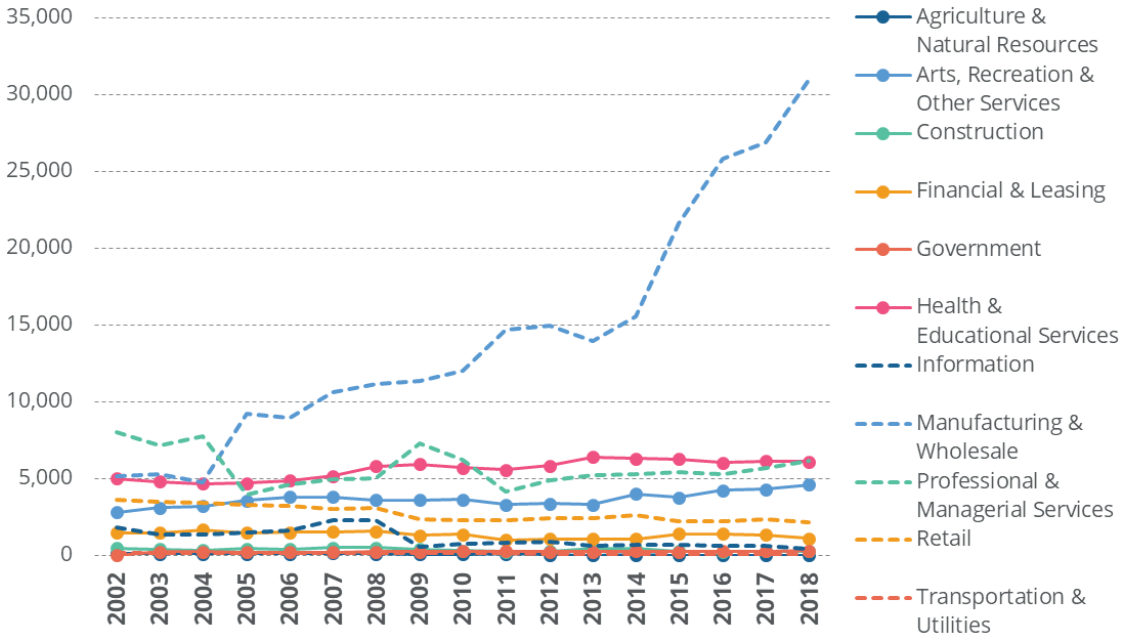


Source: California Department of Housing and Community Development AFFH Data Viewer

EMPLOYMENT

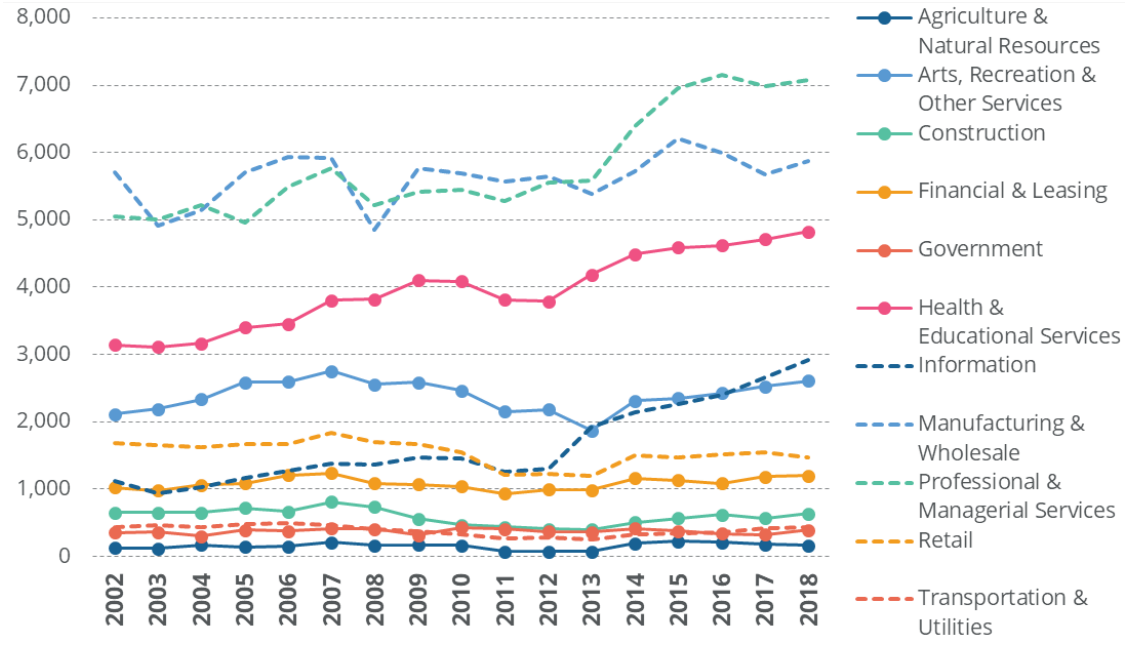
Figure B3-43 shows jobs by industry in Cupertino for 2002 through 2018. **Figure B3-44** shows job holders by industry. **Figure B3-45** shows jobs to household ratio and **Figure B3-46** shows jobs to worker ratio by wage. **Figure B3-47** depicts the unemployment rate from 2010 through 2021. **Figure B3-48** shows TCAC opportunity areas economic score by census tract. **Figure B3-49** shows jobs proximity index by block group.

~~Figure B3-42~~Figure B3-43 Jobs by Industry, Cupertino, 2002-2018



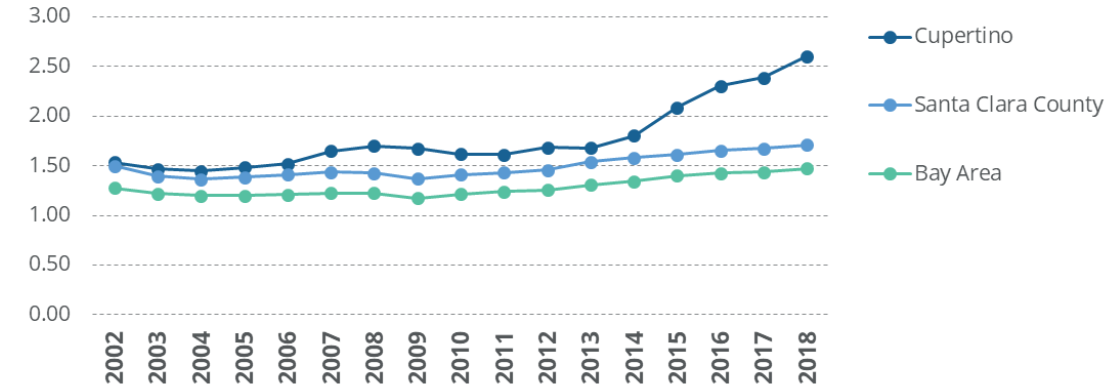
Source: ABAG Housing Needs Data Workbook

~~Figure B3-43~~Figure B3-44 Job Holders by Industry, Cupertino, 2002-2018



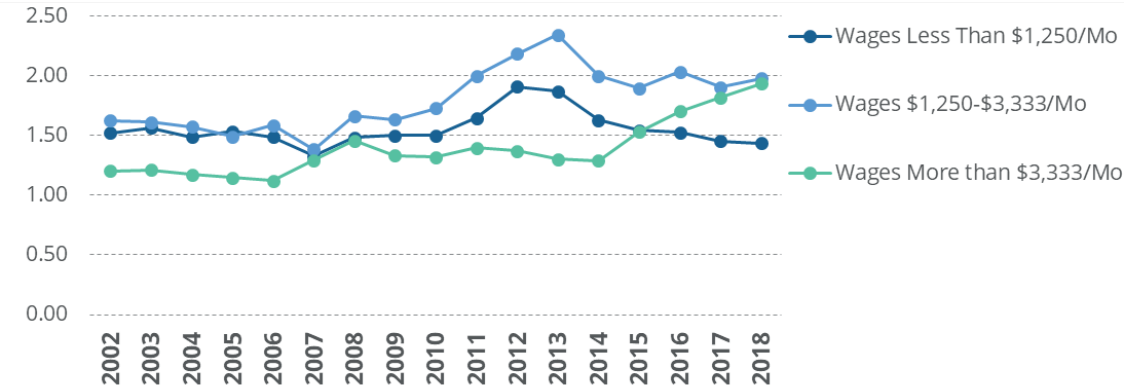
Source: ABAG Housing Needs Data Workbook

~~Figure B3-44~~Figure B3-45 Jobs to Household Ratio, Cupertino, 2002-2018



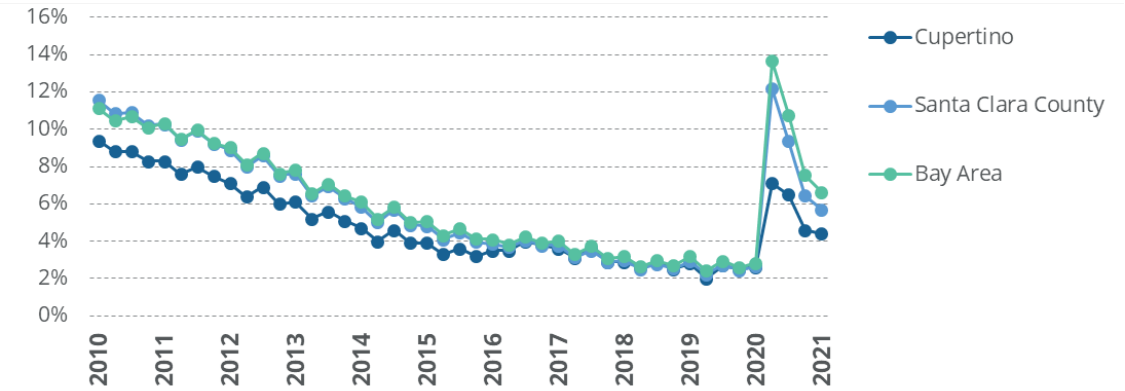
Source: ABAG Housing Needs Data Workbook

~~Figure B3-45~~Figure B3-46 Jobs to Worker Ratio by Wage, Cupertino, 2002-2018



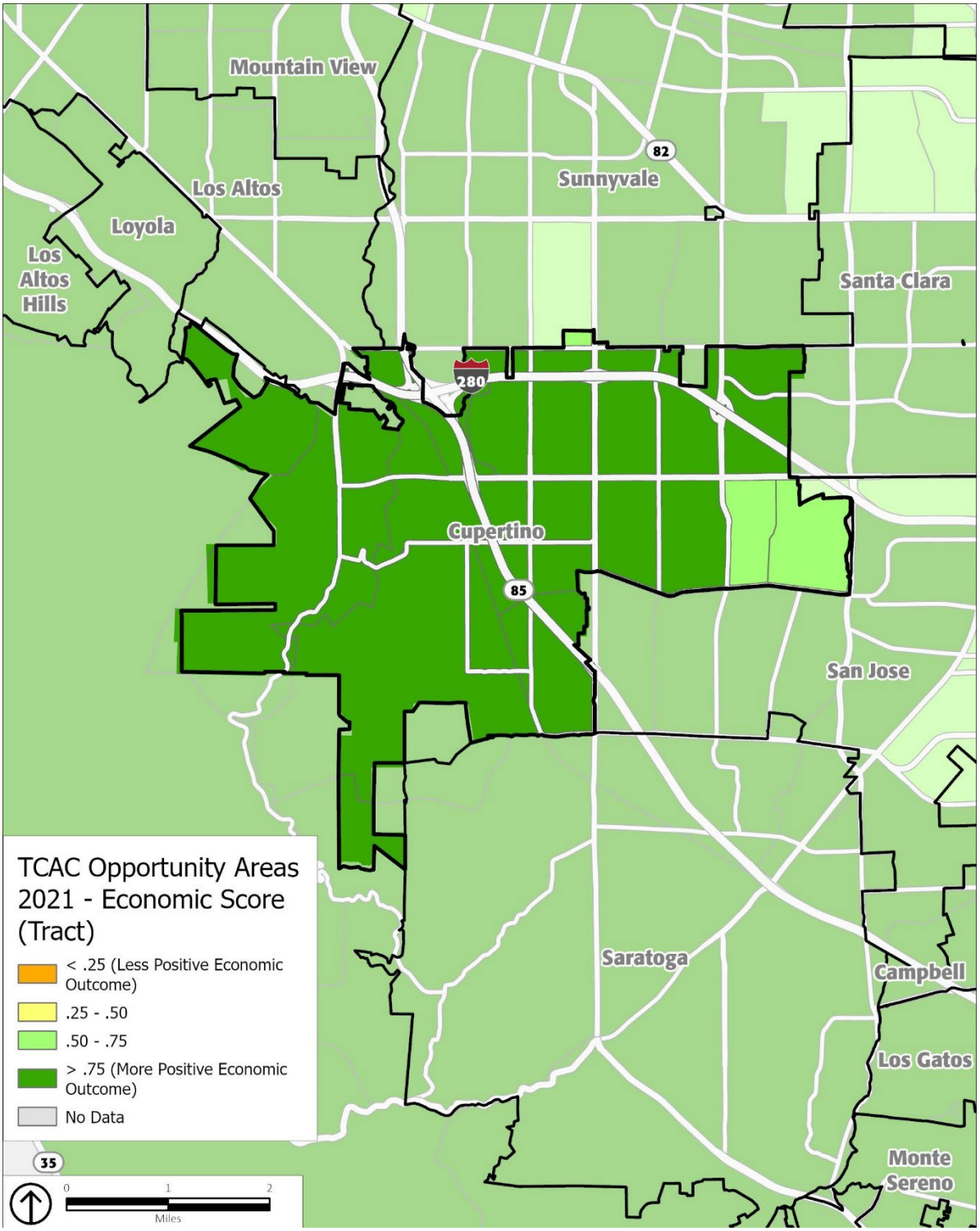
Source: ABAG Housing Needs Data Workbook

~~Figure B3-46~~Figure B3-47 Unemployment Rate, 2010-2021



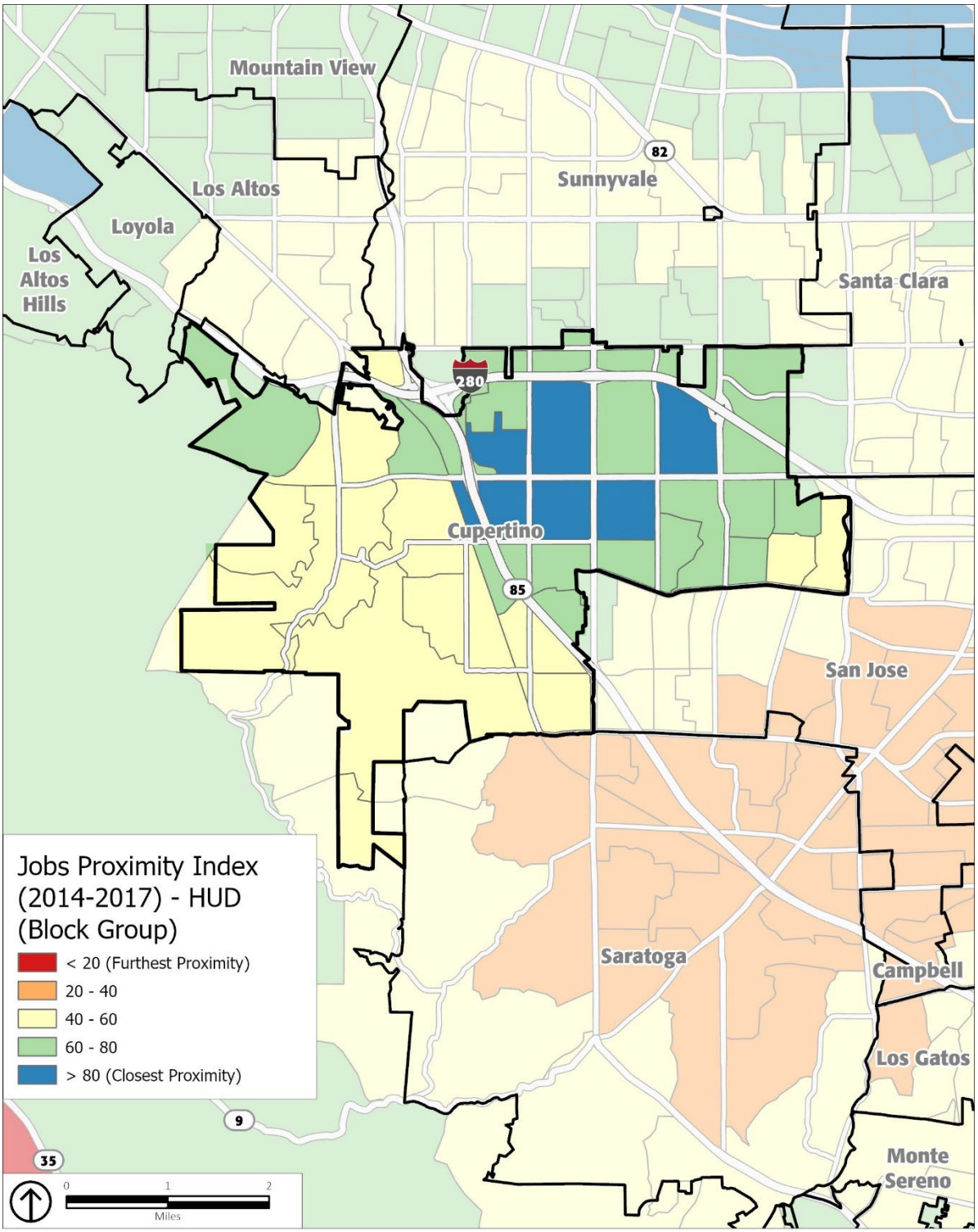
Source: ABAG Housing Needs Data Workbook

~~Figure B3-47~~Figure B3-48 TCAC Opportunity Areas Economic Score by Census Tract, 2021



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-48~~Figure B3-49 Jobs Proximity Index by Block Group, 2017

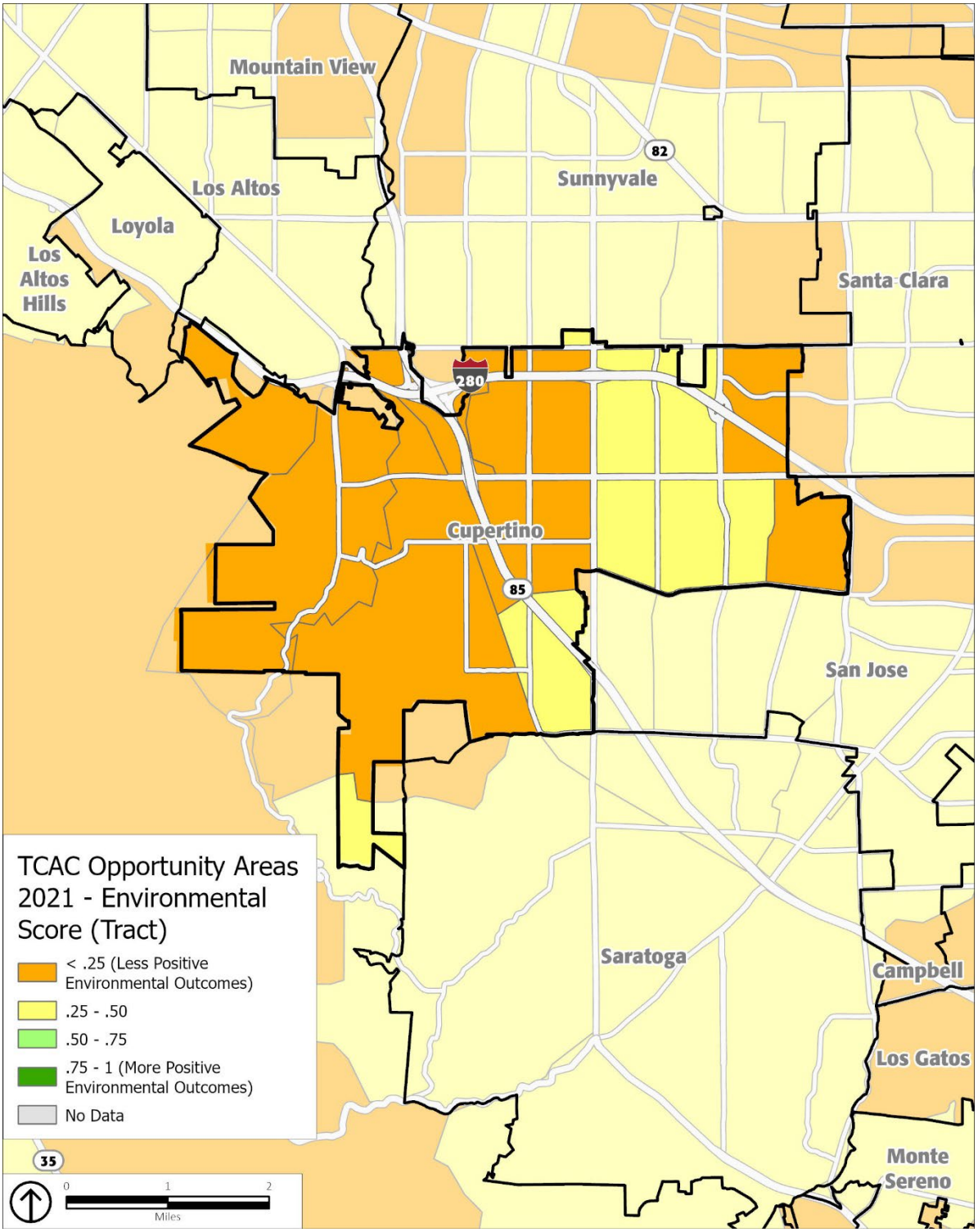


Source: California Department of Housing and Community Development AFFH Data Viewer

ENVIRONMENT

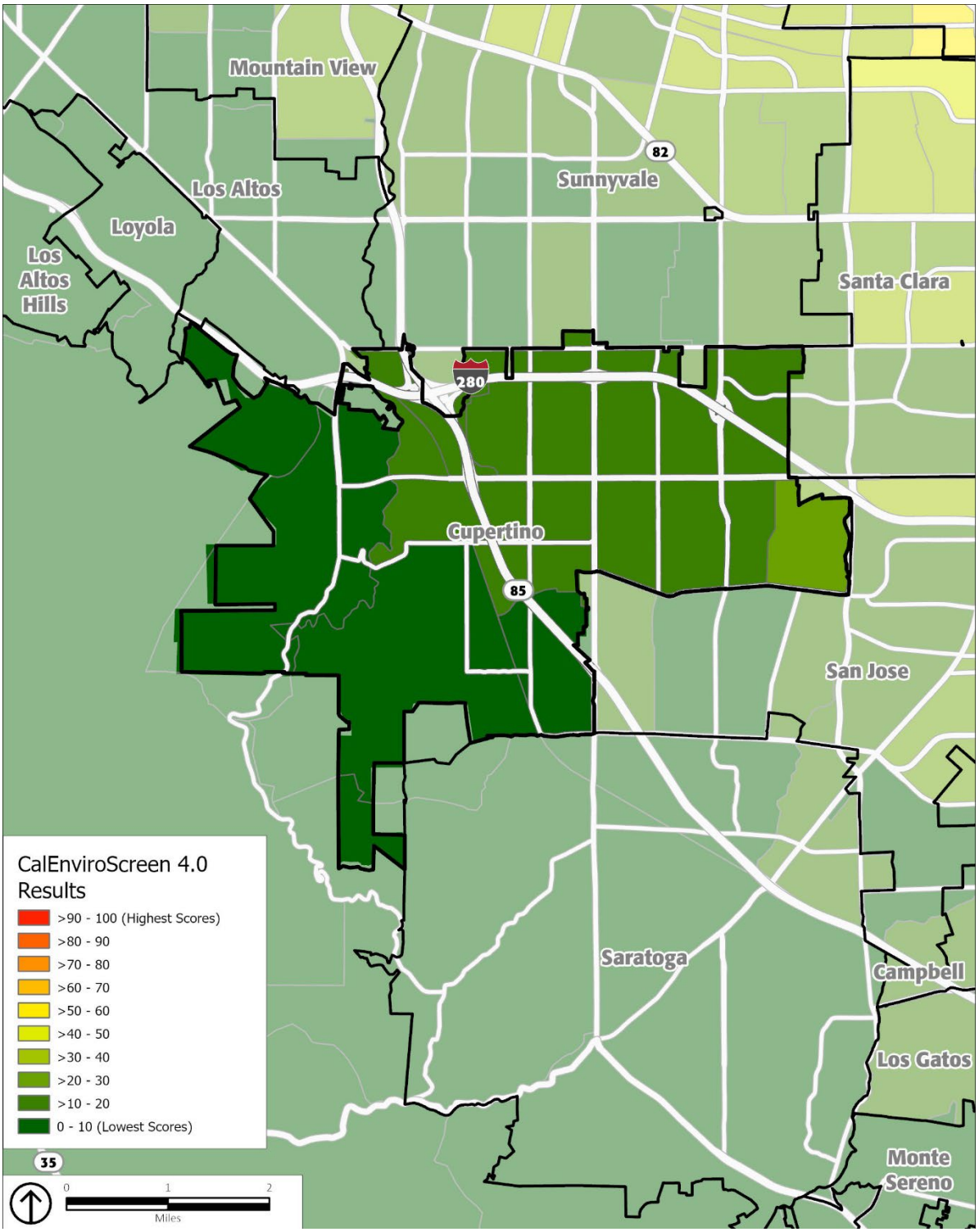
Figure B3-50 shows TCAC opportunity areas environmental score by census tract. **Figure B3-51** shows the CalEnviroScreen by census tract. **Figure B3-52** shows the healthy places index by census tract.

~~Figure B3-49~~Figure B3-50 TCAC Opportunity Areas Environmental Score by Census Tract, 2021



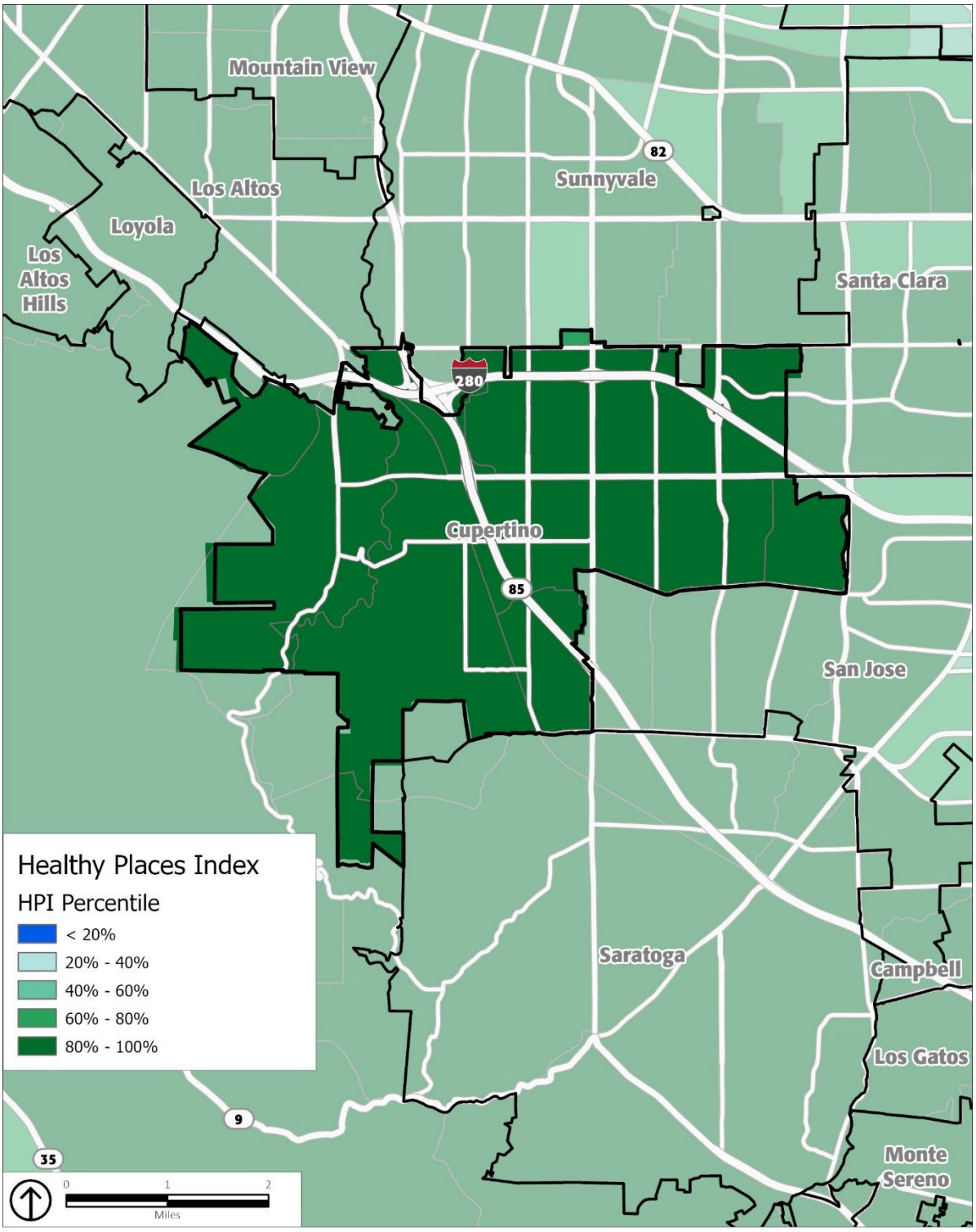
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-50~~Figure B3-51 CalEnviroScreen by Census Tract, 2021



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-51~~Figure B3-52 Healthy Places Index by Census Tract, 2021

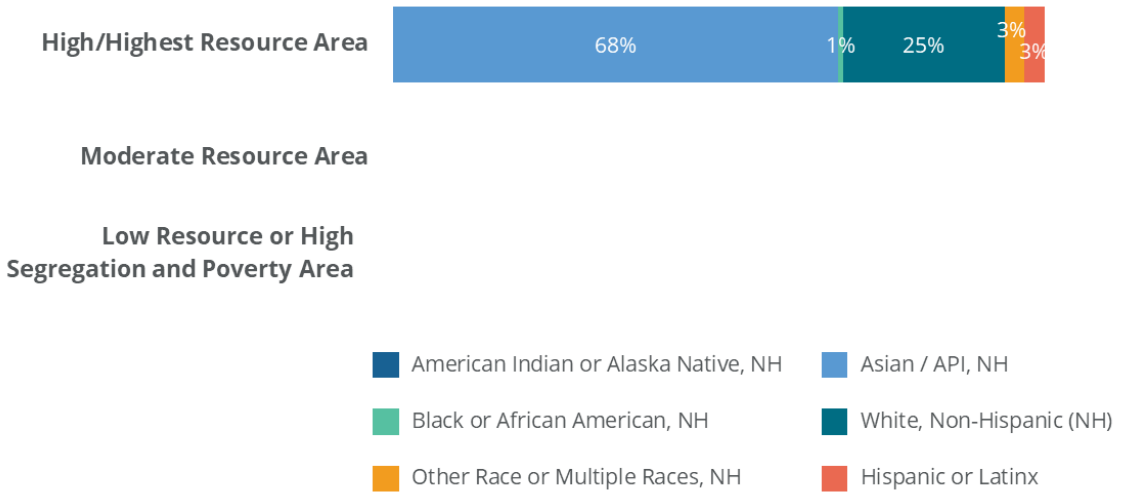


Source: California Department of Housing and Community Development AFFH Data Viewer

PATTERNS IN DISPARITIES IN ACCESS TO OPPORTUNITY

Figures B3-53 and **B3-54** depict data on race and ethnicity and populations with limited English proficiency. **Figure B3-55** shows TCAC opportunity areas composite score by census tract. **Figure B3-56** depicts the social vulnerability index by census tract. **Figure B3-57** shows SB 535 disadvantaged communities.

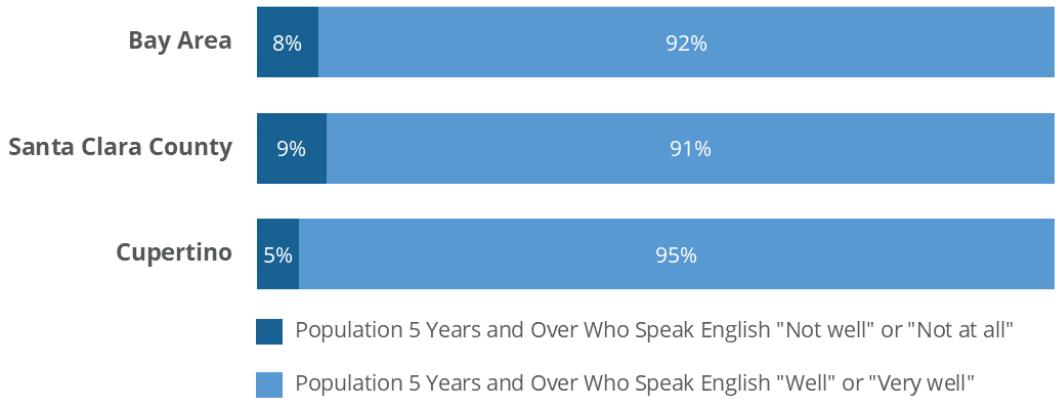
~~Figure B3-52~~Figure B3-53 Population Living in Moderate and High Resource Ares by Race and Ethnicity, Cupertino, 2019



Note: There are no moderate or low resource areas in the city.

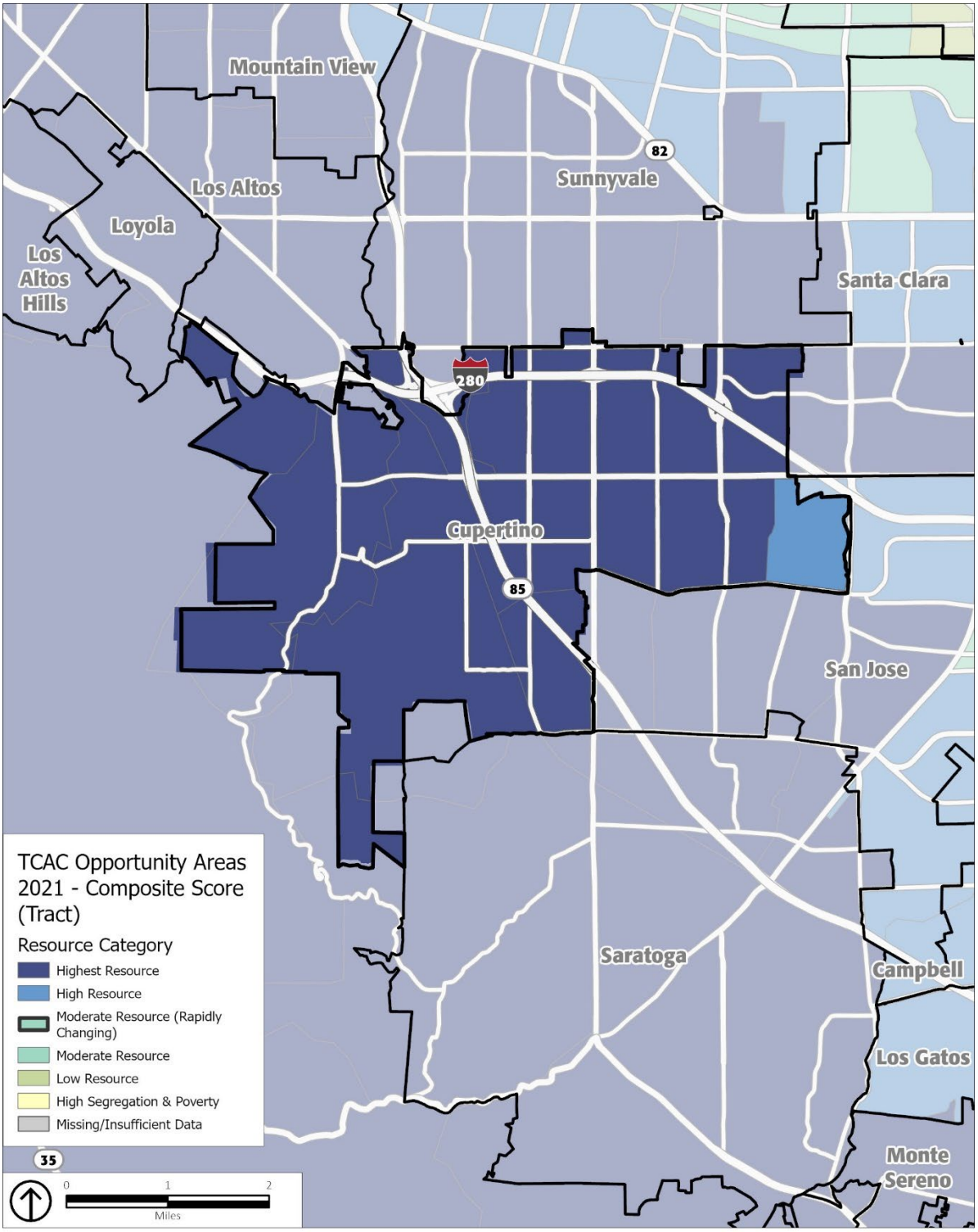
Source: ABAG Housing Needs Data Workbook

~~Figure B3-53~~Figure B3-54 Population with Limited English Proficiency, Cupertino, 2019



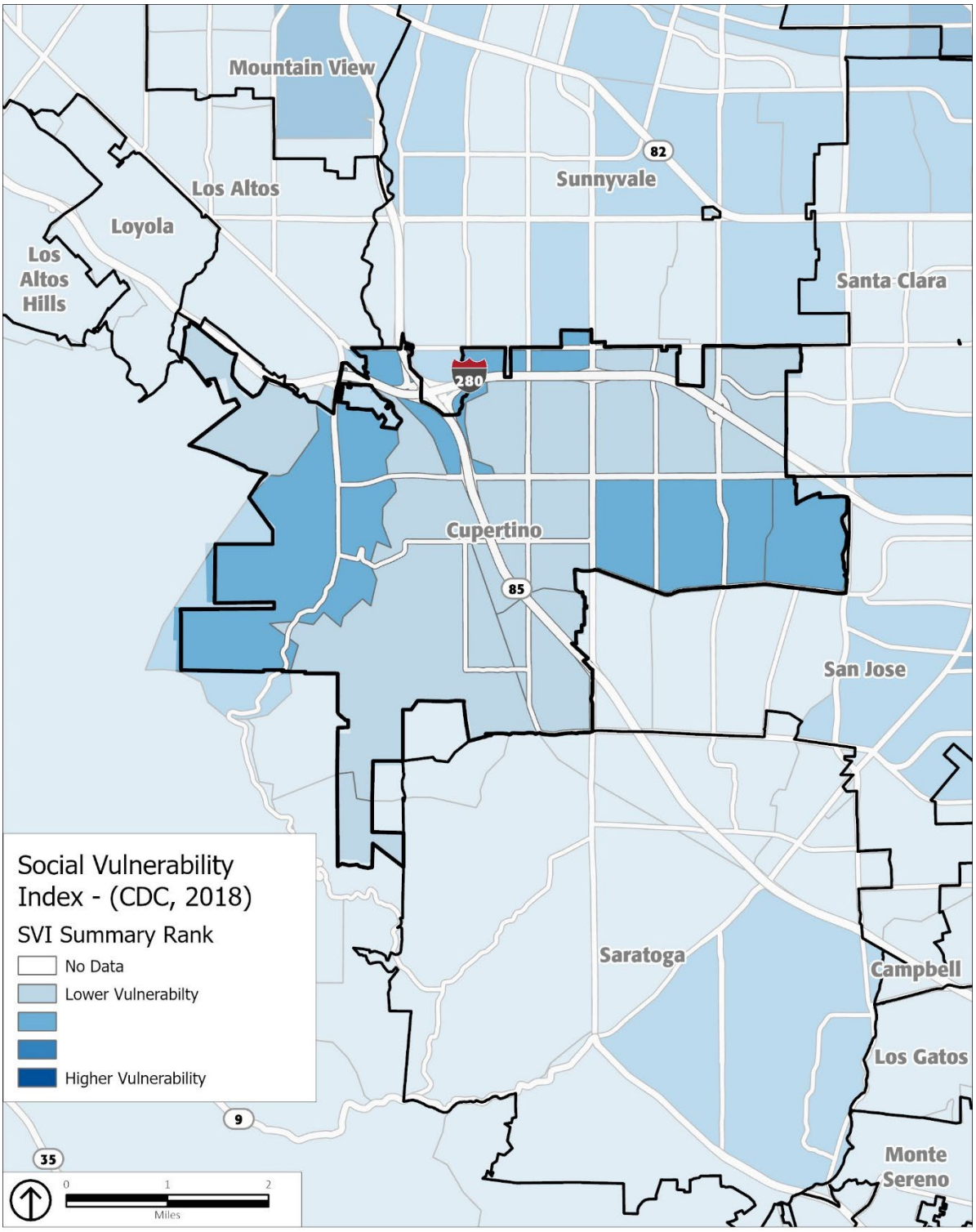
Source: ABAG Housing Needs Data Workbook

~~Figure B3-54~~Figure B3-55 TCAC Opportunity Areas Composite Score by Census Tract, 2021



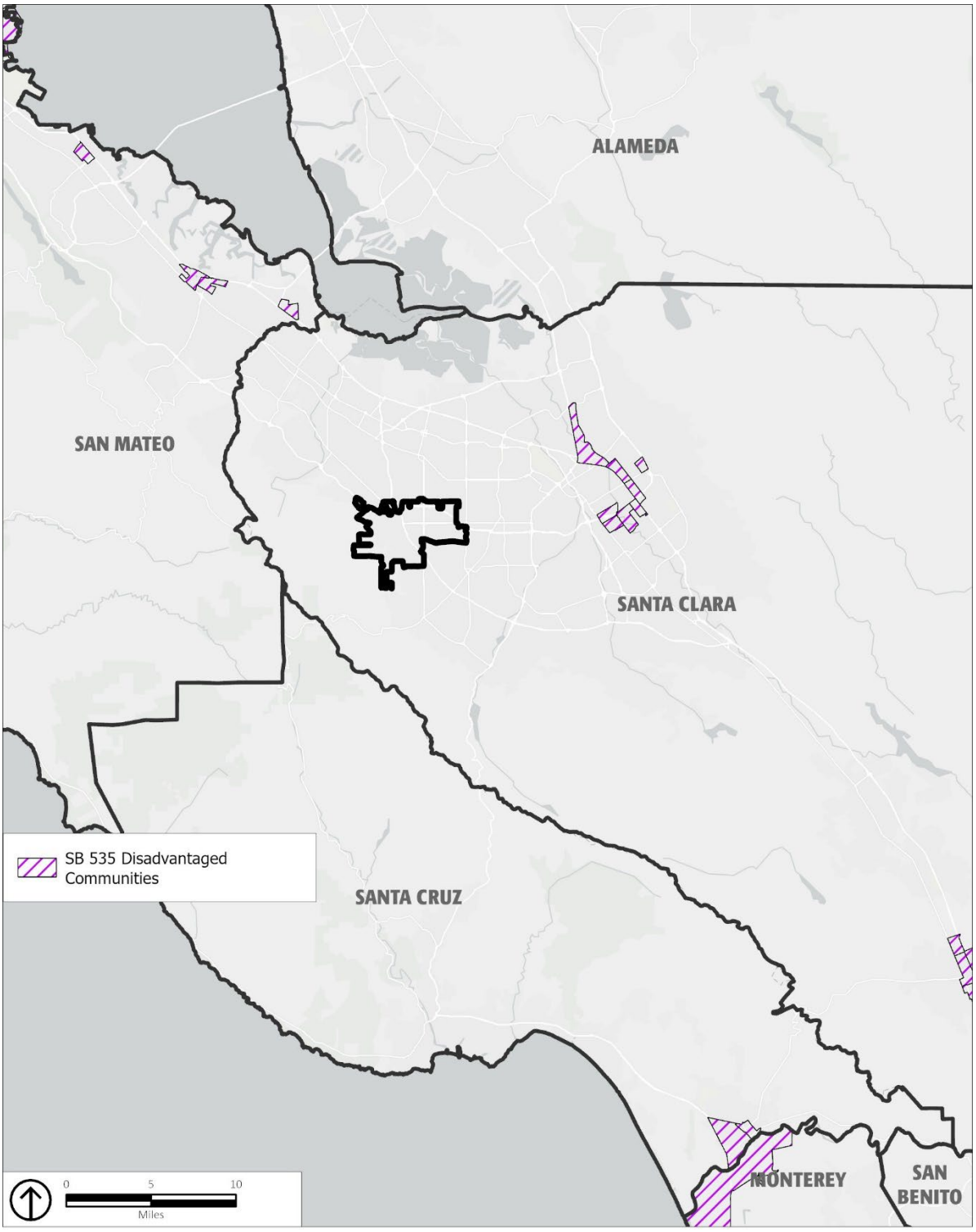
Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-55~~Figure B3-56 Social Vulnerability Index by Census Tract, 2018



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-56~~Figure B3-57 SB 535 Disadvantaged Communities

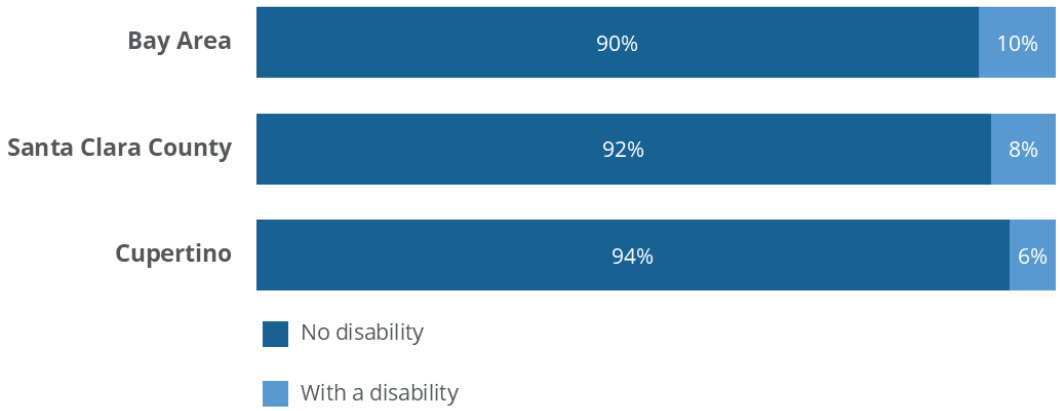


Source: California Department of Housing and Community Development AFFH Data Viewer

DISPARITIES IN ACCESS TO OPPORTUNITY FOR PERSONS WITH DISABILITIES

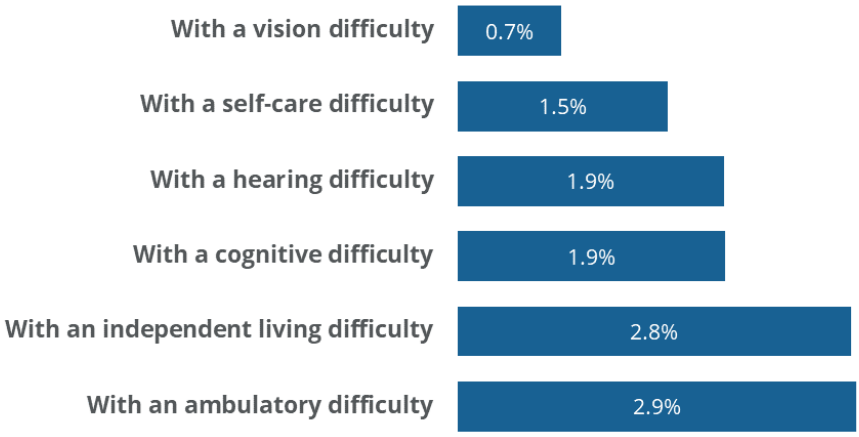
Figure B3-58 depicts population by disability status and **Figure B3-59** shows data by disability type. **Figure B3-60** shows data by disability for seniors. **Figure B3-61** shows employment by disability status. **Figure B3-62** depicts the share of population with a disability by census tract.

~~Figure B3-57~~Figure B3-58 Population by Disability Status, Cupertino, 2019



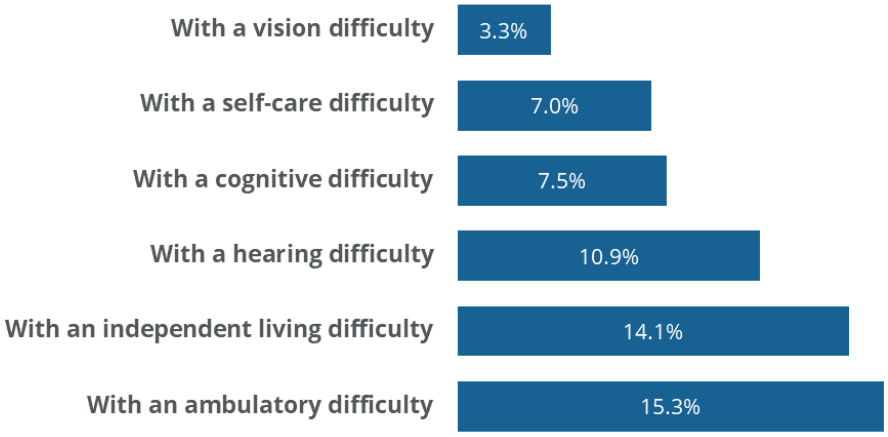
Source: ABAG Housing Needs Data Workbook

~~Figure B3-58~~Figure B3-59 Disability by Type for the Non-Institutionalized Population 18 Years and Over, Cupertino, 2019



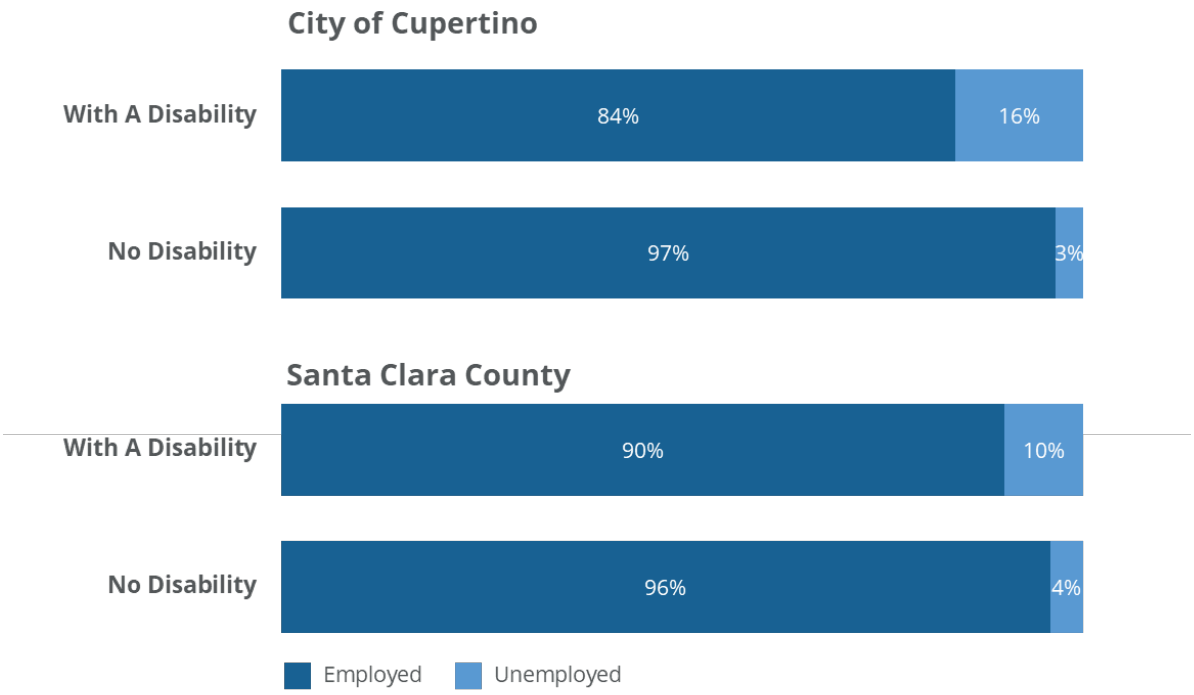
Source: ABAG Housing Needs Data Workbook

~~Figure B3-59~~Figure B3-60 Disability by Type for Seniors (65 years and over), Cupertino, 2019



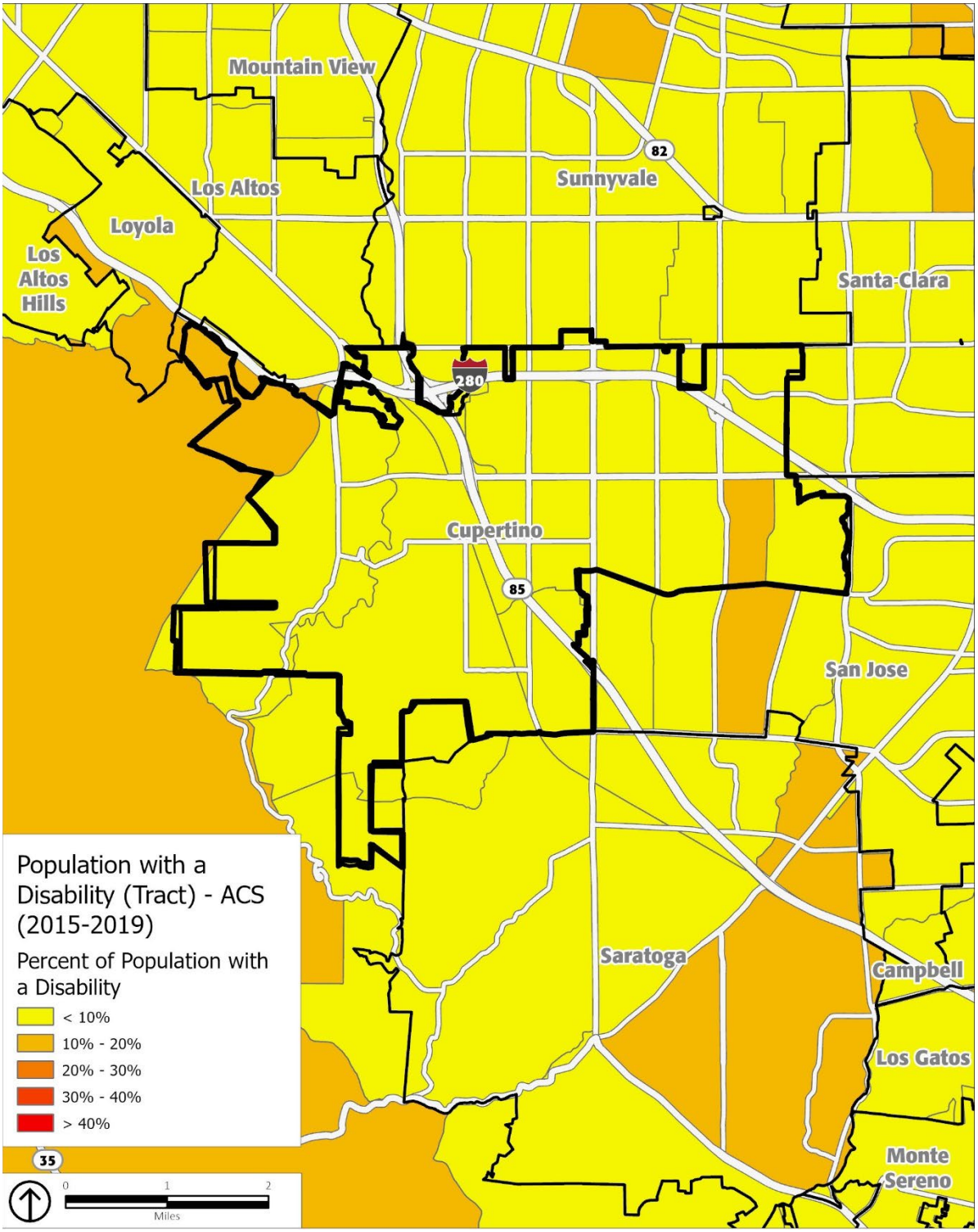
Source: ABAG Housing Needs Data Workbook

~~Figure B3-60~~Figure B3-61 Employment by Disability Status, Cupertino, 2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-61~~Figure B3-62 Share of Population with a Disability by Census Tract, 2019



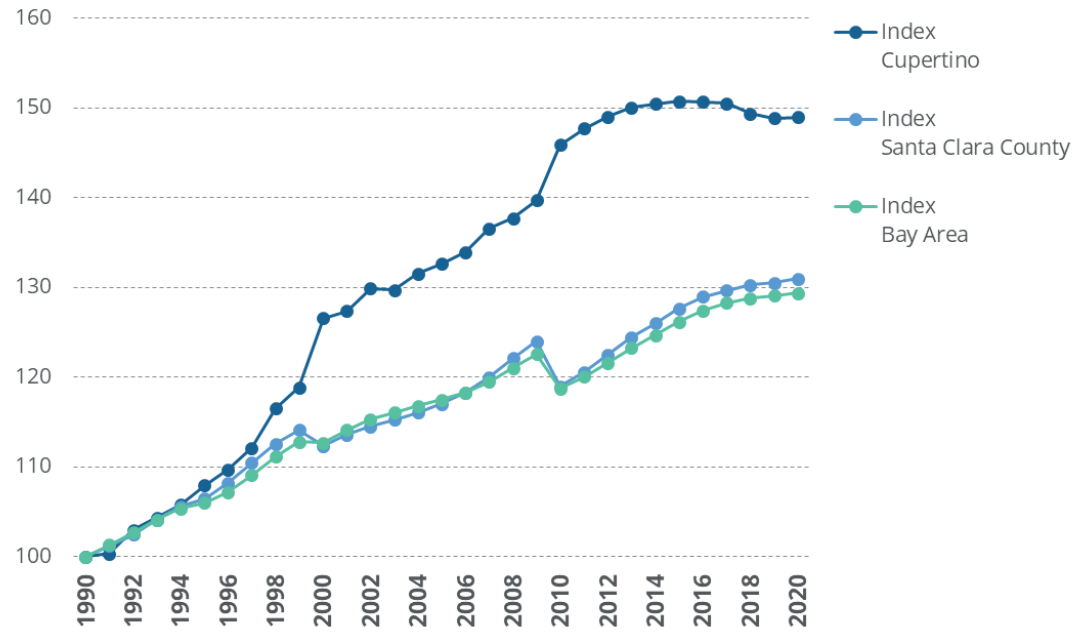
Source: California Department of Housing and Community Development AFFH Data Viewer

DISPROPORTIONATE HOUSING NEEDS

HOUSING NEEDS

Figure B3-63 shows the population of Cupertino indexed from 1990 through 2020. ~~-~~**Figure B3-64** depicts housing permits issued by income group and **Figure B3-65** shows housing units by year built. **Figure B3-66** depicts distribution of home value for owner-occupied units for 2019. **Figure B3-67** shows the Zillow home value index for 2011 through 2020. **Figure B3-68** shows the distribution of contract rents for renter-occupied units. **Figure B3-69** shows the median contract rent for 2009 through 2019.

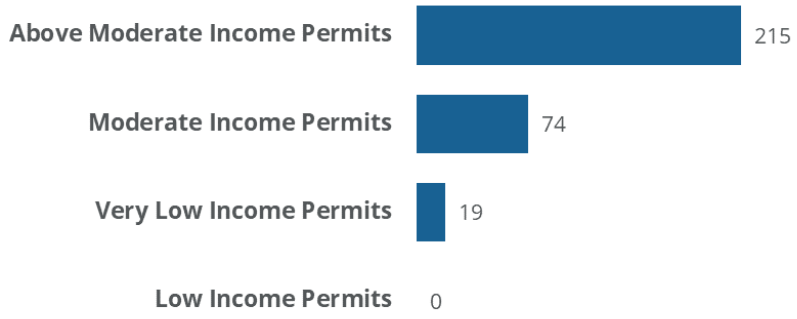
~~Figure B3-62~~Figure B3-63 Population Indexed from~~to~~ 1990



Source: ABAG Housing Needs Data Workbook

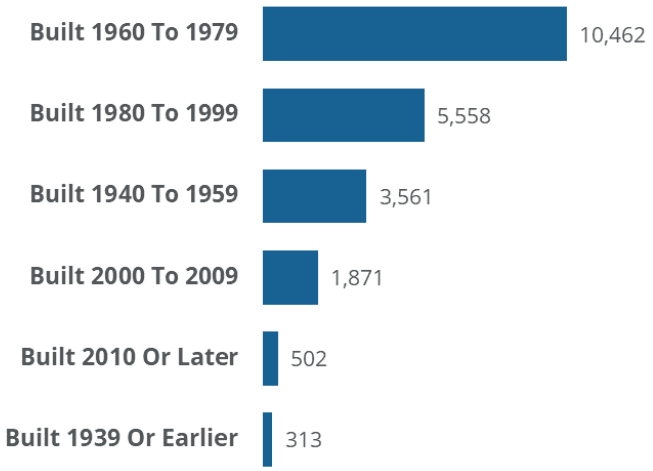
~~Figure B3-63~~Figure B3-64

Housing Permits Issued by Income Group, Cupertino, 2015-2019



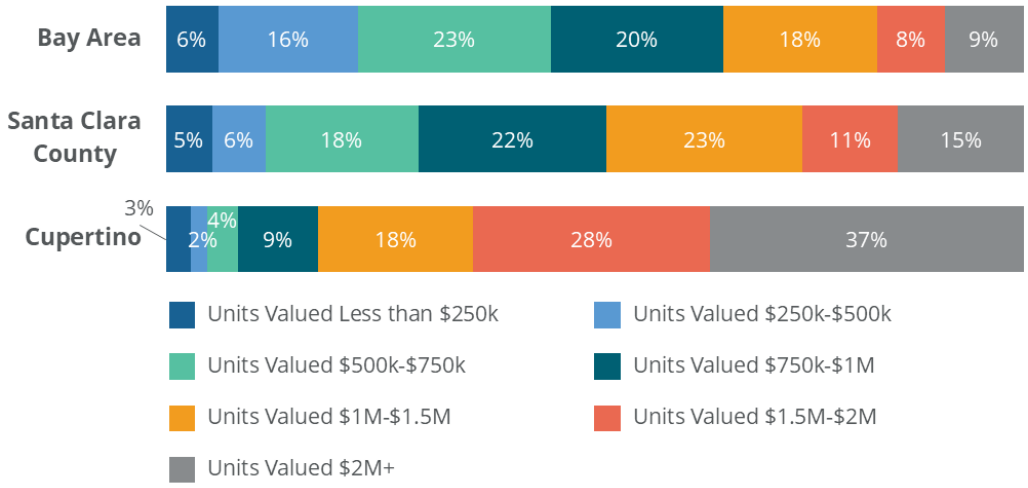
Source: ABAG Housing Needs Data Workbook

~~Figure B3-64~~Figure B3-65 Housing Units by Year Built, Cupertino



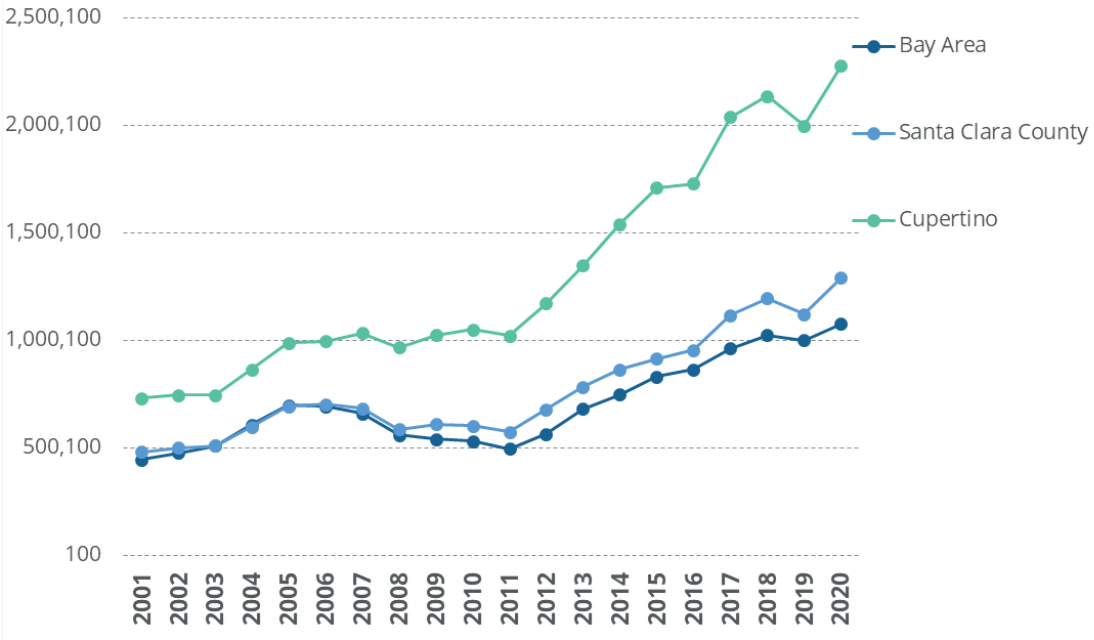
Source: ABAG Housing Needs Data Workbook

~~Figure B3-65~~Figure B3-66 Distribution of Home Value for Owner Occupied Units, 2019



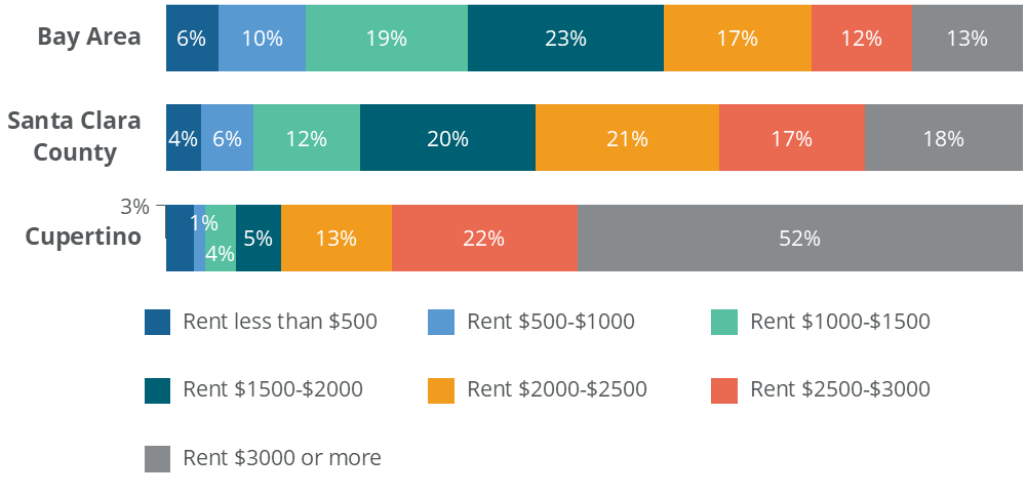
Source: ABAG Housing Needs Data Workbook

~~Figure B3-66~~Figure B3-67 Zillow Home Value Index, 2001-2020



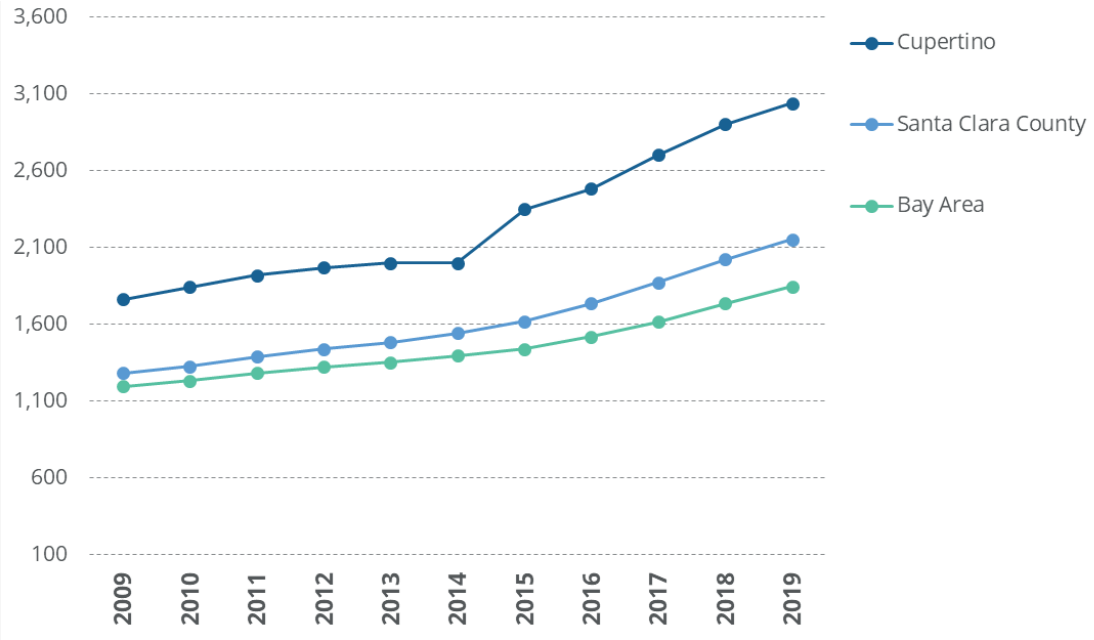
Source: ABAG Housing Needs Data Workbook

~~Figure B3-67~~Figure B3-68 Distribution of Contract Rents for Renter Occupied Units, 2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-68~~Figure B3-69 Median Contract Rent, 2009-2019

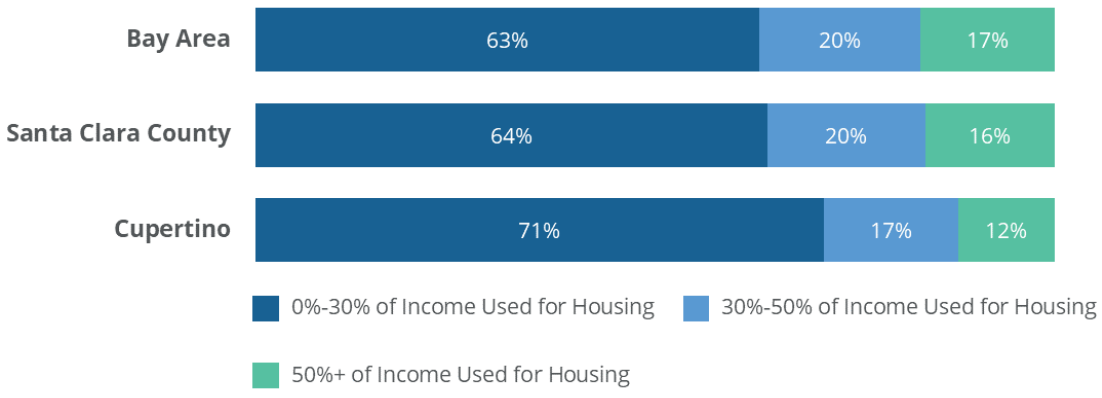


Source: ABAG Housing Needs Data Workbook

COST BURDEN AND SEVERE COST BURDEN

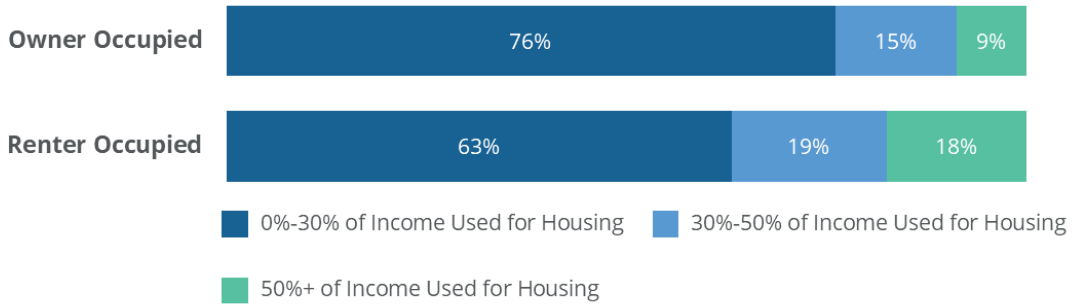
Figure B3-70 shows overpayment by jurisdiction. **Figures B3-71** through **B3-74** show overpayment (cost burden) by tenure, AMI, race and ethnicity, and family size, respectively. **Figure B3-75** depicts a map of overpayment for renter households by census tract and **Figure B3-76** shows this map for owner households.

~~Figure B3-69~~Figure B3-70 Overpayment (Cost Burden) by Jurisdiction, 2019



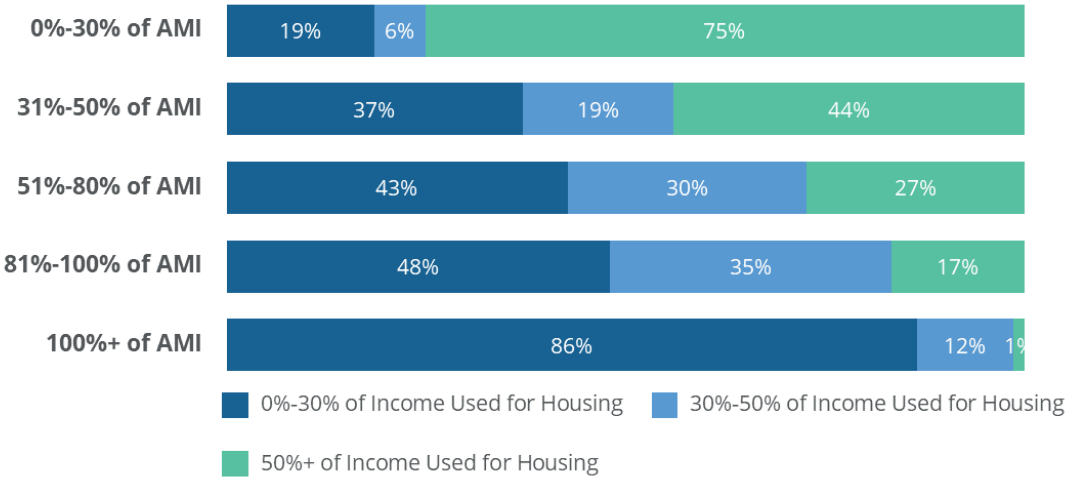
Source: ABAG Housing Needs Data Workbook

~~Figure B3-70~~Figure B3-71 Overpayment (Cost Burden) by Tenure, Cupertino, 2019



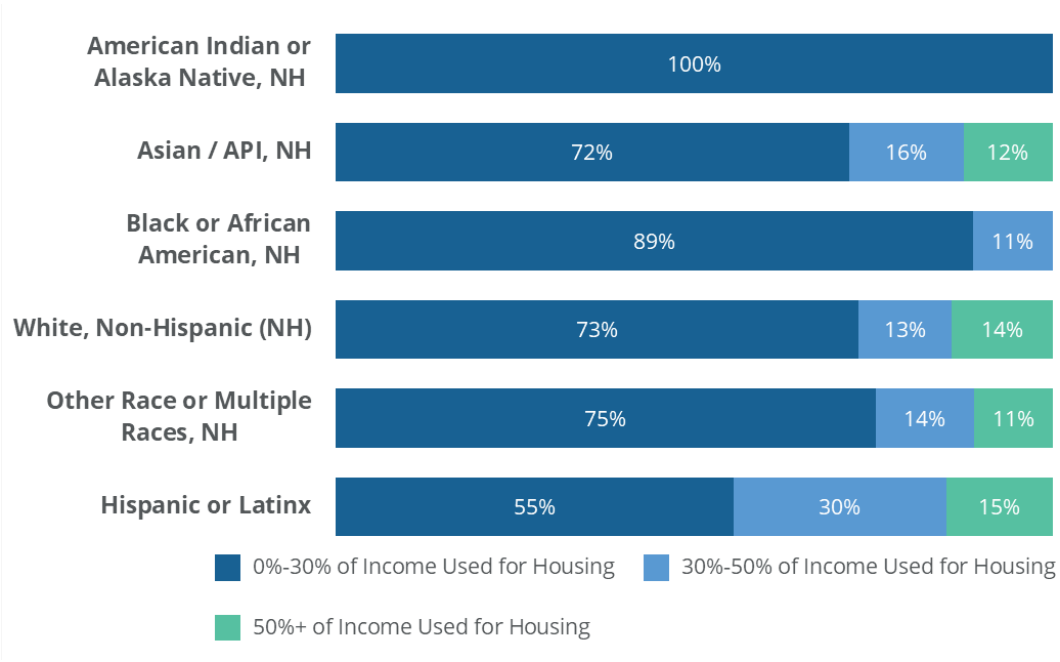
Source: ABAG Housing Needs Data Workbook

~~Figure B3-71~~Figure B3-72 Overpayment (Cost Burden) by Area Median Income (AMI), Cupertino, 2019



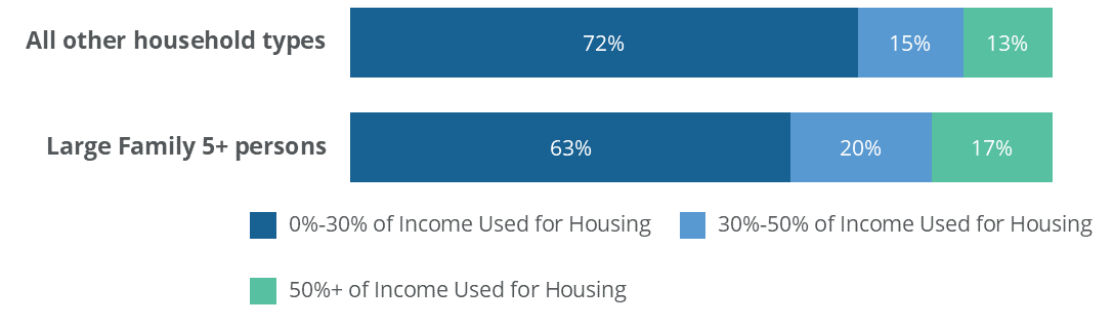
Source: ABAG Housing Needs Data Workbook

~~Figure B3-72~~Figure B3-73 Overpayment (Cost Burden) by Race and Ethnicity, Cupertino, 2019



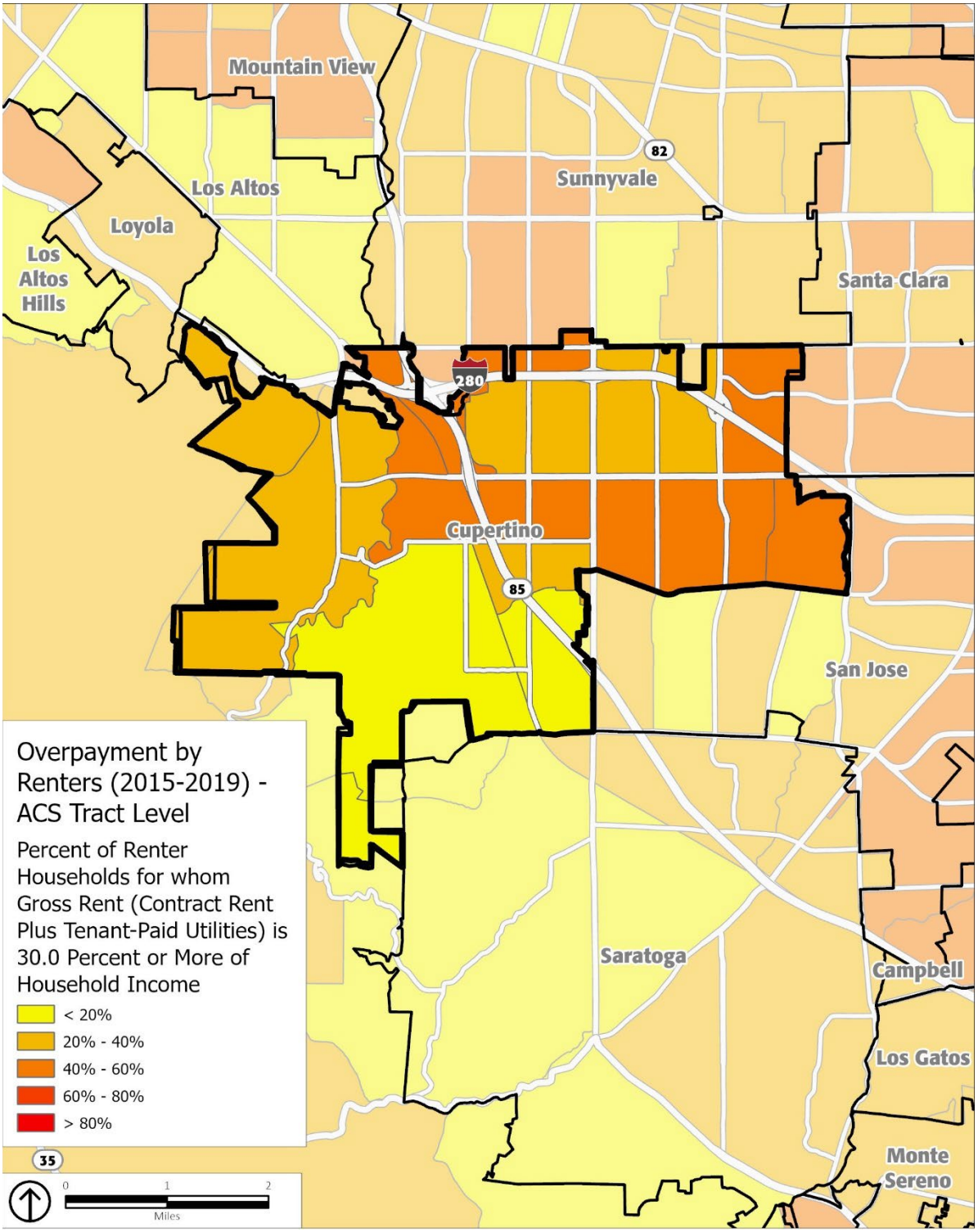
Source: ABAG Housing Needs Data Workbook

~~Figure B3-73~~Figure B3-74 Overpayment (Cost Burden) by Family Size, Cupertino, 2019



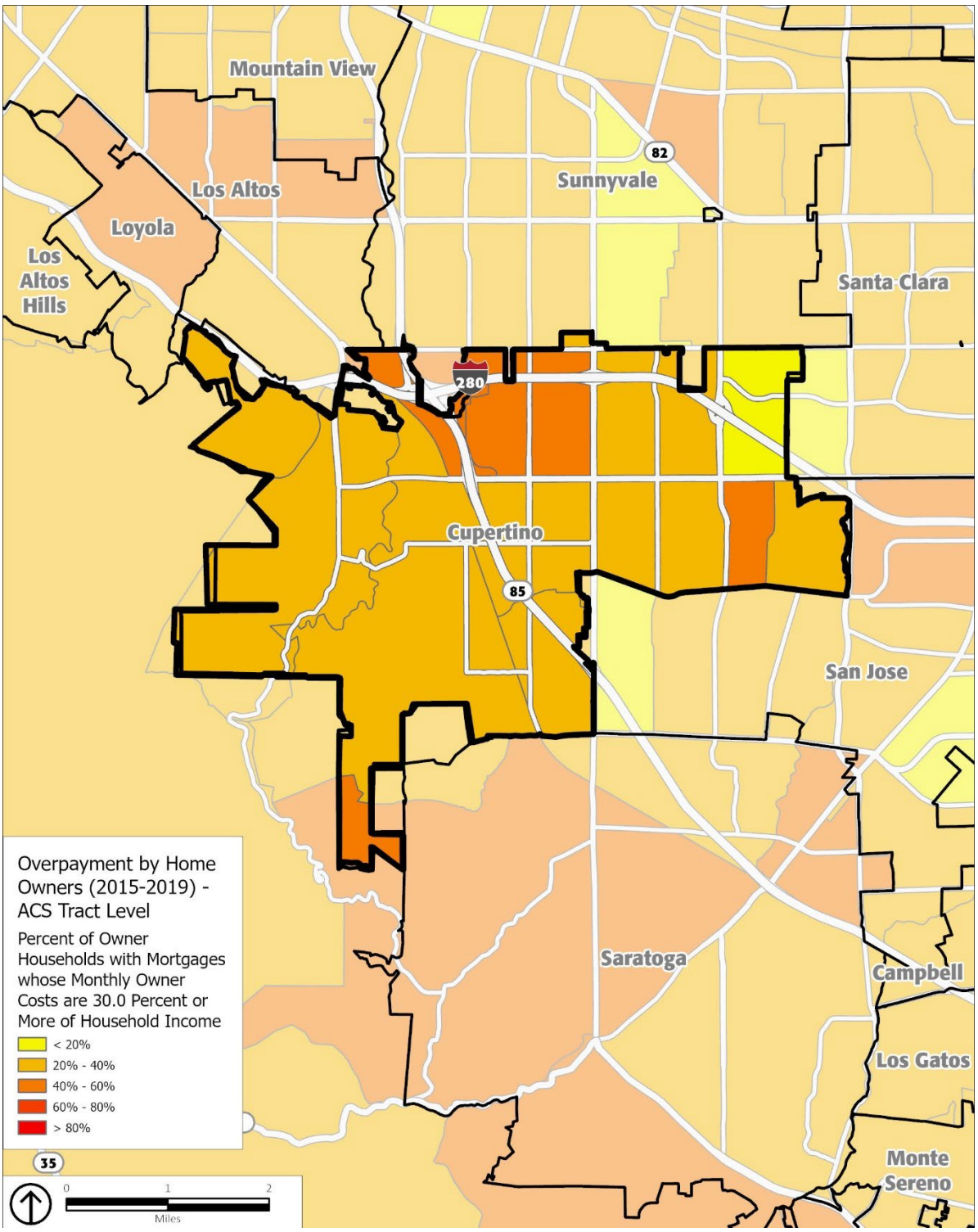
Source: ABAG Housing Needs Data Workbook

~~Figure B3-74~~Figure B3-75 Overpayment (Cost Burden) for Renter Households by Census Tract, 2019



Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-75~~Figure B3-76 Overpayment (Cost Burden) for Owner Households by Census Tract, 2019

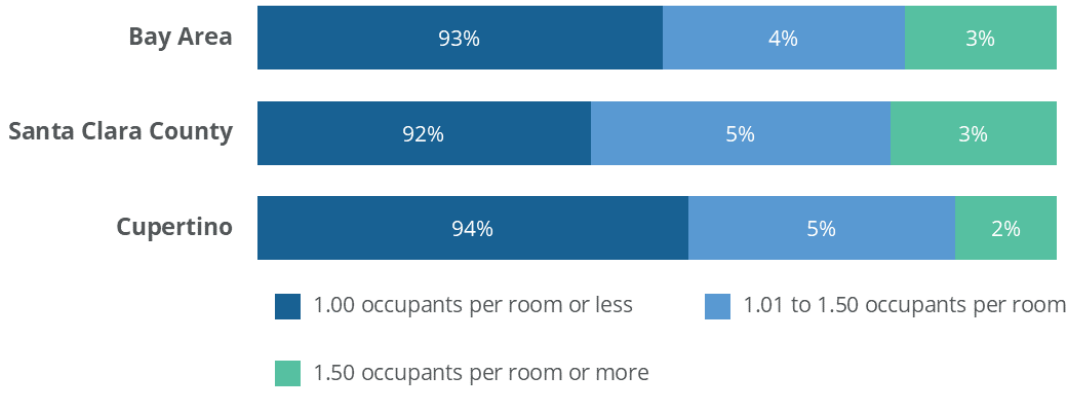


Source: California Department of Housing and Community Development AFFH Data Viewer

OVERCROWDING

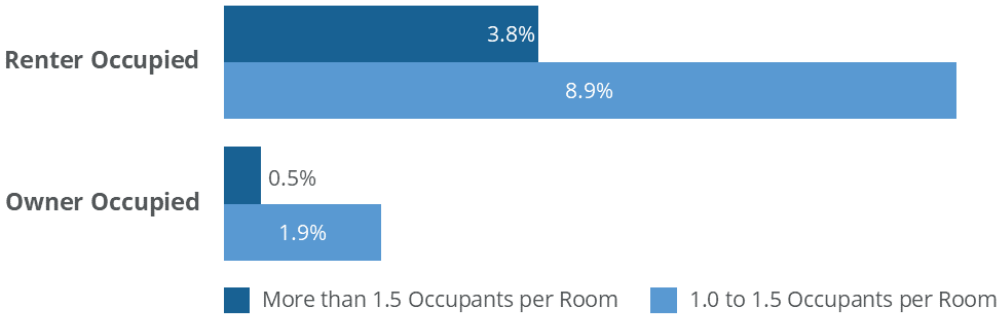
Figure B3-77 shows occupants per room by jurisdiction (city, county, and Bay Area as a whole). **Figure B3-78** shows occupants per room by tenure (renter versus owner) for Cupertino. **Figures B3-79** and **B3-80** show overcrowding by race and ethnicity and AMI, respectively. **Figure B3-81** depicts overcrowded households by census tract.

~~Figure B3-76~~Figure B3-77 Occupants per Room by Jurisdiction, 2019



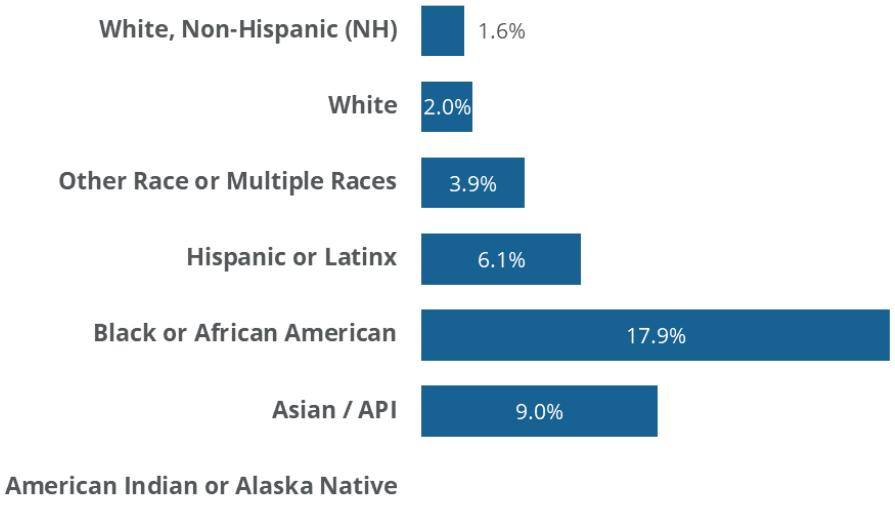
Source: ABAG Housing Needs Data Workbook

~~Figure B3-77~~Figure B3-78 Occupants per Room by Tenure, Cupertino, 2019



Source: ABAG Housing Needs Data Workbook

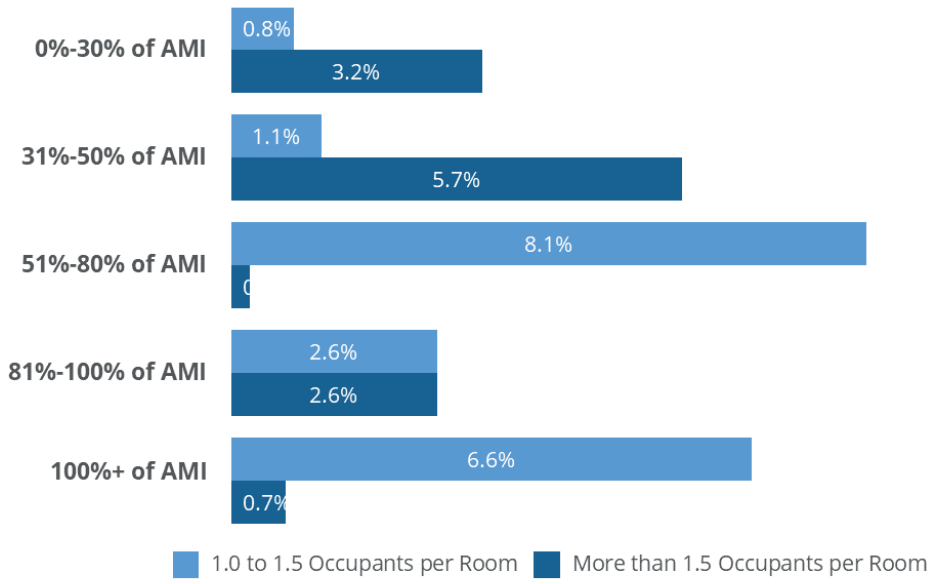
~~Figure B3-78~~Figure B3-79 Overcrowding by Race and Ethnicity, Cupertino, 2019



Note: Overcrowding is indicated by more than 1 person per room.

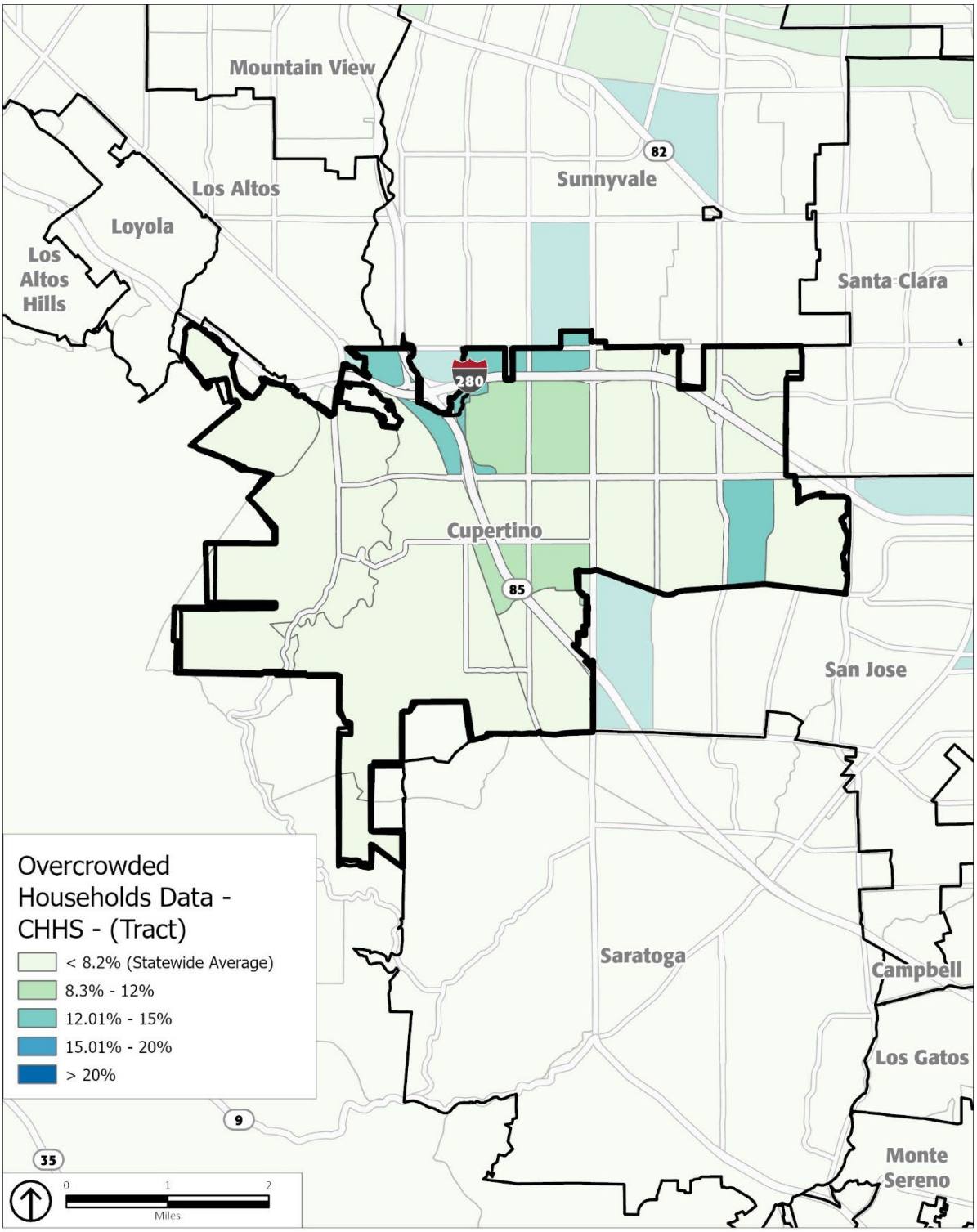
Source: ABAG Housing Needs Data Workbook

~~Figure B3-79~~Figure B3-80 Occupants per Room by AMI, Cupertino, 2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-80~~Figure B3-81 Overcrowded Households by Census Tract, 2019

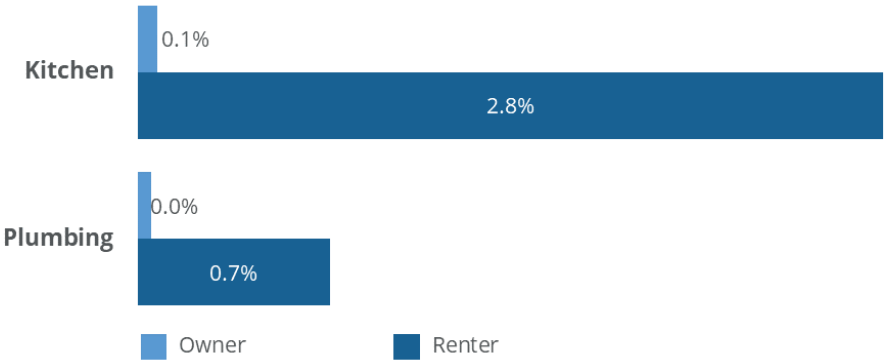


Source: California Department of Housing and Community Development AFFH Data Viewer

SUBSTANDARD HOUSING

~~Figure B3-82~~ depicts percentage of units lacking kitchen and plumbing facilities.

~~Figure B3-81~~Figure B3-82 Percentage of Units Lacking Complete Kitchen and Plumbing Facilities, Cupertino, 2019



Source: ABAG Housing Needs Data Workbook

HOMELESSNESS

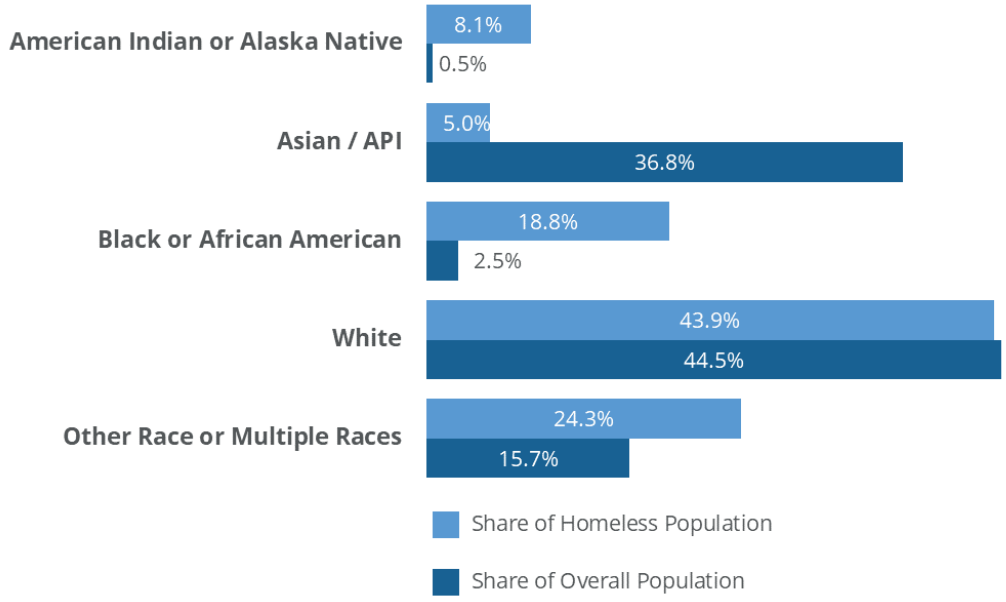
Figures B3-83 through **B3-86** show homeless statistics.

~~Figure B3-82~~Figure B3-83 Homelessness by Household Type and Shelter Status, Santa Clara County, 2019

	People in Households Solely Children	People in Households with Adults and Children	People in Households Without Children
Sheltered - Emergency Shelter	7	377	696
Sheltered - Transitional Housing	3	301	400
Unsheltered	#	243	7,413

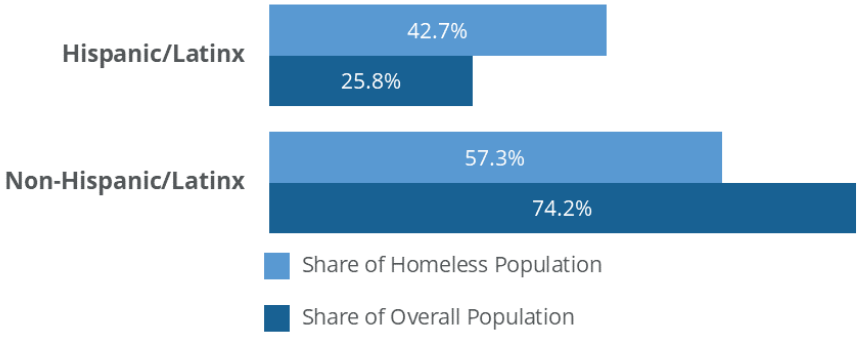
Source: ABAG Housing Needs Data Workbook

~~Figure B3-83~~Figure B3-84 Share of General and Homeless Populations by Race, Santa Clara County, 2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-84~~Figure B3-85 Share of General and Homeless Populations by Ethnicity, Santa Clara County, 2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-85~~Figure B3-86 Characteristics of the Population Experiencing Homelessness, Santa Clara County, 2019

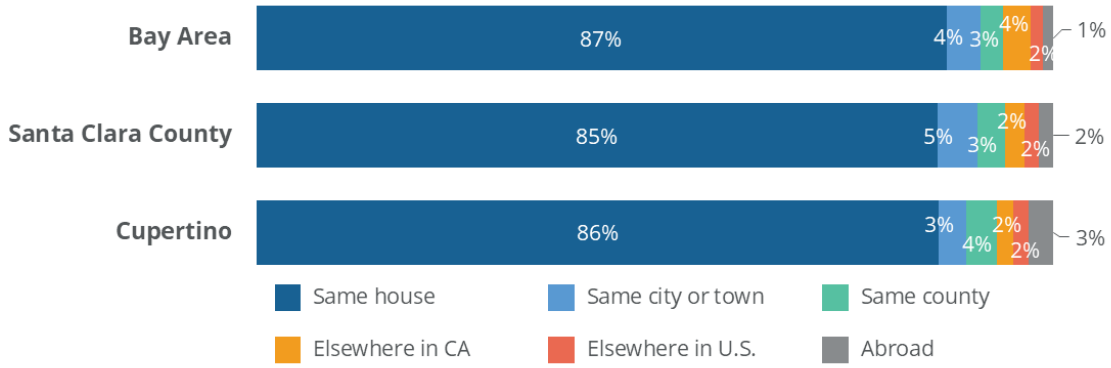
	Chronic Substance Abuse	HIV/AIDS	Severely Mentally Ill	Veterans	Victims of Domestic Violence
Sheltered - Emergency Shelter	128	5	201	79	52
Sheltered - Transitional Housing	153	11	130	129	20
Unsheltered	1,668	65	2,328	445	383

Source: ABAG Housing Needs Data Workbook

DISPLACEMENT

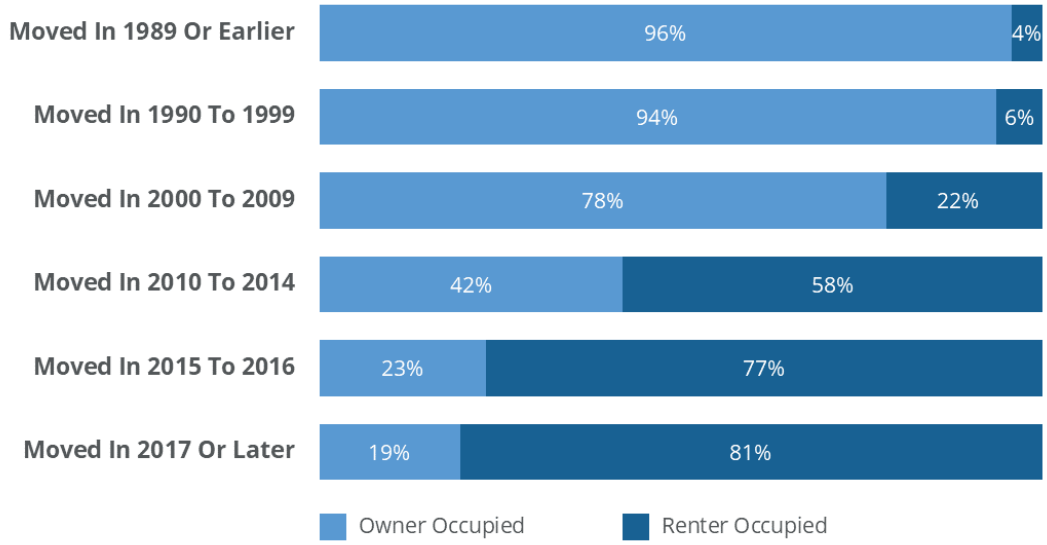
Figure B3-87 through **B3-93** depict data on displacement in Cupertino.

~~Figure B3-86~~Figure B3-87 Location of Population One Year Ago, Cupertino, 2019



Source: ABAG Housing Needs Data Workbook

~~Figure B3-87~~Figure B3-88 Tenure by Year Moved to Current Residence, Cupertino, 2019



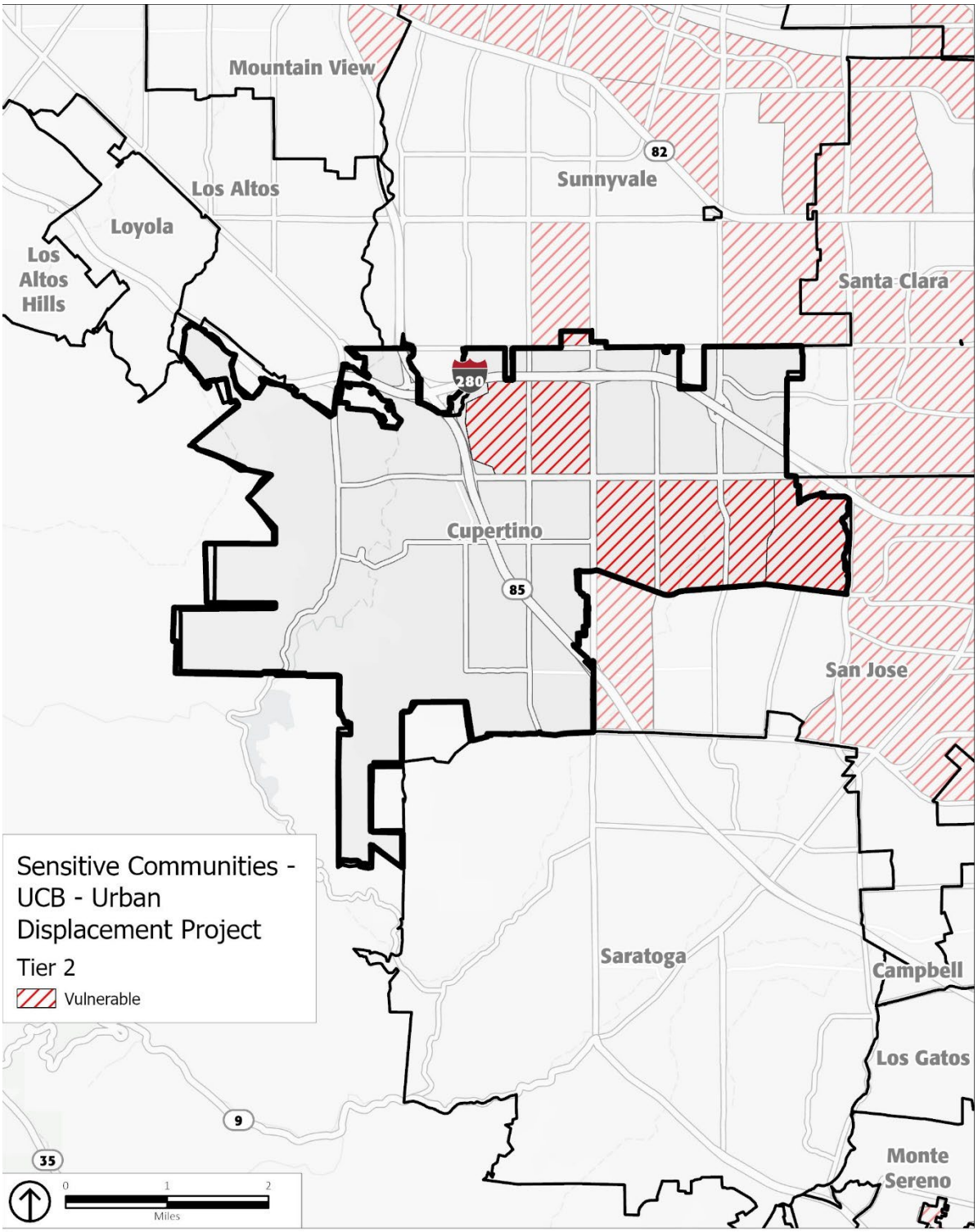
Source: ABAG Housing Needs Data Workbook

~~Figure B3-88~~Figure B3-89 Assisted Units at Risk of Conversion, Cupertino, 2019

	Low	Moderate	High	Very High	Total Assisted Units in Database
Cupertino	153	0	0	0	153
Santa Clara County	28,001	1,471	359	58	29,889
Bay Area	110,177	3,375	1,854	1,053	116,459

Source: ABAG Housing Needs Data Workbook

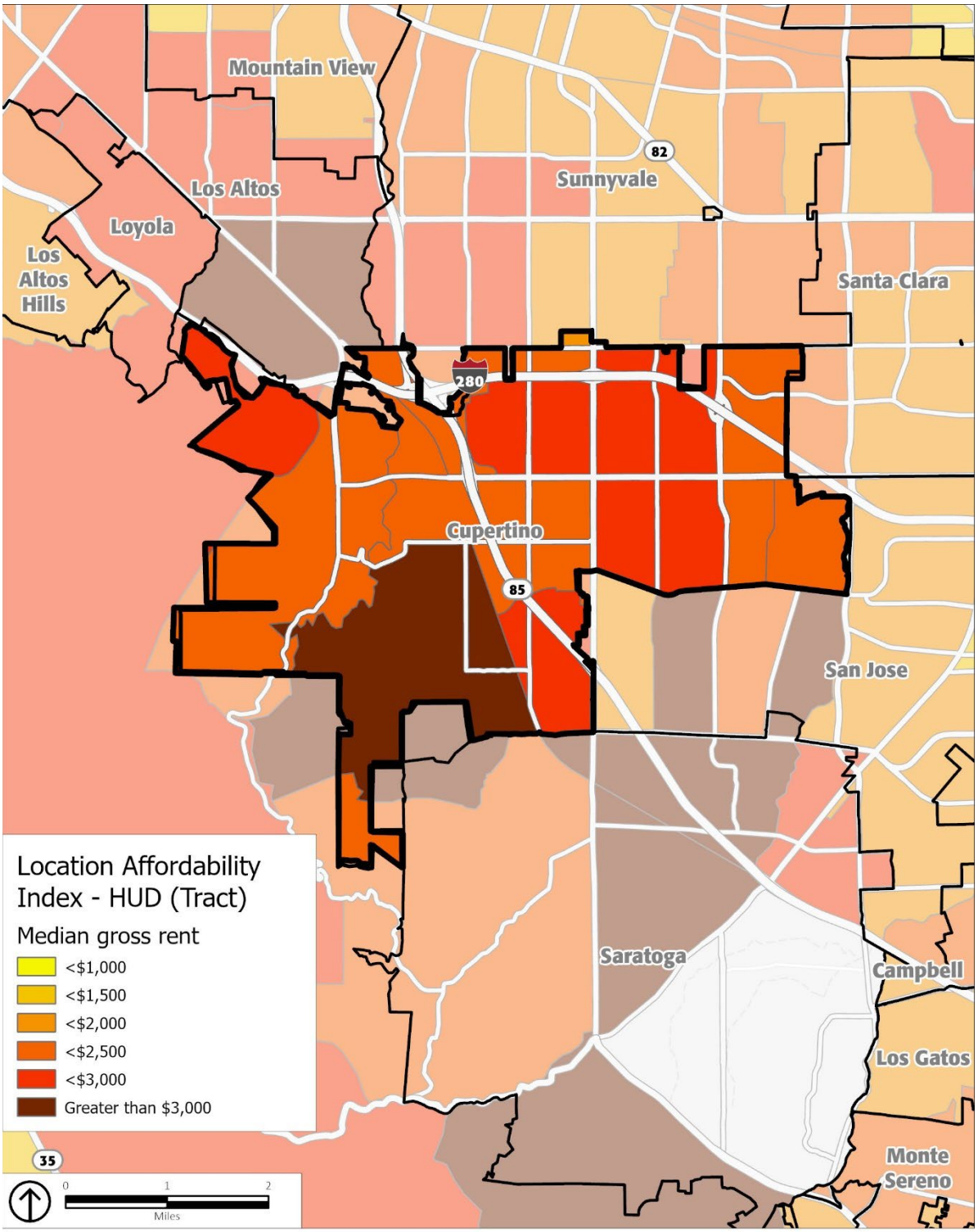
~~Figure B3-89~~Figure B3-90 Census Tracts Vulnerable to Displacement



Source:

Source: California Department of Housing and Community Development AFFH Data Viewer

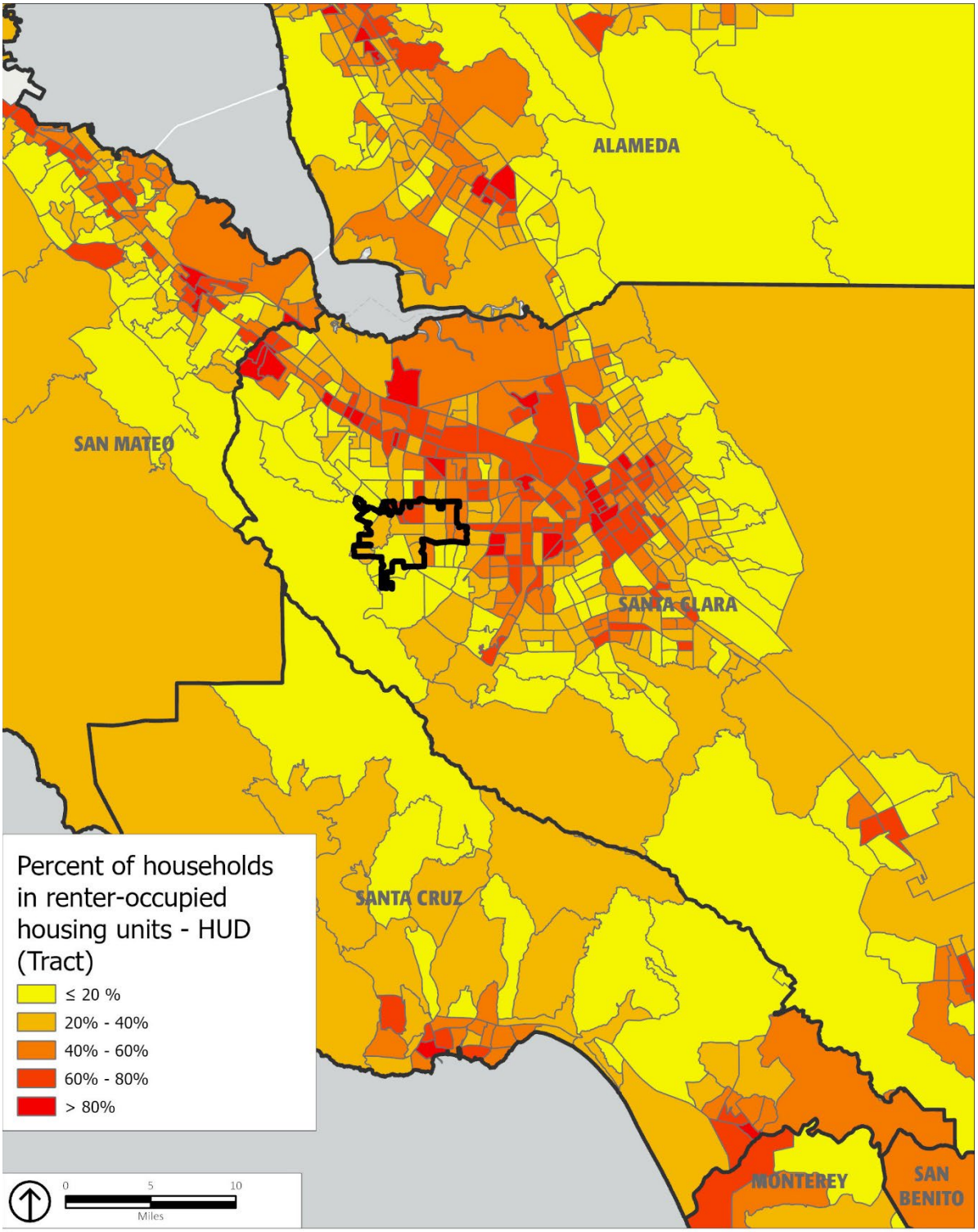
~~Figure B3-90~~Figure B3-91 Location Affordability Index by Census Tract



Source:

Source: California Department of Housing and Community Development AFFH Data Viewer

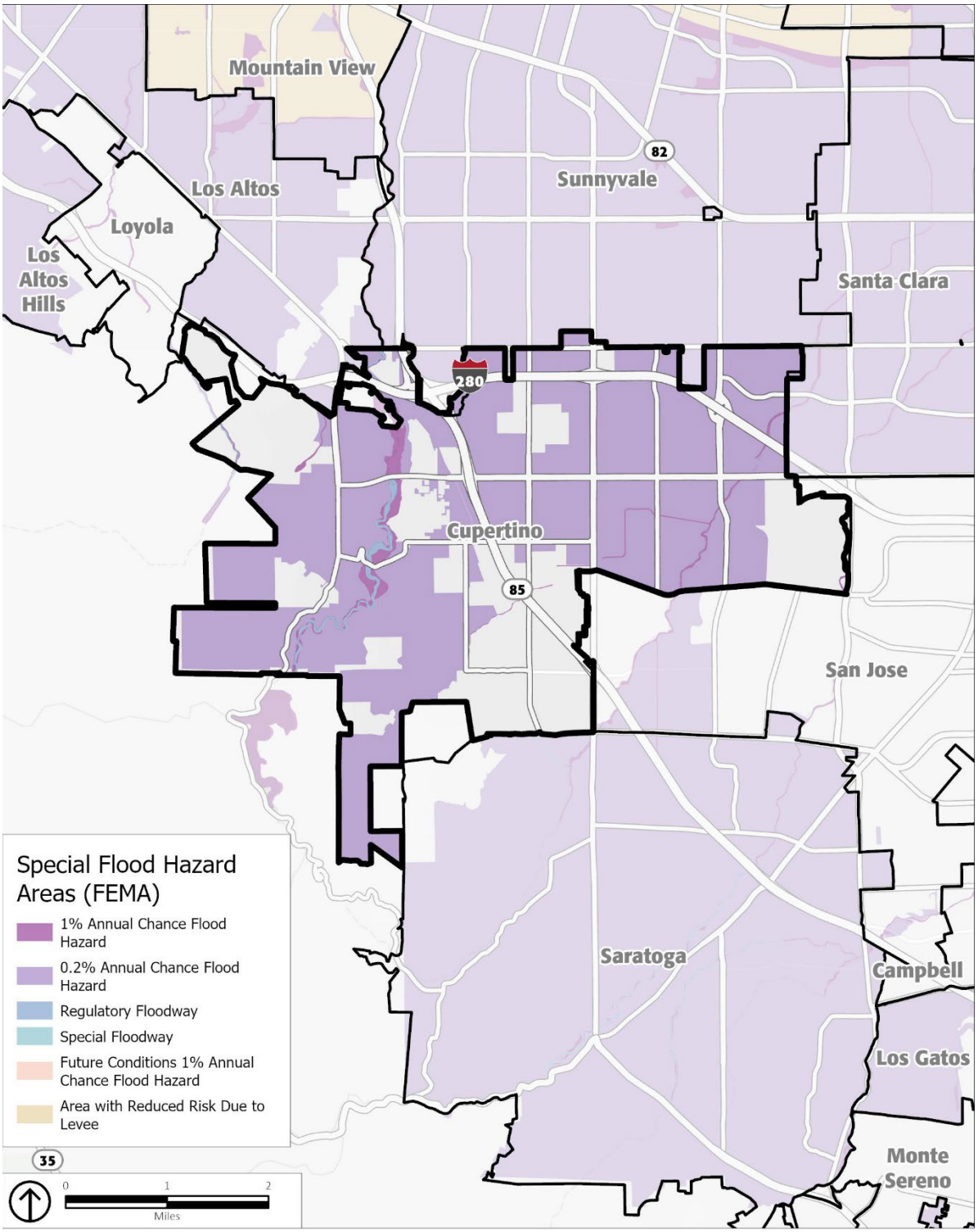
~~Figure B3-91~~Figure B3-92 Share of Renter Occupied Households by Census Tract, 2019



Source:

Source: California Department of Housing and Community Development AFFH Data Viewer

~~Figure B3-92~~Figure B3-93 Special Flood Hazard Areas, 2020



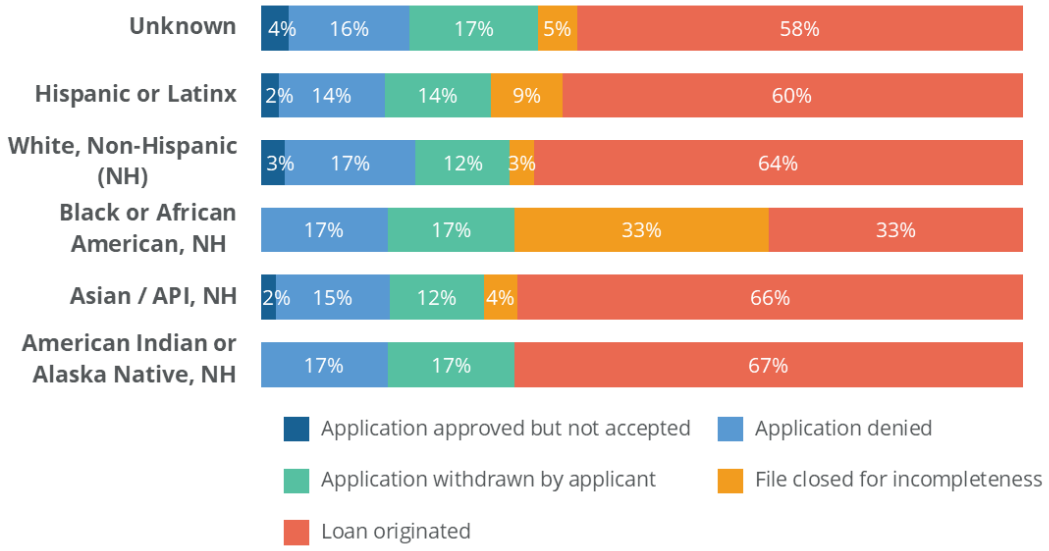
Source:

Source: California Department of Housing and Community Development AFFH Data Viewer

OTHER CONSIDERATIONS

Figure B3-94 shows mortgage applications by race and ethnicity in Cupertino and **Figure B3-95** shows mortgage application denial rates by race and ethnicity.

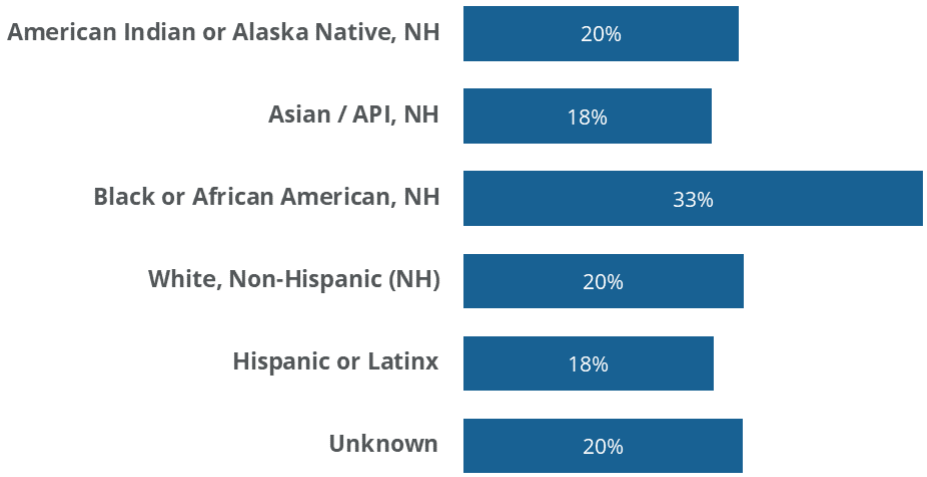
~~Figure B3-93~~Figure B3-94 Mortgage Applications by Race and Ethnicity, Cupertino, 2018-2019



Note: Applications were very low for American Indian/Alaskan Native (6 total), Black/African American (also 6 total), and Hispanic/Latino applicants (33 total).

Source: ABAG Housing Needs Data Workbook

~~Figure B3-94~~Figure B3-95 Mortgage Application Denial Rate by Race and Ethnicity, Cupertino, 2018-2019



Source: ABAG Housing Needs Data Workbook

Housing Resources and Opportunities

B.4
APPENDIX

Table of Contents

Tables

Figures

B4 HOUSING RESOURCES AND OPPORTUNITIES

California law (Government Code Section 65583 (a)(3)) requires that the Housing Element contain an inventory of land suitable for residential development, including vacant sites that can be developed for housing within the planning period and nonvacant (i.e., underutilized) sites having potential for redevelopment. State law also requires an analysis of the relationship of zoning and public facilities and services to these sites.

B4.1 REGIONAL HOUSING NEEDS ALLOCATION

The Regional Housing Needs Allocation (RHNA) is the State of California–required process that seeks to ensure cities and counties are planning for enough housing to accommodate all economic segments of the community. The process is split into the following three steps.

1. **Regional Determination:** The California Department of Housing and Community Development (HCD) provides each region with a Regional Determination of housing need, which includes a total number of units split into four income categories. The City of Cupertino is in the region covered by the Association of Bay Area Governments (ABAG). HCD allocated ABAG a Regional Determination of 441,176 units for the 6th cycle RHNA covering the years from 2023 to 2031. This is the total number of units that the 109 cities and counties in the ABAG region must collectively plan to accommodate.

2. **RHNA Methodology:** ABAG is responsible for developing a RHNA Methodology for allocating the Regional Determination to each city and county in their region. This methodology must specifically identify objectives, including, but not limited to, promoting infill, equity, and environmental protection; ensuring jobs-housing balance; and affirmatively furthering fair housing. Of the 441,176 units allocated to the ABAG region, 4,588 were allocated to Cupertino.

3. **Housing Element Updates:** Each city and county must then adopt a Housing Eelement that demonstrates how the jurisdiction can accommodate its assigned RHNA through zoning. HCD reviews each jurisdiction's Housing Element for compliance with State law.

~~ABAG is responsible for developing a RHNA Methodology for allocating the Regional Determination to each city and county in their region. This methodology must specifically state objectives, including but not limited to promoting infill, equity, and environmental protection; ensuring jobs-housing balance; and affirmatively furthering fair housing. Of the 441,176 units allocated to the ABAG region, 4,588 were allocated to Cupertino.~~

Cupertino's share of the regional housing need for the eight-year period from 2023 to 2031 is 4,588 units, which is a 431 percent increase over the 1,064 units required ~~by~~ during the 5th Cycle (2014~~5~~ to 202~~3)2~~ RHNA planning period. The housing need is divided into the ~~five~~ four income categories of housing affordability. Table B4-1, Cupertino's Regional Housing Needs Allocation – 2023–2031, shows Cupertino's RHNA for the 6th Cycle (2023–2031) planning period ~~2023 through 2031 in~~

~~comparison to the RHNA distributions for Santa Clara County and the Bay Area region.~~and the percentage of the city's total RHNA that is allocated to each affordability category.

Table B4-1 Cupertino's Regional Housing Needs Allocation – 2023–2031

Income Group	Unit Allocation	Percentage
Very Low Income (<50% of AMI)*	1,193	26.0%
Low Income (50%-80% of AMI)	687	15.0%
Moderate Income (80%-120% of AMI)	755	16.5%
Above Moderate~~.~~ Income (>120% of AMI)	1,953	42.6%
Total	**4,588**	**100.0%**

Source: California Department of Housing and Community Development, 6th Cycle Regional Housing Needs Allocation, Final Methodology , 2021

*It is assumed that 50 percent of the very low- income category is allocated to the extremely low-income category. There are projected to be 596 new extremely low-income households during the 6th cycle planning period.

AMI = Area Median Income

B4.2 PENDING PROJECTS

Projects that have been approved, permitted, or received a certificate of occupancy since the beginning of the RHNA projected period may be credited toward meeting the RHNA based on the affordability and unit count of the development. For projects yet to receive their certificate of occupancy or final permit, the element can demonstrate that the project is expected to be built within the planning period. For projects that have received their certificate of occupancy, affordability is based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability in the planning period of the units within the project.

Cupertino has a significant number of development projects that are seeking entitlements or that have been approved. Table B4-2, Pending Projects, summarizes the inventory of residential and mixed-use projects that are pending approval or that have current active entitlements. None of the projects listed in Table B4-2 have received a certificate of occupancy or final permit. As of July 2023, of the more than 3,319~~400~~ units that the City has approved, there were an estimated ~~2,419~~1,618 housing units in the pipeline ~~that could~~assumed to meet a portion of the City's RHNA. Of these units, ~~83~~586 units are affordable to lower-income households, 49 units are affordable to moderate-income households, and ~~1,233~~893units are market rate. Affordability for lower- and moderate-income units are based on tax credits and private funding.

Figure B4-1 provides a map of all approved and pending projects along with the sites that will be used to meet the RHNA. Sites in this map are designated by the RHNA affordability levels that are expected to be accommodated by the site.

Table B4-2 Pending Projects

Site ID	Assessor's Parcel Number	Project Name	Site Address/ Intersection	Existing Units	Project Total				Portion Counted Toward RHNA				Funding Source	Project Status
					Total	Lower	Moderate	Above Moderate	Percentage/Phase Assumed	Lower	Moderate	Above Moderate		
P1	316201220	The Rise (Vallco)	10101 N Wolfe Road	0	2,669 2,402	890 1,204	00	1,779 1,201	Phase 1	349581 316	0	1,321444 393	Abu Dhabi Investment Authority. Potential Low-Income Housing Tax Credit (LIHTC) application.	Building permit application not yet submitted. Project site soil remediation completed summer 2023. New architect on board and value engineering in process. Sand Hill Property Co. The developer has completed demolition and the process of cleaning up the west side of the site, which includes Phases 1 and 2 of the project (2,669 units). The foundation permits have been issued, so construction can begin. The City fully anticipates the west side (1902 units total, 581 affordable) being available in the planning period. The City is not relying on the east side of the project (Phase 32,; 833767 units total, 309 affordable) to meet the RHNA.
	31620121		10330 N Wolfe Road						*Phase 2 (Not Counted Toward RHNA)*	*185309* *469*	*0*	*90458* *391*		
P2	32627043	Westport	21267 Stevens Creek Boulevard	0	259	48	0	211	100%	48	0	211	LIHTC.	Building permits have been issued and construction is ongoing for 48--unit below-market rate (BMR) portion and 88 townhomes/rowhomes. Construction for senior living is anticipated to begin winter 2023.
P3	34216087	Canyon Crossing	10625 S. Foothill Boulevard	1	18	1	3	14	100%	1	3	14	---	Demolition permits issued. Building permits submitted in early summer 2023.
P4	36610126 36610061	Coach House/ 1655 S. De Anza	7357 Prospect Road 1655 S. De Anza	0	34	3	1	30	100%	3	1	30	---	Entitlement approved late spring 2023. Applicant to submit building permits by winter 2023.
P5	32634066 32634043	Marina Food	10118-10122 Bandley Drive 10145 N. De Anza Boulevard	0	206	0	36	170	100%	0	36	170	---	Entitlements granted in 2022. Project being value engineered currently.
P6	34214066 34214104 34214105	Bateh Brothers	22690 Stevens Creek Boulevard	0	10	0	2	8	100%	0	2	8	---	Under construction. Anticipated completion late winter 2023.
P7	35907021	Bianchi Townhomes	10040 Bianchi Way	2	7	0	1	6	100%	0	1	6	---	Application under review.
P8	35920030	McClellan LLC	20860 McClellan Road	1	12	0	6	6	100%	0	6	6	---	Demolition permit issued in summer 2023. Building permits under review.
P9	362 31 003	Cleo	20638 Cleo Avenue	1	4	0	0	4	100%	0	0	4	---	Pre-application. Ready to submit.
Total				5	3,219 2,952	9424,253	49	2,2281,650	---	633	49	17701,233	---	---

Source: City of Cupertino, September 2023

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~~B4.2~~B4.3 SITES INVENTORY

AVAILABILITY OF LAND

State Housing Element law emphasizes the importance of adequate land for housing and requires that each Housing Element "…identify adequate sites … to facilitate and encourage the development of a variety of housing types for all income levels…" (California Government Code Section 65583(c)(1)). To allow for an adequate supply of new housing, land must be zoned at a variety of densities to ensure that development is feasible for a wide range of income levels. The identified land must also have access to appropriate services and infrastructure, such as water, wastewater, and roads.

To demonstrate the City's capacity to potentially meet its RHNA, an adequate-sites inventory was conducted. The inventory must identify adequate sites that will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of housing types for households of all income levels. The analysis of the relationship of suitable sites to zoning provides a means for determining the realistic number of dwelling units that could be constructed on those sites in the current planning period.

SITES APPROPRIATE FOR LOWER-INCOME HOUSING

Housing Element law requires jurisdictions to provide an analysis showing that zones identified for lower-income households are sufficient to encourage such development. The law provides two options for preparing the analysis: (1) describe market demand and trends, financial feasibility, and recent development experience; or (2) use default density standards deemed adequate to meet the appropriate zoning test. According to State law (California Government Code Section 65583.2(c)(3)(B)), the default density standard for Cupertino is 30 dwelling units per acre. The City has included several sites, listed in **Tables B4-7** and **B4-9**, that allow for densities up to 80 units per acre, that well exceed the City's default density.

SITES IDENTIFIED IN PREVIOUS HOUSING ELEMENT

Pursuant to California Government Code Section 65583.2(c), a nonvacant site identified in the previous planning period and a vacant site identified in two or more previous consecutive planning periods cannot be used to accommodate the lower-income RHNA unless the site is subject to an action in the Housing Element that requires rezoning within three years of the beginning of the planning period that will allow residential use by right for housing developments with at least 20 percent units affordable to lower-income households. The City is not relying on any sites that were previously used to meet the lower income RHNA.

REALISTIC CAPACITY

In determining the realistic capacity for the City's inventory of sites, the City considered land use controls and site improvements and assumed an 80 percent adjustment to reflect developable acreage due to on-site improvements, including sidewalks, utility easements, and infrastructure improvements (roadway access, water, sewer, and stormwater). All sites are served by or planned to be served by infrastructure, with no constraints identified that would reduce capacity beyond the 80 percent adjustment. To further determine an appropriate realistic capacity assumption, the City considered and evaluated the implementation of its current multifamily development standards (e.g., setbacks, building height, parking, density requirements, land use controls, water and wastewater access, and

open space requirements) as well as project examples to determine approximate density and unit capacity so as to not over-project unit potential. The city also reviewed both residential and mixed-use project examples to further determine the appropriate realistic capacity for the sites inventory.

Realistic Capacity for Residential Sites

Table B4-3 shows project examples in Cupertino from 2016 to 2023. Overall, projects show a very high realistic capacity, ranging from ~~83~~80 to ~~136~~more than 100 percent of the site. On example sites where the total exceeded 100 percent of the maximum number of units permitted by the base General Plan and zoning density, a density bonus was used. Proposed projects must achieve 100 percent of the maximum density prior to applying for density bonus units. When determining the realistic capacity that should be applied to the sites listed in **Table B4-7**, the City looked at both the 80 percent adjustment for land use controls and site improvements, and project examples. To ensure capacity is not over projected, the city assumed a 95 percent realistic capacity on all residentially zoned sites in **Table B4-7**.

There is one exception. For Site 10, due to an active 100 percent affordable housing proposal, not yet entitled, the City assumed the realistic capacity and affordability based on the tentative plans for this project.

Table B4-3 Realistic Capacity Examples, Residential-Only									
Project Name	Acres	Project Status	Unit Affordability	General Plan/ Zoning	Total Project Units	Max. Allowable Units	Realistic Capacity Percentage	Proposed Use	Prior Use
Hamptons	12.44	Entitlements granted in 2016	871 AM, 30 M, 41 Lower. Affordable units from inclusionary program	High-Density Residential (35+ dwelling units/acre)	942	942	≥100%	100% residential	342 units. The plan is to demolish all units and construct 942 new apartments.
McClellan subdivision	1.25	Entitled in October 2022. Demolition permit issued. Building permits in review.	6 AM, 6 ADUs	Low-Density Residential	6	6	100%	100% residential	One home and a barn/large storage shed. The plan is to demolish existing uses and redevelop entire site.
Cleo Small Lot SFR	0.23	Project Application in review as of 2023.	BMR in-lieu of fee	Medium (10-20 du/ac); P(R3).	4	5	80%	4 residential units	One single family home. The plan is to demolish existing use and redevelop entire site.

Source: City of Cupertino, September 2023

Realistic Capacity for Commercial/Residential (Mixed-Use) Sites

In Cupertino, Planned Development (P) zoning districts with a residential component (e.g., P(Res)) in the Housing Sites inventory, allow horizontal and vertical mixed-use development by right. Additionally, Cupertino Zoning Code Section 19.80.030 (2) provides special density rules for what it terms "Priority Housing Sites." According to the code:

> *"If a [mixed-use] site is listed as a Priority Housing Site in the City's adopted Housing Element of the General Plan, then residential development that does not exceed the number of units designated for the site in the Housing Element shall be a permitted use."*

Table B4-4 summarizes three approved mixed-use developments, Marina Plaza, Westport, and Vallco. These projects range in realistic capacity from 83 to 344 percent, with most coming in around ~~135~~113 percent. This suggests that mixed-use projects in Cupertino develop at greater than 100 percent of the permitted density. For example sites where the total number of units exceeded 100 percent of the maximum number of units permitted by the base General Plan and zoning density, a density bonus was used. Proposed projects must achieve 100 percent of the maximum density prior to applying for density bonus units Since the City still needs to account for the unlikely possibility of non-residential uses on mixed-use sites in the current market, while the trends over the past decade indicates development on most large sites at close to or over 100 percent of the maximum allowable density, the City conservatively estimates a 75 percent realistic capacity for sites with mixed-use zoning in the sites inventory.

Additionally, out of all development projects over the past three years within a P(Com/Res) zoning, two were 100 percent residential, three included a mix of uses, while none developed with 100 percent commercial uses. This track record further shows the high potential for residential to develop on sites that allow for commercial uses.

Table B4-4 Realistic Capacity Examples, Mixed-Use Zones

Project Name	Acres	Project Status	Unit Affordability	General Plan/Zoning	Total Project Units	Max. Allowable Units	Realistic Capacity Percentage	Proposed Use	Prior Use
Marina Plaza	5.12	Entitled 2022	170 AM, 18 M, 18 ~~Lower~~Median	Commercial/Residential; Planned Development with Commercial and Residential Uses (P(CG/Res)). Includes density bonus.	206	179	115%	Mixed-use	100% commercial, 45-50k sf retail center. ~~Scrape and rebuild~~ and a standalone restaurant building. The structures were constructed in the 1970s. The plan is to demolish existing use and redevelop the entire site. As of 2022, the combined site had an ILV of 0.45, with the two individual parcels having ILVs of 0.11 and 1.26.
Westport	7.76	Entitled 2020. 136 Building Permits Issued as of 2022.	88 AM, 123 AM Senior Assisted Living, 48 Lower senior units	Commercial/Residential -Planned Development with Commercial and Residential uses (P(CG/,Res). Includes density bonus and waivers.	259	237	109%	Mixed-use (+/- 20ksf, 259 residential)	100% commercial, (72k sf village shopping center). The existing structures, constructed in the 1970s, were demolished to allow ~~plan is to demolish the existing use and redevelopment of~~ the entire site. Prior to entitlement, Ssome spaces were occupied. Under construction now.
Vallco	50.82	Entitled 2018. Demolition and Foundation permits issued in 2019 and 2020	1,204~~779~~ AM, 1,204~~267~~ VLI, ~~Lower~~623 Low	Regional Commercial/ Planned Development with commercial uses (entitled when residential uses were allowed on site). Includes density bonus, concessions and waivers	2,401~~669~~	1,779	135~~50~~%	Mixed-use (2mn office, 4200k +/- sf comm, 2402~~2,669~~ residential)	100% commercial, (1.27k s.f. regional mall). The plan is to demolish the existing use and redevelop the entire site. There were few existing tenants.
Canyon Crossing	1.38	Entitled 2022. Demolition permits issued in 2022.	1 VLI, 1 LI, 1 M, 1 median, 14 AM	Commercial/Residential at 15 du/ac. Planned Development with Commercial and Residential uses (P(CG/Res). No Density Bonus	18	20	90%	Mixed-use (4500 s.f. plus 18 units)	~~100% commercial strip mall and one residential unit. The structures were developed in the 1950s and 1960s. Plan~~The site is currently vacant, as the prior use was demolished ~~is to demolish existing use and~~to redevelop the entire site. Prior to demolition, ILV was 0.01.
1655 S. De Anza	1.68	Entitled 2023	1 median~~M~~, 1 ~~Lower~~ LI, 3 MLI, 29 AM	Commercial/Residential at 5-15 du/ac. Planned Development with Commercial and Residential uses (P(CG/Res 5-15)). Includes Density Bonus and waivers.	34	25	136%	Mixed-use (7600 s.f. and 34 units)	100% commercial, 11,650 s.f strip mall and adjoining parcel with parking lot improvements constructed in the early 1960s. The plan is to demolish the existing use and redevelop the entire site. There were/are existing tenants. The ILV as of 2022 was 0.28.
Verandas	0.55	Built in 2019	19 lower (SROs)	Commercial/Residential; P(CG/Res) Includes Density Bonus and reduced parking standards	19	14	135%	100% residential	Vacant
Alan Row/Bateh Brothers	0.78	Building Permit Issued 2022	8 AM, 2 M	Commercial/Residential; P(CG/Res) No Density Bonus	10	12	83%	100% residential	100% commercial, ~2800 sf standalone liquor store constructed in the 1960s with two adjacent undeveloped properties. The plan is to demolish the existing use and redevelop the entire site. Store was owner-operated.
Bianchi Townhomes	0.34	Project Application in review as of 2023.	1 Median, 6 AM	Commercial/Office/Residential, P(CG/Res). No bonus units, but waivers, concession and a reduced parking standard	7	8	88%	100% residential (7 units)	~~2~~Existing four-plex built in the 1950s~~2 residential units~~. Plan is to demolish existing use and redevelop the entire site. As of 2023, the site had an ILV of 0.11.
~~Stevens Creek Residential~~	~~1.63~~	~~Project Application in review as of 2023.~~	~~29 LI, 111 Above Moderate (20% LI—mix not established)~~	~~Commercial/Office/Residential, P(CG/Res). Builder's Remedy project~~	~~141~~	~~41~~	~~344%~~	~~100% residential~~	~~100% commercial. Strip mall type development. The plan is to demolish the existing use and redevelop the entire site. There are existing tenants in some of the buildings.~~

Source: City of Cupertino, 2023

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UNIT ALLOCATION

For determining capacity, the City assumed a mixed--income approach for each site to not only provide for a more realistic assumption, but to ensure the city is affirmatively furthering fair housing. The City used the percentage of the RHNA category to distribute the units on each site and has distributed accordingly. For most sites, the City assumed that 41 percent of each site will be affordable to lower-income households, 16 percent will be affordable to moderate-income households, and 43 percent will be affordable to above moderate--income households. For sites that do not allow for at least 16 units per site (Sites 12, 18, 19, 25, 31, 33, 34, 35, and 43) and for sites that were also smaller than 0.5 acres but still met the 16-unit threshold (2, 4, 11, 12, 17, 21, 45, and 54), capacity was allocated towards the moderate- and above moderate-income categories. On Site 10, there is an active 100 percent affordable housing proposal that has not yet been entitled, so all estimated units were assigned to the lower-income category. Similarly, on Sites 36 and 37, the realistic capacity was based on a pending Senate Bill (SB) 330 application. Site 27 is owned by Santa Clara County and in December 2023 released a Request For Offers (RFO) for an affordable housing development on the site. In January 2024, the County selected Eden Housing as the developer for the site, with the objective of having a fully-entitled project prior to the end of the 2024 calendar year. The County included the City in the RFO and developer selection process and Eden Housing has, as of February, begun having regular meetings with the City on its community outreach strategy and refining their plans to develop an all affordable housing project with units affordable to lower and moderate-income households. Based on this the City has allocated the capacity on the site accordingly.

PROPOSED REZONE CAPACITY

All of the sites within the City's inventory have been identified for either rezoning, a change in General Plan land use designation to allow for increased density, or both. As shown in **Table B4-5,**~~3 and ,~~ the City does not currently have sufficient capacity to meet the RHNA. As part of **Strategy HE-1.3.2**, the City commits to completing changes to the land use designation and rezoning by January 31, 2024. The rezoning and changes in General Plan land use designation will increase the maximum density on many sites to as much as ~~65~~80 dwelling units per acre.- This will allow the City to cover the shortfall identified and allow for a surplus in all income categories **Table B4-6**. Additionally, per Government Code Section 65583.2(g)(2), and as shown in **Table B4-6**, 50 percent of the very low- and low- income shortfall (~~422~~ 534 units) is being met on sites that allow for exclusively residential development. Also note, not all residential capacity in the city is identified in the priority housing sites list and therefore, the shortfall is most likely even lower.

Tables B4-7 through **B4-10** provide further information and detail on each of the priority housing sites in the City's inventory list. Please note that the site numbers listed here are added only as an additional way to reference the site~~,~~ and do not indicate any preference or priority. **Figures B4-1 – B4-4,** maps the housing priority sites potential sites.

Additionally, to comply with Government Code section 65583.2, subd. (c)(4), AB 725, for Metropolitan jurisdictions, Cupertino must accommodate at least 25 percent of the moderate and 25 percent above moderate RHNA on sites that allow at least four units of housing. As shown in Table **B4-7** and **B4-9**, all sites listed are large enough to accommodate at least 5 housing units. Therefore, the City is meeting the requirements of Government Code section 65583.2, subd. (c)(4).

Table B4-5 RHNA Capacity Prior to Rezone							
RHNA Category	2023-2031 RHNA	Pending Project Capacity	Current Residential Sites Capacity	Current Mixed-Use Sites Capacity	Projected Accessory Dwelling Units	Total Capacity	Shortfall
Very Low	1,193	633	151	49	116	813	1067
Low	687						
Moderate	755	49	297[2]	411	57	1020	59
Above Moderate	1,953	9831,770	173[3]	61	19	1821	70432
Total	**4,588**	21682,452	485490	315520	**192**	3,654	4,199939

SOURCE: City of Cupertino, 2023
1 Sites allowing 30 du/acre or more
2 Sites allowing 20-29 du/acre
3 Sites allowing less than 20 du/acre

Table B4-6 RHNA Capacity with Rezone							
RHNA Category	2023-2031 RHNA	Pending Projects Capacity	Residential Site Capacity with Rezone	Mixed Use Site Capacitys with Rezone	Projected ADUs	Total Capacity	Surplus
Very Low	1,193	633	833	614	116	21962,450	316270
Low	687						
Moderate	755	49	360314	443	57	9090	1545
Above Moderate	1,953	9831,770	65462849	715	19	3166653,3238 6	1,213021,370 3
Total	**4,588**	2,452	184455917	1,6041,772	**192**	6260716,3336, 00	1683724,745 44

SOURCE: City of Cupertino, July 2023
NOTE: While the City assumes that ADUs will provide capacity to meet the RHNA, the City is not relying on ADU capacity to meet the RHNA targets.

Table B4-7 Priority Housing Sites in Residential Zones

Site ID	APN	Acres	Existing General Plan Designation	Existing Zoning Designation	Current Maximum Allowed Density	Proposed General Plan Designation	Proposed Zoning	Proposed Minimum Density	Proposed Maximum Density (du/acre)	Maximum Unit Capacity (100%)	Realistic Unit Capacity (95%)	Lower Income Units	Moderate Income Units	Above Moderate Income Units
1	31623027	0.64	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	42	35	14	6	15
2	36903005	0.47	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	31	29	12	5	12
3	32634047	1.09	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	71	67	27	11	29
4	35907006	0.32	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	21	20	8	3	9
5	37506006	1.71	Commercial/Office/Residential	P(CG, Res)	25	VHD - Very High Density	R4	65.01	80	137	130	53	21	56
6	37506007	0.96	Commercial/Office/Residential	P(CG, Res)	25	VHD - Very High Density	R4	65.01	80	77	73	30	12	31
7	31621031	1.81	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	118	112	46	18	48
8	31623026	1.78	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	116	110	45	18	47
9	32632050	0.83	Commercial/Office/Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	54	51	21	8	22
10	32627053	0.75	Transportation	T	0	H/VHD - High/Very High Density	R4	50.01	65	49	40	40	-	-
11	32336018	0.42	Commercial / Residential	P(CG)	35	H/VHD - High/Very High Density	R4	50.01	65	27	26	11	4	11
12	31604064	0.44	Res Low 1-5	A1-43	5	MD - Medium Density	R3/TH	10.01	20	9	8	-	4	4
13	32607022	1.64	Commercial	P(CG)	15	VHD - Very High Density	R4	65.01	80	131	125	51	20	54
14	32607030	0.92	Commercial	BQ	15	VHD - Very High Density	R4	65.01	80	74	70	29	11	30
15	32607031	0.24	Commercial	P(CG)	15	VHD - Very High Density	R4	65.01	80	19	18	7	3	8
16	32607036	1.74	Commercial	P(CG)	15	VHD - Very High Density	R4	65.01	80	139	132	54	21	57
17	36937022	0.39	Medium (10-20 DU/Ac)	R3	20	VHD - Very High Density	R4	50.01	65	25	24	10	4	10
18	36937023	0.22	Medium (10-20 DU/Ac)	R3	20	MHD - Medium High Density~~HD - High Density~~	R3/TH~~R3~~	20.01~~35.01~~	35~~50~~	~~841~~	~~710~~	-	12	~~68~~
19	36937024	0.17	Medium (10-20 DU/Ac)	R3	20	MHD - Medium High Density~~HD - High Density~~	R3/TH~~R3~~	20.01~~35.01~~	35~~50~~	~~69~~	~~68~~	-	11	~~57~~
20	36934053	0.54	Commercial / Residential	P(CG)	15	MHD - Medium High Density	R3/TH	20.01	35	19	18	7	3	8
21	35918044	0.26	Commercial / Residential	P(CG)	25	H/VHD - High/Very High Density	R4	50.01	65	17	16	7	3	6
22	36610121	1.34	Commercial / Residential	P(CG, Res 5-15)	15	MHD - Medium High Density	R4-3/TH	20.01	35	47	45	18	7	20
23	36610137	0.92	Commercial / Residential	P(CG, Res 5-15)	15	MHD - Medium High Density	R4-3/TH	20.01	35	32	31	13	5	13
24	36619047	2.33	Commercial / Residential	P(CG, Res 5-15)	15	H/VHD - High/Very High Density	R4	50.01	65	151	144	59	23	62
25	36619078	0.08	Commercial / Residential	P(CG, Res 5-15)	15	H/VHD - High/Very High Density	R4	50.01	65	5	5	-	1	4
26	35909017	1.00	Commercial / Residential	P(CG, Res)	25	H/VHD - High/Very High Density	R4	50.01	65	65	62	25	10	27
27	31620088	5.16	Reg Shopping	CG	0	VHD - Very High Density	R4	50.01	65	335	319	207	112	0
28	35913019	0.99	Res Low 1-5	R1-10	5	MD - Medium Density	R3	10.01	20	20	19	8	3	8
29	35606001	0.73	Res Low 1-5	R1-7.5	5	MHD - Medium High Density	R3/TH	20.01	35	26	24	10	4	10
30	35606002	0.69	Res Low 1-5	R1-7.5	5	MHD - Medium High Density	R3/TH	20.01	35	24	23	9	4	10
31	35606003	0.25	Res Low 1-5	R1-7.5	5	MHD - Medium High Density	R3/TH	20.01	35	9	8	-	5	3
32	35606004	0.87	Res Low 1-5	R1-7.5	5	MHD - Medium High Density	R3/TH	20.01	35	30	29	12	5	12
33	36231001	0.25	Res Medium 10-20	P(R3)	20	MHD - Medium High Density	R3/TH	20.01	35	9	8	-	1	7
34	36231030	0.23	Res Medium 10-20	P(R3)	20	MHD - Medium High Density	R3/TH	20.01	35	8	8	-	1	7
35	32720034	1.34	Res Low 1-5	R1-10	5	LM - Low Medium	R3/TH	5.01	10	13	13	-	2	11
Total										~~1,963~~	~~1855928~~	933	~~360411~~	~~551649~~

SOURCE: City of Cupertino, September 2023.

Table B4-8 Priority Housing Sites in Residential Zones - Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
1	316 23 027	20149 Stevens Creek Blvd	Commercial building and unpermitted warehouse (Sun Design Center)	Yes	n/a	1957, aged	Site 1 is located in the Heart of the City – Central Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd and approximately 0.75 miles east of De Anza College. Existing uses on the site include two commercial structures. One of the commercial structures, a concrete tilt-up, currently a kitchen and bathroom remodel store, was built in 1957 and is in very aged condition, with no exterior improvement made, but not dilapidated condition, and the other is a wooden warehouse that is unpermitted. The owner has expressed an interest in redeveloping the site. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.72 so development on this site is considered feasible.
2	369 03 005	20010 Stevens Creek Blvd	Commercial building	Yes	n/a	1955. Aged building	Site 2 is located in the Heart of the City – Central Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Site 2 is located in the central core area approximately 0.75 miles east of De Anza College. Existing uses on the site include a commercial structure, currently a breakfast restaurant. The building was constructed in 1955 and while not dilapidated, is not in good shape. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial and multi-family residential buildings. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.17 so development on this site is considered feasible.
3	326 34 047	10125 Bandley Dr	Restaurant	Yes	n/a	1979. Aged building	Site 3 is a 1.09-acre site located in the Heart of the City – Crossroads Special Center, which is predominantly commercial uses located both north and south of Stevens Creek Blvd and approximately 0.5 mile east of De Anza College. The site currently has a commercial building that was constructed in 1979 that is aged but not dilapidated. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial and multi-family residential uses. The improvement-land value ratio for this site is 0.41 so development on this site is considered feasible.
4	359 07 006	20950 Stevens Creek Blvd	Single tenant retail	Yes	n/a	1966, Aged borderline dilapidated	Site 4 is a 0.32-acre site located in the Heart of the City – Crossroads Special Center, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. and is approximately 0.5 mile east of De Anza College. Existing uses on the site include a commercial structure. The existing structure was constructed in 1966 and is borderline dilapidated. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial and multi-family residential uses. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.17 so development on this site is considered feasible.
5	375 06 006	19220 Stevens Creek Blvd	Commercial Offices	Yes	n/a	1970, aged and dated	Sites 5 and 6 are two parcels totaling 2.67 acres located in the Heart of the City – East Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Existing uses on the site include two commercial structures. Site 5 includes an office building that was constructed in 1970, currently occupied by a childcare facility. Site 6 is developed with an office building, currently occupied by law offices, that was constructed in 1969. The owner of the two parcels has expressed continued interest in redeveloping the sites. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for these parcels are 0.38 (Site 5) and less than 0.01 (Site 6) so development on this site is considered feasible.
6	375 06 007	19300 Stevens Creek Blvd	Commercial Offices	Yes	n/a	1969, aged and dated	
7	316 21 031	19875 Stevens Creek Blvd	Cort Furniture and childcare.	Yes	n/a	1964	Site 7 is a 1.81-acre parcel located in the Heart of the City Special Area – Central Special Center, which is a mix of commercial and residential uses located approximately 1.25 miles east of De Anza College. Existing uses on Site 7 include a commercial building with a furniture rental store and a day care center, and associated parking. The building was constructed in 1964 and is a concrete tilt up with very little improvements on the exterior. Neighboring uses include commercial and single-family uses. Several developers have expressed interest in redeveloping the site and discussed potential with City staff. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.43 so development on this site is considered feasible.

Table B4-8 Priority Housing Sites in Residential Zones - Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
8	316 23 026	20111 Stevens Creek Blvd	Office building.	No response received	n/a	1982	Site 8 is a 1.78-acre parcel located in the Heart of the City Special Area – Central Special Area, which is a mix of commercial and residential uses. Site 8 is located on the north side of Stevens Creek Boulevard, approximately one mile east of De Anza College. Existing uses on the site include a dentist's office and associated parking, adjacent to Site 1. The building was constructed in 1982. Neighboring uses include commercial and single-family uses. The property is on the same block 11051 N, Blaney, which has an application on file for a 5-story, 85-unit/acre apartment development. Developers have contacted the City about the possibility of redeveloping this site. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.80 so development on this site is considered feasible.
9	326 32 050	20883 Stevens Creek Blvd	Office building.	No response received	n/a	1981	Site 9 is a 0.83-acre parcel located in the Heart of the City – Crossroads Special Area, which is a mix of commercial and residential uses. Site 9 is located approximately 0.25 miles east of De Anza College. Existing uses on the site include an office building. The building is occupied by a tech company and was constructed in 1981. The site is across the street from a pipeline project (Bianchi) and two vacant commercial buildings (former Fontana's Restaurant and Pizza Hut) that are strong redevelopment candidates. Neighboring uses include commercial uses, with single-family uses and amenities in close proximity. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 19.72 so development on this site may be a challenge; however, due to the nearby presence of a pipeline project and the potential for redevelopment of other nearby parcels in this corridor, it is estimated that this will not be a barrier to redevelopment.
10	326 27 053	Mary Ave site	Vacant	Yes. City Owned	n/a	n/a	Site 10 is located in the Garden Gate neighborhood and is located east of Highway 85. Presently, the site is a new parcel carved out from unused right-of-way, owned by the City of Cupertino, adjacent to Highway 85 that includes some on-street parking. Neighboring uses include multi-family residential uses, a dog park, condominiums and Highway 85. In response to an October 2022 RFP for projects for this property, the site has an active proposal for a 40-unit, two-story affordable (100% Low and Very Low Income) housing project developed by Cupertino Rotary Housing Corporation, Housing Choices Coalition, and Charities Housing. The project will include 18 units for residents with intellectual or developmental disabilities. This site does not have a current assessed land or improvement value, so an improvement-land value ratio could not be calculated for this site.
11	323 36 018	11025 N De Anza Blvd	Vacant	Yes	n/a	1960	Site 11 is a 0.42-acre parcel located in the Homestead Road Special Area, which is predominantly multi-family homes and commercial uses. Site 11 is located north of Interstate 280 at the northwest corner of Homestead Road and Sunnvale-Saratoga Road. The small commercial structure that previously occupied this site was recently demolished and the site is now vacant. The owner has expressed an interest in redeveloping the site. Neighboring uses include multi-family homes and a variety of commercial structures. The property is close to the Apple Campus and close to bus lines on De Anza and Homestead Rd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0 due to the lack of improvements on the site, so development is considered feasible.
12	316 04 064	19820 Homestead Rd	Single Family Residential	Yes	n/a	1954, borderline dilapidated	Site 12 is a 0.44-acre site located in the Homestead Road Special Area, which is predominantly multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on Site 12 include a single-family home that was built in 1954 and is borderline dilapidated. The owner has expressed an interest in redeveloping the site. Neighboring uses include similar single-family homes. The improvement-land value ratio for this site is 0.02 so development is considered feasible.
13	326 07 022	[no address]	Church - tennis courts	Yes	n/a		Sites 13 and 16 are 1.64 and 1.74-acre parcels, respectively, that are located in the Homestead Road Special Area, as are Sites 14 and 15. Sites 14 and 15 are two adjacent parcels totaling 1.16 acres. This area is predominantly multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on the site include tennis courts, parking, and a vacant lot. The parcels have the potential to either develop separately or as a consolidated lot, though it is likely that sites 14 and 15 would develop as a consolidated lot due to their sizes and arrangement. The owner has expressed an interest in redeveloping these four sites together. Neighboring uses include a church
14	326 07 030	[no address]	Church parking lot	Yes	n/a		
15	326 07 031	[no address]	Church parking lot	Yes	n/a		

Table B4-8 Priority Housing Sites in Residential Zones - Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
16	326 07 036	[no address]	Outdoor sand courts on Church property.	Yes	n/a		sanctuary and parking lot, a new bank building, older office buildings and an electrical power substation. Additionally, a neighborhood center is located across Homestead Road in the City of Sunnyvale. The sites would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for all four parcels is 0 as there is no assessed improvement value.
17	369 37 022	20421 Bollinger Rd	Vacant lot	Yes	n/a	Vacant lot	Sites 53 (see mixed-use zoning inventory), 17, 18 and 19 are adjacent parcels, owned by the same property owner, located on the north side of Bollinger Road just east of South DeAnza Boulevard. The South Blaney Neighborhood includes a mix of single- and multi-family housing and commercial use. Existing uses on the sites include a commercial structure and residential/duplex uses. Neighboring uses include commercial and single-family uses. Site 17 is currently vacant. The owner of sites 18 and 19 has expressed interest in developing townhomes on all or part of ~~this site~~ Sites 18 and 19. Site 19 currently has a single-family house constructed in 1940 that appears aged but not yet dilapidated. The current use of Site 18 is a duplex that is aged but not yet dilapidated; the age of this house is unknown. Site 53, which is adjacent to Sites 17, 18, and 19, is a vacant commercial building (former Taco Bell – with no interest in re-leasing this building from the property owner) that was built in 1991 and is in need of repair, though not yet dilapidated and is a site that is generating regular code enforcement inquiries due to its unmaintained appearance. The property owner has expressed consistent and strong interest in developing the properties and has met with City staff to discuss potential and options. The site has excellent access to amenities and bus service on De Anza Blvd and Bollinger Rd. The sites would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for Site 17 is 0 as there is no assessed improvement value. Sites 18 and 19 have improvement-land value ratios of 2.00 and 2.44, respectively. While this is higher than the default assumption of redevelopment feasibility, the owner's proactive interest in redevelopment is considered sufficient to overcome this high improvement value ratio.
18	369 37 023	20411 Bollinger Rd	Duplex	Yes	n/a	Mid-1950s/60s, Aged	
19	369 37 024	20431 Bollinger Rd	Single Family Home (legal non-conforming)	Yes	n/a	Mid-1950s/60s, Aged	
20	369 34 053	10891 S Blaney Ave	Strip Mall	Yes	n/a	1961, ~~Good~~Aged condition	Site 20 is a 0.54-acre parcel in the South Blaney Neighborhood, which is a mix of single- and multi-family housing and commercial uses located immediately north of Bollinger Road at the intersection of Bollinger Road and S. Blaney Ave. The site is 0.4 miles from De Anza Blvd and 0.6 miles from Miller Ave, both of which have amenities at the intersection. Existing uses on the site include a commercial structure that was built in 1961 and is in fair condition. Neighboring uses include commercial and single-family uses. There have been multiple developer/broker contacts regarding this site since late 2022. This site and Site 52 have the same owner -and the two properties ~~could~~will likely be consolidated or redeveloped jointly ~~with site 52~~. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.28 so development is considered feasible.
21	359 18 044	10619 South De Anza Blvd	Strip mall	Yes	n/a	1966, Aged	Site 21 is a 0.26-acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the Site 21 include commercial uses, including a hair salon, small café, and massage store. There is also an associated parking lot. The building was constructed in 1966 and is in aged but not in dilapidated condition. The owner has expressed interest in redeveloping the site. Neighboring uses include commercial uses and De Anza Blvd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.34 so development is considered feasible.
22	366 10 121	1505 S De Anza Blvd	Commercial, Kelly-Moore Paints	No	n/a	1965	Site 22 is a 1.34-acre parcel located in the South De Anza Blvd Special Area, and is very underutilized. The site is developed with a dated industrial building, originally a lumber yard, that has had a succession of short-term commercial tenants. The current occupant is a paint store. The property has a large surface parking area with worn paving that has few cars present during business hours. The site is located along a stretch of De Anza Blvd. where most sites are redevelopment candidates. The east side of DeAnza Blvd. Is in the City of San Jose, where strip malls and similar under-performing commercial sites are currently being redeveloped with residential uses. The building was constructed in 1965. The owner has been contacted, but the City has not yet received a response regarding their interest in redeveloping the property. However, a recent entitlement for property approximately 750 feet south of this property at 1655 S. De Anza was approved in 2023 by the City, in which a strip mall was redeveloped with a mixed-use residential development. Neighboring uses include commercial uses, multi-family uses, and De Anza Blvd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.25 so development is considered feasible.

Table B4-8 Priority Housing Sites in Residential Zones - Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
23	366 10 137	[no address]	Parking lot behind KinderCare	No	n/a	n/a	Site 23 is a 0.92-acre parcel located in the South De Anza Blvd Special Area, adjacent to Site 22, which is predominantly commercial uses located along De Anza Blvd. The existing use on Site 23 is a parking lot located behind a day care center. Neighboring uses include commercial and residential uses and De Anza Blvd. The owner has been contacted regarding their interest in redeveloping this site, but a response has not yet been received. In the past, however, this property owner has been interested in redeveloping this property with residential uses. However, a recent entitlement for adjacent property at 1655 S. De Anza was approved in 2023 by the City, in which a strip mall was redevelopment with a mixed-use residential development. While the site is not eligible for by-right residential development under AB 2011 (2022) due to frontage requirements of the law, the property is adjacent to other property which are eligible for such development and therefore, contiguous development is anticipated. The improvement-land value ratio for this site is 0 as there is no assessed improvement value.
24	366 19 047	1361 S De Anza Blvd	Yamagami's Nursery	Yes	n/a	1960	Sites 24 and 25 are a 2.33-acre parcel and a 0.08-acre parcel, respectively, located in the South De Anza Blvd Special Area, which is predominantly commercial uses, a dated nursery building, located along De Anza Blvd. Existing uses on Sites 24 and 25 include a nursery and an associated parking lot. The nursery was constructed in 1960 and is a dated building. The owner has expressed ~~ana~~ strong interest in redeveloping the site. Neighboring uses include commercial uses, single-family units, townhome units, ~~and~~ De Anza Blvd, and new residential development in the City of San Jose. The site has fair access to amenities and bus service along De Anza Blvd. While the site is not eligible for by-right residential development under AB 2011 (2022) due to proximity to freeway limitations of the law, the property owner interest for redevelopment is strong. The improvement-land value ratio for Site 24 is 0.11 and 0 for Site 25 (no assessed improvement value), so development is considered feasible.
25	366 19 078	No address	Portion of Yamagami's site	Yes	n/a		
26	359 09 017	10105 S De Anza Blvd	Commercial Offices	Yes	n/a	1977, older building with no significant improvements	Site 26 is a one-acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on Site 26 include a commercial building and parking lot. The current commercial building was constructed in 1977 and remains in ~~good~~fair condition. The site is located 0.5 miles from De Anza College and Apple's Infinite Loop Campus. There are several offices located within walking distance of the site. Neighboring uses include commercial uses, multi-family units, and De Anza Blvd. The owner has expressed an active interest in redeveloping this property. The site has excellent access to amenities and rapid bus service along Stevens Creek Blvd and other bus service along De Anza Blvd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 0.42 so development is considered feasible.
27	316 20 088	[no address]	Vacant site with parking lot, north of Vallco site	Yes	n/a	n/a	Site 27 is a 5.16-acre parcel located in the Vallco Shopping District, which is predominantly commercial uses located south of Interstate 280 along Wolfe Road. The site is presently a vacant lot. The owner has expressed interest in transferring this property to Santa Clara County to allow the redevelopment of this site with affordable housing development, including teacher housing. Neighboring uses include single-family uses, Wolfe Road, and the Interstate 280 corridor. The site has excellent access to planned amenities, is adjacent to a significant pipeline project (Vallco/The Rise), and is in close proximity to rapid bus service along Stevens Creek Blvd and other bus service along Wolfe Road. While the site is not eligible for by-right residential development under AB 2011 (2022) due to proximity to freeway limitations of the law, the property owner interest for redevelopment is strong. The improvement-land value ratio for this site is 0 due to a lack of assessed improvement value, so development is considered feasible. The site is owned by Santa Clara County and in December 2023 released an Request For Offers (RFO) for an affordable housing development on the site. In January 2024, the County selected Eden Housing as the developer for the site, with the objective of having a fully-entitled project prior to the end of the 2024 calendar year. The County included the City in the RFO and developer selection process and Eden Housing has, as of February, begun having regular meetings with the City on its community outreach strategy and refining their plans to develop an all affordable housing project with units affordable to lower and moderate-income households. Based on this the City has allocated the capacity on the site accordingly.

Table B4-8 Priority Housing Sites in Residential Zones - Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
28	359 13 019	20865 Mcclellan Rd	Single Family Residential	Yes	n/a	1957, Aged borderline dilapidated	Site 28 is a 0.99-acre parcel located in the Jollyman Neighborhood, which is predominantly defined by single-family residential homes and located immediately south of the De Anza College campus and east of the Highway 85 corridor. Site 29 currently includes a single-family home built close to the McClellan Road right-of-way with a large rear yard. Neighboring uses include single-family housing. A developer has made contact with the City regarding the development of townhomes on this property since 2021, with continued interest for development in 2023. The site has good access to amenities within 0.25-0.5 miles of the site and has fair access to bus service at De Anza College. The improvement-land value ratio for this site is 0.02 so development is considered feasible.
29	356 06 001	10857 Linda Vista Dr	Single Family Residential	Yes	n/a	1947- 1954, Aged Borderline Dilapidated	Sites 29 through 32 are contiguous parcels located in the Monta Vista North Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. The individual parcels range in size from 0.25 acres to 0.87 acres. Existing uses on the site include four occupied single-family homes built between 1947 and 1957. Neighboring uses include tennis courts, a golf course, and single-family homes. The current physical condition of these houses is borderline dilapidated. The four parcels are adjacent to each other and have common ownership, and there has been active developer interest in developing this area into townhomes. The existing cul-de-sac (Evulich Ct.) could also be incorporated into the development and the City could consider selling this right of way to the developer for development purposes to allow a cohesive and contiguous site planning. Property owners have attended almost all housing element meetings to ensure parcels are included on the sites inventory list. The improvement-land value ratio for these sites are 0.84 (Site 29), 1.01 (Site 30), 0.89 (Site 31), and 0.51 (Site 32), for a combined ratio of 0.80, so development is considered feasible.
30	356 06 002	10867 Linda Vista Dr	Single Family Residential	Yes	n/a	1947- 1954, Aged Borderline Dilapidated	
31	356 06 003	10877 Linda Vista Dr	Single Family Residential	Yes	n/a	1947- 1954, Aged Borderline Dilapidated	
32	356 06 004	10887 Linda Vista Dr	Single Family Residential	Yes	n/a	1947- 1954, Aged Borderline Dilapidated	
33	362 31 001	20666 Cleo Ave	Single Family Residential	Yes	n/a	1951, good condition	Site 33 is a 0.25-acre site located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately southwest of SR 85. Site 34 is currently developed with an occupied one single-family residence that was constructed in 1951. This lot is similar in size to another lot on this street where a Habitat for Humanity development was developed on a site and another lot where a developer is proposing 4 townhomes. The existing structure on the property is legal non-conforming and any improvements must comply with existing multi-family zoning, which the property owner is unwilling to do. ~~T~~However, the current property owner is interested in redeveloping the site in its entirety and as a result the zoning is being updated to allow townhome development on the site to make the site more attractive for development, similar to the one being considered approximately 200 feet to the east of this site. ~~.~~ The improvement-land value ratio for this site is 0.02 so development is considered feasible.
34	362 31 030	[no address] Also on Cleo	Vacant	Yes.	n/a	1950's, good condition	Site 34 is a 0.23-acre parcel located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately west of Highway 85. The irregularly-shaped parcel is currently undeveloped and vacant. Neighboring uses include single-family and duplex homes. This lot is similar in size to another lot on this street where a Habitat for Humanity development was developed on a site and another lot where a developer is proposing 4 townhomes. The zoning is being updated to allow townhome development on the site to make the site more attractive for development, similar to the one being considered approximately 60 feet to the south of this site. The improvement-land value ratio for this site is 0 due to a lack of improvements, so development is considered feasible.
35	3276 20 034	10231 Adriana Ave	Single Family Residential	Yes	n/a	Single Family Residential	Site 35 is a 1.34 acre-parcel currently occupied with a Single-Family Residential unit. The property owner recently inherited the property and is very motivated to redevelop the site with higher density residential. The owner most recently reiterated the intention to develop the property in September 2023. The improvement-land value ratio for this site is 4.44. However, due to the owner's recent interest, this is not considered a barrier to development.

SOURCE: City of Cupertino, September 2023

Table B4-9 Priority Housing Sites in Mixed-Use Zones

Site ID	APN	Acres	Existing General Plan Designation	Existing Zoning Designation	Current Maximum Allowed Density	Proposed General Plan Designation	Proposed Zoning	Proposed Minimum Density (du/acre)	Proposed Maximum Density (du/acre)	Maximum Unit Capacity	Realistic Unit Capacity (75%)	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units
36	316 23 093	1.35	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	88	132	30	102	
37	316 23 036	0.24	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65					
38	369 06 002	0.9	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	72	54		31	23
39	369 06 003	0.53	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	42	32		18	14
40	369 06 004	1.29	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	103	77		44	33
41	359 10 015	1.18	Commercial / Residential	P(CG)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	77	58	24	9	25
42	359 10 060	0.98	Commercial / Residential	P(CG)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	64	48	20	8	20
43	359 10 044	0.18	Commercial / Residential	P(CG)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	12	9		5	4
44	359 08 025	0.83	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	54	40	16	6	18
45	359 08 026	0.45	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	29	22	9	4	9
46	359 08 027	0.87	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	57	42	17	7	18
47	359 08 028	0.85	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	55	41	17	7	17
48	359 08 029	0.92	Commercial/Office/Residential	P(CG, Res)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	60	45	18	7	20
49	326 09 052	0.74	Commercial	P(CG)	35	Commercial/Residential - VH	P (CG/R4)	65.01	80	59	44	18	7	19
50	326 09 060	2.75	Commercial	P(Rec/Enter)		Commercial/Residential - VH	P (CG/R4)	65.01	80	220	165	68	26	71
51	326 09 061	1.12	Commercial	P(CG)	35	Commercial/Residential - VH	P (CG/R4)	65.01	80	90	67	27	11	29
52	369 34 052	2.70	Commercial / Residential	P(CG)	15	Commercial/Residential - HVH	P (CG/R4)	50.01	65	176	132	54	21	57
53	369 37 028	0.56	Commercial / Residential	P(CG)	25	Commercial/Residential - HVH	P (CG/R4)	50.01	65	36	27	11	4	12
54	366 19 055	0.40	Commercial / Residential	P(CG, Res 5-15)	15	Commercial/Residential - MH	P (CG/R3/TH)	20.01	35	14	11		7	4
55	366 19 053	0.56	Commercial / Residential	P(CG, Res 5-15)	15	Commercial/Residential - MH	P (CG/R3/TH)	20.01	35	20	15	6	2	7
56	366 19 054	1.75	Commercial / Residential	P(CG, Res 5-15)	15	Commercial/Residential - MH	P (CG/R3/TH)	20.01	35	61	46	19	7	20
57	316 05 050	1.02	Commercial / Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	82	61	25	10	26
58	316 05 051	0.62	Commercial / Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	50	37	15	6	16
59	316 05 052	0.73	Commercial / Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	58	44	18	7	19
60	316 05 053	0.92	Commercial / Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	74	55	23	9	23
61	316 05 056	6.94	Commercial / Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	555	416	171	67	178
62	316 05 072	0.54	Commercial / Residential	P(CG, Res)	25	Commercial/Residential - VH	P (CG/R4)	65.01	80	43	32		8	24
63	359 20 028	0.75	Quasi-Public	BQ	0	Commercial/Residential - MH	P (CG/R3)	20.01	35	26	20	8	3	9
				Total						**2,276**	**1,772**	**614**	**443**	**715**

SOURCE: City of Cupertino, September 2023

Table B4-10 Priority Housing Sites in Mixed-Use Zones – Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
36	316 23 093	20007 Stevens Creek Blvd	Commercial buildings	Yes	n/a	1978.	Sites 36 and 37 are two parcels located in the Heart of the City - Central Special Area, which is a mix of commercial and residential uses. These sites are approximately 0.75 miles east of De Anza College and located about halfway between Apple's Infinite Loop and Apple Park campuses. The parcels are 1.35 and 0.24 acres, respectively. Neighboring uses include commercial uses and multi-family residential. Existing uses on the site include a childcare center in one building and two vacant commercial buildings. The building was constructed in 1978. In May 2023 the property owner expressed an interest in redeveloping the site. The City is currently reviewing a project application under Builder's Remedy for a 141 unit rental development. Based on the pending application, it is estimated that 141 units, with 20% lower income units, in a 5-story building, could be developed on this site. The site has excellent access to amenities and rapid bus service along Stevens Creek Blvd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for Site 36 is 0.22 and 0.40 for Site 37, so development is considered feasible.
37	316 23 036	10051 N Blaney Ave	Childcare center	Yes	n/a	1969. Tenant improvements in 2020.	
38	369 06 002	19610 Stevens Creek Blvd	Strip Mall (House of Falafel)	Yes	n/a	1960, aged. No improvements made to structures since construction.	Sites 38, 39, and 40 are a set of three parcels totaling 2.72 acres located in the Heart of the City – East Special Area, which is a mix of commercial and residential uses. The Sites are located 1.5 miles east of De Anza College and a little under 1 mile south of the Apple Park campus, and range in size from 0.53 acres to 1.29 acres. Existing uses on the site include commercial buildings built in the 1960s and are aged, but not yet dilapidated. The strip mall portion has vacancies. Neighboring uses include a variety of commercial buildings and single-family homes. As of September 2023, the parcels are under contract negotiations with Toll Brothers, an established residential developer with the intent to develop townhomes for a mix of income levels. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The site has excellent access to amenities and rapid bus service along Stevens Creek Blvd and lends development at densities greater than townhome densities. The improvement-land value ratios for these sites are 0.03 (Site 38), 0.05 (Site 39), and less than 0.01 (Site 40) so development is considered feasible.
39	369 06 003	10071 E Estates Dr	Commercial building (United Furniture)				
40	369 06 004	10075 E Estates Dr	United Furniture parking lot				
41	359 10 015	10133 S De Anza Blvd	Strip mall north of Vardy's Shopping Center (S&G Carpet)	Yes	n/a	1952, with some improvements in 1970. No additional improvements since. Aged.	Site 41 is a 1.18-acre parcel located in the South De Anza Special Area, which is a mix of commercial and residential uses. The site is located approximately 0.75 miles east of De Anza College and about 1 mile south of the Apple Infinite loop campus. ~~Site 42 is located approximately 0.75 miles east of De Anza College.~~ Existing uses on the site include a bank, restaurant, and assorted commercial uses along with associated parking. The owner has recently expressed an interest in redeveloping the site. Neighboring uses include commercial uses and single-family uses. It is anticipated that the site ~~e~~would be designed with live/work units fronting S. De Anza Blvd to retain the "commercial" look along South De Anza Blvd corridor. The site has excellent access to amenities and is close to rapid bus service along Stevens Creek Blvd and other bus service along De Anza Blvd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio for this site is 2.30; however, due to the lack of improvements over the past 50 years it is estimated that this will not be a barrier to redevelopment.
42	359 10 060	10211 S De Anza Blvd	Vardy~~"~~'s shopping center.	No	n/a	1960, aged	Site 42 is a 0.98-acre parcel located in the South De Anza Special Area, which is a mix of commercial and residential uses. ~~Site 43 is located east of De Anza College.~~ Site 42 is located approximately 0.65 miles east of De Anza College and about 1 mile south of the Apple Infinite loop campus. The site is developed with a partially occupied shopping center, including one vacancy and a sandwich shop and associated parking. Neighboring uses include both commercial and single-family uses. It is anticipated that Live/Work type units ~~e~~would be designed on the site, given its location on the South DeAnza Boulevard corridor. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. There has been expressed interest from developers interested in developing the site. The site has excellent access to amenities and is close to rapid bus service along Stevens Creek Blvd and other bus service along De Anza Blvd. The improvement-land value ratio for this site is 1.30, but due to the potential for co-development with Site 43, it is not estimated that this will be a barrier to redevelopment.

Table B4-10 Priority Housing Sites in Mixed-Use Zones – Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
43	359 10 044	10201 S. De Anza Blvd	Acupuncture Clinic	No	n/a	1953, aged	Site 43 is a 0.18-acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Site 43 is located approximately 0.65 miles east of De Anza College and about 1 mile south of the Apple Infinite loop campus. Existing uses on Site 43 include a standalone commercial building occupied by an acupuncture clinic and associated parking lot. ~~Existing uses on Site 57 include a small shopping center and associated parking lot.~~ Neighboring uses include commercial uses, single-family uses, and De Anza Blvd. Could develop in conjunction with Site 4342 and it is anticipated that this could be developed with live/work units. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. There has been expressed interest from developers interested in developing the site. The improvement-land value ratio for this site is 0.21 so development is considered feasible.
44	359 08 025	20840 Stevens Creek Blvd	Commercial building (former Fontana's restaurant)	No	n/a	1996	Sites 44 through 48 are a set of five parcels totaling 13.73 acres, of which only the western most 3.92 acres are expected to be redeveloped. In particular, only a portion of site 47 is anticipated to be rezoned to allow residential units. These parcels are located in the Heart of the City – Crossroads Special Center, which consists of predominantly commercial uses located both north and south sides of Stevens Creek Blvd. The sites are located within 0.3 mile of De Anza College to the east and within 0.8 miles of Apple's Infinite Loop and Bandley campuses to the north. Existing uses on the Sites 44 through 48 include commercial buildings and associated surface parking areas. At least one commercial building (former Pizza Hut) on these sites has been vacant for the past seven years and is in dilapidated condition near the Stevens Creek right-of-way, and another commercial business (Fontana's Restaurant) in this development closed during the COVID-19 pandemic and has remained unoccupied since that time. The City Council, Planning Commission and many residents have indicated support for the redevelopment of the western portion of this site with housing during the extensive public hearings and community outreach done for the Housing Element update in 2022-23. The extant buildings are of mixed quality, but some are in very poor condition. While site 48 has a newer building, due to the proximity of the site to potential neighboring development, the site could be redeveloped together with the adjacent sites as a mixed-use development. Neighboring uses include commercial uses, with single-family uses in close proximity. The site has excellent access to amenities and is close to rapid bus service along Stevens Creek Blvd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. Improvement-land value ratios for these parcels are 0.65 (Site 44), 0 (Site 45), 4.20 (Site 46), 2.79 (Site 47), and 2.60 (Site 48), for a combined ratio of 2.38. However, because only portions of the more developed sites are expected to redevelop, it is not estimated that the existence of these improvements will be a barrier to redevelopment. As of January 2024, sites 44 through 47 have a preliminary SB 330 application on file, which indicates interest in development, but the project has not yet been finalized or approved.
45	359 08 026	20830 Stevens Creek Blvd	Parking lot in front of Staples		n/a	n/a	
46	359 08 027	No address	-Staples building		n/a	1996	
47	359 08 028	20690 Stevens Creek Blvd	Crossroads Shopping Center (Former Pizza Hut building and surrounding parking lots, and western parking lot only)		n/a	n/a	
48	359 08 029	20750 Stevens Creek Blvd	Dish'n'Dash Restaurant		n/a	2012	
49	326 09 052	20916 Homestead Rd	Strip Mall	No	n/a	1984, Aged not dilapidated	Sites 49, 50, and 51 are three parcels totaling 4.61 acres, located on the east side of Stelling Road, immediately south of Homestead Road. The parcels range in size from 0.74 to 2.75 acres and are located directly across Stelling Road from Sites 13-16, establishing a large swath of redevelopment sites at a major intersection and gateway to the City form neighboring Sunnyvale. The sites are located 1 mile north of De Anza College and within 0.8 miles of Apple's Infinite Loop and Bandley campuses to the southeast. The surrounding area is predominantly single- and multi-family homes along with commercial uses located north of Interstate 280. Current uses include retail buildings constructed in 1984, 1979 and 1976. The buildings are aged but not dilapidated, though it is expected that the commercial uses would be redeveloped along with the parking area. There have been no façade improvements to the structures since the 1980s. There is a bowling alley located on the property which has not seen any improvements since the late 1990s. Due to shared parking easements and the fact that the properties are not owned by the same owner, the parcels have the potential to either develop separately or as a consolidated site. Neighboring uses include residential and commercial uses. There have been multiple developers interested in these sites as of September 2023. The site has excellent access to most amenities, with only fair access to parks located within the City of Cupertino city limits, and is close to bus service on Homestead Road and De Anza Blvd. Two of the three parcels would be eligible for by-right residential development under AB2011 (2022) prior to the completion of the rezone and due to adjacency of the third parcel, it makes sense to consider this as one site. This site is across the street from Sites 13 and 14 for which there is owner interest. Improvement-land value ratios for these parcels are 0.30 (Site 49), 0.03 (Site 50), and 0.75 (Site 51), so development is considered feasible.
50	326 09 060	20990 Homestead Rd	Strip Mall and Bowling Alley	No	n/a	1976, Aged not dilapidated	
51	326 09 061	20956 Homestead Rd	Strip Mall	No	n/a	1979, dated	

Table B4-10 Priority Housing Sites in Mixed-Use Zones – Additional Site Details

Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
52	369 34 052	10787 S Blaney Ave	Strip Mall	No	n/a	1961, Aged not dilapidated	Site 52 is a 2.70-acre parcel located adjacent to Site 20. Sites 52 and 20 are under the same ownership. The site is 0.4 miles from De Anza Blvd and 0.6 miles from Miller Ave, both of which have amenities at the intersection. Existing uses on the site include commercial structures. There is a strip mall on the site, but the owner and several developers have expressed an interest in redeveloping the site. The site has access to bus service on Bollinger Road. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio is 0.36, so development is considered feasible.
53	369 37 028	10710 S De Anza Blvd	Vacant Taco Bell building	Yes	n/a	1991, Aged not dilapidated	Site 53 is a 0.56-acre parcel located adjacent to Sites 17, 18 and 19. Existing uses on the site include a vacant commercial building which was formerly occupied by Taco Bell. The property owner has expressed an interest in 2022 and 2023 in redeveloping the site and has remained committed to not re-leasing the property for commercial uses. The site has excellent access to amenities and bus service on De Anza Blvd and Bollinger Rd. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. The improvement-land value ratio is 0.04, so development is considered feasible.
54	366 19 055	1471 S De Anza Blvd	Commercial Building (red barn). Same owner as Summerwinds Nursery	Yes	n/a		Sites 54, 55, and 56 are located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Sites 55 and 56 are 0.56- and 1.75-acre parcels, respectively, and are the site of Summerwinds Nursery. The nursery was built in 1978 and is aged but not yet dilapidated. Other locations (Sunnyvale and the Almaden area of San Jose, both cities neighboring Cupertino) of the Summerwinds chain of nurseries have recently closed and have redeveloped with housing. Site 54 is a 0.40-acre parcel owned by the same owner as the Summerwinds nursery but is operated independently. Existing uses on ~~the S~~site 54 include a commercial use and parking lot. The current building was constructed in 1968, and, like the nursery, is aged but not yet dilapidated. Due to its proximity to the other sites, it is expected to redevelop at the same time as the nursery site. Neighboring uses include commercial uses and De Anza Blvd. The owner of these sites has reached out in recent years. This site has also been of interest to housing developers. Sites 22-25 are adjacent to the south and north of this property. The site has fair access to amenities and bus service on De Anza Blvd. Two of the three sites (Sites 54 and 56) would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. Improvement-land value ratios for these sites are 0.07 (Site 54), 0 (Site 55, with no assessed improvement value), and 0.06 (Site 56), so development is considered feasible.
55	366 19 053	1491 S De Anza Blvd	Summerwinds Nursery	Yes	n/a	1978, Aged not dilapidated	
56	366 19 054	1491 S De Anza Blvd	Summerwinds Nursery	Yes	n/a	1978, Aged not dilapidated	
57	316 05 050	10989 N Wolfe Rd	Cupertino Village Shopping Center	Yes	n/a	1969, Aged not dilapidated	Site 57 to 62 are located in the North Vallco Park Special Area, which is predominantly commercial uses located north of Interstate 280 and immediately west of the Apple Park Campus. The six parcels range in size from 0.54 acres to 6.87 acres. All six parcels are owned by the same entity, and the owner has expressed a strong interest in redeveloping a portion of this ~~this~~ site to include residential uses while maintaining much of the commercial portions of the development and is planning to pursue entitlements once the site has been rezoned. Existing uses on the site include commercial uses, many of which were constructed in the late 1960s. Neighboring uses include existing apartments, single-family uses, a Church, some commercial buildings in the City of Sunnyvale and the Apple Park Campus. The existing 99 Ranch commercial building and a standalone commercial (bank/Starbucks) building ~~is~~ are expected to be demolished and replaced with a new building with the 99 Ranch store on the first floor and apartments above at the northeast corner of the site. In a later phase, the owner intends to demolish an older building adjacent to a parking garage and build an all-residential structure. The owner has indicated an interest in the development of just over 300 units and a minimum of 115,000 s.f. of commercial uses. It is anticipated that a maximum of between 2.75 and 3 acres of the existing property, in two different locations will be rezoned to allow the maximum of 310 residential units that the property owner anticipates constructing on this site. The site has excellent access to amenities but less access to park space and has access to bus service along Homestead Road and Wolfe Road. ~~Neighboring uses include single-family and Wolfe Road.~~ The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone. Improvement-land value ratios for these sites are 1.34 (Site 57), 4.57 (Site 58), 3.05 (Site 59), 3.70 (Site 60), 0.57 (Site 61), and 1.61 (Site 62), for a combined ratio of 1.38. However, because only part of the site will be redeveloped and the current owner is managing the planned redevelopment, this is not considered a barrier to development.
58	316 05 051	10961 N Wolfe Rd	Cupertino Village Shopping Center		n/a	1968, Aged not dilapidated	
59	316 05 052	10871 N Wolfe Rd	Cupertino Village Shopping Center		n/a	1968, Aged not dilapidated	
60	316 05 053	10883 N Wolfe Rd	Cupertino Village Shopping Center		n/a	1968, Aged not dilapidated	
61	316 05 056	10805 N Wolfe Rd	Cupertino Village Shopping Center		n/a	2016, Good condition	
62	316 05 072	11111 N Wolfe Rd	Cupertino Village Shopping Center		n/a	1999, Aged not dilapidated	

Table B4-10 Priority Housing Sites in Mixed-Use Zones – Additional Site Details							
Site ID	APN	Location	Existing Use	Owner Interest	Current Lease	Age of Building/ Condition	Discussion
63	359 20 028	20920 Mcclellan Rd	St. Jude's Church parking lot and orchard	Yes	n/a	n/a	Site 63 is located in the Jollyman Neighborhood, which is predominantly defined by single-family residential homes and located ~~south of the De Anza College campus and~~ east of the Highway 85 corridor. The site is located immediately south of the De Anza College campus and approximately 0.5 miles east of the Apple Results Way/Bubb Campus. The primary current use of the site is a church and associated buildings. Neighboring uses include ~~multi-family housing~~townhomes, single-family housing, and ~~commercial uses~~De Anza College. The City last spoke to the Church in September 2022, and they expressed an active interest in developing the portion of their property, limited to approximately 0.75 acres with affordable residential uses, the existing Church buildings would remain. However, some of the parking area and open green space on the northwest corner of the lot may be redeveloped. The zoning on the site would be changed to allow residential uses on 0.75 acres of the site. The site is eligible to develop with affordable housing pursuant to new state laws prior to the completion of the rezone. The site has fair access to amenities and is in close proximity to bus service at De Anza College. The improvement-land value ratio is 5.78; however, because only part of the site will be redeveloping and the church building will not be removed from the site, it is not estimated that these improvements will be considered a barrier to development.

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DEVELOPMENT OF NON-VACANT SITES

As shown in **Tables B4-3** and **B4-4,** the city has a track record of developing affordable and market-rate housing on non-vacant sites. Based on this track record, the City believes the priority housing sites are prime candidates for redevelopment. Non-vacant sites were evaluated for suitability based on a combination of their improvement-land value ratio (ILV), age and condition, and owner interest in redevelopment. Sites with an improvement-land value ratio less than 1.0, which is to say sites where the value of current improvements is lower than that of the land on its own, were deemed to be suitable for redevelopment. While land and improvement values prior to redevelopment were not available for some older projects, where this data was available, project examples shown in Table B4-4 indicate that most recent non-vacant sites that have redeveloped have had improvement-land value ratios of less than 1.0, though one parcel of Marina Plaza had an ILV of 1.26, suggesting that an ILV higher than 1.0 was not inherently a barrier to redevelopment, even with existing tenants. Access to amenities was also considered when identifying potential redevelopment sites. Additionally, buildings in poor condition or without recent improvements, along with buildings older than 40 years, were considered suitable for redevelopment. Recent examples of mixed-use development projects on non-vacant sites shown in table B4-4 show that buildings that are more than 40 years old (built before 1983) were able to be redeveloped due to building age and condition even where the building had tenants prior to redevelopment, so in these cases existing tenancy or active use is not considered a barrier to redevelopment. Owner interest was also considered an important factor in evaluating suitability, particularly in cases where the owner has taken proactive steps to seek out redevelopment or is directly managing the site's redevelopment, as was a long-term lack of tenants in the case of Sites 44 and 47. These factors were all considered jointly along with building condition when determining the development potential of sites described in B4-8 and B4-10. The majority of non-vacant sites identified for redevelopment have some combination of factors including having been built more than 40 years ago, lack of ongoing maintenance or poor condition, having an ILV less than 1.0, and having active owner interest in redevelopment. In cases where buildings are not anticipated to be removed as part of redevelopment, building age, existing building conditions and ILV were given lower consideration.

As is shown in **Table B4-4**, the City's existing policy of providing development waivers and concessions, along with the density bonus program, have been helpful in facilitating development on non-vacant land. Additionally, to promote the development of non-vacant sites, the City has included **Strategy 1.3.4** to establish an outreach and coordination program to connect developers, builders, and owners of non-vacant sites.

DEVELOPMENT OF SMALL SITES

A small site is classified as a site that is smaller than one-half acre in size. The City is relying on 16 sites to meet a portion of the RHNA on sites that are smaller than one-half acre, as shown in **Table B4-11**. The City is assuming that 84 units would be affordable to moderate-income households and 146 units would be affordable to above moderate-income households. The City has not allocated lower-income units to any of the small sites in the inventory. Additionally, while the City is planning to rezone these parcels to provide for housing opportunities, these small sites are not needed to meet the RHNA. **Strategy 1.3.7** has been included to help facilitate lot consolidation to encourage affordable housing development.

Table B4-11 Small Sites Assumed to Meet a Portion of the RHNA						
Site Number	Acreage	Total Capacity	Realistic Capacity (95%)	Lower-Income Capacity	Moderate-Income Capacity	Above Moderate-Income Capacity
2	0.47	31	29		11	18
4	0.32	21	20		7	13
11	0.42	27	26		10	16
12	0.44	9	8		4	4
15	0.24	19	18		7	11
17	0.39	25	24		9	15
18	0.22	11	10		2	8
19	0.17	9	8		1	7
21	0.26	17	16		4	12
25	0.08	5	5		1	4
31	0.25	9	8		5	3
33	0.25	9	8		1	7
34	0.23	8	8		1	7
43	0.18	12	9		5	4
45	0.45	29	22		9	13
54	0.40	14	11		7	4
Total		**255**	**230**	**0**	**84**	**146**

Source: City of Cupertino, September 2023.

NO NET LOSS

~~This section provides the formal inventory of sites that the City of Cupertino will rely on in the 6th housing element planning cycle.~~ Per state law, the City is required to maintain "no net loss" of the housing capacity represented by this list of parcels and the sites they comprise. To facilitate this, the inventory presented below has been designed with excess capacity.[1] This allows some degree of flexibility in decision making for individual development projects as they come forward for approval by City Council.

~~In short, with~~ With some limited flexibility, the City is committed to permitting housing on each of the parcels listed in **Tables B4-7**, and **B4-9**,~~the table below~~, and in so doing ensuring that the number of units listed for each parcel in the table--"planned capacity"—is achieved. Should the City approve development that is inconsistent with the parcel's planned capacity, it is then required as part of that approval to:

[1] Excess capacity is primarily comprised of the development potential created by SB9, which allows owners of a single-family property to divide their property into two parcels. Each of these parcels would then have the capacity for three units each—the main residence, plus and ADU and a Junior ADU.

1. Find, based on quantitative evidence, that the remaining inventory of housing sites is still sufficient to meet the City's 6th-Cycle RHNA, or

2. Identify one or more available sites with the realistic development capacity to replace the housing that would have otherwise been developed had consistency with planned capacity been achieved.

~~TWTH OBJECTIVE DEVELOPMENT AND DESIGN STANDARDS~~

~~To estimate capacity for sites in jurisdictions that have adopted form-based codes, the element should describe the relationship between general plan land-use designation and the form-based code and density assumptions used to determine capacity. Specifically, describe where residential development is allowed, how density requirements found within the general plan are incorporated, how the zoning designations under the form-based code relate to the land-use designations of the general plan, identify potential densities, and consider development standards such as bulk, height, and building requirements, buildings types, and use requirements. The element could include examples of recently~~

SITES IDENTIFIED IN PREVIOUS HOUSING ELEMENT

Pursuant to California Government Code Section 65583.2(c), a nonvacant site identified in the previous planning period and a vacant site identified in two or more previous consecutive planning periods cannot be used to accommodate the lower-income RHNA unless the site is subject to an action in the Housing Element that requires rezoning within three years of the beginning of the planning period that will allow residential use by right for housing developments with at least 20 percent units affordable to lower-income households. There are no sites included on **Tables B4-7** or **B4-9** that were previously included to meet the lower income RHNA. However, as a part of the rezoning process, all sites assumed to meet the lower income RHNA will comply with Government Code Sections 65583, (c)(1) and 65583.2(h) and 65583.2(i).

ENVIRONMENTAL CONSTRAINTS

None of the sites identified in the sites inventory are within the Federal Emergency Management Agency (FEMA) 100-year floodplain, though sites near Calabazas Creek are adjacent to the boundary of this floodplain. None of the sites are in a California Office of Emergency Services Dam Inundation Area. Only one site, Site 21, is partially within a California Geological Service (CGS) Seismic Hazards Program liquefaction zone. Because they are adjacent to a more mountainous area of the city, Sites 30 through 33 are partly in an area with class seven landslide susceptibility. This CGS classification is graded on a scale from zero to 10, where 10 signifies areas where landslides have occurred or have the highest level of susceptibility. The remainder of the sites are in class zero areas.

The entirety of Cupertino is within a CalFire Local Responsibility Area, and therefore does not have an assigned Fire Hazard Severity Zone.

ACCESSORY DWELLING UNITS ~~(ADUS AND JUNIOR ADUS)~~

California Government Code Section 65583.1(a) states that a town, city, or county may identify sites for accessory dwelling units (ADUs) based on the number of ADUs developed in the prior Housing Element planning period, whether the units are permitted by right, the need for ADUs in the community, the resources or incentives available for their development, and any other relevant factors. Based on recent changes in State law reducing the time to review and approve ADU applications,

requiring ADUs that meet requirements to be allowed by right, eliminating discretionary review for most ADUs, and removing other restrictions on ADUs, it is anticipated that the production of ADUs will increase in the 6th Cycle Housing Element planning period.

The City issued the following ADU building permits over the last ~~four~~ five years:

- 2018 – 15 ADUs received building permits
- 2019 – 15 ADUs received building permits
- 2020 – 19 ADUs received building permits
- 2021 – 41 ADUs received building permits
- 2022 – 30 ADUs received building permits

Therefore, based on the most recent five-year period, ~~-~~there are about 24 building permits for ADUs approved each year. This analysis assumes that the annual average of 24 per year will be projected over the next eight years, for a total of 192 ADUs during the planning period. While ADUs provide an affordable housing option, the city does not need this capacity to meet the RHNA. To promote ADUs, the City has included **Strategy HE-1.3.8** to promote the construction of affordable ADUs through several actions.

To determine assumptions on ADU affordability in the ABAG region, ABAG conducted a regional analysis of existing ADU rents and prepared a draft report in September 2021. The analysis resulted in affordability assumptions that allocate 30 percent of ADUs to very low-income households, 30 percent to low-income households, 30 percent to moderate-income households, and 10 percent to above moderate-income households. Affordability of ADUs projected to be built in the city during the planning period were based on the ABAG analysis.

~~Address: Various Locations~~

~~Target Number of Housing Units: 200~~

~~Rationale: Accommodating new ADUs and Junior ADUs would not require rezoning.~~

~~Constraints: None~~

~~B4.3~~B4.4 SUMMARY AND CONCLUSIONS

Table B4-12, RHNA Summary, summarizes Cupertino's sites inventory, including the proposed rezone capacity for the 2023-2031 planning period.

Table B4-12 Summary of Residential Capacity Compared to the 6th Cycle RHNA

RHNA Category	2023-2031 RHNA	Pending Projects Capacity	Residential Site Capacity with Rezone	Mixed Use Site Capacity with Rezone	Projected ADUs	Total Capacity	Surplus
Very Low	1,193	633	833	614	116	2196,	~~316~~270
Low	687						
Moderate	755	49	360	443	57	909	154
Above Moderate	1,953	1,770	~~654~~662	715	19	~~3,155~~66,~~3,323~~	~~1,213~~024,~~370~~
Total	**4,588**	2,452	~~1,844~~55	1,772	**192**	~~6,271~~60,~~6,333~~	~~168~~372,~~745~~

Source: ABAG 2021, City of Cupertino, 2023

~~**Table B4-2 Vacant/Partially Vacant and Available Sites**~~

~~Housing Resource~~	~~Very Low-Income Capacity~~	~~Lower Income Capacity~~	~~Moderate Income Capacity~~	~~Above Moderate-Income Capacity~~	~~Total Capacity~~
~~ADUs~~	~~60~~	~~60~~	~~60~~	~~20~~	~~200~~
~~**Total**~~	~~**1,364**~~	~~**1,396**~~	~~**769**~~	~~**2,208**~~	~~**5,375**[1]~~
~~RHNA~~	~~1,193~~	~~687~~	~~755~~	~~1,953~~	~~4,588~~
~~**Diff**~~	~~**171**~~	~~**709**~~	~~**14**~~	~~**255**~~	~~**787**~~

~~SOURCE: City of Cupertino; EMC Planning Group Inc.~~

~~The vacant, partially vacant, and~~pipeline projects and ~~underutilized sites identified in this report are sufficient to accommodate approximately 117~~ 125 percent of the Cupertino's ~~Regional Housing Needs Allocation~~RHNA for the 6th~~th~~ ~~Cycle planning period. This 117~~ 25 percent "~~cushion~~" ~~is highly recommended because of the S~~state's ~~no-net-loss policy, which precludes jurisdictions from approving development that results in an overall housing site deficit. The "cushion" essentially provides a degree of flexibility for policy makers as they make development decisions.~~

With exception of the Valleo site (Pipeline Project P1), which accounts for 2,4041,569 units (over half of Cupertino's RHNA), and a small handful of other propertiessites, the sites identified in this report have existing uses that would need to be demolished before new housing could be constructed.

In some cases, existing apartments would have to be demolished to make room for new higher-density units. This raises two issues:

- First, these older apartments probably a source of affordable housing and the residents living there may be economically vulnerable; and
- Second, development of these sites would have to include at least temporary accommodations for displaced residents.

B4.4 SUMMARY AND CONCLUSIONS

Table B4-3 Vacant/Partially Vacant and Available Sites

Housing Resource	Very Low-Income Capacity	Lower Income Capacity	Moderate Income Capacity	Above Moderate-Income Capacity	Total Capacity
ADUs	60	60	60	20	200
Total	1,364	1,396	769	2,208	5,375[1]
RHNA	1,193	687	755	1,953	4,588
Diff	171	709	14	255	787

SOURCE: City of Cupertino; EMC Planning Group Inc.

Every effort has been made to protect Cupertino's existing single-family neighborhoods, yet the impacts of the proposed plan will be borne by everyone. Residents will learn to deal with more people, more cars, and more social need. Nonetheless, while the transformation from suburban adolescence to urban adulthood can be challenging, such transformation can, with careful planning, make Cupertino a shining example of how the most innovative and creative society on the face of the planet leads the way to urban excellence.

INVENTORY OF VACANT/PARTIALLY VACANT AND AVAILABLE SITES

This section provides the formal inventory of sites that the City of Cupertino will rely on in the 6th housing element planning cycle. Per state law, the City is required to maintain "no net loss" of the housing capacity represented by this list of parcels and the sites they comprise. To facilitate this, the inventory presented below has been designed with excess capacity.[2] This allows some degree of

[2] Excess capacity is primarily comprised of the development potential created by SB9, which allows owners of a single-family property to divide their property into two parcels. Each of these parcels would then have the capacity for three units each—the main residence, plus and ADU and a Junior ADU.

~~flexibility in decision making for individual development projects as they come forward for approval by City Council.~~

~~In short, with some limited flexibility, the City is committed to permitting housing on each of the parcels listed in the table below, and in so doing ensuring that the number of units listed for each parcel in the table – "planned capacity" – is achieved. Should the City approve development that is inconsistent with the parcel's planned capacity, it is then required as part of that approval to:~~

~~3. Find, based on quantitative evidence, that the remaining inventory of housing sites is still sufficient to meet the City's 6th Cycle RHNA, or~~

~~4. Identify one or more available sites with the realistic development capacity to replace the housing that would have otherwise been developed had consistency with planned capacity been achieved.~~

~~*Objective Development and Design Standards*~~

~~To estimate capacity for sites in jurisdictions that have adopted form-based codes, the element should describe the relationship between general plan land-use designation and the form-based code and density assumptions used to determine capacity. Specifically, describe where residential development is allowed, how density requirements found within the general plan are incorporated, how the zoning designations under the form-based code relate to the lanB4-use designations of the general plan, identify potential densities, and consider development standards such as bulk, height, and builB4-to requirements, buildings types, and use requirements. The element could include examples of recently built projects and densities to support the analysis. End~~

~~Table B4-3, Vacant/Partially Vacant and Available Sites, provides details and capacity estimates for each of the housing sites identified in the section above.~~

Figure B4-1 Priority Housing Sites Map

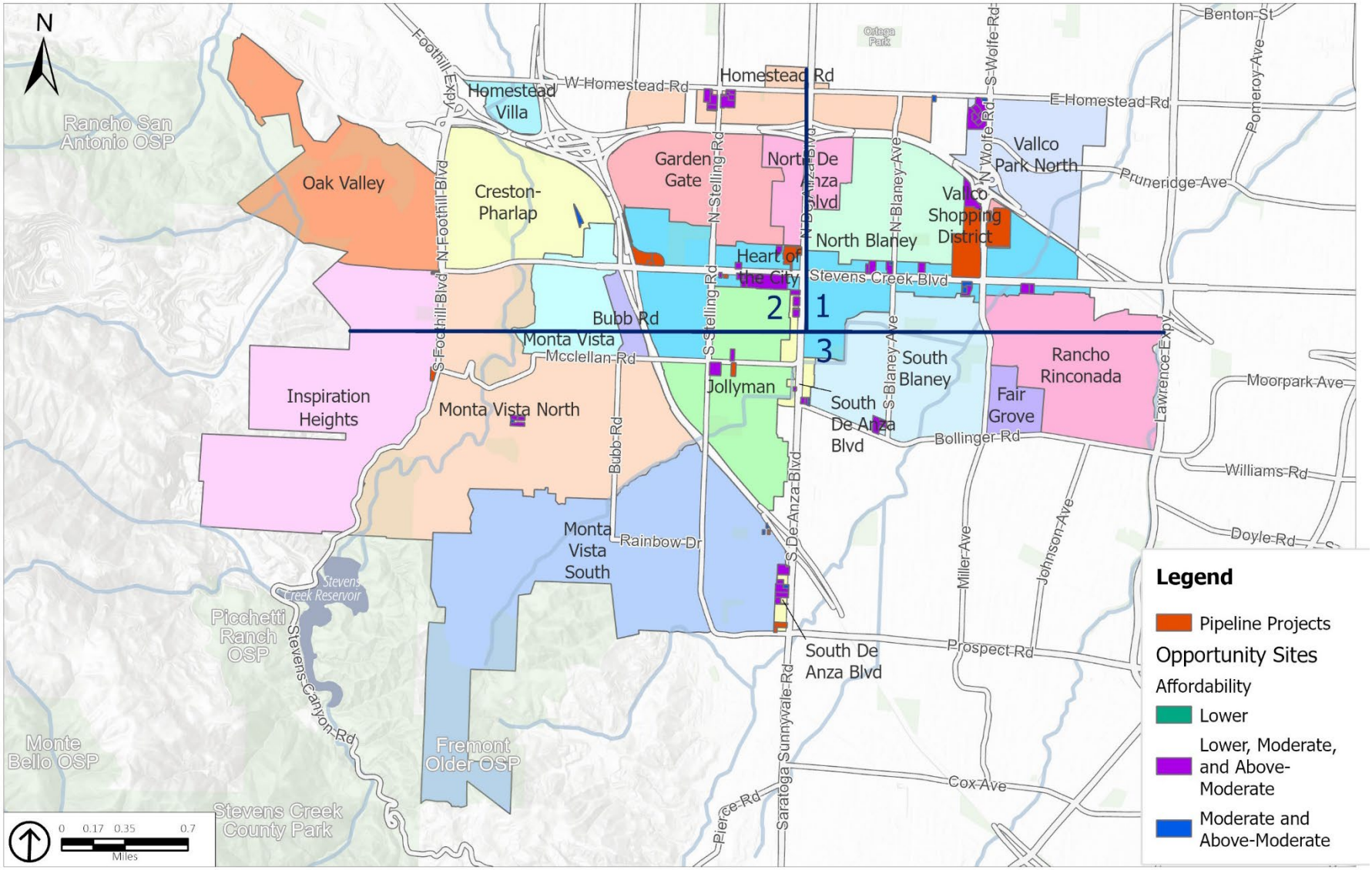


Figure B4-2 Priority Housing Sites Map, Detail 1

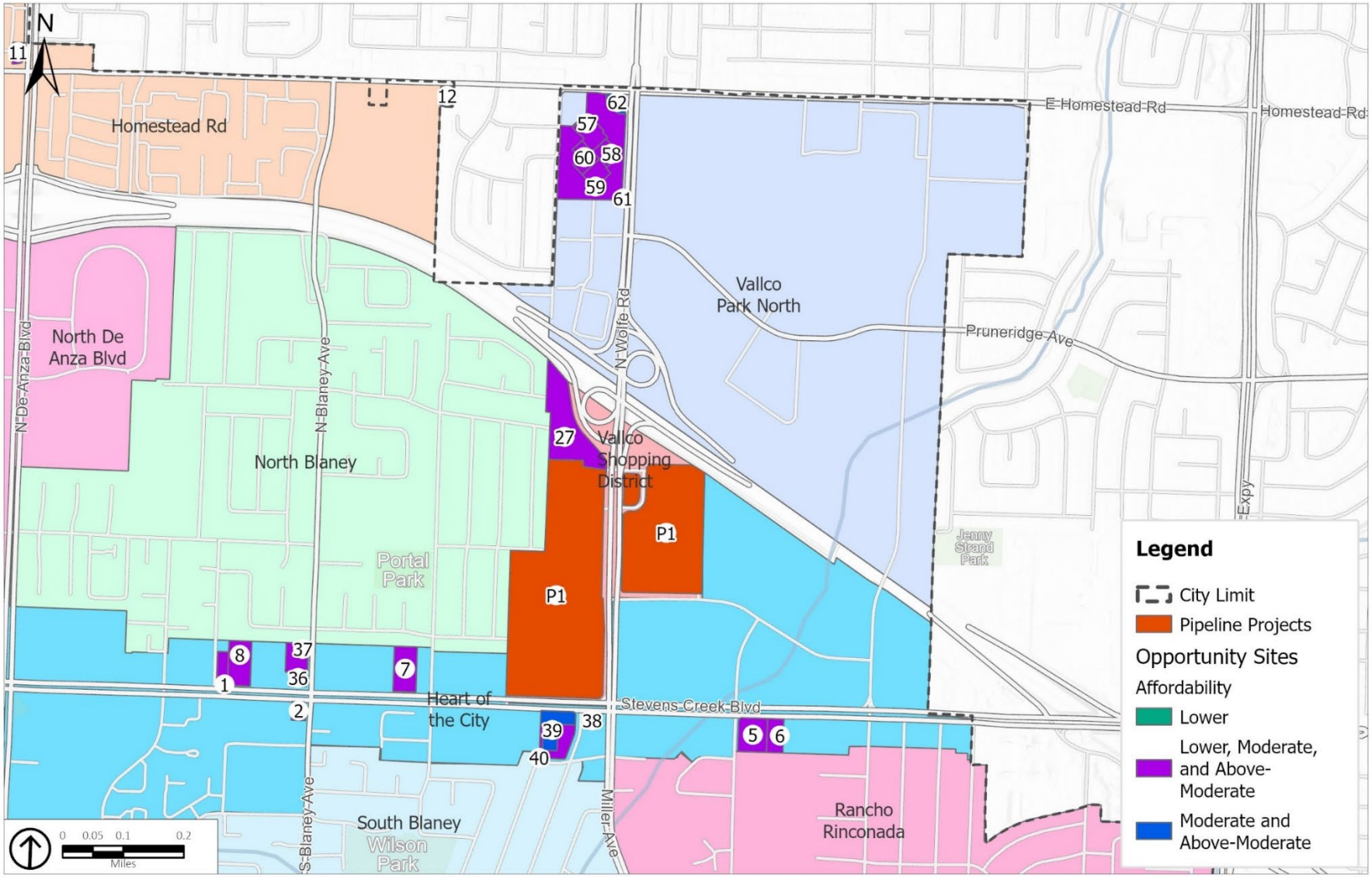


Figure B4-3 Priority Housing Sites Map, Detail 2

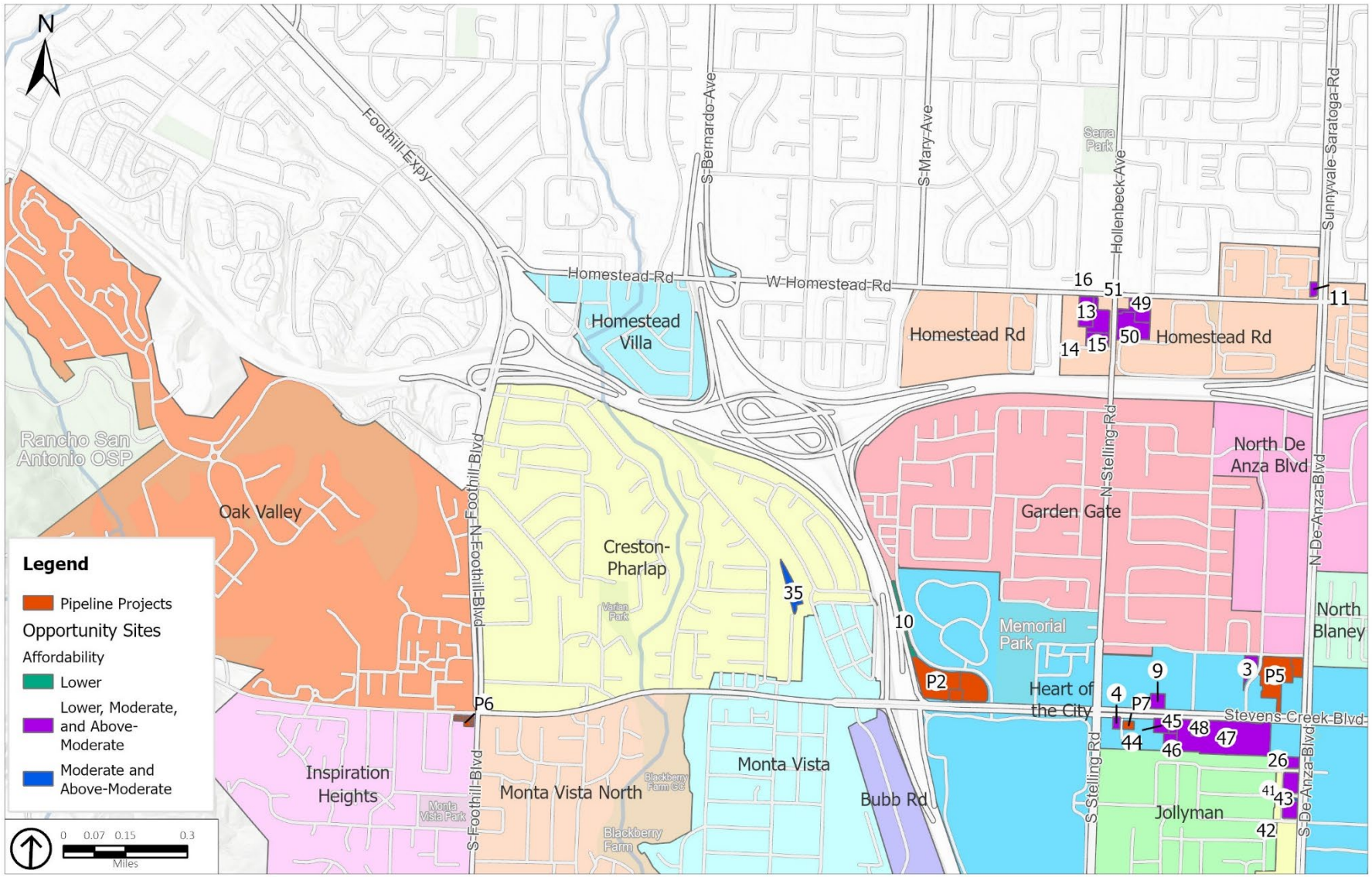
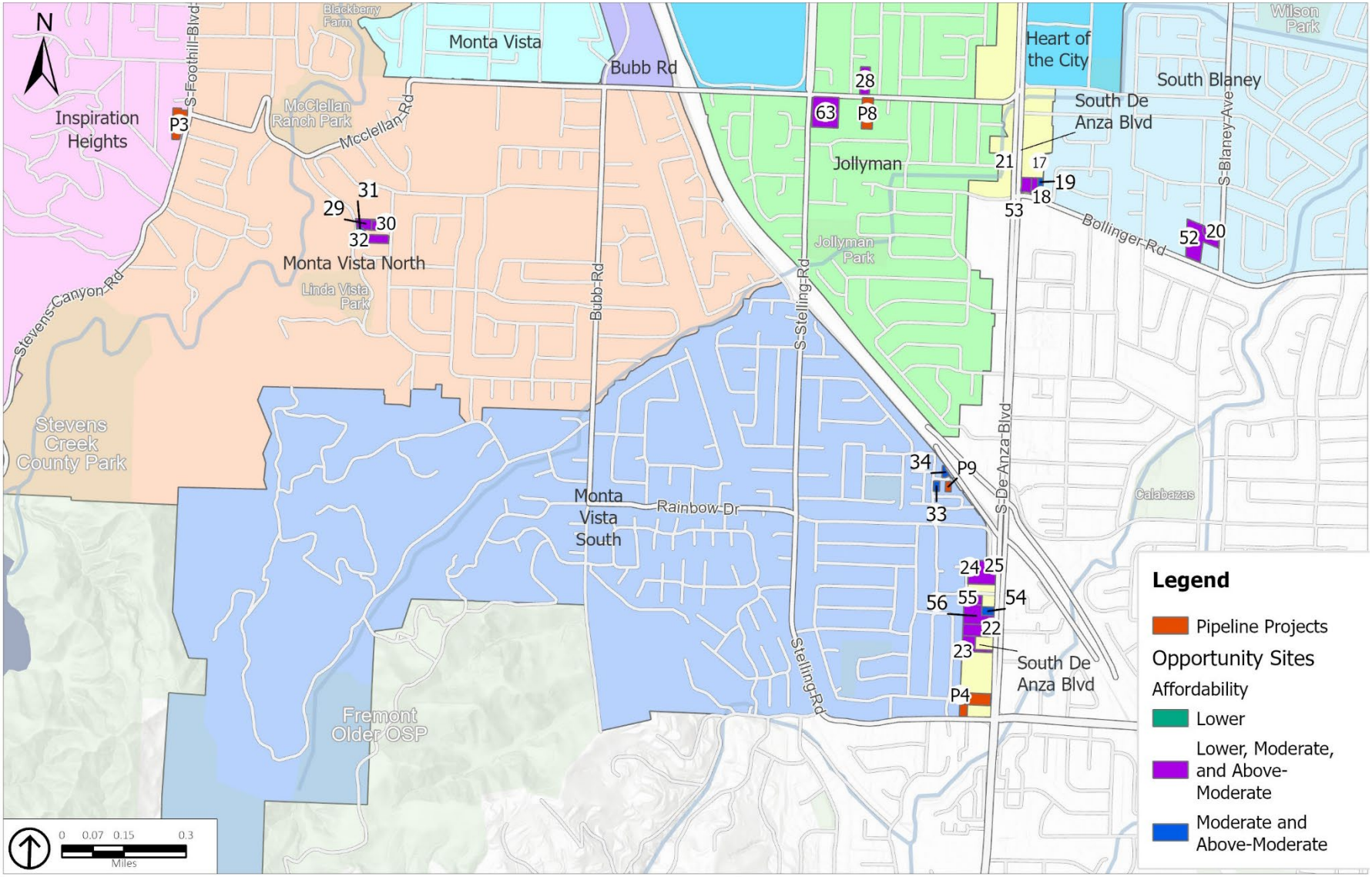


Figure B4-4 Priority Housing Sites Map, Detail 3



The City staff, in coordination with EMC, have held numerous meetings related to the Housing Element update., To finalize the site inventory for the Housing Element, the City Staff and EMC held two study sessions, on September 28 and November 16, 2021 focused on the overall Housing Element update process. During the 2022 calendar year, the Planning Commission held four public meetings on January 25, February 22, April 26, and May 24, 2022. Each of these meetings focused citywide discussion on selecting sites at specified densities for potential housing sites inventory.

At the January and February Planning Commission study sessions, the staff and EMC provided overviews of the housing sites selection process and identified nearly 400 properties citywide that could potentially be placed on the City's housing sites inventory. The sites inventory is the list of City Council-approved properties that identifies where housing will be developed during the 2023-2031 planning period. The majority of these properties fell within the property size range, 0.5-10 acres, recommended by the California Department of Housing and Community Development (HCD), the State agency that oversees the Housing Element update process and ultimately certifies all city and county Housing Elements. The City's Planning Commission had following recommendations: 1) That the housing sites should be dispersed throughout the City and strive for a balance between the City's eastern and western areas; 2) New housing sites should avoid or minimize displacement of existing uses, particularly existing residential uses that would necessitate the relocation of residents; 3) The Housing Element should avoid significantly "up-zoning" sites to the extent feasible; and 4) The Housing Element should include new housing sites that could support the City's public schools and help counteract declining enrollment trends that are occurring city and county wide.

Based on Planning Commissions' recommendation, the City staff and EMC revised the site inventory and presented a reduced, more focused list of potential housing sites at the April 26 Planning Commission meeting. In the revised inventory, potential sites were grouped by neighborhood and special area to better illustrate the locations of the properties. Extensive comments were received at the April 26th Planning Commission meeting, where in the Planning Commission reiterated its previously-stated principles and goals for housing site selection and also directed staff to focus on the potential inclusion of several "key" sites along South DeAnza and Stevens Creek Boulevards.

On June 28 and July 5, 2022, the Planning and Housing Commissions held a special joint meeting (the meeting was continued from June 28 to July 5) to finalize their housing sites inventory recommendation to the City Council. The Planning Commissions' sites inventory recommendation largely coincided with the staff's June 28 recommendation to the Planning and Housing Commissions, but it also includes key changes, notably increasing housing densities to areas on the City's west side, such as the South DeAnza Boulevard and Bubb Road special areas, as well as the North and South Monta Vista neighborhoods. The other recommendations also included that the development standards be established that allow for more intensive development along the street frontage portions of the DeAnza and Stevens Creek Boulevard corridors but that development of the properties along these corridors adjacent to single-family neighborhoods be limited in scale to preserve the existing neighborhood character.

Due to the significant amount of pipeline and units, the City is already exceeding its RHNA for the Low and Above-Moderate income categories for the 2023-2031 planning period. The City, however, was unable to meet its Very-Low and Moderate income RHNA requirements through the pipeline projects, resulting in a need of 1,488 Very-Low and Moderate income units beyond those provided by

~~pipeline projects. Additionally, HCD recommends a "buffer" of between 15- 30% of additional units be included in the sites inventory for each of the below market rate income categories (i.e., Very Low, Low and Moderate incomes), in accordance with the State's "No Net Loss" Law.~~

~~The primary reasons staff recommended these properties to the Planning and Housing Commissions for inclusion on the sites inventory was based on the guidance given by the Planning Commission during the four January-May Planning Commission study sessions, specifically:~~

- ~~The properties are not clustered in the Heart of the City/Stevens Creek Boulevard corridor. The four Stevens Creek Boulevard properties on the recommended inventory are all located east of DeAnza Boulevard;~~

~~The properties are generally dispersed throughout the City (Attachment C), including significant development potential on the City's west side. For instance, excluding the large number of pipeline units, 1,423 of the units are located between DeAnza Boulevard and the City's western boundary, whereas only 676 non- pipeline units are located on properties east of DeAnza Boulevard;The recommended sites minimize or avoid potential displacement of existing residents through future redevelopment of the sites for housing.~~

~~Generally, the Recommended Sites Inventory has three major areas of concentration for new housing in the City. These three areas have 1,482, or 71%, of the 2,090 recommended units. They are:~~

- ~~Stelling Gateway/Homestead (440 units) in the northwestern portion of the City;~~
- ~~South De Anza (462 units) in the southwestern portion of the City; and~~

~~North Vallco Park/Vallco Shopping District (580 units) in the northeastern portion of the City.~~

~~OUTREACH~~

- ~~—~~

~~SITES DETAILS~~

~~This section provides information on each of the 40 sites selected for inclusion in the inventory of vacant/partial vacant and available sites. City staff held numerous meetings related to the Housing Element update. To finalize the site inventory for the Housing Element, the City Staff and EMC held two study sessions, on September 28 and November 16, 2021 focused on the overall Housing Element update process. During the 2022 calendar year, the Planning Commission held four public meetings on January 25, February 22, April 26, and May 24, 2022. Each of these meetings focused on a citywide discussion ton selecting sites at specified densities for a potential housing sites inventory.~~

~~*Creston-Pharlap Neighborhood*~~

~~Figure B4-2, Creston-Pharlap Neighborhood, shows an aerial view of the Creston-Pharlap neighborhood.~~

Figure B4-1 Creston-Pharlap Neighborhood

Site 01a: Creston-Pharlap
Address: 10231 Adriana Ave

Target Number of Housing Units: 13

Description: The Creston-Pharlap 01a site is located in the Creston-Pharlap neighborhood, which is south and west of the Highway 85/Interstate 280 interchange. The neighborhood is predominantly residential with businesses operating throughout but particularly along Steven Creek Blvd and Foothill Blvd. Existing uses on the site include a single-family home and open space. Neighboring uses include a rail corridor and single-family homes.

This site has been targeted for rezoning to R1-7.5, which would allow a total of 14 units built at a minimum of 10 dwelling units per acre. There is one existing unit on the site that would be lost; the number of net new units would be 13 units.

Constraints: Rezoning required; noise from rail corridor

Figure B4-3 shows an aerial view of the Creston-Pharlap 01a Site.

Figure B4-2 Creston-Pharlap (Site 01a)

Site 01b: Creston-Pharlap

Address: 22273 Cupertino Road

Target Number of Housing Units: 7

Description: The Creston-Pharlap 01b site is located in the Creston-Pharlap neighborhood, which is south and west of the Highway 85/Interstate 280 interchange. The neighborhood is predominantly residential with businesses operating throughout but particularly along Steven Creek Blvd and Foothill Blvd. Existing uses on the site include a large single-family home. Neighboring uses include a single-family home. This site has been targeted for rezoning to R1-5, which would allow a total of eight (8) units built at a minimum of five (5) dwelling units per acre. There is one existing unit on the site that would be lost; the number of net new units would be seven (7) units.

Constraints: Rezoning required

Figure B4-4, Creston-Pharlap (Site 01b), shows an aerial view of the Creston-Pharlap 01b Site.

Figure B4-3 Creston-Pharlap (Site 01b)

Site 01c: Creston-Pharlap

Address: 10050 N Foothill Blvd

Target Number of Housing Units: 8

Description: The Creston-Pharlap 01c site is located in the Creston-Pharlap neighborhood, which is south and west of the Highway 85/Interstate 280 interchange. The neighborhood is predominantly residential with businesses operating throughout but particularly along Steven Creek Blvd and Foothill Blvd. Existing uses on the site include a single-family home. Neighboring uses include a single- and multi-family homes. This site has been targeted for rezoning to R3, which would allow a total of nine (9) units built at a minimum of 15 dwelling units per acre. There is one existing unit on the site that would be lost; the number of net new units would be eight (8) units.

Constraints: Rezoning required

Figure B4-5, Creston-Pharlap (Site 01c), shows an aerial view of the Creston-Pharlap 01c Site.

Figure B4-4 Creston-Pharlap (Site 01c)

Homestead Villa Neighborhood

Figure B4-6, Homestead Villa Neighborhood provides an overview of the Homestead Villa Neighborhood.

Figure B4-5 Homestead Villa Neighborhood

Site 04a: Homestead Villa

Address: 10860 Maxine Ave

Target Number of Housing Units: 12

Description: Homestead Villa site 04a is located in the Homestead Villa Neighborhood, which is predominantly single-family housing and located north and west of the Highway 85/Interstate 280 interchange. Current use on the site includes a duplex housing unit. Neighboring uses include single- and multi-family housing and the Highway 85 corridor. This site has been targeted for rezoning to P(Res), which would allow a total of 14 units built at a minimum of 20 dwelling units per acre. There are two existing units on the site that would be lost; the number of net new units would be 12 units.

Constraints: Rezoning required; noise and air contaminants from Highway 85 corridor

Figure B4-7, Homestead Villa (Site 04a), shows an aerial view of the Homestead Villa Site.

Figure B4-6 Homestead Villa (Site 04a)

Jollyman Neighborhood

Figure B4-8, Jollyman Neighborhood, provides an overview of the neighborhood.

Figure B4-7 Jollyman Neighborhood

Site 1: Heart of the City – Central

Address: 20149 Stevens Creek Blvd

APN: 316-23-027

Target Number of Housing Units: 40

Description: Site 1 site is a 0.64 acre parcel located in the Heart of the City – Central Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Site 1 is located in the central core area approximately 0.75 miles east of De Anza College. Existing uses on the site include two commercial structures. One of the commercial structures was built in 1957 and is in aged but not dilapidated condition, and the other is a wooden warehouse that is believed to be unpermitted. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial uses. This site has been targeted for rezoning to P(Res) with a general plan land use of Very High Density with a minimum density of 50.01 du/ac, which would allow a total of 42 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the total, it is estimated that 40 units will develop on the site.

Figure B4-2, Heart of the City – Central (Site 1), shows an aerial view of Site 1.

Heart of the City – Central (Site 1)

urce: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 2: Heart of the City – Central

Address: 20010 Stevens Creek Blvd

APN: 369-03-005

Target Number of Housing Units: 29

Description: Site 2 is located in the Heart of the City – Central Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Site 2 is located in the central core area approximately 0.75 miles east of De Anza College. Existing uses on the site include a commercial structure. The building was constructed in 1955 and while is not dilapidated, but is not in good shape. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial and multi-family residential buildings. This site has been targeted for rezoning to P(Res) with a land use designation of Very High Density with a minimum density of 50.01 units per acre, which would allow a total of 31 units built at a maximum density of 65 units per acre. At an estimated realistic capacity of 95 percent of the maximum, it is estimated that 29 units could develop on this site.

Figure B4-3, Heart of the City – Central (Site 2) shows an aerial view of Site 2.

Heart of the City – Central (Site 2)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 3: Heart of the City – Crossroads

Address: 10125 Bandley Drive

APN: 326-34-047

Target Number of Housing Units: 67

Description: Site 3 is a 1.09 acre site located in the Heart of the City – Crossroads Special Center, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Site 3 is approximately 0.5 mile east of De Anza College. The site currently has a commercial building that was constructed in 1979 that is aged but not dilapidated. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial and multi-family residential uses. This site has been targeted for rezoning to P(Res) and a land use designation of Very High Density with a minimum density of 50.01 units per acre, which would allow a total of 71 units built at a maximum of 65 dwelling units per acre. Assuming an estimated realistic capacity of 95 percent of the maximum, the site is estimated to develop 67 total units.

Figure B4-4, Heart of the City – Crossroads (Site 3), shows an aerial view of Site 3 along with the nearby project P5 and several other sites in the same corridor.

Heart of the City – Crossroads (Site 3)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 4: Heart of the City – Crossroads

Address: 20950 Stevens Creek Blvd

APN: 359-07-006

Target Number of Housing Units: 20

Description: Site 4 is a 0.32 acre site located in the Heart of the City – Crossroads Special Center, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Site 4 is approximately 0.5 mile east of De Anza College. Existing uses on the site include a commercial structure. The existing structure was constructed in 1966 and is borderline dilapidated. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial and multi-family residential uses. This site has been targeted for rezoning to P(Res) with a land use designation of Very High Density with a minimum density of 50 units per acre, which would allow a total of 21 units built at a maximum of 65 dwelling units per acre. At an estimated realistic capacity of 95 percent of the maximum, it is estimated that the site could develop 20 units.

Figure B4-5, Heart of the City – Crossroads (Site 4), shows an aerial view of Site 4 along with nearby project P7 and Site 44.Heart of the City – Crossroads (Site 4)

Source: ESRI World Imagery (Clarity); City of Cupertino, 223

Sites 5 and 6: Heart of the City – East

Address: 19220 Stevens Creek Blvd (et al)

APN: 375-06-006, 375-06-007

Target Number of Housing Units: 106

Description: Sites 5 and 6 are two parcels totaling 2.67 acres located in the Heart of the City – East Special Area, which is predominantly commercial uses located both north and south of Stevens Creek

Blvd. Sites 5 and 6 are located east of the central core areatoward the eastern border of the City. Existing uses on the site include two commercial structures. On sSite 5 includes an office building that was constructed in 1970, currently occupied by a child care facility. On sSite 6 is developed with an office building that was constructed in 1969. The owner of the parcel has expressed interest in redeveloping the site. The owner of the parcel has expressed interest in redeveloping the site. Neighboring uses include commercial uses. Both parcels have been targeted for rezoning to R4 with a land use designation of Very High Density with a minimum density of 50.01 units per acre, which would allow a total of 174 units built at a maximum density of 65 dwelling units per acre. At an estimated realistic capacity of 95 percent of the maximum, it is estimated that 106 units could develop on the site.

Constraints: Rezoning required

Figure B4-6, Heart of the City – East (Sites 5 and 6), shows an aerial view of Sites 5 and 6.

Heart of the City – East (Sites 5 and 6)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 7: Heart of the City

Address: 19875 Stevens Creek Blvd

APN: 316-21-031

Target Number of Housing Units: 112

Description: Site 7 is a 1.81-acre parcel located in the Heart of the City Special Area – Central Special Center, which is a mix of commercial and residential uses located approximately 1.25 miles east of De Anza College. Existing uses on the Ssite 7 include a commercial building with a furniture rental store and a, day care center, and associated parking. The building was constructed in 1964. Neighboring uses include commercial and single-family uses. This site has been targeted for rezoning to R-4 with a land use designation of Very High Density with a minimum density of 50.01 units per acre, which would allow a total of 118 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 112 units will develop on this site.

Figure B4-7, Heart of the City (Site 7), shows an aerial view of Site 7.

Heart of the City (Site 7)

ource: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 8: Heart of the City

Address: 20111 Stevens Creek Blvd

APN: 316-23-026

Target Number of Housing Units: 110

Description: Site 8 is a 1.78-acre parcel located in the Heart of the City Special Area – Central Special Area, which is a mix of commercial and residential uses. Site 8 is located on the north side of Stevens Creek Boulevard, approximately one mile east of De Anza College. Existing uses on the site include a dentist's office and associated parking, adjacent to Site 1. The building was constructed in 1982. Neighboring uses include commercial and single-family uses. This site has been targeted for rezoning to R-4 with a land use designation of Very High Density with a minimum density of 50.01 units pers acre which would allow a total of 116 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 110 units will develop on this site.

Figure B4-8, Heart of the City (Site 8), shows an aerial view of Site 8 as well as adjacent Site 1 and nearby Site 37 and 38.

Heart of the City (Site 8)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 9: Heart of the City

Address: 20883 Stevens Creek Blvd

APN: 326-32-050

Target Number of Housing Units: 51

Description: Site 9 is a 0.83-acre parcel located in the Heart of the City Special Area – Crossroads Special Area, which is a mix of commercial and residential uses. Site 9 is located approximately 0.25 miles east of De Anza College. Existing uses on the site include an office building. The building was constructed in 1981. Neighboring uses include commercial uses, with single-family uses in close proximity. This site has been targeted for rezoning to R-4 with a land use designation of Very High Density with a minimum density of 50.01 units per acre which would allow a total of 54 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 51 units will develop on this site.

Figure B4-9, Heart of the City (Site 9), shows an aerial view of Site 9.

Heart of the City (Site 9)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 10: Heart of the City – WestGarden Gate Neighborhood

Address: Mary Avenue former ROW

APN: 326-27-053ROW (Right of Way, no APN)

Target Number of Housing Units: 40

Description: Site 10 is located in the Heart of the City – West Special CenterGarden Gate neighborhood, which is the home of De Anza College lSite 10 is ocated east of Highway 85. The area is bisected by Stevens Creek Blvd. Presently, Existing uses on the site include is a new parcel carved out from unused right-of-way, owned by the City of Cupertino, adjacent to Highway 85 that includes and some on- street parking. Neighboring uses include multi-family residential uses, a dog park, condominiums and Highway 85. This site has been targeted for rezoning to R4 with a land use designation of Very High Density with a minimum density of 50.01 units per acre, which would allow a total of 49 units built at a maximum of 65 dwelling units per acre. At an estimated realistic capacity of 95 percent of the maximum this would equal 46 units. However, this site has been estimated at 40 units due to an active project proposal for this site.

In response to an October 2022 RFP for projects for this property, Aas of October 2022, the site has an active proposal for a 40-unit, two-story affordable (100 % Low and Very Low Income) housing project developed by Cupertino Rotary Housing Corporation, Housing Choices Coalition, and Charities Housing. The project will include 18 units for residents with intellectual or developmental disabilities.

Figure B4-10, Heart of the City WestGarden Gate neighborhood (Site 10), shows an aerial view of Site 10.

Heart of the City WestGarden Gate neighborhood (Site 10)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 11: Homestead

Address: 11025 N De Anza Blvd

APN: 323-36-018

Target Number of Housing Units: 26

Description: Site 11 is a 0.42-acre parcel located in the Homestead Road Special Area, which is predominantly single- and multi-family homes and commercial uses. Site 11 is located immediately north of Interstate 280 at the northwest corner of Homestead Road and Sunnvale-Saratoga Road. The small commercial structure that previously occupied this site was recently demolished.. The owner has expressed an interest in redeveloping the site. Neighboring uses include multi-family homes and a variety of commercial structuresthe Sunnyvale Saratoga Road. This site has been targeted for rezoning toR4 with a land use designation of Very High Density with a minimum density of 50.01 units per acre, which would allow a total of 27 units built at a maximum density of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 26 units could develop on this site.

Figure B4-40, Homestead (Site 11), shows an aerial view of Site 11.

Homestead (Site 11)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 12: Homestead

Address: 19820 Homestead Road

APN: 316-04-064

Target Number of Housing Units: 8

Description: Site 12 is a 0.44 acre site located in the Homestead Road Special Area, which is predominantly single- and multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on Site 12 the site include a single-family home that was built in 1954 and is borderline dilapidated. The owner has expressed an interest in redeveloping the site. Neighboring uses include similar single-family homes. This site has been targeted for rezoning to R3R1C or TH? with a land use designation of Medium Density, which would allow a total of nine units built at a maximum of 20 units per acre. Based on an estimated realistic capacity of 95 percent of the total, it is estimated that eight units will develop on the site.

Figure B4-12, Homestead (Site 12), shows an aerial view of the Site 12.

Homestead (Site 12)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 13 through 16: Homestead Special Area - Stelling Gateway

Address: 21040 Homestead Rd (et al)

APNs: 326-07-022, 326-07-036, 326-07-030 and 326-070-31

Target Number of Housing Units: 280

Description: Sites 13 and 16 are 1.64 and 1.74-acre parcels, respectively, that are located in the Homestead Road Special Area, as are Sites 14 and 15. Sites 14 and 15 are two adjacent parcels totaling 1.16 acres. This area is predominantly single- and multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on the site include tennis courts, parking, and a vacant lot. The parcels have the potential to either develop separately or as a consolidated lot, though it is likely that sites 14 and 15 would develop as a consolidated lot due to their sizes and arrangement. The owner has expressed an interest in redeveloping this site and adjacent parcels Neighboring uses include a church, an electrical power substation, and tennis courts.

All four parcels on these sites have been targeted for rezoning to R4 with a land use designation of Very High Density which would allow a combined total of 295 units to be built across both parcels at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 280 units could develop on this site.

Figure B4-13 Stelling Gateway (Sites 13 through 16), shows an aerial view of Sites 13 through 16 along with nearby sites 49 through 51.

Stelling Gateway (Sits 13 through 16)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 17, 18, 19, and 53: South Blaney

Address: 10710 S. De Anza Blvd (et al)

APNs: 369-37-022, 369-37-023, 369-07-024, 369-37-028

Target Number of Housing Units: 69

Description: These South Blaney Neighborhood sites are four adjacent parcels located oin the north side of Bollinger Road just east of South DeAnza Boulevard. The South Blaney Neighborhood, includes which is a mix of single- and multi-family housing and commercial uses located immediately north of Bollinger Road. Existing uses on the Ssites include a commercial structure and single-family uses. The parcels range in size from 0.17 to 0.56 acres. Neighboring uses include commercial and single-family uses. Site 17 has been targeted for rezoning to R4 with a Very High Density land use designation. Sites 18 and 19 have been targeted for rezoning to R3 with a High Density land use designation. Site 53 has been targeted for rezoning to P(CG/Res) and a land use of Commercial/Very High Density Residential on site 53. This rezone would allow a total of 81 units built at a maximum of 65 dwelling units per acre. At an estimated realistic capacity of 95 percent for sites 17 through 19 and 75 percent for site 42, the total realistic capacity is estimated to be 69 units for the four parcels combined. Site 17 is currently vacant. The owner of sites 18 and 19 has expressed interest in developing townhomes on all or part of this site. Site 19 currently has a single-family house constructed in 1940 that appears aged but not yet dilapidated. The current use of Site 18 is a duplex that is aged but not yet dilapidated; the age of this house is unknown. The current use of Site 53 is a vacant commercial building that was built in 1991 and is in need of repair, though not yet dilapidated.

Figure B4-14, South Blaney (Site 17, 18, 19, and 53), shows an aerial view of the South Blaney sites 17, 18, 19, and 53.

South Blaney (Sites 17, 18, 19, and 53)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 20 and 52: South Blaney

Address: 10787 S. Blaney Ave 10891 S Blaney Ave

APN: 369-34-052 and 369-34-053

Target Number of Housing Units: 18 units (Site 20) and 134 units (Site 52)

Description: Site 20 is a 0.54-acre parcel in the South Blaney Neighborhood, which is a mix of single- and multi-family housing and commercial uses located immediately north of Bollinger Road. Existing uses on the site include a commercial structure that was built in 1961 and is in goodfair condition.

Neighboring uses include commercial and single-family uses. This site has been targeted for rezoning to R3 with a Medium High Density land use designation. This rezone would allow a total of 19 units built at maximum of 35 dwelling units per acre. At an estimated realistic capacity of 95 percent for of the maximum density, the total realistic capacity is estimated to be 18 units.

Site 52 is a 2.70-acre parcel located adjacent to Site 20. Existing uses on the site include commercial structures. This site has been targeted for rezoning to P(CG-Res) with a land use designation of Commercial/Very High Residential, which would allow a total of 176 units built at a maximum density of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 134 units will develop. There is an active strip mall on the site, but the owner has expressed an interest in redeveloping the site. As a commercial site, the site would also be eligible for affordable housing development even without rezoning under AB 2011 (2022).

Figure B4-15, South Blaney (Sites 20 and 52), shows an aerial view of Sites 20 and 52.

South Blaney (Sites 20 and 52)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 21: South De Anza Blvd

Address: 10619 S De Anza Blvd

APN: 359-18-044

Target Number of Housing Units: 16

Description: Site 21 is a 0.26-acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the Ssite 21 include a commercial use and parking lot. The building was constructed in 1966, and is in aged but good condition. The owner has expressed interest in redeveloping the site. Neighboring uses include commercial uses and De Anza Blvd. This site has been targeted for rezoning to R4 with a land use designation of Very High Density, which would allow a total of 17 units built at a maximum of 65 dwelling units per acre. Based on a realistic capacity assumption of 95 percent of the maximum, it is estimated that 16 units could develop on this site. The site would also be eligible for by-right residential development under AB 2011 (2022) prior to the completion of the rezone.

Figure B4-16, South De Anza Blvd (Site 21), shows an aerial view of the Site 21

South De Anza Blvd (Site 21)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 22: South De Anza Blvd

Address: 1505 S De Anza Blvd

APN: 366-10-121

Target Number of Housing Units: 83

Description: Site 22 is a 1.34 acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the Ssite 22 include a commercial building use and parking lot. The building was constructed in 1965. The owner has been contacted, but the City has not yet received a response regarding their interest in redeveloping the property. Neighboring uses include commercial uses, multi-family uses, and De Anza Blvd. This site has been targeted for rezoning to R-4 with a land use designation of Very High Density, which would allow a total of 87 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of maximum, it is estimated that 83 units could develop on this site.

Figure B4-17, South De Anza Blvd (Site 22), shows an aerial view of Site 22 along with adjacent sites 56 and 23.

South De Anza Blvd (Site 22)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 23: South De Anza Blvd

Address: [no address]

APN: 366-10-137

Target Number of Housing Units: 57

Description: Site 23 is a 0.92-acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. The existing use on this Ssite 23 is a parking lot located behind a day care center. Neighboring uses include commercial and residential uses and De Anza Blvd. The owner has been contacted regarding their interest in redeveloping this site, but a response has not yet been received. This site has been targeted for rezoning to R4 with a land use designation of Very High Density which would allow a total of 60 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum density, it is estimated that 57 units could develop on this site.

Figure B4-18, South De Anza Blvd (Site 12), shows an aerial view of Site 23 along with adjacent Site 22.

South De Anza Blvd (Site 23)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 24 and 25: South De Anza Blvd

Address: 1361 S De Anza Blvd (et al)

APNs: 366-19-047, 366-19-078

Target Number of Housing Units: 149

Description: Sites 24 and 25 are a 2.33 acre parcel and a 0.08 acre parcel, respectively, located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the Ssites 24 and 25 include a nursery and an associated parking lot. The nursery was constructed in 1960 and is a dated building. The owner has expressed an interest in redeveloping the site. Neighboring uses include commercial uses, single-family units, townhome units, and De Anza Blvd. This site has been targeted for rezoning to R-4 with a Very High Density land use designation, which would allow a total of 156 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 149 dwelling units could develop on this site.

Figure B4-19, South De Anza Blvd (Sits 24 and 25), shows an aerial view of Sites 24 and 25.

South De Anza Blvd (Sites 24 and 25)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

ite 26: South De Anza Blvd

Address: 10105 S De Anza Blvd

APN: 359-09-017

Target Number of Housing Units: 62

Description: Site 26 is a one-acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the Ssite 26 include a commercial building and parking lot. The current commercial building was constructed in 1977, andbut remains in good condition. Neighboring uses include commercial uses, multi-family units, and De Anza Blvd. This site will remain be rezoned at R-4 with a land use designation of Very High density, which would allow a total of 65 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 95 percent of the maximum, it is estimated that 62 units could be developed on this site. The owner has expressed an active interest in redeveloping this property .

Figure B4-20, South De Anza Blvd (Site 26), shows an aerial view of Site 26.

South De Anza Blvd (Site 26)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 27: Vallco Shopping District

Address: No Address, Wolfe Road

APN: 316-20-088

Target Number of Housing Units: 319

Description: Site 27 is a 5.16 acre parcel located in the Vallco Shopping District, which is predominantly commercial uses located south of Interstate 280 along Wolfe Road. The site is presently Existing uses on the site include a vacant lot., and Tthe owner has expressed interest in developing

the site.. Neighboring uses include single-family uses, Wolfe Road, and the Interstate 280 corridor. This site has been targeted for rezoning to R4 with a land use designation of Very High Density which would allow a total of 335 units built at a maximum of 65 dwelling units per acre. At an assumed realistic capacity of 95 percent of the maximum, it is estimated that 319 units could develop on this site.

Figure B4-21, Vallco Shopping District (Site 27), shows an aerial view of Site 27.

Vallco Shopping District (Site 27)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 28: Jollyman

Address: 21050 McClellan Rd

APN: 359-05-133

Target Number of Housing Units: 26

Description: Site 28 is a 0.78 acre parcel located in the Jollyman Neighborhood, which is predominately defined by single-family residential homes and located immediately south of the De Anza College campus and east of the Highway 85 corridor. Current development use on Site 28 includes a structure that appears to be may be in used as a Buddhist templeretreat/office. The structure was built in 1977 and is considered dilapidatedin fair condition with recent tenant improvements. The City has not yet received an expression of owner interest in redeveloping the site. Neighboring uses include single-family housing. This site has been targeted for rezoning to R-3 with a land use designation of Medium High Density, which would allow a total of 20 units built at a maximum of 27 dwelling units per acre. At a realistic capacity of 95 percent of the maximum, it is assumed that 26 units might develop on this site.

Figure B4-22, Jollyman (Site 28), shows an aerial view of Site 28.

Jollyman (Site 28)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 06a 29: Jollyman

Address: 20865 McClellan Road

APN: 359-13-019

Target Number of Housing Units: 20 19

Description: The Jollyman 06a siteSite 29 is a 0.99 acre parcel located in the Jollyman Neighborhood, which is predominately defined by single-family residential homes and located immediately south of the De Anza College campus and east of the Highway 85 corridor. Current use Site 29 is currently

includes a single-family home built close to the McClellan Road right-of-way with a large rear yard. Neighboring uses include single-family housing. This site has been targeted for rezoning to R1-7.5R-3R1C (or TH??) with a land use designation of Medium Density, which would allow a total of 20 units built at a minimum maximum of 20 dwelling units per acre. There is one existing unit single-family home on the site, but Aa developer has been in recent contact with the City with preliminary plans to build as many as 20 townhomes on this property. that would remain; the number of net new units would be 20 units. At a realistic capacity of 95 percent of the maximum, it is assumed that 19 units might develop on this site. It is estimated that the majority, 15 units, will develop with an above moderate-income level of affordability, but that 4 of the units may develop for moderate-income households. **Constraints:** Rezoning required

Figure B4-9, Jollyman (Site 06a23), shows an aerial view of the Jollyman 06a sitSite 29.e.

Figure B4-8 Jollyman (Site 06a29)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 30-33: Monta Vista North

Address: 10857 Linda Vista Dr (et al)

APNs: 356-06-001, 356-06-002, 356-06-003, 356-06-004

Target Number of Housing Units: 84

Description: Sites 30 through 33 are located in the Monta Vista North Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. The individual parcels range in size from 0.25 acres to 0.87 acres. Existing uses on the site include four single-family homes. Neighboring uses include tennis courts, a golf course, and single-family homes. This site has been targeted for rezoning to R3/TH with a land use designation of Medium High Density which would allow a maximum of 89 units built at a maximum of 35 dwelling units to the acre. Based on an assumed realistic capacity of 95 percent of the maximum density, it is estimated that 84 units could develop on this property. There are presently four units of housing on the property that were built between 1947 and 1957. They current physical condition of these houses ihas been deemed borderline dilapidated. The four parcels are adjacent to each other and have common ownership, and there has been active developer interest in developing this area into townhomes. The owner has indicated an interest in developing it at a density of 20-25 units per acre. Let's adjust the realistic capacity on this.

Figure B4-24, Monta Vista North Site (Sites 30-33), shows an aerial view of the sites 30-33.

Monta Vista North Site (Sites 30-33)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 34: Monta Vista South

Address: 20666 Cleo Avenue

APN: 362-31-001

Target Number of Housing Units: 8

Description: Site 34 is an 0.25-acre site located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately eassouthtwest of SR 85 of the foothills. Site 34 Existing uses on the site is currently developed include with one single-family residence that was constructed in 1951.. Site 34 has been targeted for rezoning to R3, which would allow up to 35 units per acre. With an estimated realistic capacity of 95 percent of the maximum, it is estimated that eight units could develop on this parcel. There is one existing unit on the site, which was built in 1951 The existing residence and appears to be in good condition externally,. Hhowever, the owner has expressed an interest in redeveloping the parcel.

Figure B4-25, Monta Vista South Site (Site 34), shows an aerial view of Site 34 and nearby Sites 35 and P9.

Monta Vista South Site (Site 34)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 35: Monta Vista South

Address: [no address] Cleo Ave.

APN: 362-31-030

Target Number of Housing Units: 8

Description: Site 35 is a 0.23-acre parcel located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately weast of Highway 85 the foothills. The irregularly-shaped parcel is currently undeveloped vacant. Neighboring uses include single-family and duplex homes. This site has been targeted for rezoning to R3, which would allow a total of eight units built at a maximum of 35 dwelling units per acre.

Figure B4-26, Monta Vista South Site (Site 35), shows an aerial view of Site 35.

Monta Vista South Site (Site 35)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 06b: Jollyman

Address: 21050 McClellan Road

Target Number of Housing Units: 23

Description: The Jollyman 06b site is located in the Jollyman Neighborhood, which is predominately defined by single-family residential homes and located immediately south of the De Anza College campus and east of the Highway 85 corridor. Current use includes an underutilized commercial structure. Neighboring uses include single-family housing and commercial uses. This site has been targeted for rezoning to P(R3), which would allow a total of 23 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 23 units.

Constraints: Rezoning required

Figure B4-10, Jollyman (Site 06b), shows an aerial view of the Jollyman 06b site.

Figure B4-9 Jollyman (Site 06b)

Site 36: Heart of the City [REMOVE FROM INVENTORY]

Address: 10080 N Wolfe Rd

APN: 316-20-086

Target Number of Housing Units: 216

Description: Site 36 is a 4.44-acre parcel located in the Heart of the City – East (S. Vallco Park) Special Area, which is a mix of commercial and residential uses located east of De Anza College. Existing uses on the site include an office building, commercial uses, and associated parking. The building was constructed in 1972. Neighboring uses include office and commercial uses. The site could be redeveloped as a higher-rise mixed-use development. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Very High Density which would allow a total of 289 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 216 units will develop on this site. This site is also considered developable for residential uses under AB 2011 prior to rezoning.

Figure B4-27, Heart of the City (Site 36), shows an aerial view of Site 36.

Heart of the City (Site 36)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 37 and 38: Heart of the City

Address: 20007 Stevens Creek Blvd (et al)

APN: 316-23-093, 316-23-036

Target Number of Housing Units: 132

Description: Sites 37 and 38 are two parcels located in the Heart of the City - Central Special Area, which is a mix of commercial and residential uses. Sites 37 and 38 are located approximately 0.75 miles east of De Anza College. The parcels are 1.35 and 0.24 acres, respectively. Existing uses on the site include commercial buildings that were constructed in 1978. As of May 2023 tThe property owner has expressed an interest in redeveloping the site, and a project application is currently under preliminary review. Neighboring uses include commercial uses and multi-family residential. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Commercial/Very High Residential, which would allow for a maximum density of 65 units per acre. The site has a pending application undergoing review under SB 330 guidelines, so based on the project units in this pending application, it is estimated that 1342 units could be developed on this site.

Figure B4-28, Heart of the City (Site 37 and 38), shows an aerial view of Sites 37 and 38 along with nearby Sites 1 and 8.

Heart of the City (Site 37 and 38)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 39, 40, and 41: Heart of the City

Address: 19610 Stevens Creek Blvd (et al)

APNs: 369-06-002, 369-06-003, 369-06-004

Target Number of Housing Units: 44

Description: Sites 39, 40, and 41 are a set of three parcels totaling 2.72 acres located in the Heart of the City – East Special Area, which is a mix of commercial and residential uses. The Sites are located 1.5 miles east of De Anza College and . The parcels range in size from 0.53 acres to 1.29 acres. Existing uses on the site include commercial buildings that were built in the 1960s, and are aged but not yet dilapidated. Neighboring uses include a variety of commercial buildings uses and single-family homes. The parcels were recently acquired by an established residential developer with the intent to develop townhomes. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Commercial/Very High Residential which would allow a total of 59 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 44 units could develop on this site.

Figure B4-29, Heart of the City (Sites 39, 40, and 41), shows an aerial view of Sites 39, 40, and 41.

Heart of the City (Sites 39, 40, and 41)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 42: Heart of the CitySouth De Anza

Address: 10133 S De Anza Blvd

APN: 359-10-015

Target Number of Housing Units: 58

Description: Site 42 is a 1.18-acre parcel located in the Heart of the City SpecialSouth De Anza Special Area, which is a mix of commercial and residential uses. Site 42 is located approximately 0.75 miles east of De Anza College. Existing uses on the site include a commercial development and associated parking. The owner has recently expressed an interest in redeveloping the site. Neighboring uses include commercial uses and single-family uses. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Commercial/Very High Residential which would allow a total of 77 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 58 units could develop on this site. It is anticipated that the site could be designed with live/work units fronting S. De Anza Blvd.

Figure B4-30, Heart of the City (Site 42), shows an aerial view of Site 42 along with nearby Site 26, 57, and 43.

Heart of the CitySouth De Anza (Site 42)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 43: Heart of the CitySouth De Anaza

Address: 10211 S De Anza Blvd

APN: 359-10-060

Target Number of Housing Units: 48

Description: Site 43 is a 0.98-acre parcel located in the Heart of the City Special South De Anza Special Area, which is a mix of commercial and residential uses. Site 43 is located east of De Anza College. Existing uses on Tthe site is developed with include a partially occupied shopping center and associated parking. Neighboring uses include both commercial uses and single-family uses. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Commercial/Very High Density which would allow a total of 64 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 48 units could develop on this site. It is anticipated that Live/Work type units could be designed on the site, given its location on the South DeAnza Boulevard corridor.

Figure B4-31, Heart of the City (Site 43), shows an aerial view of Site 43 along with adjacent Site 57.

Heart of the CitySouth De Anza (Site 43)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 44 through 48: Heart of the City – Crossroads

Address: 20840 Stevens Creek Blvd

APNs: 359-08-025 through 359-08-029

Target Number of Housing Units: 190

Description: Sites 44 through 48 are a set of five parcels totaling 13.73 acres, of which 3.92 acres are expected to be redevelopedable. In pParticularly, on a portion of site 47 is anticipated to be rezoned to allow residential units. These parcels are located in the Heart of the City – Crossroads Special Center, which consists is of predominantly commercial uses located both north and south sides of Stevens Creek Blvd. Existing uses on the Ssites 44 through 48 include commercial buildings and associated surface parking areas. At least one commercial building (former Pizza Hut) on these sites has been vacant for the past seven years, and another commercial business (Fontana's Restaurant) in this development closed during the COVID-19 pandemic. The extant buildings are of mixed quality, but some are in very poor condition. Neighboring uses include commercial uses, with single-family uses in close proximity. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Commercial/Very High Residential which would allow a total of 255 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 190 units could develop on this site.

Figure B4-32, Heart of the City – Crossroads (Sites 44 through 48), shows an aerial view of Sites 44 through 48.

Heart of the City – Crossroads (Sites 44 through 48)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 49 through 51: Homestead Special Area - Stelling Gateway

Address: 20916 Homestead Rd (et al)

APNs: 326-09-052, 326-09-060, and 326-09-061

Target Number of Housing Units: 225

Description: Sites 49 through 51 are three parcels totaling 4.61 acres, located on the east side of Stelling Road immediately south of Homestead Road. The parcels range in size from 0.74 to 2.75 acres. The surrounding area is predominantly single- and multi-family homes along with nd commercial uses located immediately north of Interstate 280. Development Existing uses on the Ssites 49 through 51 includes retail buildings uses that were constructed in 1984 and 1976.,The buildings and are aged but not dilapidated. However, though it is not expected that the commercial uses would redevelop along with , but that the associated parking area would be redeveloped as a mixed-use development. Since tThe shared parking easements and properties are not owned by the same owner. tThe parcels have the potential to either develop separately or as a consolidated sitelot. Neighboring uses include residential and commercial uses. This site has been targeted for rezoning to P (CG/Res) with a land use designation of Very High Density which would allow a combined total of 300 units to be built across both parcels at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 225 units could develop on this site.

Figure B4-33 Stelling Gateway (Sites 49 through 51) shows an aerial view of Sites 49 through 51 along with neighboring sites 13 through 16.

Stelling Gateway (Sites 49 through 51)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 54, 55, and 56 : South De Anza Blvd

Address: 1471 S De Anza Blvd (et al)

APN: 366-19-053, 366-19-054, 366-19-055

Target Number of Housing Units: 132

Description: The South De Anza Blvd Ssites 454, 4655, and 576 are located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Sites 55 and 56 are 0.56 and 1.75 acre parcels, respectively, and are the site of Summerwinds Nursery. The nursery was built in 1978 and is aged but not yet dilapidated. Other locations (Sunnyvale and the Almaden area of San Jose, both cities neighbor Cupertino) of the Summerwinds chain of nurseries have been recently closed in order to redevelop for housing. Site 54 is a 0.40 acre parcel owned by the same owner as the Summerwinds nursery, but is operated as an independent use. Existing uses on the site include a commercial use and parking lot. The current building was constructed in 1968, and, like the nursery, is aged but not yet dilapidated. Due to its proximity to the other sites, it is expected to redevelop at the same time as the nursery site. Neighboring uses include commercial uses and De Anza Blvd.

These sites have been targeted for rezoning to P(CG/Res) with a land use designation of Very High Density, which would allow a total of 176 units built at a maximum of 65 dwelling units per acre. Based on an estimated realistic capacity of 75 percent, it is estimated that 132 units may develop on this site.

Figure B4-34, South De Anza Blvd (Site 54, 55, and 56), shows an aerial view of Sites 54, 55, and 56.

South De Anza Blvd (Sites 54, 55, and 56)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 57: South De Anza Blvd

Address: 10201 S. De Anza Blvd

APN: 359-10-044

Target Number of Housing Units: 9

Description: Site 57 is a 0.18 acre parcel located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the Ssite 57 include a small shopping center and associated parking lot. Neighboring uses include commercial uses, single-family uses, and De Anza Blvd. This site has been targeted for rezoning to P(CG/Res) and a land use designation of Commercial/Very High Residential, which would allow a total of 12 units built at a maximum of 65 dwelling units per acre. At an estimated realistic capacity of 75 percent of the maximum, it is estimated that 9 units could develop on the site. Could develop in conjunction with Site 43 and it is anticipated that this could be developed with live/work units.

Figure B4-35, South De Anza Blvd (Site 61), shows an aerial view of Site 57 along with adjacent Site 43.

South De Anza Blvd (Site 57)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Sites 58 to 63: North Vallco Park

Address: 10989 N Wolfe Road (et al)

APNs: 316-050-50, 316-050-51, 316-050-52, 316-050-53, 316-050-56, 316-050-72

Target Number of Housing Units: 282

Description: Site 58 to 63 are located in the North Vallco Park Special Area, which is predominantly commercial uses located north of Interstate 280 and west of the Apple Park Corporation Campus. The six parcels range in size from 0.54 acres to 1.02 acres. All six parcels are owned by the same entity, and the owner has expressed a strong interest in redeveloping this site to include residential uses while maintaining the commercial portions of the development, and is pursuing entitlements. Existing uses on the site include commercial uses, many of which were constructed in the late 1960s. The existing 99 Ranch commercial building is expected to be demolished and replaced with a new building with the 99 Ranch store on the first floor and apartments above. In a later phase, the owner intends to demolish an older building adjacent to a parking garage and build an all-residential structure. The owner has indicated an interest in development of over up to X 300 units and a minimum of 115,000 s.f. oOf commercial uses. Neighboring uses include single-family and Wolfe Road. This site has been targeted for rezoning to P(CG/Res) with a land use designation of Commercial/Residential, which would allow a total of 377 units built at a maximum of 35 dwelling units per acre. Based on an estimated realistic capacity of 75 percent of the maximum, it is estimated that 282 units could be developed on this site. These are subject to AB2011 should we look at a higher density? Higher density could be considered but Kimco's plan should guide the estimate.

Figure B4-36, North Vallco Park (Sites 58 to 63), shows an aerial view of Site 58 to 63.

North Vallco Park (Sites 58 to 63)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Site 06c: Jollyman

Address: 7540 McClellan Road

Target Number of Housing Units: 3

Description: The Jollyman 06c site is located in the Jollyman Neighborhood, which is predominately defined by single-family residential homes and located immediately south of the De Anza College campus and east of the Highway 85 corridor. Current use includes a single-family home. Neighboring uses include single-family housing. This site has been targeted for rezoning to R1-C, which would allow a total of four (4) units built at a minimum of 10 dwelling units per acre. There is one existing unit on the site that would be lost; the number of net new units would be three (3) units.

Constraints: Rezoning required

Figure B4-11, Jollyman (Site 06c), shows an aerial view of the Jollyman 06c site.

Figure B4-10 Jollyman (Site 06c)

Site 06d64: Jollyman

Address: 20920 McClellan Road

Target Number of Housing Units: 2120

APN: 359-20-028

Description: The Jollyman 06d siteSite 64 is located in the Jollyman Neighborhood, which is predominately defined by single-family residential homes and located immediately south of the De Anza College campus and east of the Highway 85 corridor. The primary cCurrent use of the site is includes a church and associated buildings. Neighboring uses include multi-family housing and commercial uses. This A portion of this site has been targeted for rezoning to P(ResR3) with a General Plan designation of Medium Density Commercial/Residential, which would allow a total of 21 26 units built at a minimum of 30 20.01 dwelling units per acre and a maximum of 35 dwelling units per acre. At an estimated realistic capacity of 75 percent of the maximum, it is assumed that 20 units may develop on this property. There are no existing units on the site; the number of net new units would be 21 units.The church has recently expressed an active interest in developing the portion of their property without church buildings, approximately 0.75 acres. This may include some of the parking area as well as some of the open green space on the northwest corner of the lot.

Constraints: Rezoning required

Figure B4-1237, Jollyman (Site 06d64), shows an aerial view of the Jollyman 06d site.Site 64 along with nearby Site 28 and project P8.

Figure B4-11 Jollyman (Site 06d64)

Source: ESRI World Imagery (Clarity); City of Cupertino, 2023

Monta Vista North Neighborhood

Figure B4-13, Monta Vista North Neighborhood, provides an overview of the neighborhood.

Site 07a: Monta Vista North

Address: 10857 Linda Vista Dr (et al)

Target Number of Housing Units: 47

Description: The Monta Vista North 07a Site is located in the Monta Vista North Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. Existing uses on the site include four single-family homes. Neighboring uses include tennis courts, a golf course, and single-family homes. This site has been targeted for rezoning to P(R-3),

which would allow a total of 51 units built at a minimum of 20 dwelling units per acre. There are four (4) existing units on the site that would be lost; the number of net new units would be 47 units.

Constraints: Rezoning required

Figure B4-14, Monta Vista North Site (Site 07a), shows an aerial view of the Monta Vista North 07a site.

Figure B4-12 Monta Vista North Site (Site 07a)

Monta Vista South Neighborhood

Figure B4-15, Monta Vista South Neighborhood, provides an overview of the neighborhood.

Figure B4-13 onta Vista North Neighborhood

Figure B4-14 Monta Vista South Neighborhood

Site 08a: Monta Vista South

Address: 20666 Cleo Avenue

Target Number of Housing Units: 8

Description: The Monta Vista South 08a Site is located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. Existing uses on the site include one single-family home. Neighboring uses include single- and multi-family homes. This site has been targeted for rezoning to P(Res), which would allow a total of nine (9) units built at a minimum of 30 dwelling units per acre. There is one (1) existing unit on the site that would be lost; the number of net new units would be eight (8) units.

Constraints: Rezoning required

Figure B4-16, Monta Vista South Site (Site 08a), shows an aerial view of the Monta Vista South 08a site.

Figure B4-15 Monta Vista South Site (Site 08a)

Site 08b: Monta Vista South

Address: [no address]

Target Number of Housing Units: 6

Description: The Monta Vista South 08b Site is located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. Existing uses on the site include vacant acreage. Neighboring uses include single-family and duplex homes. This site has been targeted for rezoning to P(Res), which would allow a total of six (6) units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be six (6) units.

Constraints: Rezoning required

Figure B4-17, Monta Vista South Site (Site 08b), shows an aerial view of the Monta Vista South 08b site.

Figure B4-16 Monta Vista South Site (Site 08b)

Site 08c: Monta Vista South

Address: 21710 Regnart Road (et al)

Target Number of Housing Units: 23

Description: The Monta Vista South 08c Site is located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. Existing uses on the site include one single-family home and open space. Neighboring uses include single-family homes. This site has been targeted for rezoning to R1-5, which would allow a total of 23 units built at a minimum of 15 dwelling units per acre. There is one (1) existing unit on the site that would be lost; the number of net new units would be 22 units.

Constraints: Rezoning required

Figure B4-18, Monta Vista South Site (Site 08c), shows an aerial view of the Monta Vista South 08c site.

Figure B4-17 Monta Vista South Site (Site 08c)

Site 08d: Monta Vista South

Address: 21530 Rainbow Drive

Target Number of Housing Units: 2

Description: The Monta Vista South 08d Site is located in the Monta Vista South Neighborhood, which is predominantly defined by single-family residential homes and located immediately east of the foothills. Existing uses on the site include one single-family home. Neighboring uses include single- and multi-family homes. This site has been targeted for rezoning to R1-7.5, which would allow a total of three (3) units built at a minimum of five (5) dwelling units per acre. There is one (1) existing unit on the site that would be lost; the number of net new units would be two (2) units.

Constraints: Rezoning required

Figure B4-19, Monta Vista South Site (Site 08d), shows an aerial view of the Monta Vista South 08d site.

Figure B4-18 Monta Vista South Site (Site 08d)

North Blaney Neighborhood

Figure B4-19 Figure B4-20, North Blaney Neighborhood, provides an overview of the neighborhood.North Blaney Neighborhood

Site 09a: North Blaney
Address: 10730 N. Blaney Avenue

Target Number of Housing Units: 61

Description: The North Blaney 09a site is located in the North Blaney Neighborhood, which is a mix of single- and multi-family housing located immediately south of Interstate 280. Existing uses on the site include mini storage and a caretaker unit. Neighboring uses include multi-family housing and the Interstate 280 corridor. This site has been targeted for rezoning to P(Res), which would allow a total of 62 units built at a minimum of 35 dwelling units per acre. There is one (1) existing unit on the site that would be lost; the number of net new units would be 61 units.

Constraints: Rezoning required; noise and air contaminants from Interstate 280

Figure B4-21, North Blaney (Site 09a), shows an aerial view of the North Blaney 09a site.

Figure B4-20 North Blaney (Site 09a)

South Blaney Neighborhood

Figure B4-22, South Blaney Neighborhood, provides an overview of the neighborhood.South Blaney Neighborhood

Site 11a: South Blaney
Address: 10787 S. Blaney Ave (et al)

Target Number of Housing Units: 98 units

Description: The South Blaney 11a site is located in the South Blaney Neighborhood, which is a mix of single- and multi-family housing and commercial uses located immediately north of Bollinger Road. Existing uses on the site include commercial structures. Neighboring uses include commercial and single-family uses. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 98 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 98 units.

Constraints: Rezoning required

Figure B4-23, South Blaney (Site 11a), shows an aerial view of the South Blaney 11a site.

Figure B4-21 South Blaney (Site 11a)

Site 11b: South Blaney

Address: 10710 S. De Anza Blvd (et al)

Target Number of Housing Units: 64

Description: The South Blaney 11b site is located in the South Blaney Neighborhood, which is a mix of single- and multi-family housing and commercial uses located immediately north of Bollinger Road. Existing uses on the site include a commercial structure and single-family uses. Neighboring uses include commercial and single-family uses. This site has been targeted for rezoning to P(Res), which would allow a total of 67 units built at a minimum of 50 dwelling units per acre. There are three (3) existing units on the site that would be lost; the number of net new units would be 64 units.

Constraints: Rezoning required

Figure B4-24, South Blaney (Site 11b), shows an aerial view of the South Blaney 11b site.

Figure B4-22 South Blaney (Site 11b)

Bubb Road Special Area

Figure B4-25, Bubb Road Special Area, provides an overview of the neighborhood.Bubb Road Special Area

Site 13a: Bubb Road

Address: 21431 McClellan Road

Target Number of Housing Units: 22

Description: The Bubb Road 13a site is located in the Bubb Road Special Area, which is a mix of commercial and industrial uses located immediately west of Highway 85. Existing uses on the site include a single-family home. Neighboring uses include commercial and single-family uses and the Highway 85 corridor. This site has been targeted for rezoning to P(Res), which would allow a total of 23 units built at a minimum of 50 dwelling units per acre. There is one (1) existing unit on the site that would be lost; the number of net new units would be 22 units.

Constraints: Rezoning required; noise and air contaminants from Highway 85

Figure B4-26, Bubb Road (Site 13a), shows an aerial view of the Bubb Road 13a Site.

Figure B4-23 Bubb Road (Site 13a)

Heart of the City – West Special Area

Figure B4-27, Heart of the City – West Special Area, provides an overview of the neighborhood. Heart of the City – West Special Center

Site 14a: Heart of the City – West

Address: Mary Avenue ROW

Target Number of Housing Units: 38

Description: The Heart of the City – West 14a site is located in the Heart of the City – West Special Center, which is the home of De Anza College located east of Highway 85. The area is bisected by Stevens Creek Blvd. Existing uses on the site include unused right-of-way adjacent to Highway 85. Neighboring uses include multi-family residential uses and Highway 85. This site has been targeted for rezoning to P(Res), which would allow a total of 38 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 38 units.

Constraints: Rezoning required; noise and air contaminants from Highway 85

Figure B4-28, Heart of the City West (Site 14a), shows an aerial view of the Heart of the City West 14a site.

Figure B4-24 Heart of the City West (Site 14a)

Heart of the City – Crossroads Special Area

Figure B4-29, Heart of the City – West Special Area, provides an overview of the neighborhood.

Site 15a: Heart of the City – Crossroads

Address: 10125 Bandley Drive

Target Number of Housing Units: 33

Description: The Heart of the City – Crossroad 15a site is located in the Heart of the City – Crossroads Special Center, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Existing uses on the site include a commercial structure. Neighboring uses include commercial and multi-family residential uses. This site has been targeted for rezoning to P(Res), which would allow a total of 33 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 33 units.

Constraints: Rezoning required

Figure B4-30, Heart of the City – Crossroads (Site 15a), shows an aerial view of the Heart of the City – Crossroads 15a site.

Figure B4-25 Heart of the City – Crossroads (Site 15a)

Heart of the City – Crossroads Special Area

Site 15b: Heart of the City – Crossroads

Address: 20950 Stevens Creek Blvd

Target Number of Housing Units: 10

Description: The Heart of the City – Crossroad 15b site is located in the Heart of the City – Crossroads Special Center, which is predominantly commercial uses located both north and south of Stevens Creek Blvd. Existing uses on the site include a commercial structure. Neighboring uses include commercial and multi-family residential uses. This site has been targeted for rezoning to P(Res), which would allow a total of 10 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 10 units.

Constraints: Rezoning required

Figure B4-31, Heart of the City – Crossroads (Site 15b), shows an aerial view of the Heart of the City – Crossroads 15b site.

Figure B4-26 Heart of the City – Crossroads (Site 15b)

Heart of the City – Central Special Area

Figure B4-32, Heart of the City – Central Special Area, provides an overview of the neighborhood.

Site 16b: Heart of the City – Central

Address: 20010 Stevens Creek Blvd

Target Number of Housing Units: 14

Description: The Heart of the City – Central 16b site is located in the Heart of the City – Central Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd located in the central core area. Existing uses on the site include a commercial structure. Neighboring uses include commercial uses. This site has been targeted for rezoning to P(Res), which would allow a total of 14 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 14 units.

Constraints: Rezoning required

Figure B4-33 shows an aerial view of the Heart of the City – Central 16b site.

Figure B4-27 Heart of the City – Central (Site 16b)

Figure B4-28 Heart of the City – Central Special Area

Site 16c: Heart of the City – Central

Address: 20149 Stevens Creek Blvd

Target Number of Housing Units: 19

Description: The Heart of the City – Central 16c site is located in the Heart of the City – Central Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd located in the central core area. Existing uses on the site include two commercial structures. Neighboring uses include commercial uses. This site has been targeted for rezoning to P(Res), which

would allow a total of 19 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 19 units.

Constraints: Rezoning required

Figure B4-34, Heart of the City – Central (Site 16c), shows an aerial view of the Heart of the City – Central 16c site.

Figure B4-29 Heart of the City – Central (Site 16c)

Heart of the City –East Special Area

Figure B4-35, Heart of the City – Central Special Area, provides an overview of the neighborhood.

Site 18c: Heart of the City – East

Address: 19220 Stevens Creek Blvd (et al)

Target Number of Housing Units: 93

Description: The Heart of the City – East 18c site is located in the Heart of the City – East Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd located east of the central core area. Existing uses on the site include a commercial structure. Neighboring uses include commercial uses. This site has been targeted for rezoning to P(Res), which would allow a total of 93 units built at a minimum of 35 dwelling units per acre. There are no existing units on the site; the number of net new units would be 93 units.

Constraints: Rezoning required

Figure B4-36 shows an aerial view of the Heart of the City – East 18c site.

Figure B4-30 Heart of the City – East (Site 18c)

Figure B4-31 Heart of the City – East Special Area

Site 18d: Heart of the City – East

Address: 19400 Stevens Creek Blvd

Target Number of Housing Units: 42

Description: The Heart of the City – East 18d site is located in the Heart of the City – East Special Area, which is predominantly commercial uses located both north and south of Stevens Creek Blvd located east of the central core area. Existing uses on the site include a commercial structure. Neighboring uses include commercial uses. This site has been targeted for rezoning to P(Res), which would allow a total of 42 units built at a minimum of 35 dwelling units per acre. There are no existing units on the site; the number of net new units would be 42 units.

Constraints: Rezoning required

Figure B4-37, Heart of the City – East (Site 18d), shows an aerial view of the Heart of the City – East 18d site.

Figure B4-32 Heart of the City – East (Site 18d)

Homestead Road Special Area

Figure B4-38, Homestead Road Special Area, provides an overview of the neighborhood.

Site 19a: Homestead

Address: 19820 Homestead Road

Target Number of Housing Units: 6

Description: The Homestead 19a site is located in the Homestead Road Special Area, which is predominantly single- and multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on the site include a single-family home. Neighboring uses include single-family homes. This site has been targeted for rezoning to P(Res), which would allow a total of seven (7) units built at a minimum of 15 dwelling units per acre. There is one existing unit on the site that would be lost; the number of net new units would be six (6) units.

Constraints: Rezoning required

Figure B4-39, Homestead (Site 19a), shows an aerial view of the Homestead 19a site.

Figure B4-33 Homestead (Site 19a)

Figure B4-34 Homestead Road Special Area

Site 19b: Homestead

Address: 11025 N De Anza Blvd

Target Number of Housing Units: 21

Description: The Homestead 19b site is located in the Homestead Road Special Area, which is predominantly single- and multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on the site include a small commercial structure. Neighboring uses include multi-family homes and the Sunnyvale Saratoga Road. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 21 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 21 units.

Constraints: Rezoning required

Figure B4-40 shows an aerial view of the Homestead 19b site.

Figure B4-35 Homestead (Site 19b)

Stelling Gateway

Site 20a: Stelling Gateway

Address: 10885 N Stelling Rd

Target Number of Housing Units: 45

Description: The Stelling Gateway 20a site is located in the Homestead Road Special Area, which is predominantly single- and multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on the site include a parking lot. Neighboring uses include a church, an electrical power substation, and tennis courts. This site has been targeted for rezoning to P(Res), which would allow a total of 45 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 45 units.

Constraints: Rezoning required

Figure B4-41, Stelling Gateway (Site 20a), shows an aerial view of the Stelling Gateway 20a Site.

Figure B4-36 Stelling Gateway (Site 20a)

Site 20c: Stelling Gateway

Address: 21040 Homestead Rd (et al)

Target Number of Housing Units: 167

Description: The Stelling Gateway 20c site is located in the Homestead Road Special Area, which is predominantly single- and multi-family homes and commercial uses located immediately north of Interstate 280. Existing uses on the site include tennis courts and vacant lot. Neighboring uses include a church, an electrical power substation, and tennis courts. This site has been targeted for rezoning to P(Res), which would allow a total of 167 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 167 units.

Constraints: Rezoning required

Figure B4-42 Stelling Gateway (Site 20c), shows an aerial view of the Stelling Gateway 20c Site.

Figure B4-37 Stelling Gateway (Site 20c)

Figure B4-38 South De Anza Blvd Special Area

Figure B4-39 South De Anza Blvd Special Area (Part 2)

South De Anza Special Area

Site 23a: South De Anza Blvd

Address: 10105 S De Anza Blvd

Target Number of Housing Units: 50

Description: The South De Anza Blvd 23a site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses, multi-family units, and De Anza Blvd. This site will remain zoned at P(CG-Res), which would allow a total of 50 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 50 units.

Constraints: Rezoning required

Figure B4-45, South De Anza Blvd (Site 23a), shows an aerial view of the South De Anza Blvd 23a site.

Figure B4-40 South De Anza Blvd (Site 23a)

Site 23b: South De Anza Blvd

Address: 10291 S De Anza Blvd

Target Number of Housing Units: 66

Description: The South De Anza Blvd 23b site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses, multi-family units, and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 66 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 66 units.

Constraints: Rezoning required

Figure B4-46, South De Anza Blvd (Site 23b), shows an aerial view of the South De Anza Blvd 23b site.

Figure B4-41 South De Anza Blvd (Site 23b)

Site 23c: South De Anza Blvd

Address: 10619 S De Anza Blvd

Target Number of Housing Units: 8

Description: The South De Anza Blvd 23c site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of eight (8) units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be eight (8) units.

Constraints: Rezoning required

Figure B4-47, South De Anza Blvd (Site 23c), shows an aerial view of the South De Anza Blvd 23c site.

Figure B4-42 South De Anza Blvd (Site 23c)

Site 23d: South De Anza Blvd

Address: 1361 S De Anza Blvd (et al)

Target Number of Housing Units: 121

Description: The South De Anza Blvd 23d site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses, single-family units, and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 121 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 121 units.

Constraints: Rezoning required

Figure B4-48, South De Anza Blvd (Site 23d), shows an aerial view of the South De Anza Blvd 23d site.

Figure B4-43 South De Anza Blvd (Site 23d)

Site 23g: South De Anza Blvd

Address: 1451 S De Anza Blvd (et al)

Target Number of Housing Units: 26

Description: The South De Anza Blvd 23g site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 26 units built at a

~~minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 26 units.~~

~~**Constraints:** Rezoning required~~

~~Figure B4-49, South De Anza Blvd (Site 23g), shows an aerial view of the South De Anza Blvd 23g site.~~

~~Figure B4-44 South De Anza Blvd (Site 23g)~~

~~*Site 23h: South De Anza Blvd*~~

~~**Address:** 1471 S De Anza Blvd~~

~~**Target Number of Housing Units:** 20~~

~~**Description:** The South De Anza Blvd 23h site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 20 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 20 units.~~

~~**Constraints:** Rezoning required~~

~~Figure B4-50, South De Anza Blvd (Site 23h), shows an aerial view of the South De Anza Blvd 23h site.~~

~~Figure B4-45 South De Anza Blvd (Site 23h)~~

~~*Site 23i: South De Anza Blvd*~~

~~**Address:** 1505 S De Anza Blvd~~

~~**Target Number of Housing Units:** 67~~

~~**Description:** The South De Anza Blvd 23i site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses, multi-family uses, and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 67 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 67 units.~~

~~**Constraints:** Rezoning required~~

Figure B4-51, South De Anza Blvd (Site 23i), shows an aerial view of the South De Anza Blvd 23i site.

Figure B4-46 South De Anza Blvd (Site 23i)

Site 23j: South De Anza Blvd

Address: 1515 S De Anza Blvd

Target Number of Housing Units: 43

Description: The South De Anza Blvd 23j site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 43 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 43 units.

Constraints: Rezoning required

Figure B4-52, South De Anza Blvd (Site 23j), shows an aerial view of the South De Anza Blvd 23j site.

Figure B4-47 South De Anza Blvd (Site 23j)

Site 23k: South De Anza Blvd

Address: [no address]

Target Number of Housing Units: 46

Description: The South De Anza Blvd 23k site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses and De Anza Blvd. This site has been targeted for rezoning to P(CG-Res), which would allow a total of 46 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 46 units.

Constraints: Rezoning required

Figure B4-53, South De Anza Blvd (Site 23k), shows an aerial view of the South De Anza Blvd 23k site.

Figure B4-48 South De Anza Blvd (Site 23k)

Site 23l: South De Anza Blvd

Address: 20555 Prospect Road

Target Number of Housing Units: 24

Description: The South De Anza Blvd 23l site is located in the South De Anza Blvd Special Area, which is predominantly commercial uses located along De Anza Blvd. Existing uses on the site include a commercial use and parking lot. Neighboring uses include commercial uses, single-family uses, and De Anza Blvd. This site has been targeted for rezoning to P(Res), which would allow a total of 24 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 24 units.

Constraints: Rezoning required

Figure B4-54, South De Anza Blvd (Site 23l), shows an aerial view of the South De Anza Blvd 23l site.

Figure B4-49 South De Anza Blvd (Site 23l)

Figure B4-50 Vallco Shopping District

Vallco Shopping District

Site 24a: Vallco Shopping District

Address: 10333 N Wolfe Road

Target Number of Housing Units: 257

Description: The Vallco Shopping District 24a site is located in the Vallco Shopping District, which is predominantly commercial uses located south of Interstate 280 along Wolfe Road. Existing uses on the site include a vacant lot. Neighboring uses include single-family uses, Wolfe Road, and the Interstate 280 corridor. This site has been targeted for rezoning to P(Res), which would allow a total of 257 units built at a minimum of 50 dwelling units per acre. There are no existing units on the site; the number of net new units would be 257 units.

Constraints: Rezoning required; noise and air contaminants from Interstate 280

Figure B4-56, Vallco Shopping District (Site 24a), shows an aerial view of the Vallco Shopping District 24a site.

Figure B4-51 Vallco Shopping District (Site 24a)

Vallco Park North Special Area

VALLCO PARK NORTH SPECIAL AREA

Site 26a: North Vallco Park

Address: 10989 N Wolfe Road (et al)

Target Number of Housing Units: 323

Description: The North Vallco Park 26a site is located in the North Vallco Park Special Area, which is predominantly commercial uses located north of Interstate 280 and west of the Apple Corporation Campus. Existing uses on the site include commercial uses. Neighboring uses include single-family and Wolfe Road. This site has been targeted for rezoning to P(Res), which would allow a total of 323 units built at a minimum of 30 dwelling units per acre. There are no existing units on the site; the number of net new units would be 323 units.

Constraints: Rezoning required

Figure B4-58, North Vallco Park (Site 26a), shows an aerial view of the North Vallco Park 26a site.

Figure B4-52 North Vallco Park (Site 26a)

Housing Constraints

B.5

APPENDIX

Table of Contents

Tables

B5 HOUSING CONSTRAINTS

State law requires that Housing Elements include an analysis of governmental and nongovernmental constraints on the maintenance, improvement, or development of housing for all income levels. Governmental constraints include land use controls, building codes and their enforcement, fees and exactions, and permitting procedures. Nongovernmental constraints ~~are primarily~~include market-driven and ~~include~~ land costs, construction costs, and the availability of financing, as well as environmental hazards, such as wildfires, earthquakes, and flooding.

B5.1 GOVERNMENTAL CONSTRAINTS

GENERAL PLAN LAND USES

The General Plan provides the policy and program direction necessary to guide land use decisions ~~in the first two decades of the 21st century.~~. The existing General Plan is current and legally adequate and is not considered an impediment to housing production. **Table B5-1**, Residential Land Use Density Classifications, lists the General Plan land use classifications that allow residential development. ~~As required by state law, the General Plan includes a land use map indicating the allowable uses and densities at various locations in the City. The Land Use/ Community Design section identifies five categories of residential uses based on dwelling unit density, expressed as the number of dwelling units permitted per gross acre, as summarized below in Table B5-1, Residential Land Use Density Classifications.~~

Table B5-1. Residential Land Use Density Classifications

Classification	Development Category	Maximum Density~~4~~ (dwelling units per acre)
Residential Hillside~~Very Low Density~~[2] ~~Density~~[1]	Hillside Single-Family Housing	**See Note**
Low Density	Single-Family Housing	1–5 du/ac
Low/Medium Density	Single-Family Housing	5.01–10 du/ac
~~High/~~Medium Density	Multifamily Housing	10.01–20 du/ac
Medium/High Density	Multifamily Housing	20.01–35 du/ac
High Density	Multifamily Housing	Current–35.01+ du/ac Planned – 35.01–50 du/ac [2]
High/Very High Density	Multifamily Housing	50.01–65 du/ac [2]
Very High Density	Multifamily Housing	65.01 – 80 du/ac [32]
Commercial/Residential — MH	Commercial/Residential	20.01–35 du/ac [2]
Commercial/Residential — H	Commercial/Residential	35.01–50 du/ac [2]
Commercial/Residential – HVH	Commercial/Residential	50.01–65 du/ac [2]
Commercial/Residential – VH	Commercial/Residential	65.01–80 du/ac [2]

Source: City of Cupertino, 2023.
Notes: ~~1. Density shown as dwelling units per acre (du/ac).~~
~~2~~ 1 – Residential Hillside Classification is, intended to protect environmentally sensitive areas from extensive development and to protect human life from hazards associated with floods, fires, and unstable terrain. It applies one of four slope-density formula~~e~~s to determine allowable residential density.
2 – The City is planning to create new and modify existing General Plan Land Use Designations (see **Strategy 1.3.3**). ~~3. Very High Density General Plan Land Use Designation as well~~

~~In addition to the four residential categories, the General Plan allows for residential uses in the "Industrial/Residential," "Office/Commercial/Residential," "Commercial/Residential," and "Neighborhood Commercial/Residential" land use categories. None of the City's General Plan policies have been identified as housing constraints. The General Plan does not define whether residential units are to be rented or owned or whether they are to be attached or detached.~~

NEW AND REVISED GENERAL PLAN LAND USE DESIGNATIONS

The City is in the process of creating two new General Plan Land Use designations – High/Very High Density (HVH), which will allow for 50.01 to 65 units per acre and Very High Density (VH), which will allow for 65.01 to 80 units per acre. The City will also modify the Commercial/Residential (C/R) designation to apply different densities to sites with the C/R land use designation. The City will also allow solely residential uses to be permitted if the project is 100 percent affordable. (**Strategy HE-1.3.3**). These new designations will allow for increased housing capacity in Cupertino.

~~ZONING~~ CUPERTINO MUNICIPAL CODE

Title 19, Zoning, of the ~~The~~ Cupertino ~~Zoning Ordinance~~Municipal Code establishes development standards and densities for ~~new~~ housing in the city. These regulations include minimum lot sizes, maximum number of dwelling units per acre, lot width, setbacks, lot coverage, maximum building height, and minimum parking requirements. These standards are summarized in Table B5~~3~~-2, Residential Development Standards. As required by State law, the City's Zoning Map is consistent with the General Plan. The development standards for the City's zoning district that permit residential ~~zoning districts and their respective permitted densities and development standards~~ development are summarized in Table B5-2. ~~below.~~ All zoning and development standards, as well as list of fees, are available on the City's website, consistent with transparency requirements pursuant to Government Code Section 65940.1, subsections (a)(1)(A)) and (a)(1)(B)). ~~Residential development is permitted by right in residential zones.~~

Cupertino Zoning Code Section 19.80.030 (E)(2) provides special density rules for what it terms "Priority Housing Sites." According to the code:

> "*If a [mixed-use] site is listed as a Priority Housing Site in the City"s adopted Housing Element of the General Plan, then residential development that does not exceed the number of units designated for the site in the Housing Element shall be a permitted use.*"

~~It should be noted that Cupertino is built out and most new development is infill development, unlike in communities where greenfields or large single-family tracts are still being developed. Most development in Cupertino is either attached multifamily or townhome/row home style developments on redeveloped property. To the extent that the City is rezoning properties, these are to accommodate~~

~~developments that are higher in density than single family developments. The Cupertino 6th Cycle Housing Element has been designed to take advantage of these special density rules for Priority Housing Sites. Selected site listed in Table B4-3 (see Appendix B4) have been designated as "Priority Housing Sites" (see Policy HE-1.3). To ensure that all Priority Housing Sites (not just mixed-use sites) benefit from this special density rule, a new program has been added to amend the language of Cupertino Zoning Code Section 19.80.030 (E) so that Subsection Cupertino Zoning Code Section 19.80.030 (E)(2) applies to all sites zoned for Planned Development, not just mixed-use sites (see Program HE-1.3.7).~~

NEW ZONING DISTRICT

The City is in the process of creating a new R4 Zoning District that will align with the two new General Plan Land Use designations, High/Very High Density, and Very High Density allowing 50.1 to 65 units per acre and 65.01 to 80 units per acre, respectively (**Strategies HE-1.3.3 and HE-1.3.9**). The City will create development standards, looking at height, setbacks, lot coverage, etc., to ensure that maximum densities can be achieved.

Table B5-2. Residential Development Standards									
Zoning	Minimum Lot Area (square feet)	Setbacks (feet)					Maximum Height (feet) (stories)	Maximum Structural Lot Coverage	Maximum Floor-Area Ratio
		Front	~~Side~~	Interior Side	Street Side	Rear			
A[1]	215,000	30	~~20 each~~	-20	-20	25	28	40%	-
A-1	43,000 - 215,000	30	~~20 each~~	20-	-20	20	28	40-~~45~~%	45%
R-1	5,000-20,000	20	~~10-15~~	-Varies, no less than 5 feet on 1st floor (combined 10 – 15 depending on zoning district) and no less than 10 feet on 2nd floor (combined 25 feet)	12 -	20	28 (two stories)	45% (plus 5% for overhangs, patios, porches, and similar unenclosed features)	45%
R-2[2]	8,500~~-15,000~~	20	~~6 12~~	-20% of lot width, no less than 6 feet	12 -	20 or 20% of the lot depth, whichever is greater.	~~15~~-30 (two stories)	40%	-
R-3[2]	9,300 (1st 3 units) 2,000 (each add.)	20	~~6 18~~	1st Floor – 6 2nd Floor – 9 > 24 feet' tall – 18-	12- > 24 feet' tall – 18	~~20~~20 feet or 20% of the lot depth, whichever is greater.	30 (two stories)	40%	-
RHS	12~~4~~0,000-44~~0~~0,000	120-25	~~10-20~~15	--1st Floor – 10 2nd Floor – 15 3rd Floor - 20	-1st Floor – 15 2nd Floor – 15 3rd Floor - 20	20-25	30	~~-45%~~	Lesser of 6,500 sq. ft. or (4,500 + ((Net Lot Area - 10000)/1000) (59.59)) x (Slope Adjustment Factor)
R-1C	No minimum~~N/A~~	~~N/A~~Units adjacent to development boundary - Same setbacks as required in the adjacent zones. ~~N/A~~ ~~30 (two stories)~~					30	N/A	N/A-

Table B5-2. Residential Development Standards									
Zoning	Minimum Lot Area (square feet)	Setbacks (feet)					Maximum Height (feet) (stories)	Maximum Structural Lot Coverage	Maximum Floor-Area Ratio
		Front	~~Side~~	Interior Side	Street Side	Rear			
CG	No minimum ~~lot area or coverage.~~	Per General or Special Plans-		0-12 ~~ft~~	0-12 ~~ft~~	20 ~~ft~~	30	No minimum ~~lot area or coverage.~~	N/A

Source: City of Cupertino, Municipal Code Tile 19: Zoning

Notes: ~~1. Setback may vary depending on the number of floors per residential structure.~~

~~2. Minimum rear yard setback is 20 ft./20% lot depth, whichever is greater~~.

N/A = Not Applicable/Available

Note: Standards in planned development districts are consistent with the applicable residential zone. For example, P(CG, R-3) would indicate a mixed-use planned development for which the commercial use would follow Commercial General development standards and the residential component would be subject to the development standards of the R-3 zone. For residential projects in Planned Development zoning districts, the P zoning allows flexibility in proposing their own standards depending on the types of units being proposed.

PARKING REQUIREMENTS

In California, providing sufficient parking for vehicles is an essential part of good planning. At the same time, however, excessive parking requirements can detract from the feasibility of developing new housing at a range of densities necessary to facilitate affordable housing. The City's Zoning Code establishes residential parking standards, as summarized in Table B5-3, Parking Requirements. The City has included **Strategy HE-1.3.9** to analyze parking standards in comparison to those of neighboring jurisdictions, reduce parking requirements in response to this analysis, ~~review~~ and revise all residential parking standards to ensure parking is not a constraint to the development of housing.

Table B5-3. Parking Requirements

Zoning Designation	Housing Type	Parking Requirement
R-1	Single-Family	4 / Dwelling Unit (DU) (2 garage, 2 open)
R-2	Duplex	3 / DU (1.5 enclosed, 1.5 open)
R-3	High-Density Multi-family (all size units)	2 / DU (1 covered, 1 open)
RHS	Single-Family	4 / DU (2 garage, 2 open)
A-1	Single-Family	4 / DU (2 garage, 2 open)
P	Single-Family High-Density Multi-family Small Lot Single-Family, Townhouse	4 / DU (2 garage, 2 open) 2 / DU (1 covered, 1 open) 2.8 / DU (2 garage, 0.8 open)
BQ	Permanent emergency shelter	Minimum of one parking space for each non-resident employee

Source: City of Cupertino, 2023 ~~Housing Element Technical Report~~.

~~The requirement for two parking spaces for studios and single room occupancies (SROs) in the R-3 Zoning District constitutes an undo constraint on the development of affordable housing. A program has been included to lower the number of required parking spaces for studio and SRO units (see Strategy HE-1.3.11).~~

CUMULATIVE IMPACTS OF DEVELOPMENT STANDARDS

~~MULTI-FAMILY UNITS~~

State law requires the City to consider the impacts of development standards on the cost of housing, and further to consider the cumulative impacts of development standards on the cost and supply of housing. The City has historically tried to be creative in allowing multiple forms of residential developments in its Planning Development and ~~R1~~ Cluster zoning, such as row homes, townhomes, condominiums, and small lot single-family etc. Within single-family neighborhoods, the City has required a minimum lot size of 5,000 square feet. This standard is not a constraint on the development of housing~~,~~ since other forms of development and zoning allowed much smaller lot sizes. ~~Furthermore, since the City is built out, there is little to no potential for development of further single~~

~~family tracts/developments~~. Further, the passage both of Senate Bill (SB) 9, which allows for lot splits and duplexes by-right, and of new accessory dwelling unit (ADU) legislation, which allows up to two ADUs and one junior accessory dwelling unit (JADU) by-right, in addition to the primary residence on the single-family lot, has lessened the constraints on what are traditionally single-family zoned properties.

Similarly, the primary development standard affecting housing costs for multifamily units is typically the maximum allowable density. The R-3 District permits multifamily residential development. This district requires a minimum lot area of 9,300 square feet for a development with three dwelling units and an additional 2,000 square feet for every additional dwelling unit. The minimum lot width in the R-3 District is 70 feet, and lot coverage may not exceed 40 percent of net lot area. For single-story structures, required setbacks are 20 feet in the front yard, 6 feet in the side yard, and the greater of 20 feet or 20 percent of lot depth in the rear yard; the minimum side yard setback for two-story structures is 9 feet. The maximum height of any building is two stories and may not exceed 30 feet. This height limit is used because many R-3 districts are contiguous to single-family residential neighborhoods. Basements submerged entirely below grade, except for lightwells required for light, ventilation, and emergency egress, which may have a maximum exterior wall height of two feet between natural grade and ceiling, are permitted and are not counted towards the height requirements. For these reasons, the building height standards in the R-3 District are not considered a constraint to housing production. Furthermore, the development standards for the R-3 District are on par with standards present in neighboring jurisdictions and do not unreasonably constrain the development of multifamily housing. Multifamily residential uses are permitted uses in the R-3 District without the need for a Use Permit. Developments are able to achieve the maximum allowable densities under existing development standards, including the height limit and maximum lot coverage. For example, looking at the number of developable units on a one-acre parcel, the maximum density allowed on a one-acre parcel is 20 units. With a maximum lot coverage of 40 percent and assuming two stories of residential development, approximately 35,000 square feet of residential development can be achieved. Using conservative assumptions of 20 percent common area space and large unit sizes of 1,400 square feet, 20 units can be developed under this scenario. This analysis demonstrates that projects would be able to achieve the maximum allowable density in the R-3 District under the development standards.

Other zoning districts where residential development is allowed include~~s~~ Planned Development Residential or P(Res) zoning districts. These are typically higher-~~-~~density zoning districts with densities of up to 35 dwelling units per acre. Building heights typically range from two to three stories (higher along transportation corridors such as Stevens Creek Boulevard and De Anza Boulevard). There are no maximum floor-~~-~~area ratio limits and this zoning district allows a multitude of development types ranging from multi-~~-~~family apartments, condominium developments to small lot single-family, rowhomes/townhomes to cluster developments. The City has seen great success in developing a variety of housing types with this zoning designation and has been able to meet (and with S~~s~~tate density law bonuses, exceed) the maximum density for a site.

In addition, the designation of selected housing sites as Priority Housing Sites (see **Policy HE-1.3**) ensures that the designated number of units assigned to sites in **Tables B4-**7 and **B4-9** of this 6th

Cycle Housing Element can be readily achieved, regardless of the specific development standards of the R-3 and other multifamily-allowing districts.

ANALYSIS OF DEVELOPMENT STANDARDS BY ZONE

The City evaluated the cumulative impact of its land use controls on the cost and supply of housing, including development standards that limit sites' building envelope (setbacks, private open space, and parking) and lot coverage restrictions. Based on this evaluation, none of the land use controls in conventional residential zoning districts would prevent an applicant from reaching the maximum density allowed for single-family development in single family-zones and multifamily developments in all zones, including Planned Development zoning districts, where multifamily is allowed, or otherwise constrain housing development. Current development standards for the residential zones that permit multifamily housing were applied to RHNA inventory sites of varying size that are listed in **Tables B4-7 or B4-9**, or hypothetical sites representing common parcel sizes in each respective zone when an inventory site was not available. The results confirmed the above conclusion, and each scenario achieved the respective zone's maximum allowable density (**Table B5-4**).

In the R-2 zone (maximum 20 units per acre), the City analyzed development feasibility on the minimum parcel size, 8,500 square feet, and on an approximately one-half acre parcel. Sites larger than one-half acre were not evaluated, as development standards do not become more restrictive as parcel size increases. In both scenarios, the maximum density can be achieved with a mix of one-, two-, and three-bedroom units served by the required covered/garaged and uncovered (screened) parking.

The R-3 and Planned Development zones (maximum 35 units per acre) ~~is~~are the City's existing multifamily designation and is intended to allow more conventional stacked residential product types. Development feasibility on the minimum parcel size, approximately 9,300 square feet for the R-3 zone, was evaluated. To represent development on a larger site, the City combined three adjacent parcels identified in the sites inventory (sites 17, 18, and 19) to create an approximately single three-quarter acre lot. In both scenarios, the maximum density can be achieved with a mix of studio, one-, and two-bedroom units served by the required covered/garaged and uncovered (screened) parking. Similarly, in the Planned Development zoning district, there are no minimum parcel sizes – the only development regulation that dictates number of units allowed is density. These Planned Development zoning districts are located mainly along the City's arterials and an analysis of the previously approved projects in the 5th Cycle production period indicates that the adopted standards are not barriers to development.

As part of **Strategy HE-1.3.3**, the City is proposing an R-4 zone (maximum 80 units per acre) to allow even higher density development to occur, in appropriate areas. As presently drafted, the standards are comparable to those applicable to development in the R-3 zone, with the exception of maximum height and lot coverage. The R-4 zone will permit development up to a maximum of 70 feet (5 floors) instead of 30 feet (2 floors) and allows for a lot coverage maximum of 0.55 instead of 0.4. The City evaluated development feasibility on a 1.6-acre parcel identified in the sites inventory (site 13), which represents a lot size commonly found in the R-4 zone, and on a 1-acre lot to represent development at the smaller end of the parcel size spectrum. In both scenarios, the maximum density can be achieved with a mix of studio, one-, and two-bedroom units in a five-floor podium-style

product with the first two floors reserved exclusively for parking. As lot size increases, developers may develop wrap-style products to reduce building footprint and increase space for community amenities without sacrificing livable square footage.

The first step in the analysis was to determine the allowable building footprint given the site size and the maximum lot coverage. The next step was to determine the maximum allowed developable envelope given the lot coverage, setback, open space, and parking requirements. Private open space was accommodated within the developable envelope and was not assumed to encroach into setback areas. Covered parking was subtracted from the maximum building footprint to determine the occupiable area on the first floor. Occupiable area on the second floor, and additional floors, was set equal to the first floor building footprint, including parking area, less additional setback/step-back requirements. Average unit size was calculated by dividing the total occupiable building area by the permitted number of units (site acreage multiplied by density). Density bonus units are not factored into the calculations.

Table B5-4. Cumulative Impacts Analysis, by Zone

	Scenario 1	Scenario 2
R-2 Zone		
APN:	N/A	N/A
Square footage:	8,500	22,000
Length (feet):	100	200
Width (feet):	85	110
Lot coverage:	0.4	0.4
Number of stories (30 ft max):	2	2
Maximum building footprint, given lot coverage requirements:	3,400	8,800
Maximum building envelope given setbacks and parking (see below for spaces per unit)	3,060	8,800
Covered parking spaces per unit:	*2*	*2*
Area required for covered parking (sqft):	*1,760*	*4,400*
Parking type:	*Garage*	*Garage*
Maximum occupiable building square footage:	4,000	12,800
Number of units:	4	10
Average unit square footage:	1,000	1280
Achievable Density (units per acre):	**20**	**20**
Permitted Density (units per acre):	**20**	**20**
R-3 Zone		
	Sites 17, 18, 19	**Scenario 2**
APN:	369-37-022-024	N/A
Square footage:	33,750	9,450
Length (feet):	225	105

Table B5-4. Cumulative Impacts Analysis, by Zone		
	Scenario 1	Scenario 2
Width (feet):	150	90
Lot coverage:	0.4	0.4
Number of stories (30 ft max):	2	2
Maximum building footprint, given lot coverage requirements:	13,500	3,780
Maximum building envelope given setbacks, parking (see below for spaces per unit) and private open spaces (10-20% of unit size):	22,080	4,992
Covered parking spaces per unit:	*1*	*1*
Area required for covered parking (sqft):	*5,400*	*1,600*
Parking type:	*Garage / Carport*	*Garage / Carport*
Maximum occupiable building square footage:	21,060	5,772
Number of units:	27	8
Average unit square footage:	780	722
Achievable Density (units per acre):	**35**	**35**
Permitted Density (units per acre):	**35**	**35**
New R-4 Zone		
	Site 13	**Scenario 2**
APN:	32607022	N/A
Square footage:	71,500	43,750
Length (feet):	325	250
Width (feet):	220	175
Lot coverage:	0.55	0.55
Number of stories (70 ft max):	5	4
Maximum building footprint, given lot coverage requirements:	39,325	24,063
Maximum building envelope given setbacks, parking (see below for spaces per unit) and private open spaces (10% of unit size):	49,920	29,340
Covered parking spaces per unit:	*1*	*1*
Area required for covered parking (sqft):	*39,300*	*24,000*
Parking type:	*Structured garage*	*Structured garage*
Maximum occupiable building square footage:	118,000	69,408
Number of units:	131	80
Average unit square footage:	901	868
Achievable Density (units per acre):	**80**	**80**
Permitted Density (units per acre):	**80**	**80**

~~In addition, the designation of selected housing sites as Priority Housing Sites (see **Policy HE-1.3**) ensures that the designated minimum number of units assigned to sites in **Tables B4-3** 7 and **B4-9** of this 6th~~th~~ Cycle Housing Element can be readily achieved, regardless of the specific development standards of the R-3 and other multi-family-allowing districts.~~

ZONING FOR A VARIETY OF HOUSING

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population. This includes single-family housing, multifamily housing, manufactured housing, mobile homes, emergency shelters, and transitional housing, among others. See Table B5-4, Permitted Uses in Residential Zones, for permitted and conditionally permitted uses by land use in residential zones.

Table B5-5 Permitted Uses in Residential Zones

Land Use	A	A-1	R-1	RHS	R1C	R-2	R-3	BQ
Accessory Dwelling Unit	P	P	P	P	P	P	P	-
Single-family dwelling unit		P	P	P	P	P	P	-
Dwelling, multi-family	-	-	-	-	-	-	P	-
Manufactured Housing	P	P	P	P	P	P	P	-
Residential Care Facility (6 or fewer)	P	P	P	P	P	P	P	-
Residential Care Facility (7 or more)	CUP - PC	CUP - PC	CUP - PC	CUP - PC	CUP - PC	CUP - PC	CUP - PC	CUP - PC
Transitional and Supportive Housing	P	P	P	P	P	P	P	-
Emergency Shelter	-	-	-	-	-	-	-	P
Employee Housing (36 Beds or 12-unit spaces)	P	P	-	CUP-Admin.	-	-	-	-
Employee Housing (6 or fewer employees)	P	P	P	P	P	P	P	P

Source: City of Cupertino Zoning Code

Notes: P – Permitted Use, - – Not Allowed, CUP - Admin. – Conditional Use Permit issued by the Director of Community Development, CUP - PC – Conditional Use Permit issued by the Planning Commission.~~,~~

ACCESSORY DWELLING UNITS

Accessory dwelling units (ADUs), also called "second units" in the Zoning Code, are attached or detached residential dwellings that provide complete, independent living facilities for one or more persons. That is, they include permanent provisions for living, sleeping, eating, cooking, and sanitation

on the same parcel as a single-family dwelling. To comply with Government Code Section 65852.2, ADUs must be permitted ministerially subject to objective design standards.

Junior accessory dwelling units (JADUs) are ADUs of less than 500 square feet and must be permitted within the walls of the proposed or existing single-family dwelling. An existing bedroom or interior entry into the single-family home is not required for JADUs. Currently, ADUs and JADUs are permitted within all zones where single-family and multifamily dwellings are permitted.

ADUs and JADUs offer an opportunity for homeowners to earn additional income and provide an opportunity for affordable housing units.

~~An Accessory Dwelling Units (ADU) is an attached or detached, self-contained unit on a single-family residential lot. These units are often affordable due to their smaller size. To promote the goal of affordable housing within the City, Cupertino's Zoning Ordinance permits ADUs on lots in Single-Family Residential (R-1), Residential Hillside (RHS), Agricultural (A), and Agricultural Residential (A-1) Districts. ADUs on lots of 10,000 square feet or more may not exceed 800 square feet, while units on lots smaller than 10,000 square feet cannot exceed 640 square feet. All ADUs must have direct outside access without going through the principal dwelling. If the residential lot encompasses less than 10,000 square feet, the ADU must be attached to the principal dwelling unless otherwise approved by the Director of Community Development through Architectural Review.~~

~~ADUs are subject to an architectural review by the Director of Community Development. The design and building materials of the proposed second unit must be consistent with the principal dwelling. In addition, the ADU may not require excessive grading which is visible from a public street or adjoining private property. The architectural review is done at the ministerial (building permit) level and is intended to ensure that the second unit is consistent with the architecture, colors, and materials of the primary house. This architectural review requirement constitutes an undo constraint on the development of this important form of affordable housing and is inconsistent with new state law governing the development of ADUs.~~

One additional off-street parking space ~~must be provided~~is required if the principal dwelling unit has less than the minimum off-street parking spaces for the residential district in which it is located. ~~ADUs must also comply with the underlying site development regulations specified by the zoning district.~~ In most cases, State law exempts ADU development from having to provide parking, except in Residential hillside zoning districts far from transit lines. The City routinely reviews its ADU ordinance to ensure compliance with State law and will continue to do so. ADUs must also comply with the underlying site development regulations specified by the zoning district.

In February 2024, The City adopted an updated ADU ordinance to comply with state law, and to go above and beyond the State requirements. The updated ordinance includes the following:

- Permit up to three streamlined ADUs of any kind (three detached, three attached or three JADUs, or three conversion ADUs);
- In duplexes, permit streamlined ADUs similar to single family but up to a maximum of four units total: two detached, two attached, two JADUs or two conversion ADUs.

The City has included **Strategy HE-1.3.~~2~~ 8** to review and revise ADU requirements to ensure compliance with State law. **Strategy HE-1.3.8** also included several actions the city plans to take to promote the development of ADUs. ~~has been added to the Goal and Policy section of this 6th Cycle Housing Element to address this problem.~~

TRANSITIONAL AND SUPPORTIVE HOUSING

Transitional housing is defined in Section 50675.2 of the Health and Safety Code as rental housing for stays of at least six months but where the units are recirculated to another program recipient after a set period. Transitional housing may be designated for a homeless individual or family transitioning to permanent housing. This housing can take many structural forms, such as group housing and multifamily units and may include supportive services to allow individuals to gain necessary life skills in support of independent living.

Supportive housing is defined by Health and Safety Code Section 50675.14 as housing with linked on-site or off-site services with no limit on the length of stay and occupied by a target population as defined in Health and Safety Code Section 53260 (i.e., low-income person with mental disabilities, AIDS, substance abuse, or chronic health conditions, or persons whose disabilities originated before the age of 18). Services linked to supportive housing are usually focused on retaining housing, living and working in the community, and/or health improvement.

Government Code Section 65583 requires that transitional and supportive housing types be treated as residential uses and subject only to those restrictions that apply to other residential uses of the same type in the same zone. Additionally, according to Government Code Section 65651-(a), supportive housing must be permitted by-right in multifamily zones and mixed-use and nonresidential zones allowing multifamily. Both transitional and supportive housing types must be explicitly permitted in the Municipal Code. Additionally, Government Code Section 65583(c)(3) requires that jurisdictions change their zoning to provide a "by-right" process and expedited review for supportive housing. The City currently permits Transitional and Supportive housing consistent with State law but has included **Strategies HE-1.3.12 and 2.3.10** to assist with the development of these housing types.

RESIDENTIAL CARE FACILITIES

Pursuant to State law, licensed residential care facilities for six or fewer residents are permitted by right in all residential districts (including A, A-1, R-1, R-2, R-3, RHS, and R-1C). Licensed small group homes are not subject to special development requirements, policies, or procedures that would impede such uses from locating in a residential district. Furthermore, small group homes (with six or fewer persons) with continuous 24-hour care are permitted by right in all residential districts. Large group homes (with more than six residents) are conditionally permitted uses in the R-1 District, subject to Planning Commission approval. **Strategy HE-5.1.5** has been included to ensure compliance with State law and allow facilities for seven or more persons only subject to those restrictions that apply to other residential uses of the same type in the same zone.

EMERGENCY SHELTERS

The Zoning Ordinance allows for permanent and rotating homeless shelters in the Quasi-Public Building (BQ) zone by-right without discretionary review. Rotating homeless shelters are permitted

within existing church structures in the BQ zone for up to 25 occupants. The operation ~~period~~ of rotating shelters cannot exceed two months in any one-year span at a single location. Permanent emergency shelter facilities are permitted in the BQ zone. ~~if the facility is limited to 25 occupants, provides a management plan, and if occupancy is limited to six months or fewer.~~

To ensure compliance with Government Code Section 65583 (a)(4) (Assembly Bill [AB] 2339), the City will amend the Zoning Code to also permit emergency shelters in the new R4 zoning district by-right without discretionary review and update the definition of emergency shelter. The R4 zone is close to services and grocery stores and has sufficient capacity for an emergency shelter. The R4 zone has 22 parcels totaling 26.72 acres, ranging in size from 0.24 to 5.16 acres, with the majority of the parcels ranging from 0.05 to 1.75 acres. These parcels assumed to accommodate a potential emergency shelter are all non-vacant sites and the suitability and development potential of these sites is discussed in conjunction with the sites inventory, including in **Table B4-4** and associated discussion. Based on the identified need in Appendix B2, Housing Needs Assessment, the City is required to identify sites with capacity for 102 persons experiencing homelessness. Based on an estimate of 200 square feet per person of lot space, 0.47 acres would need to develop with an emergency shelter use. Redevelopment of this amount of R4-zoned land from the inventory would not cause the RHNA inventory to enter a capacity shortfall. **Strategy HE-5.1.1** has been included to allow emergency shelters in the R4 zoning district and review; amend the definition of emergency shelter to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care; and revise managerial standards to ensure compliance with State law including AB 2339.

SINGLE-ROOM OCCUPANCY

Single-Room Occupancy (SRO ~~units~~) units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. The Cupertino Zoning Ordinance does not currently define or identify where SRO units are permitted, but, ~~contain specific provisions for SRO units.~~ SRO units are treated as a regular multi-family use, subject to the same restrictions that apply to other residential uses in the same zone. However, to add clarity around the permissibility of these units, **Strategy HE-2.3.10** has been included to define SROs and allow them in the R4 zoning district.

LOW-BARRIER NAVIGATION CENTERS

AB 101, adopted in 2019, requires approval "by right" of low-barrier navigation centers that meet the requirements of State law. "Low Barrier Navigation Center" means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. ~~If the City receives applications for these uses, it will process them as required by State law.~~ To ensure compliance with State law, **Strategy HE-5.1.4** has been included. ~~A program has been included to allow the development of low-barrier navigation centers by right (see Strategy HE-1.3.8).~~

FARMWORKER AND EMPLOYEE HOUSING

Pursuant to the State Employee Housing Act, any employee housing consisting of no more than 36 beds in a group quarter or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use. No Conditional Use Permit (CUP), zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located. The Employee Housing Act also specifies that housing for six or fewer employees shall be treated as a residential use. In 2014, the City amended the Zoning Ordinance to be consistent with the State Employee Housing Act, permitting employee housing for six or fewer residents in all residential zoning districts and employee group quarters in the A and A-1 districts, and in the RHS district with approval of an Administrative CUP.

MANUFACTURED HOUSING~~MOBILE HOMES PARKS~~

Manufactured housing ~~and mobile homes~~ can be an affordable housing option for low- and moderate-income households. ~~According to the Department of Finance, as of 2013, there are no mobile homes in Cupertino. Pursuant to State law, a mobile home built after June 15, 1976, certified under the National Manufactured Home Construction and Safety Act of 1974, and built on a permanent foundation may be located in any residential zone where a conventional single-family detached dwelling is permitted subject to the same restrictions on density and to the same property development regulations.~~ Currently, the City permits mobile homes for purposes of a caretaker unit in the Park and Recreation zone by right. **Strategy HE-5.1.6** has been included to amend the Zoning Code to permit manufactured homes, as defined in Government Code Section 65852.3, in the same manner and in the same zoning districts as a conventional or stick-built structures are permitted.

SB 35 STREAMLINING

SB 35 requires jurisdictions that have failed to meet their Regional Housing Needs Assessment allocation (RHNA) to provide a streamlined, ministerial entitlement process for housing developments that incorporate affordable housing. The City Council adopted procedures for processing Streamlined Projects on September 3, 2019. The SB 35 Checklist in Resolution No. 19-113 has been updated to reflect amendments to S~~s~~tate law by AB 1485 and is available online. This procedure has an established process that specifies the SB 35 streamlining approval process and standards for eligible projects. The City has also processed the Vallco Town Center (The Rise) Development, which included ~~2,402~~2,669 residential units, ~~485~~226,0~~5~~00 square feet~~.~~ of retail uses, and approximately 1,9~~1~~0~~5~~5,000 square feet~~.~~ of office development~~,~~ under SB 35. ~~Government Code section 65913.4 allows qualifying development projects with a specified proportion of affordable housing units to move more quickly through the local government review process and restricts the ability of local governments to reject these proposals. The bill creates a streamlined approval process for qualifying infill developments in localities that have failed to meet their RHNA, requiring a ministerial approval process, removing the requirement for CEQA analysis, and removing the requirement for discretionary entitlements.~~

SENATE BILL 330 PROCESSING PROCEDURE

SB 330, the Housing Crisis Act of 2019, established specific requirements and limitations on development application procedures. Housing developments for which a preliminary application is submitted that complies with applicable General Plan and zoning standards is subject only to the development standards and fees that were applicable at the time of submittal. This applies to all projects unless the project square footage or unit count changes by more than 20 percent after the preliminary application is submitted. The developer must submit a full application for the development project within 180 days of submitting the preliminary application. The City has established an application process related to SB 330 and makes the preliminary application available on the City's website.

SB 9 CALIFORNIA HOUSING OPPORTUNITY AND MORE EFFICIENCY (HOME) ACT

SB 9, also known as the California Housing Opportunity and More Efficiency (HOME) Act, is a State bill that requires cities to allow one additional residential unit onto parcels zoned for single-dwelling units. Since the adoption of this section of the Government Code, the City has adopted regulations, that allow development beyond that allowed under State law, to permit duplexes in qualifying single-family zoning districts. ~~and is actively working to further update its Zoning Code to facilitate subdivision under SB 9. A program has been included to allow SB 9 subdivision (see Strategy HE-1.3.9).~~

CONSTRAINTS FOR PEOPLE WITH DISABILITIES

California SB 520, passed in October 2001, requires local housing elements to evaluate constraints for persons with disabilities and develop programs that accommodate the housing needs of disabled persons. Additionally, in public comments to City Council, community members expressed a need for the City to explore ways to increase housing opportunities for the developmentally disabled population and reducing barriers to accessing below-market rate units. The City does this with the adopted Reasonable accommodation procedure and will be removing the CUP process for larger residential care facilities -through implementation of **Strategy HE-5.1.5.**

Reasonable Accommodation Procedure

Both the federal Fair Housing Act and the California Fair Employment and Housing Act impose an affirmative duty on cities and counties to make reasonable accommodations in their zoning and land use policies when such accommodations are necessary to provide equal access to housing for persons with disabilities and do not impose significant administrative or financial burdens on local government or undermine the fundamental purpose of the zoning law. Reasonable accommodations refer to modifications or exemptions to particular policies that facilitate equal access to housing. Examples include exemptions to setbacks for wheelchair access structures or to height limits to permit elevators.

The City of Cupertino adopted an ordinance in April 2010 for people with disabilities to make a reasonable accommodations request. Chapter 19.25 provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act, the Federal Fair Housing Amendments Act of 1988, and the California Fair

Employment and Housing Act. A reasonable accommodation may be approved by the City's Director of Community Development-Services, -only after the director first finds:

- The proposed improvements are necessary to provide housing access for persons with disabilities.
- The reasonable accommodation granted is one that will accomplish the purpose with the least modification to the development or land use regulations from which reasonable accommodation is being requested.
- The granting of the reasonable accommodation will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, and general welfare, or convenience, and to secure the purpose of the title.

The City's requirements for approval of a reasonable accommodation conform to the State's requirements and therefore do not serve as a constraint on housing for individuals with disabilities.

Separation Requirements: The City's Zoning Ordinance requires residential care facilities located in the A, A-1, R-1, RHS, R1C, R-2, and R-3 zones with seven or more persons must have a minimum distance of 500 feet from the property boundary of another residential care facility, provided that the facility obtains any license.

Site Planning Requirements: Site planning requirements are no different for these uses than other residential uses in the same zone.

Zoning and Other Land Use Regulations: The ~~In conformance to state law,~~City provides for a variety of housing types intended to care for the special needs of individuals with disabilities. The City's Zoning Ordinance defines residential care facilities in residential dwellings where non-medical care is provided. Small or large community residential care facilities include counseling, recovery planning, medical, or therapeutic assistance facilities for the elderly; facilities for the mentally disordered or otherwise handicapped;~~,~~ alcoholism or drug abuse recovery or treatment facilities; and other similar care facilities. Licensed residential care facilities for six or fewer individuals are allowed by right in all residential districts, while large care facilities are subject to a CUP in all residential districts. The City has included **Strategy HE-5.1.5** to allow residential care facilities for seven or more persons subject only to those restrictions that apply to other residential uses of the same type in the same zone. ~~licensed residential care facilities for six or fewer residents are permitted by right in all residential districts (including A, A-1, R-1, R-2, R-3, RHS, R-1C). Licensed small group homes are not subject to special development requirements, policies, or procedures which would impede such uses from locating in a residential district. Furthermore, small group homes (with six or fewer persons) with continuous 24-hour care are permitted by right in all residential districts, as are transitional and supportive housing. Large group homes (with more than six residents) are conditionally permitted uses in the R-1 District, subject to Planning Commission approval.~~

Definition of Family: The Zoning Ordinance contains a broad and inclusive definition of family. A family means an individual or group of persons living together who constitute a bona fide single

housekeeping unit in a dwelling unit. Families are distinguished from groups occupying a hotel, lodging club, fraternity or sorority house, or institution of any kind. This definition of family does not limit the number of people living together in a household and does not require them to be related. Therefore, the City's definition of "family" is not a constraint on housing for individuals with disabilities.

BUILDING CODES AND PERMITTING

The City's Building Code does not include any amendments to the California Building Code that might diminish the ability to accommodate persons with disabilities.

DEVELOPMENT FEES AND EXACTIONS

Housing development is subject to permit processing and impact fees. These fees help to compensate the public for any impact associated with the new development. Like cities throughout California, Cupertino collects development fees to recover the capital costs of providing community services and the administrative costs associated with processing applications. New housing typically requires payment of school impact fees, sewer, and water connection fees, building permit fees, wastewater treatment plant fees, and a variety of handling and service charges. Typical development and planning fees collected are outlined in Table B5-53, Cupertino Development and Planning Fees (July 2022). ~~The total cost of permits, City fees, and other professional services fees (such as project specific architecture and engineering designs and schematics) has been estimated to equate to 20 percent of construction costs, or approximately 10 percent of total project costs. A more complete list of applicable planning and development fees can be found on the City's website under Fee Schedule C – Planning.~~

~~Table B5-4:~~Table B5-6. Cupertino Development and Planning Fees (July 2022)	
Subdivisions	
-Parcel Map	$19,190
-Tentative Map	$31,919
Conditional Use Permit	
-Temporary Use Permit	$4,256
-Administrative Conditional Use Permit	$7,048
Minor[1]	$19,305
Major[2]	$32,169
Amendment to Conditional Use/Development Permit	
Minor[1]	$8,868
Major[2]	$16,196
Architectural and Site Approval Permit	
Minor Duplex / Residential[3]	$6,782
Minor[4]	$13,355
Major[5~~4~~]	$19,878
Single Family (R-1) Residential Permits	

Minor Residential Permit	$3,482
Two-Story Permit without Design Review	$4,522
Two-Story Permit with Design Review	$5,427
Director Minor Modification[6]	$4,757
Ministerial Residential Permits	
Miscellaneous Ministerial Permit	$3,965
Environmental Assessment	
Environmental Impact Report (Plus State & County Filing Fees)	Contract + Admin Fee Estimated cost: $60,000 - $150,000, depending on the scope of the project
Negative Declaration - Major (Plus State & County Filing Fees)	Contract + Admin Fee Estimated cost: $30,000 - $45,000
Negative Declaration - Minor (Plus State & County Filing Fees)	Contract + Admin Fee Estimated cost: $20,000 - $35,000
Categorical Exemption (Plus County Filing Fee)	$347 filling fee Estimated cost: $5,000 - $25,000, depending on complexity of project/studies required
Zoning, Planning, Municipal Code Fees	
All Nonr-Residential and Multif-Family (per sq. ft.)	$0.45
Residential Single-Family (per sq. ft.)	$0.22

Source: City of Cupertino, Schedule C – Planning.
Notes:
1. For ~~ten thousand~~ 10,000 square feet or less of commercial and/or industrial and/or office and/or other non-residential use, or six or less residential units (Cupertino Municipal Code, Chapter 19.12).
2. For more than ~~ten thousand~~ 10,000 square feet of commercial and/or industrial and/or office and/or other non-residential use, or greater than six residential units (Cupertino Municipal Code, Chapter 19.12).
3. Architectural approval of single-family homes in a planned development zoning district, redevelopment, or modification of duplexes, and associated landscaping, where such review is required (Cupertino Municipal Code, Chapter 19.12).
4. Architectural approval of the following: minor building modifications, landscaping, signs, and lighting for new development, redevelopment, or modification in such zones where such review is required (Cupertino Municipal Code, Chapter 19.12).
5. Architectural approval of all other development projects (Cupertino Municipal Code, Chapter 19.12).
6. An application that is administratively reviewed by staff either at an advertised public hearing/meeting or in a non-hearing process (Cupertino Municipal Code, Chapter 19.164).

In the spring 2022, the Santa Clara County Planning Collaborative conducted a survey of fees and permit processing times in Santa Clara County. Fourteen of fifteen jurisdictions completed the survey. The results indicated that Cupertino's fees are on the higher end when looking at all Santa Clara County jurisdictions. Cupertino's fees totaled $136,596 per single-family home (**Table B5-6**), $77,770 per unit of a hypothetical 10-unit multi-family development (**Table B5-7**), and $73,959 per unit of a 100-unit multi-family development (**Table B5-8**). The median fees for other jurisdictions who completed the survey were $70,626 for a single-family home, $31,802 per unit for a 10-unit development, and $29,902 per unit for a 100-unit development. The fees also represent a relatively low percentage of the overall cost to develop housing in Cupertino. Based on the Santa Clara County Planning Collaborative survey results and an analysis on housing development costs performed by Century Urban, a San Francisco-based real estate consulting firm, Cupertino's fees represent 2.9 percent of total development costs for a single-family home, 10.3 percent for a 10-unit multi-family development, and 10.5 percent for a 100-unit multi-family development. While the current fee

structure is on the high end and could be a constraint on development, City fees represent a very small percentage of the overall cost of developing housing within the city. The City has included **Strategy HE-2.3.9** to review and revise impact fees as needed.

Table B5-7. Comparison of Single-Family Housing Development Fees in Santa Clara County							
Jurisdiction	Entitlement Fees	Construction Fees	Impact Fees	Other Fees	Total	Total Fees/DU	% of Dev. Costs
Campbell	$4,062	$43,300	$25,194		$72,556	2,600	2.6%
Cupertino	**$5,271**	**$18,179**	**$113,146**		**$136,596**	**5,000**	**2.9%**
Gilroy	$4,747	$11,105	$53,367		$69,219	5,000	1.5%
Los Altos Hills	$4,880	$108,659	$33,092		$146,631	5,000	3.1%
Los Gatos	$11,202	$16,718	$4,538		$32,458	2,600	1.2%
Milpitas	$17,360	$23,110	$0	$36,728	$77,198	2,600	2.8%
Monte Sereno	$2,900	$16,928	$7,894	$5,723	$33,445	5,000	0.7%
Morgan Hill	$0	$13,760	$42,143		$55,903	2,600	2.0%
Mountain View	$0	$14,720	$71,347	$4,356	$90,423	2,600	3.3%
San Jose	$312	$9,607			$9,919	2,600	0.4%
Santa Clara	$1,816	$13,675	$56,543		$72,034	2,600	2.6%
Saratoga	$7,811	$35,033	$21,428		$64,272	5,000	1.4%
Sunnyvale	$456	$14,322	$99,268	$19,343	$133,389	2,600	4.8%
Unincorporated County	$10,984	$14,182			$25,166	2,600	0.9%

Source: Santa Clara County Regional Planning Collaborative, 2022.-

Table B5-8. Comparison of Small Multif-Family (10 units) Housing Development Fees in Santa Clara County							
Jurisdiction	Entitlement Fees	Construction Fees	Impact Fees	Other Fees	Total	Total Fees/DU	% of Dev. Costs
Campbell	$22,887	$4,027	$179,075		$205,989	$20,599	2.7%
Cupertino	**$84,275**	**$44,478**	**$648,951**		**$777,704**	**$77,770**	**10.3%**
Gilroy	$8,107	$17,904	$375,938		$401,949	$40,195	5.3%
Los Altos Hills	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Los Gatos	$16,965	$27,935	$12,743		$57,643	$5,764	0.8%
Milpitas	$36,714	$131,118	$485,068	$90,362	$743,262	$74,326	9.8%
Monte Sereno	$0	$27,675	$15,065	$5,411	$48,151	$4,815	0.6%
Morgan Hill	$28,052	$45,798	$339,890		$413,740	$41,374	5.5%
Mountain View	$2,841	$137,000	$550,770	$4,356	$694,967	$69,497	9.2%
San Jose	$65,000	$61,600	$107,500		$234,100	$23,410	3.1%
Santa Clara	$37,929	$29,239	$5,826		$72,995	$7,299	1.0%
Saratoga	$7,811	$51,302	$111,520		$170,633	$17,063	2.3%
Sunnyvale	$19,768	$35,918	$1,095,000	$116,043	$1,266,729	$126,673	16.8%
Unincorporated County	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Source: Santa Clara County Regional Planning Collaborative, 2022.

Table B5-9. Comparison of Large Multif-Family (100+ Units) Housing Development Fees in Santa Clara County							
Jurisdiction	Entitlement Fees	Construction Fees	Impact Fees	Other Fees	Total	Total Fees / DU	% of Dev. Costs
Campbell	$28,802	$53,594	$1,771,670		$1,854,066	$18,541	2.6%
Cupertino	**$84,275**	**$1,453,082**	**$5,858,542**		**$7,395,899**	**$73,959**	**10.5%**
Gilroy	$33,787	$129,816	$3,749,871		$3,913,474	$39,135	5.6%
Los Altos Hills	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Los Gatos	$16,965	$189,996	$119,936		$326,897	$3,269	0.5%
Milpitas	$36,714	$616,695	$4,858,789	$461,772	$5,973,970	$59,740	8.5%
Monte Sereno	$0	$193,741	$129,164	$92,729	$415,634	$4,156	0.6%
Morgan Hill	$98,913	$141,780	$3,398,900		$3,639,593	$36,396	5.2%
Mountain View	$45,000	$278,900	$7,899,900	$35,250	$8,259,050	$82,591	11.8%
San Jose	$650,000	$616,000	$1,075,000		$2,341,000	$23,410	3.3%
Santa Clara	$84,156	$161,009	$59,633		$304,798	$3,048	0.4%
Saratoga	$12,211	$429,705	$1,097,200		$1,539,115	$15,391	2.2%
Sunnyvale	$21,545	$240,807	$8,510,640	$1,056,257	$9,829,249	$98,292	14.0%
Unincorporated County	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Source: Santa Clara County Regional Planning Collaborative, 2022.

As a comparison, Table 5BB5-74, Comparison of Development Fees, below, lists estimated fees from neighboring communities within Santa Clara County.

Table B5-5 Comparison of Development Fees

Jurisdiction	Single Family	Small Multi-Family	Large Multi-Family
Campbell	$72,556	$20,599	$18,541
Cupertino	**$136,596**	**$77,770**	**$73,959**
Gilroy	$69,219	$40,195	$39,135
Los Altos Hills	$146,631	N/A	N/A
Los Gatos	$32,458	$5,764	$3,269
Milpitas	$77,198	$74,326	$59,740
Monte Sereno	$33,445	$4,815	$4,156
Morgan Hill	$55,903	$41,374	$36,396
Mountain View	$90,423	$69,497	$82,591
San Jose	$9,919	$23,410	$23,410
Santa Clara	$14,653	$6,733	$2,156
Saratoga	$64,272	$17,063	$15,391
Sunnyvale	$133,389	$126,673	$98,292
Unincorporated County	$25,166	N/A	N/A

SOURCE: Santa Clara County Constraints, Fees, & Processing Times Survey Quick Summary, 2022
NOTE: Total Fees (includes entitlement, building permits, and impact fees) per Unit; and City staff.

Total fees in Cupertino are among the highest in the Santa Clara County jurisdictions for all housing developments. The above average rate of planning and development fees can be considered a constraint to the development of affordable housing. While such reduction of such fees can be complicated because they are often tied to specific development financing, the City must make every effort to bring these fees into line to provide a more comparable cost in relation to the surrounding region. A program has been included to lower permitting fees for multi-family housing projects (see Strategy HE-1.3.10).

REVIEW OF LOCAL ORDINANCES

SHORT-TERM RENTALS

On September 15, 2020, City Council adopted an Ordinance No. 20-2200 with new rules to regulate short-term rentals (STRs), residential rentals of 30 days or less, such as those conducted through or VRBO. As of January 2021, all STRs must be registered with the City, pay a $211 STR registration fee, and must comply with the rules, such as those listed here:

- STRs must be an incidental use and operated by a primary resident.

- Stays are limited to 60 days for un-hosted stays (no host/operator present on-site).
- Limit of one STR per parcel and one rental agreement per night.
- Guest occupancy is limited to two times the number of bedrooms within the STR, or two for a studio unit.
- Must provide the minimum parking spaces required by the zoning district in which it is located, and designate at least one on-site parking space for the STR.
- Must have a local contact that can respond to any complaint within 60 minutes.
- May not be used for commercial purposes or events that are likely to result in violation in traffic, parking, noise, or other standard regulating the residential use and character of the neighborhood. Must comply with quiet hours from 9 p.m. to 7 a.m.
- Must provide a guest manual to the guest upon booking and in a prominent place within the STR. The guest manual must include information on noise, quiet hours, trash collection, vehicle parking, and any relevant regulations from the Municipal Code. A sample Guest Manual Template can be found here.
- Must maintain a license plate registry of all guest vehicles. A sample vehicle registration log can be found here.
- Must retain records documenting compliance for three years.
- May not occur in any ADU.

STR platforms are required to:

- Prevent bookings of any STR that does not have a valid registration number with the City;
- Collect the Transient Occupancy Tax and remit it to the City; and
- Retain records for three years, in case they are needed to verify compliance.

Cupertino's STR ordinance is not seen as a constraint but rather a way to preserve the rental stock to ensure rental units are available for current and future Cupertino residents.

BELOW-MARKET RATE MITIGATION PROGRAM

The City's BMR Residential Mitigation Program requires all new residential developers to either provide below market rate units or pay a mitigation fee, which is placed in the City's Below Market-Rate (BMR) Affordable Housing Fund (AHF). The BMR Mitigation Program is based on a nexus study prepared by the City that demonstrated that all new developments create a need for affordable housing. Under this program, developers of for-sale housing where units may be sold individually must sell at least 15 percent of units at a price affordable to median- and moderate-income households. Projects of seven or more units must provide on-site BMR units. Developers of projects of six units or fewer can either build a unit or provide pay the Housing Mitigation fee. The City treats its BMR units the same as density bonus affordable unit, meaning the provision of BMR units can

count as density bonus affordable units. Density bonus units that are counted toward thee BMR unit total also have to meet the other requirements of the BMR program related to affordability. The City also accepts density bonus affordable units of a deeper affordability than the required BMR units would have been as units counting toward the BMR unit requirements. The City's BMR program is a way to ensure affordable units are built in the city and has not been seen as a constraint to housing development.

PROCESSING AND PERMIT PROCEDURES

As a comparison, Table B5-9 ~~5~~, Comparison of Permit Processing Times (Months), lists estimated permitted processing time from neighboring communities within Santa Clara County. Cupertino's review times are similar to approval times for surrounding jurisdictions and not seen as a constraint to development. However, in response to feedback received from developers in a focus group, the City has included **Strategy 2.3.1** through which the City will give priority in permit processing for projects providing 100 percent affordable housing throughout the city, including projects for special-needs groups, in order to encourage housing affordability and address the desire for expedited processing times.

~~Table B5-6~~Table B5-10. Comparison of Permit Processing Times (Months)

Jurisdiction	ADU Process	Ministerial By-Right	Discretionary By-Right	Discretionary (Hearing Officer if Applicable)	Discretionary (Planning Commission)	Discretionary (City Council)
Cupertino	**1-3**	**1-6**	**2-4**	**2-4**	**3-6**	**6-12**
Gilroy	1-2	1-2	2-4	N/A	4-5	5-6
Los Altos Hills	1-2	0.5-2	2-3	3-4	4-6	5-8
Los Gatos	No Data	3-6*	1-2	2-4	4-6	6-12
Milpitas	3-5	4-6	2-3	6-18	N/A	12-24
Monte Sereno	0.75	0.75	1	1-2	N/A	1-2
Morgan Hill	1-2	1-3	2-3	2-3	4-6	4-6
Mountain View	3-5	4-6	2-3	6-18	N/A	12-24
San Jose	2	1-3	7	7	7-11	5-12
Santa Clara	0-1	0-1	0-3	4-9	6-9	6-12
Saratoga	1	1-2	2-3	N/A	4-6	6-12
Sunnyvale	1-3	1-3	3-6	6-9	9-18	9-18
Unincorporated County	4-6	6-8	9-12	12-15	15-18	15-18

Source: Santa Clara County Constraints, Fees, & Processing Times Survey Quick Summary, 2022.
Note: Permit processing times indicated in months
*Time to first review; and City staff time.

APPROVAL PROCESS

The Housing Element must examine the length of time between receiving approval for a housing development and submittal of an application for building permits. The time between application approval and building permit issuance is influenced by a number of factors, none of which are directly impacted by the City. Factors that may impact the timing of building permit issuance include: required technical or engineering studies; completion of construction drawings and detailed site and landscape design; securing construction and permanent financing; and retention of a building contractor and subcontractors.

The majority of residential permits in Cupertino are for single-family homes, with building permit issuance generally taking 8 to 14 months after Planning approvals. In Cupertino, most approved projects are constructed in a reasonable time period following approval.

As is shown in **Table B5-10**, projects for ADUs and single-family review (building permit only) requiring ministerial review are usually reviewed within two to four weeks. Discretionary approvals, such as two-story single-family homes, subdivisions involving multiple homes, townhomes, or small-lot homes, have longer processing time frames (three to nine months depending on the scope of the project), as is shown in **Table B5-11**. Larger housing developments requiring multiple approvals involve joint applications and permits that are processed concurrently and may require additional environmental review. All approvals for a particular project are reviewed in a single Planning Commission and/or City Council meeting. The typical permit processing times in Cupertino are similar to or lower than those in other jurisdictions and do not pose a major constraint to new development in the city. Cupertino is able to process applications in a timely manner because City staff works closely with applicants during a pre-application process. The pre-application is currently free of charge and its duration may vary depending on the completeness or complexity of the project. The typical pre-application process may consist of the following:

- Initial preliminary consultation with property owners/developers to go over project objectives and City development standards.
- Submittal and review of conceptual development plans.
- Preliminary consultations with relevant City departments (i.e., Fire, Building, Public Works), as deemed necessary.
- Submittal and review of pre-submittal materials and final plans.

One-story, single-family homes in properly zoned areas do not require entitlements from the Community Development Department and are reviewed concurrently with building permit review. However, two-story single-family homes require a two-story permit, which is approved by the Director of the Community Development Department and takes two to three months to process. Two-story homes very seldom require a meeting unless they are requesting an exception or a variance. Residential subdivisions require a tentative parcel map or tentative subdivision map, depending on the number of units in the development, and take two to four months to receive approvals. Multi-family residential developments in R3 Districts are typically approved in two to four months.

Multifamily projects with more than six units require major development permits, while those with fewer than six units require minor development permits. In the case of minor development permits, only an administrative review is required unless a decision is appealed. For major development permits, the Planning Commission is the final review body for developments of up to 49 units, except in cases where their decision is appealed, at which point the final approval is within the authority of the City Council. Developments with 50 or more units are approved by the City Council. Appeals may be made when it is alleged there is an error in any requirement, decision, or determination made. In either case, a public meeting is required but not a public hearing (i.e. only mailed notices within 300 feet of the project are required, but not a published notice in the newspaper), unless a subdivision is proposed, in which case, they are reviewed in accordance with the requirements of the Subdivision Map Act. Review of the development proposal requires the following findings:

1. The proposed development and/or use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience;

2. The proposed development and/or use will be located and conducted in a manner in accord with the Cupertino Comprehensive General Plan, underlying zoning regulations, and the purpose of this title and complies with the California Environmental Quality Act (CEQA).

Finding 2 does not preclude alterations for reasonable accommodation requests or group homes. The City applies these findings in a manner compliant with the Housing Accountability Act using the "specific, adverse impact" standard outlined therein. The City also regularly provides information to the Planning Commission about the Housing Accountability Act findings which must be made by the decision making body in order to deny a project to remind the acting body about the high bar for being able to reduce the density or deny the project. Additionally, these findings are not considered a barrier to development, as the City has not denied any housing development projects in over fifteen years.

Building Permit

Standard plans check and building permit issuance for single-family dwellings in Cupertino takes approximately 20 business days. Plan checks for large additions, remodels, and major structural upgrades for single-family homes are also reviewed within 20 business days. If a second review is necessary, the City will take approximately 15 business days to complete the review.

Over-the-counter plan checks are available for simple home remodels and small residential additions of 250 square feet or less. Building Department staff typically review these projects in less than 30 minutes during normal business hours. Any projects with more than 10 units might take 30 business days to review. Cupertino's building permit procedures are reasonable and comparable to those in other California communities. **Tables B5-10** and **B5-11** provide the typical process for a single--family and multifamily development. These timeframes assume the applicant meets all development regulations.

Post-entitlement phase permit applications are provided with determinations of application completeness within 15 days of receipt, and permits for complete post-entitlement applications are

issued within 30 days (for buildings with 25 units or fewer) or 60 days (for 25+ units) in compliance with SB 2234.

Table B5-11. Single-Family Development Process

Type of Approval or Permit	Time to complete (days/months)	Approval Body
Step 1: Application intake	**2 days**	**Staff and applicant**
Step 2: Plan review	Up to 30 days	Staff
Step 3: Noticing and comment period	2 business days plus 2 weeks	Staff
Step 4: Finalizing approval letter	Up to 2 business days	Staff
Estimated Total Processing Time	7-9 weeks	Staff

Source: City of Cupertino, 2023.

Table B5-12. Multifamily and Planned Development Process

Type of Approval or Permit	Time to complete (days/months)	Approval Body
Step 1: Project intake	**2 business days**	**Staff and applicant**
Step 2: Plan review and distribution	30 business days	Staff
Step 3: Environmental and architectural review	Categorical Exemption no studies needed – 2 weeks	Staff and consultants
	EIR – 9-12 months	
	Categorical Exemption but needs some studies – 2 months	
	MND – 4-6 months	
	Architectural review (Concurrent) – 2-3 weeks	
Step 4: Plan review (second cycle)	30 days	Staff
Step 5: Schedule hearings	3 weeks	Staff
Step 6: Schedule Planning Commission/City Council hearing, if needed	3 – 6 weeks	Staff/Planning Commission/-City Council
Estimated Total Processing Time	20 – 26 Months	Staff

Source: City of Cupertino, 2023.

DESIGN GUIDELINES AND OBJECTIVE DESIGN STANDARDS

Cupertino has not adopted citywide residential design guidelines. However, all Planned Development Zoning Districts, the R1 District, RHS District, the Heart of the City Specific Plan Area, and the North De Anza Boulevard Conceptual Plan Area are subject to design guidelines. These design guidelines pertain to features such as landscaping, building and roof forms, building entrances, colors, outdoor lighting, and building materials.

The Heart of the City Specific Plan design guidelines are intended to promote high-quality private-sector development, enhance property values, and ensure that both private investment and public

activity continues to be attracted to the Stevens Creek Boulevard Special Area. Design guidelines promote retention and development viability of single-family residential–sized lots and enable a transition from these smaller single-family neighborhoods to the larger, multi-family residential and mixed-use properties fronting Stevens Creek Boulevard. The City requires design review for certain residential developments to ensure that new development and changes to existing developments comply with City development requirements and policies. These include:

- Variances in the R-1 District.
- Two-story residential developments in the R-1 District where second-floor to first-floor area ratio ~~n~~ is greater than 0.66:1:00 and/or where second-story side yard setback(s) are less than 15 feet to a property line.
- Two-story addition, new two-story home, and/or second-story deck in the R1-a zone.
- Any new development or modifications in planned development residential or mixed-use residential zoning districts.
- Single-family homes in a planned development residential zoning district.
- Modifications to buildings in the R1-C or R-2 zoning districts.~~;~~
- Signs, landscaping, parking plans, and modifications to buildings in the R-3 zoning district.

For Single-Family Residential, the design guidelines for all projects include the following:[1, 2]~~:~~

- There should not be a three-car-wide driveway curb cut.
- No more than 50 percent of the front elevation of a house should consist of garage area.
  - In the R1-a zone, the maximum width of a garage on the front elevation should be 25 feet, which will accommodate a two-car garage. Additional garage spaces should be provided through the use of a tandem garage or a detached accessory structure at the rear of the property.[2]
- Living area should be closer to the street, while garages should be set back more.
- All roofs should have at least a one-foot overhang.
- Porches are encouraged.
  - In the R1-a zone, the following porch design guidelines apply:[2]
- When viewed from the street, a porch should appear proportionately greater in width than in height. A porch differs from an entry element, which has a proportionately greater height than its width.

[1] Refer to the Eichler Design Handbook- Fairgrove Neighborhood for additional design guidelines in the R1-6e zone.
[2] Nonconformance with the design guidelines in the R1-a zone shall be considered acceptable only if the applicant shows that there are no adverse impacts from the proposed project.

  - Structural supports should be designed such that the appearance is not obtrusive or massive.
  - The use of large columns or pillars is discouraged.
  - The eave height for a front porch should not be significantly taller than the eave height of typical single-story elements in the neighborhood.
  - Porch elements should have detailing that emphasizes the base and caps for posts and fence elements.

- In R1-6e and R1-a zones, entry features should not be higher than 14 feet from natural grade to plate.[2]

The City has detailed two-story design principles incorporated in the R-1 District. These design principles help integrate new homes and additions to existing homes into existing neighborhoods by providing a framework for the review and approval process. Two-story homes with a second story to first-floor ratio greater than 0.66:1.00 and homes with second-story side setbacks less than 15 feet must offset building massing with designs that encompass higher-quality architectural features and materials. For Two-Story Design Guidelines, the mass and bulk of the design should be reasonably compatible with the predominant neighborhood pattern. All new construction should not be disproportionately larger than, or out of scale with, the neighborhood pattern in terms of building forms, roof pitches, eave heights, ridge heights, and entry feature heights. Additionally, the design should use vaulted ceilings rather than high exterior walls to achieve higher volume in interior spaces. In the R1-a zone, all second-story wall heights greater than six feet, as measured from the second-story finished floor, should have building wall offsets at least every 24 feet, with a minimum 4-foot depth and 10-foot width. The offsets should comprise the full height of the wall plane. The current pattern of side setback and garage orientation in the neighborhood should be maintained. When possible, doors, windows, and architectural elements should be aligned with one another vertically and horizontally and symmetrical in number, size, and placement. In the R1-a zone, windows on the side elevations should be fixed and obscured to a height of five feet above the second floor and have permanent exterior louvers to a height of five feet above the second floor, or have sill heights of five feet or greater to mitigate intrusion into a neighbor's privacy.

Two-story homes that are subject to Design Review required by Section 19.28.040(E) in the Zoning Ordinance (except in R1-a zones) must include:

- An identifiable architectural style.
- Design features, proportions, and details consistent with the architectural style selected.
- Visual relief deemed appropriate by the Director of Community Development.
- Materials of high quality.
- Appropriate building mass and scale.
- Design with architectural integrity on all sides of the structure

- Reflect symmetry, proportion, and balance in design.

The design guidelines are intended to ensure development is consistent with the existing neighborhood character and are generally not considered significant constraints to housing production. These design guidelines currently contain ~~non-objective~~subjective design standards, which are inconsistent with State housing law. While much of the design guidelines are applicable to only single-–family development, the City is in the process of developing objective design standards for other forms of residential development. The City has included ~~these guidelines constitute an undo constraint on the development of affordable housing.~~ **Strategy HE-1.3.~~4~~9** to review and revise design and development standards to ensure they are objective in nature, while preserving existing neighborhood character without creating any undue constraints on new housing development-. ~~has been revised to address this problem.~~ This will also address feedback received from developers during a focus group, during which participants expressed a desire for certainty and consistency in the review process. It should be noted that single family or duplex developments are not expected to generate any significant housing options during the 6th Housing Element cycle since the City is largely built out and most housing will be infill development with attached multifamily or townhome developments in R3 and R4 zoning districts.

No discretionary design review is required to permit multifamily housing in the R-3 zone. Design review is not required for projects in the R-3 zone, where multifamily housing is permitted by-right. The City is in the process of adopting Objective Design standards for all multifamily and mixed use development.

~~The Heart of the City Specific Plan design guidelines are intended to promote high-quality private-sector development, enhance property values, and ensure that both private investment and public activity continues to be attracted to the Stevens Creek Boulevard Special Area. Design guidelines promote retention and development viability of single-family residential sized lots in the transition area between Stevens Creek Boulevard fronting development and single-family neighborhoods.~~

~~The City requires design review for certain residential developments to ensure that new development and changes to existing developments comply with City development requirements and policies. These include:~~

- ~~Variances in the R-1 District;~~
- ~~Two-story residential developments in the R-1 District where second floor to first floor area ration is greater than 66 percent and/or where second story side yard setback(s) are less than 15 feet to a property line;~~
- ~~Two-story addition, new two-story home, and/or second story deck in the R1-a zone;~~
- ~~Any new development or modifications in planned development residential or mixed-use residential zoning districts;~~
- ~~Single-family homes in a planned development residential zoning district;~~
- ~~Modifications to buildings in the R1-C or R-2 zoning districts; and~~

- Signs, landscaping, parking plans, and modifications to buildings in the R-3 zoning district.

The City has detailed Two-Story Design Principles incorporated in the R-1 District. These design principles help integrate new homes and additions to existing homes with existing neighborhoods by providing a framework for the review and approval process. Two-story homes with a second story to first floor ratio greater than 66 percent and homes with second story side setbacks less than 15 feet must offset building massing with designs that encompass higher quality architectural features and materials.

Design Review may occur at the Staff or Design Review Committee level, depending on the scope of the project. Staff and the Design Review Committee, consisting of the Planning Commission Vice Chair and one other Planning Commissioner, consider factors such as building scale in relation to existing buildings, compliance with adopted height limits, setbacks, architectural and landscape design guidelines, and design harmony between new and existing buildings to determine design compliance.

REQUESTS TO DEVELOP AT DENSITIES BELOW THOSE PERMITTED

New State Housing Element law now requires the non-governmental constraints analysis to evaluateDuring the previous Housing Element cycle, the city did not approve any projects proposed at developer requests to build at densities below the density identified in the Housing Element sites inventory.

None of the approved projects proposed densities lower than those proposed in the Housing Element. Three out of the five projects requested the maximum allowable under State law at time of entitlement) based on the amount of affordability proposed (35 percent for two projects and 15 percent for one); and the 600-unit Hampton Apartment Homes received approval to build to the maximum anticipated in the Housing Element.

It should be noted that Cupertino is built out and most new development is infill development, unlike in communities where greenfields or large single-family tracts are still being developed. Most development in Cupertino is either attached multifamily or townhome/row home style developments on redeveloped property. To the extent that the City is rezoning properties, these are to accommodate developments that are higher in density than single family developments.

To incentivize development that better implements densities planned in the Housing Element sites inventory, the Housing Element sets forth a program (**Strategy HE-1.3.**~~1~~2) to ensure that there are adequate sites available throughout the planning period to accommodate the City's regional housing needs allocation, or RHNA.

LENGTH OF TIME BETWEEN APPLICATION APPROVAL AND BUILDING PERMIT ISSUANCE

New Housing Element law now also requires an examination of the length of time between receiving approval for a housing development and submittal of an application for building permits. The time between application approval and building permit issuance is influenced by a number of factors, none of which are directly impacted by the City. Factors that may impact the timing of building permit issuance include: required technical or engineering studies; completion of construction drawings and

~~detailed site and landscape design; securing construction and permanent financing; and retention of a building contractor and subcontractors.~~

~~The majority of residential permits in Cupertino are for single-family homes, with building permit issuance generally taking 8-14 months after Planning approvals. In Cupertino most approved projects are constructed in a reasonable time period.~~

BUILDING CODES AND CODE ENFORCEMENT

The City of Cupertino has adopted the 2022 Edition of the California Building Code, the 2022~~19~~ California Electrical Code and Uniform Administrative Code Provisions, the International Association of Plumbing Officials Uniform Plumbing Code (2022~~1~~ Edition), the California Mechanical Code 2022~~19~~ Edition, the 2022~~019~~ California Fire Code, and the 2022 Green Building Standard Code. The City also enforces the 1997 Edition of the Uniform Housing Code, the 1998 Uniform Code for Building Conservation, and the 1997 Uniform Code for the Abatement of Dangerous Buildings ~~Code~~.

Cupertino has adopted several amendments to the California Building Code. The City requires sprinkler systems for new and expanded one- and two-family dwellings and townhouses; underhanging appendages enclosed with fire-resistant materials; roof coverings on new buildings and replacement roofs complying with the standards established for Class A roofing, the most fire-resistant type of roof covering. The amendments also establish minimum standards for building footings, seismic reinforcing on attached multi-family dwellings, and brace wall panel construction. These amendments apply more stringent requirements than the California Building Code. The California Building Code and the City's amendments to it have been adopted to prevent unsafe or hazardous building conditions. The City's building codes are reasonable and do~~would~~ not adversely affect the ability to construct housing in Cupertino.

The City's code enforcement program is an important tool for maintaining the housing stock and protecting residents from unsafe or unsightly conditions. The Code Enforcement Division is responsible for enforcing the provisions of the Cupertino Municipal Code and various other related codes and policies. Code Enforcement Division staff work to achieve compliance through intervention, education, and enforcement, partnering with the community to enforce neighborhood property maintenance standards.

Code Enforcement staff investigate and enforce City codes and State statutes based on complaints received. Violation of a code regulation can result in a warning, citation, fine, or legal action, if not corrected over time. If a code violation involves a potential emergency, officers will respond immediately; otherwise, Code Enforcement staff responds to complaints through scheduled inspections. Since 2007, out of the approximately 21,000 total housing units in the c~~C~~ity, Code Enforcement ~~The City~~ has ~~had to~~ declared only three housing units unfit for human occupancy ~~since 2007,~~ and most residential complaints are ~~resolved~~ readily resolved. Code Enforcement activities are, therefore, not considered a constraint to development of housing in Cupertino.

ON- AND OFF-SITE IMPROVEMENT STANDARDS

Residential developers are responsible for constructing road, water, sewer, and storm drainage improvements for~~n~~ new housing sites. Where a project has off-site impacts, such as increased runoff or added congestion at a nearby intersection, additional developer expenses may be necessary to mitigate these impacts. Accordingly, developers pass t~~T~~hese expenses ~~may be passed~~ on to consumers.

Chapter 18 of the Cupertino Municipal Code (the Subdivision Ordinance) establishes the requirements for new subdivisions, including the provision of on- and off-site improvements. The ordinance requires that subdivisions comply with lot frontage requirements and stormwater runoff be collected and conveyed by an approved storm drain system. Furthermore, each unit or lot within the subdivision must be served by an approved sanitary sewer system, domestic water system, and gas, electric, telephone, and cablevision facilities. All utilities within the subdivision and along peripheral streets must be placed underground.

Typical residential streets are 40 feet wide curb-to-curb (60-foot right-~~-~~of-~~-~~way width) unless a project is adjacent to arterial and-/or major roadways. Street widths within private development are subject to Fire Department requirements related to fire safety, staging, and fire truck turnaround. Typical internal streets with no parking along the street are 20 to 22 feet wide. ~~Common residential street widths in Cupertino range from 20 feet (for streets with no street parking) to 36 feet (for those with parking on both sides).~~ The City works with developers to explore various street design options to meet their needs and satisfy public safety requirements. Developers are typically required to install curbs, gutters, and sidewalks~~;~~, however, there is a process where the City Council can waive these requirements. The City prefers detached sidewalks with a landscaped buffer in between the street and the pedestrian walk to enhance community aesthetics and improve pedestrian safety. However, the City ~~does~~ works with developers to explore various frontage improvement options depending on the project objectives, taking into consideration factors such as tree preservation, land/design constraints, pedestrian safety, and neighborhood pattern/compatibility. This is especially true in Planned Development projects, where the City works with ~~the~~ developers to achieve creative and flexible street and sidewalk designs to maximize the project as well as community benefits.

The Subdivision Ordinance also includes land dedication and fee standards for parkland. The formula for dedication of park land for residential development is based on a standard of three acres of parkland per 1,000 persons. The developer must either dedicate parkland based on this formula or pay an in-lieu fee based on the fair~~-~~-market value of the land being developed.

In addition to parkland dedication, the City Council may require a subdivider to dedicate lands to the school district(s) as a condition of approval of the final subdivision map. If school site dedication is required and the school district accepts the land within 30 days, the district must repay the subdivider the original cost of the dedicated land plus the cost of any improvements, taxes, and maintenance of the dedicated land. If the school district does not accept the offer, the dedication is terminated.

The developer may also be required to reserve land for a park, recreational facility, fire station, library, or other public use if such a facility is shown on an adopted specific plan or adopted general plan. The public agency benefiting from the reserved land shall pay the developer the market value of the land at the time of the filing of the tentative map and any other costs incurred by the developer in the

maintenance of the area. The ordinance states that the amount of land to be reserved shall not make development of the remaining land held by the developer economically unfeasible.

The City of Cupertino's site improvement requirements for new subdivisions are consistent with those in surrounding jurisdictions and do not pose a significant constraint to new housing development.

SUMMARY OF GOVERNMENTAL CONSTRAINTS

The City of Cupertino maintains development regulations that are consistent with Sstate law and that do not pose undo constraints on the development of affordable housing. To continue this into the 6th Cycle Housing Element, new strategies have been incorporated. ~~There are some notable exceptions that have been discussed in the above sections, and in each case a new policy or program has been added to address the problem. The problems that have been addressed include the following:~~

- **Accessory Dwelling Units (ADUs).** As of February 2024, Cupertino in compliance with State law as of submittal of this draft, though an amended ADU ordinance is pending. The City has included **Strategy HE-1.3.8** to review and revise ADU requirements to ensure compliance with State law. **Strategy HE-1.3.8** also included several actions the City plans to take to promote the development of ADUs and. has been added to the Goal and Policy section of this 6th Cycle Housing Element to address this problem.~~requires architectural review for ADUs, and this constitutes a constraint on the development of this important form of affordable housing. It is also inconsistent with new state law governing the development of ADUs. **Strategy HE-1.3.2** has been added to the Goal and Policy section of this 6th Cycle Housing Element to address this problem;~~
- **Residential Design Guidelines.** Cupertino maintains a requirement for design review of multi-family residential projects. These design guidelines currently contain subjective design standards, which are inconsistent with State housing law. The City has included **Strategy HE-1.3.9** to review and revise design and development standards to ensure they are objective.~~These design guidelines currently contain non-objective design standards, which are inconsistent with new state housing law. As such, these guidelines constitute an undo constraint on the development of affordable housing. Strategy HE-1.3.4 has been revised to address this problem;~~
- **Priority Housing Sites.** ~~Cupertino's Zoning Code in some cases does not provide the densities required to achieve the designated number of units assigned to sites in Table B4-3 (Appendix B, Part 4 of this 6th Cycle Housing Element). This does not constitute an undo constraint on the development of affordable housing, but in this specific circumstance it prevents the City from achieving it RHNA. Rather than retool specific zoning districts or create new ones, a policy has been added to designate selected housing sites as Priority Housing Sites (see Policy HE-1.3). This ensures that the designated minimum number of units assigned to sites in Table B4-3 of this 6th Cycle Housing Element can be readily achieved, regardless of the specific development standards of the R-3 and other multi-family-allowing districts;~~The City will continue to implement Housing Element **Policy HE-1.3,** which states:~~—~~ Sites assumed to meet the City Regional Housing Needs Allocation (**Tables B4-7 and B4-9**) are designated

"Priority Housing Sites" in the Cupertino Zoning Code Section 19.80.030 and the maximum number of units listed for each site shall be permitted uses.[3]

- **Low-Barrier Navigation Centers.** AB 101, adopted in 2019, requires approval "by right" of low-barrier navigation centers that meet the requirements of State law. A program has been included to allow low-barrier navigation centers by right in appropriate zoning districts (see **Strategy HE-~~1.3.8~~5.1.4**).
- **California Housing Opportunity and More Efficiency (HOME) Act.** SB 9, also known as the California Housing Opportunity and More Efficiency (HOME) Act, is a State bill that requires cities to allow one additional residential unit onto parcels zoned for single-dwelling units. ~~A program has been included to allow SB 9 subdivision (see **Strategy HE-1.3.9**).;~~
- **Development Fees.** Total fees in Cupertino are ~~among the highest~~on the higher end of ~~in the~~ Santa Clara County jurisdictions for all housing developments. A program has been included to ~~lower permitting~~ review and revise fees for ~~single and multi-family~~ housing projects (see **Strategy HE-~~1.3.10~~2.3.9)**.; ~~and~~
- **Parking Standards.** The requirement for two parking spaces for studios and single-room occupancy units~~ies~~ (SROs) in the R-3 Zoning District ~~constitutes an undo~~could be a possible constraint on the development of affordable housing. A program has been included to review and revise all residential parking standards and specially reduce ~~lower~~ the number of required parking spaces for studio and SRO units (see **Strategy HE-1.3.~~11~~9**).

B5.2 NONGOVERNMENTAL CONSTRAINTS

In addition to governmental constraints, non-governmental factors may constrain the production of new housing. These could include economic and market-related conditions, such as land and construction costs, as well as environmental hazards such as wildfires, earthquakes, and flooding.

LAND AND CONSTRUCTION COSTS

Land costs in Cupertino are very high due to high demand and an extremely limited supply of available land. Cupertino has seen a number of smaller detached infill housing projects where single-family homes are constructed on remnant lots or lots that have previously been developed with older homes. Multifamily development often requires lot consolidation and/or removing existing uses. A review of available real estate listings indicated several vacant properties for sale as of September 2022. The available properties varied in size from 1,920 square feet to 11.19 acres with prices ranging from $825,000 to $7,000,000 depending on the size and location of the property.

Construction costs vary significantly depending on building materials and the quality of finishes. Parking structures for multifamily developments represent another major variable in the development cost. In general, below-grade parking raises costs significantly. Soft costs (architectural and other

[3] Cupertino Zoning Code Section 19.80.030 (E)(2). *"If a site is listed as a Priority Housing Site in the City's adopted Housing Element of the General Plan, then residential development that does not exceed the number of units designated for the site in the Housing Element shall be a permitted use."*

professional fees, land carrying costs, transaction costs, construction period interest, etc.) comprise an additional 10 to 40 percent of the construction and land costs. Owner-occupied multifamily units have higher soft costs than renter-occupied units due to the increased need for construction defect liability insurance. Permanent debt financing, site preparation, off-site infrastructure, impact fees, and developer profit add to the total development cost of a project. Construction costs run about $100 per square foot for Type 5 construction (wood and stucco over parking) for multifamily units and $110 per square foot for single-family units. Residential developers indicate that construction costs in the Bay Area far exceed these national averages and can reach $200 per square foot for larger (four- to six-story) developments.

Key construction costs have risen nationally in conjunction with economic recovery and associated gains in the residential real estate market.

AVAILABILITY OF FINANCING

As a stable and affluent community, private housing mortgage financing is readily available in Cupertino. There are no mortgage-deficient areas in the city and no identifiable underserved groups in need of financing assistance. At the time this Housing Element was drafted, interest rates for homebuyers were increasing from a low of 2.75 percent in 2020 to 5.75 percent in 2022 for a fixed-rate, 30-year mortgage. The current economic climate is uncertain and still affected by the COVID-19 pandemic, increasing inflation, and supply chain disruptions.

ENVIRONMENTAL CONSTRAINTS

The majority of Cupertino's land area has been urbanized and now supports roadways, structures, other impervious surfaces, areas of turf, and ornamental landscaping. In general, urbanized areas tend to have low to poor wildlife habitat value due to replacement of natural communities, fragmentation of remaining open space areas and parks, and intensive human disturbance. There are no significant wetland or environmental resource issues of concern that would constrain development in the urbanized areas designated for residential development in Cupertino.

INFRASTRUCTURE

WATER

Three water suppliers provide service to the City of Cupertino: the California Water Company serviced through the Los Altos Suburban District, San Jose Water Company, and Cupertino Water. The San Jose Water Company also has a lease agreement to operate and maintain the City of Cupertino's water system until 2022. The lease was extended for two more years and included an extension of the current lease for up to three years. Both of these providers derive the vast majority of their water from the Santa Clara Valley Water District (SVWD). According to the 2022 Urban Water Management Plan (UWMP), SVWD has developed demand projections from 2020 to 2045 based on population growth, land use changes, trends in per-capita water use, and considerations of upcoming mandates in water conservation. Based on projected demand for single-family development for 2035, the demand is 17,657 mg for single-family and 11,505 mg for multi-family in the areas serviced by San Jose Water. The projected water supply for 2035 is 44,629 mg, which meets the need for future development for the next eight years for both single-family and multi-family water demands. Additionally, the Pacheco

Reservoir is undergoing improvements that would act as a surface bank for SVWD's existing supplies and diversify its reserve storage by increasing the volume of locally banked reserves. In addition, by increasing locally available storage, SWVD'S may be better positioned to respond to future water supply emergencies. The supply increase associated with this reservoir is to be determined and depends on imported water assumptions, demands, permit requirements, and operational requirements. –However, there is current capacity to meet the City's 2023-2031 RHNA on sites identified in **Appendix B4**.

WASTEWATER

Cupertino Sanitary District (CSD) serves as the main provider of wastewater collection and treatment services for Cupertino, while the City of Sunnyvale serves a small portion of the Cupertino Urban Service area on the east side of the city. The City of Sunnyvale Wastewater Treatment Plant has a daily treatment capacity of 29 million gallons per day (mgd), of which, approximately 12 mgd were being utilized in 2022. According to the Donald M. Somers Water Pollution Control Plant (WPCP), over the next 30 years, almost every process and building in the WPCP will be rehabilitated or replaced. This will be accomplished through up to 35 individual projects, each including several major elements and some involving multiple facilities. The improvements identified include rehabilitation of existing facilities, new primary, secondary, and tertiary treatment facilities, support facilities and upgrades to power, automation, and heating. The projects are grouped into five phases, correlating with the timing and types of improvements. It projects that projects in Phases 1 through 3 will be needed by 2030. The cost for these projects is budgeted at $456 million and includes design, permitting, program management, construction management, and construction. The estimates for future years have been escalated to account for price inflation. These improvements are expected to ensure capacity for future buildout for the wastewater collection demand throughout the 2023-2031 planning period on sites identified in **Appendix B4**.

Priority Water and Wastewater Procedure

Consistent with the provisions of Government Code Section 65589.7, the City will immediately forward its adopted Housing Element to its water and wastewater providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households (**Strategy 4.1.4**).

AVAILABLE DRY UTILITIES

Dry utilities, including cable, electricity, and telephone service, are available to all areas in the city. There is sufficient capacity to meet the current need and any future need. Service providers are:

- Electricity: Pacific Gas and Electric Company (PG&E) and Silicon Valley Clean Energy
- Telephone: AT&T and other providers available
- Internet Service: Comcast and other provider available

CONTINUING EFFORTS TO ADDRESS NON-GOVERNMENTAL CONSTRAINTS

As residential developments are approved by the City and building permits have not been obtained, the City will make diligent efforts to contact applicants to learn why units have not been constructed within two years after approval. If these impediments are due to nongovernmental constraints, such as accelerating construction costs, shortages of labor or materials, or rising interest rates, to the extent appropriate and legally possible, the City will seek to identify actions that may help to remove these constraints. In addition, the City will aim to work with stakeholders to identify nongovernmental constraints or other circumstances that may impede the construction of housing in Cupertino and work collaboratively to find strategies and actions that can eliminate or reduce identified constraints (**Strategy HE-3.3.7**).

B5.3 OPPORTUNITIES FOR ENERGY CONSERVATION

Energy conservation is a major priority in Cupertino. The City prepared a climate action plan in 2015, which provided a roadmap to actions the City will take to reduce energy consumption and lower greenhouse gas (GHG) emissions. The plan is entitled~~:~~ *City of Cupertino Climate Action Plan* (CAP) and was prepared by the City of Cupertino.

The City's CAP defines Cupertino's path toward creating a healthy, livable, and vibrant place for its current and future residents to live, learn, work, and play. The strategies outlined in this CAP seek to not only reduce GHG emissions, but also provide energy, water, fuel, and cost savings for the City, its community members and businesses, further improving Cupertino's already high quality of life. The plan also represents another example of a successful partnership between engaged community members and City staff to jointly plan for Cupertino's sustainable future and continue to lead by example on important environmental issues.

The CAP identifies five objectives:

- **To demonstrate environmental leadership** – Cupertino as a community can rise to the difficult challenge of reducing the impact of climate change by defining measurable, reportable, verifiable climate actions to reduce its contribution to local and global GHG emissions that can serve as a model for small cities in the state and nationwide;
- **To save money and promote green jobs** – Residents, businesses, and government can reduce their utility costs through increased energy and water efficiency, and a focus on efficiency can create job opportunities within the community that contribute to protecting our shared environmental resources;
- **To comply with the letter and spirit of state environmental initiatives** – California is taking the lead in tackling climate change while driving new energy markets and fostering new environmental services. As coordination with cities serves as the keystone to achieving statewide greenhouse gas emissions reductions, Cupertino has a responsibility to help the state address emissions sources that arise in our geography and meet its goals to reduce these emissions;

- **To promote sustainable development** – By developing this Climate Action Plan to reinforce General Plan policies and align with the Bay Area Air Quality Management District guidelines, a new class of sustainable development projects, such as mixed use and transit-oriented developments, can be fast-tracked (i.e., "streamlined") through the California Environmental Quality Act (CEQA) review process by not requiring GHG emissions for proposed projects consistent with the CAP; and
- **To support regional climate change efforts** – Cupertino developed its CAP through a county-wide effort that established consistency in the local response to climate change, and created a framework to collaborate regionally on implementation of different CAP programs. This partnership elevates the credibility of local climate action planning by allowing transparency, accountability, and comparability of the plan's actions, performance, and commitments across all participating jurisdictions.

The City of Cupertino ~~is currently~~updated ~~updating~~ its CAP in 2022. ~~and is expected to have its revisions complete in 2023.~~

SILICON VALLEY CLEAN ENERGY

Silicon Valley Clean Energy (SVCE) is the community electricity provider for 13 communities in Santa Clara County, including Cupertino, and is governed by local elected officials serving on the Board of Directors. SVCE was formed with the mission to reduce dependence on fossil fuels by providing carbon-free, affordable, and reliable electricity and innovative programs within the community.

PACIFIC GAS & ELECTRIC COMPANY ENERGY-EFFICIENCY PROGRAMMING

PG&E, which provides energy-efficiency services in Cupertino, offers public information and technical assistance to homeowners regarding energy conservation. PG&E also provides numerous incentives for energy efficiency in new construction and home remodeling. For example, remodeling rebates exist for projects installing three or more upgrades from a flexible menu of options that earn points towards incentives and rebates. This program's incentives range between $1,000 and $4,500. One of the more recent strategies in building energy-efficient homes is following the U.S. Green Building Council's guidelines for Leadership in Energy and Environmental Design (LEED) Certification. The LEED for Homes program includes standards for new single-family and multifamily home construction.

Additionally, PG&E provides residents with information regarding energy~~-~~saving measures, including various incentives and programs available to developers and residential property owners. Table ~~5~~B5-12~~7~~, PG&E Programs and Incentives for Residential Properties, ~~on the following page,~~ includes a description of the various financial and energy-related assistance that PG&E offers low-income customers.~~:~~

~~Table B5-7.~~Table B5-13. PG&E Programs and Incentives for Residential Properties	
Program	**Description**
Energy Savings Assistance Program	PG&E's Energy Savings Assistance program offers free weatherization measures and energy-efficient appliances to qualified low-income households. PG&E determines qualified households through the same sliding income scale used for CARE. The program includes measures such as attic insulation, weather stripping, caulking, and minor home repairs. Some customers qualify for replacement of appliances, including refrigerators, air conditioners, and evaporative coolers.
Energy Efficiency for Multifamily Properties	The Energy Efficiency for Multifamily Properties program is available to owners and managers of existing multifamily residential dwellings containing five or more units. The program encourages energy efficiency by providing rebates for the installation of certain energy-saving products.
~~Multifamily Properties~~	~~The Energy Efficiency for Multifamily Properties program is available to owners and managers of existing multifamily residential dwellings containing five or more units. The program encourages energy efficiency by providing rebates for the installation of certain energy-saving products.~~
California Alternate Rates for Energy (Care)	PG&E offers this rate-reduction program for low-income households. PG&E determines qualified households by a sliding income scale based on the number of household members. The CARE program provides a discount of 20% or more on monthly energy bills.
Reach (Relief for Energy Assistance Through Community Help)	The REACH program is sponsored by PG&E and administered through a non-profit organization. PG&E customers can enroll to give monthly donations to the REACH program. Qualified low-income customers who have experienced uncontrollable or unforeseen hardships, which prohibit them from paying their utility bills may receive an energy credit. Eligibility is determined by a sliding income scale based on the number of household members. To qualify for the program, the applicant's income cannot exceed 200 percent of the federal poverty guidelines.
Medical Baseline Allowance	The Medical Baseline Allowance program is available to households with certain disabilities or medical needs. The program allows customers to get additional quantities of energy at the lowest or baseline price for residential customers.

Source: PG&E, 2022.

As part of this Housing Element update, the City of Cupertino will implement Program Q to continue to promote and encourage energy conservation in residential development. This program will encourage energy conservation practices for new and existing residential dwelling units by enforcing State and local regulations and encouraging incentives for energy conservation "best practices," including:

- Continuing to offer streamlining and reduced permitting fees for solar panel installations;
- Continuing to implement the CALGreen building code requirements;
- Continuing to ~~evaluate~~ require "Reach Codes" for all-electric building requirements;
- Providing information regarding rebate programs and energy audits available through PG&E; and
- Providing resource materials regarding green building and conservation programs.

Review of Previous Housing Element

B.6

APPENDIX

Table of Contents

Tables

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B6 REVIEW OF PREVIOUS HOUSING ELEMENT

To effectively plan for the future, it is important to reflect back on the goals of the previous Housing Element and to identify those areas where progress was made and those areas where continued effort is needed. State Housing Element guidelines require communities to evaluate their previous Housing Element according to the following criteria:

- Effectiveness of the Element;
- Progress in Implementation; and
- Appropriateness in Goals, Objectives, and Policies.

B6.1 EFFECTIVENESS OF THE ELEMENT

The City's 2015 Housing Element identified the following goals:

- **Goal HE-1:** An Adequate Supply of Residential Units for all Economic Segments;
- **Goal HE-2:** Housing that is Affordable for a Diversity of Cupertino Households;
- **Goal HE-3:** Enhanced Residential Neighborhoods;
- **Goal HE-4:** Energy and Water Conservation;
- **Goal HE-5:** Services for Extremely Low-Income Households and Special Needs Neighborhoods;
- **Goal HE-6:** Equal Access to Housing Opportunities; and
- **Goal HE-7:** Coordination with Regional Organizations and Local School Districts.

To achieve these goals, the 2015 Housing Element listed a series of policies and actions. The policies covered a range of housing concerns, including appropriate zoning for lower- and moderate-income households, assisting in developing affordable housing, removing governmental constraints, conserving the existing affordable housing stock, preventing the conversion of affordable units to market rate, and promoting equal housing opportunities for all persons. The policies comply with State Housing Law guidelines.

~~B6.2 PROGRESS IN IMPLEMENTATION~~

~~To assess the City's progress in implementing the 2015 Housing Element, the following key areas were reviewed:~~

- ~~Adopted Programs;~~

- ~~Production of Housing;~~
- ~~Preservation of "At Risk" Units; and~~
- ~~Rehabilitation of Existing Units.~~

~~Each of these areas is discussed in detail below.~~

B6.2 PROGRESS TOWARD MEETING QUANTIFIABLE OBJECTIVES

The 2015–2023 Regional Housing Needs Assessment allocation (RHNA) prepared by the Association of Bay Area Governments (ABAG) determined that zoning to accommodate 1,064 additional housing units needed to be in place in Cupertino during the prior planning period to meet regional housing needs. ABAG disaggregated this allocation into four income categories: very low, low, moderate, and above moderate. **Table B6-1** compares the 5th Cycle RHNA to the building permits issued during 2015 to 2022.

Table B6-1 Regional Housing Needs Allocation Compared to Permits Issued 2015 – 2022 (5th Cycle Housing Element)

Income Group	2015 – 2022 RHNA	Building Permits Issued	Percentage of RHNA Accomplished
Very Low Income	356	~~0~~48	~~47~~13.48%
Low Income	207	19	~~0%~~9.18%
Moderate Income	231	158	~~68%~~68.40%
Above Moderate~~.~~ Income	270	321~~0~~	118.89~~9~~%
Total	**1,064**	**546**	**~~49%~~51.32%**

Source: City of Cupertino, 2023

B6.3 EFFORTS TO ADDRESS SPECIAL HOUSING NEEDS

California Government Code Section 65588 requires that local governments review the effectiveness of the housing element goals, policies, and related actions to meet the community's special housing needs. As shown in the Review of Previous 2015~~4~~-2023~~19~~ Housing Element Programs matrix (**Table B6~~H~~-2**), the City worked diligently to continuously promote housing for special-needs groups in a variety of ways.

- To ensure the housing stock has affordable housing options, the City approved 1~~21~~58 building permits for accessory dwelling units (ADUs) and created a pre-approved ADU program to further incentivize the creation of ADUs as of 2021.
- To help facilitate residential development, the City approved:
  - ~~w~~Waivers for development standards and parking standards for the 48 senior affordable living units, 123 assisted living units, and 35 memory care rooms as part of the Westport Project.
  - Waivers for development standards and parking standards for the 206 condominiums as part of the Marina Plaza Project.
  - Incentives and concessions for the development as part of the 2,402-–unit mixed-use development as part of the Vallco Town Center (The Rise) development.
- -The City's below-market rate (BMR) Affordable Housing Fund (AHF) funded and supported affordable housing projects, strategies, and services, including, but not limited to:
  - $305,615 to Project Sentinel for information and referral calls to 712 households.
  - $339,639 to WVCS Affordable Placement Program to assist in rental and ownership vacancies and BMR homeowner monitoring helping assist a total of 47 households.
  - $36,874 to Fair Housing – ECHO Housing for investigated fair housing cases assisting 21 households.
  - $399,986 to WVCS Greenwood Court Renovation for rehabilitated units assisting 3 households.
  - $175,000 to Hello Housing, which assisted 50 households while also assisting 49 households through Rise Housing.
  - $783,049 to Vista Village Repair Project to rehabilitate BMR rental units.
- To help incentivize Affordable Housing Development, the City received a total of $561,482 in Community Development Block Grant (CDBG) funds for Rebuilding Together Silicon Valley (RTSV).

- The City indirectly helped the Veranda Project obtain ~~a~~ $999,906 through the Housing Trust Silicon Valley, to assist with land acquisition.
- The City provided a $3,672,000 loan to The Veranda to assist with the land acquisition of 19 extremely low-income units.
- The City also funded The Veranda Project by $500,000 through its share of HOME funds to assist with construction costs.
- The City also funded Faith in Action Rotating Shelter by providing $7,700 for job development programming that assisted 33 unhoused participants that were prepared to be resume and interview ready.
- The City provided $8,000 to fund United Way 211 Santa Clara for residents who called and accessed 211 Santa Clara County.
- In 2021, the City established the City Unhoused Task Force to address the needs of unhoused residents through resource referral and partnered with the West Valley Rotating Safe Car Park (RSCP) program and there is a max of 30 people at a time per safe parking site.
- The City provided 5 households with low-~~-~~interest~~'s~~ loans through MeriWest Credit Union Program to put towards rental assistance in the amount of $86,872.
- The City assisted 3 households with emergency rental assistance loans in the amount of $6,000.
- The City also funded the Rotating Safe Car Program providing $50,000 to 20 households in rental assistance grants.
- During the planning period, the City took various steps to provide supportive services for lower-income households and persons with special needs, including:
  - Establishing the City Unhoused Task Force to address the needs of unhoused residents.
  - CDBG funds of $22,720.18 to Live Oak Adult Day Services, a senior adult day care.
  - CDBG funds of $164,807 to assist 274 senior households at Live Oak Adult Day Services, a senior adult day care.
  - CDBG funds of $299,156 to West Valley Community Services (WVCS) CARE Program to provide supportive services to prevent homelessness.
  - CDBG funds of $224,184 to City-wide c~~C~~urb installation project for Americans with Disabilities Act (ADA)-accessible curb ramps installed throughout the city.
  - CDBG funds of $809,802 for Cupertino Housing for the D~~d~~isabled Inc. to rehabilitate rental units.

- CDBG funds of $234,672 for 10 homeless residents who received supportive and sanitation services.
- CDBG funds of $24,142 that assisted 36 seniors to access meal deliveries.
- CDBG funds of $185,000 providing $5,000 in grants to 37 small businesses.
- Human Services Grant Program (HSG) $195,797 to MAITRI that assist transitional residents who receive case management.
- HSG $104,999 to SALA for seniors who received legal services.
- HSG $266,788 to WVCS Haven Home program for people who received supportive services to prevent homelessness.
- The City developed and funded the Homeless Jobs Program to provide up to eight months of employment for two unhoused residents in Cupertino in the amount of $222,063.
- The City also implemented the grants for De Anza students to provide $8,080 in housing assistance grants.

~~B6.3~~B6.4 PRESERVATION OF "AT RISK" UNITS

According to the 2015 Housing Element, there was one affordable project at risk of converting to market rate within 10 years from the beginning of the 2015–2023 planning period—Beardon Drive, which has eight affordable units. In 2019, the owner of Beardon Drive paid off the City's CDBG loan and indicated that the property would continue to operate as affordable housing.

~~B6.4~~B6.5 REHABILITATION OF EXISTING UNITS

The City had established a goal of rehabilitating 40 total housing units between 2015 and 2023.

~~B6.5~~B6.6 ~~OVERVIEW~~ PROGRESS IN IMPLEMENTATION OF HOUSING ELEMENT ~~OF ADOPTED~~ PROGRAMS

Table B6-~~1~~2, ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs, identifies all of the actions the City committed to in the 2015 Housing Element. The table also includes a description of the progress that was made during the 2015–2023 planning period.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
HE-1.3.1	**Land Use Policy and Zoning Provisions** To accommodate the Regional Housing Needs Allocation (RHNA), the City will continue to: • Provide adequate capacity through the Land Use Element and Zoning Ordinance to accommodate the RHNA of 1,064 units • Monitor development standards to ensure they are adequate and appropriate to facilitate a range of housing in the community • Monitor the sites inventory and make it available on the City website • Monitor development activity on the Housing Opportunity Sites to ensure that the City maintains sufficient land to accommodate the RHNA during the planning period. Identify alternative site(s) as needed	The City c~~C~~ontinued to provide adequate capacity through the Land Use Element and Zoning Ordinance to accommodate the RHNA allocation. As a result of flexible land use controls as of 2021, four of the five Priority Housing Element sites from the 5th cycle used density bonuses, incentives, and/or waivers that were approved by the City between 2016-2022. ~~, monitor development standards, monitor sites inventory, and monitor development activity on Housing Opportunity Sites.~~	Continue, through Strategy HE-1.3.1, HE-1.3.2, and HE-1.3.—3. The City will commit to rezoning and adding new zoning districts and land use designations to accommodate RHNA.
HE-1.3.2	**Second Dwelling Units** The City will continue to implement the Second Dwelling Unit Ordinance and encourage the production of second units	The City annually~~The ordinance is regularly~~ updated the Ordinance to comply with State law and~~.~~ e~~E~~stablished a program to streamline the ADU review and production process as part of the City ~~FY~~ 2020-21 work program. In 2021, the City ~~issued 41 building permits for ADUs and~~ created a pre-approved ADU program to further incentivize~~ve~~ the creation of ADUs. Since 2015, the City has issued 158 building permits for ADUs.	Continue, through Strategy HE-1.3.8. The City will continue to address new State legislation for ADU's and expand on efforts to encourage the development of these housing types.

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
HE-1.3.3	**Lot Consolidation** To facilitate residential and mixed-use developments, the City will continue to: • Encourage lot consolidation • Encourage master plans for such sites with coordinated access and circulation • Provide technical assistance • Encourage intra- and inter-agency cooperation	The City Continue to encouraged lot consolidation– when contiguous smaller, underutilized parcels are to be redeveloped. Encourage master plans for such sites with coordinated access and circulatio andn. provided technical assistance to property owners of adjacent parcels to facilitate coordinateed redevelopment where appropriate. Sand Hill Property Company filed an application with the City of Cupertino on March 27, 2018, entitled "Vallco Town Center Project Application pursuant to SB 35." On September 21, 2018, an approval letter was issued for the project. Vallco requested less commercial development with only 1 bedroom and studio BMR units and smaller 1 bedroom and studios than market rate and 1-bedroomm studios as BMR. –The coordination included Encourage intra- and inter-agency cooperation andin working with applicants. encouragement of master plans for sites with coordinated access and circulation.	Continue, through Strategy HE 1.3.7.
HE-1.3.4	**Flexible Development Standards** The City recognizes the need to encourage a range of housing options in the community. The City will continue to: • Offer flexible residential development standards in planned residential zoning districts • Consider granting reductions in off-street parking on a case-by-case basis for senior housing	Continue to offer flexible residential development standards in planned residential zoning districts and consider granting reductions in off-street parking for senior housing. In 2021, the the 123 assisted living units and 35 memory care rooms Westport Project was approved with waivers, an incentive forto development standards and a reduction in parking standards. The Westport project is located within the Heart of the City Specific Plan and on a Housing Element site. The City had 4 of the 5 Housing Element sites use waivers and Density Bonus parking standards as part of their project within the Vallco, Marina, Verandas, and Westport Projects. The City also allowed 2 of the 5 projects to use incentives as part of their project - Westport and Vallco.	Continue for affordable units, through Strategy HE-2.3.7. The City will also commit to other strategies like density bonus incentives to address Affordable Housing Development.
HE-1.3.5	**Heart of the City Specific Plan**	Completed in May 2015.	Completed. Delete, the action was completed.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	The City will review revisions to the Heart of the City Specific Plan residential density calculation requirement to eliminate the requirement to net the non-residential portion of the development from the lot area.		
HE-2.3.1	**Office and Industrial Housing Mitigation Program** The City will continue to require that developers of office, commercial, and industrial space pay a mitigation fee for affordable housing in the City of Cupertino.	To help offset the loss of land, the City c~~C~~ontinued to implement the Office and Industrial Housing Mitigation Program. The City r~~R~~equires developers of office, commercial, and industrial space to pay a mitigation fee to support affordable housing. Mitigated fees are collected and deposited into the City's ~~Below Market Rate (~~BMR~~)~~ Affordable Housing Fund (AHF) for the following fiscal years (FY) the following mitigation fees were collected and deposited and in the BMR and AFH funds: • FY19: $159,178~~.~~ • FY20: $39,000 • FY21: $197,661 • FY22: $36,000 • FY23: $170,824 The Veranda project received BMR and AFH funds. This senior housing project, now complete and occupied, is a 19-unit affordable development on a vacant, 0.56-acre site, at 19160 Stevens Creek Boulevard~~.~~ in Cupertino.	Continue, through Strategy HE-2.3.2. This program has proven successful and will continue with only minor text updates.
HE-2.3.2	**Residential Housing Mitigation Program** The City will continue to implement the Residential Housing Mitigation Program to mitigate the need for affordable housing created by new market-rate residential development. This program applies to new	The City c~~C~~ontinued to implement the Residential Housing Mitigation Program. The program applies to new residential development and ~~. Mitigation~~ includes ~~either~~ the provision of BMR units or the payment of the "Housing Mitigation" fee. The BMR Linkage Fees Update study was completed and adopted by City Council on May 19, 2020, which included an increased requirement ~~from~~ of 15%-20% for inclusionary ownership	Continue, through Strategy HE-2.3.3. This program has proven successful and will expand on efforts to prioritize, provide rental alternatives, develop for-sale and rental units, and develop BMR units off-site.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	residential development. Mitigation includes either the payment of the "Housing Mitigation" fee or the provision of a Below Market-Rate (BMR) unit or units.	projects. In 2021, the BMR AHF provided funding to the following affordable housing projects, strategies, and services: • BMR Program Administration:~~-~~ 400 households sought assistance, 12 new households were assisted. • Fair housing services:~~-~~ $305,615 to Project Sentinel • City of Cupertino Housing Programs for De Anza College Students	
HE-2.3.3	**Below Market-Rate (BMR) Affordable Housing Fund (AHF)** The City's BMR AHF will continue to support affordable housing projects, strategies and services, including but not limited to: • BMR Program Administration • Substantial rehabilitation • Land acquisition • Acquisition of buildings for permanent affordability, with or without rehabilitation • New construction • Preserving "at-risk" BMR units • Rental operating subsidies • Down payment assistance • Land write-downs • Direct gap financing	~~Continue to maintain the BMR AHF~~The City provided ~~-~~ o~~O~~ngoing technical assistance ~~provided~~ to non~~-~~profits/developers~~, looking to develop affordable housin g,~~ including providing data and information on properties for sale to non~~-~~profit partners and developers for their consideration.~~-~~ In 2017, the fund provided $175,000 to Hello Housing, which assisted five households purchase BMR for-sale units and 15 new rental households. Additionally, a $3,672,000 loan to The Veranda helped assist with the Land Acquisition of 19 extremely low-income units and very ~~-~~low-income senior housing development. Additional financial assistance included: • A rehabilitation award of $399,986 to the Greenwood Court Renovation Project, assisting four former transitional housing units that converted to BMR rental units. • $561,482 in CDBG funds to Rebuilding Together Silicon Valley, a low-income housing repair and rehabilitation program.	Continue, through Strategy HE-2.3.4. This program has proven successful and will continue with additional focus on areas with limited availability of rental housing and high cost burden~~-~~.

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	• Fair housing To ensure the mitigation fees continue to be adequate to mitigate the impacts of new development on affordable housing needs, the City will update its Nexus Study for the Housing Mitigation Plan by the end of 2015	$783,049 in funds to Vista Village Renovation Project, a low-income affordable housing development.The City released the FY 21-22 BMR AHF Request for Proposal (RFP) from November 2021-February 2022. In 2021, the BMR AHF provided funding to the following affordable housing projects, strategies, and services: •BMR Program Administration- 400 households sought assistance, 12 new households were assisted. • -•Fair housing services- $305,61550,000 to Project Sentinel for fair housing services. •City of Cupertino Housing Programs for De Anza College Students • Emergency Assistance Funds for Cupertino Tenants Impacted by COVID • -$50,000 to Earnin • $86,872 to Meriwest Credit Union and $50,000 to West Valley Community Services (WVCS) • -$8,080 to De Anza College for the City of Cupertino Housing Program for De Anza Students	
HE-2.3.4	**Housing Resources** The City will continue to provide information on housing resources and services offered by the County and other outside agencies. These include, but are not limited to: • Mortgage Credit Certificate (MCC) – Santa Clara County Housing and Community Development Department	The Continue Cityto provided information on housing resources and services including, but not limited to: • County Measure A Affordable Housing Bond • County Mortgage Credit Certificate • County IDevelopmental Disability Funding • Housing Trust Silicon Valley First-Time Homebuyer • Assistance and Developer Loans	Continue, through Strategy HE-2.3.5. The City, through the new strategy, will also continue to identify and pursue various affordable housing resources available to address needs in the community.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	• First-Time Homebuyer Assistance and Developer Loans for Multi-Family Development ~~–~~ Housing Trust Silicon Valley (HTSV) • Housing Choice Vouchers (Section 8) ~~–~~ Housing Authority of Santa Clara County (HASCC) • Affordable housing development ~~–~~ Santa Clara County HOME Consortium The City will also continue to explore and pursue various affordable housing resources available at the local, regional, state, and federal levels that could be used to address housing needs in the community	• Project Sentinel Rental Support • Housing Authority Section 8 Vouchers • Destination: HOME Community Housing Fund • West Valley Community Services In addition, the City worked with non-profit organizations in providing programs and services for low-income households~~;~~ and private industry, in particular financial and development groups, to encourage the development of affordable housing opportunities regionally and in the city (see Program HE-2.3.3). The City provided technical assistance to the public service agencies it funded. The City coordinated with a number of groups to engage in discussions about grant funding opportunities, regional housing needs, and efforts to address homelessness. The City participated in the following groups: Santa Clara County PLHA Consortium, Regional CDBG/Housing Coordinators Group, SV@Home, Non-Profit Housing of Northern CA. The participants in these groups, including the City, work together to pool their knowledge and share expertise. The County's Office of Supportive Housing helps to coordinate these efforts and provides the participants with invaluable technical assistance. Through the SCC PLHA Consortium, the City was awarded an allocation of PLHA funding and is currently working towards implementing the funding for projects in Cupertino. ~~and attended the bi-weekly CDBG/Housing Coordinators meeting.~~ In 2021, the City created a pilot Homeless Jobs Program with~~for~~ two Cupertino unhoused residents participating in the program. The Homeless Jobs Program assists two people per year, plus their families by extension. The City Council did not prioritize the Plan to End Homelessness for the FY 2023-25 City Work Program. This item was concluded, and no final version of the Plan was	

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
		created. Unused funds will be returned to the General Fund. ~~As part of the City's FY 21-22 work program, the City is developing a City Plan to End Homelessness.~~	
HE-2.3.5	**Surplus Properties for Housing** The City will explore opportunities on surplus properties as follows: • Work with local public agencies, school districts and churches, to identify surplus properties or underutilized properties that have the potential for residential development. • Encourage long-term land leases of properties from churches, school districts, and corporations for construction of affordable units • Evaluate the feasibility of developing special housing for teachers or other employee groups on the surplus properties • Research other jurisdictions' housing programs for teachers for their potential applicability in Cupertino	The City ~~Continue to~~ worked with local public agencies, school districts, and churches to identify surplus properties that have the potential for residential development ~~and encourage long-term land leases of properties from churches, school districts, and corporations for construction of affordable units~~. There were no surplus properties available from any school districts or churches for the City to pursue. The City continued to support the Rotating Car-park program on church property.	Continue, through Strategy HE-2.3.6. The City will partner with local developers or organizations to purchase surplus properties, infill lots, and other green fields within the city to use for the development of affordable housing.
HE-2.3.6	**Incentive for Affordable Housing Development** The City will continue to offer a range of incentives to facilitate the development of affordable housing. These include:	The City ~~Continue to~~ offered a range of financial assistance through the City's BMR AHF, by partnering with CDBG and receiving a total of $64,000 in CDBG funds to Rebuilding Together Silicon Valley, a low-income housing repair and rehabilitation program. To incentivize affordable housing development, the City ~~and~~ supported the funding application of qualified affordable housing developers for regional, state, and	Continue, through Strategy HE-2.3.7. Development of housing for lower-income households will be facilitated citywide, but extra focus will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility and integration of ownership and rental units.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	• Financial assistance through the City's Below Market-Rate Affordable Housing Fund (BMR AHF) and CDBG funds • Partner with CDBG and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds, including HOME funds, Low Income Housing Tax Credits (LIHTC), and mortgage revenue bonds. • Density bonus incentives (see Strategy HE-2.3.7) • Flexible development standards • Technical assistance • Waiver of park dedication fees and construction tax • Parking ordinance waivers • Expedited permit processing	federal affordable housing funds, density bonus incentives, flexible development standards, technical assistance, waiver of park dedication fees and construction tax, parking ordinance waivers, and expedited permit processing. As previously mentioned, the City approved waivers of development and parking standards for the Westport and Marina Plaza projects. The City also approved density bonus incentives for the Westport and Vallco Town Center (The Rise) projects. In addition, the City ~~also~~ allowed flexible development standards and a reduced parking standard was approved for the Hamptons Development under the Planned Development zoning district. Technical assistance was provided for the Verandas project on an ongoing basis and the project was also provided expedited permit processing with entitlements on the project being completed in 6-7 months. In addition, the City provided approximately $3.7 million in funding for this 100% affordable housing project and supported funding applications for the project. With all residential developments, parkland dedication in lieu of fees and construction taxes were waived for all affordable units. The City has provided $8,172,000 ~~.00~~ in BMR AHF and CDBG funds to facilitate the development of affordable housing (see Program HE-2.3.4). ~~In addition, the City participates in the Regional CDBG/Housing Coordinators group and provides technical assistance to the public service agencies it funds. The City also participates in the Santa Clara County HOME Consortium. In 2021, the City entered into the Santa Clara County Permanent Local Housing (PLHA) Consortium and submitted an application to HCD for funding for the development of affordable housing.~~ The City coordinated with a number of groups to engage in discussions about grant funding opportunities, regional housing needs, and efforts to address homelessness. The City participated in the following groups: Santa Clara County PLHA Consortium, Regional CDBG/Housing Coordinators Group, SV@Home,	

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
		Non-Profit Housing of Northern CA. The participants in these groups, including the City, work together to pool their knowledge and share expertise. The County's Office of Supportive Housing helps to coordinate these efforts and provides the participants with invaluable technical assistance. Through the SCC PLHA Consortium, the City was awarded an allocation of PLHA funding and is currently working towards implementing the funding for projects in Cupertino.	
HE-2.3.7	**Density Bonus Ordinance** The City will encourage use of density bonuses and incentives, as applicable, for housing developments	All the sites listed in the 5th cycle table with the exception of (APNs: 316-06-059, ;316-06-060, and 316-06 -058) have been As of 2021, four out of the fiveawarded Priority Housing Element sites from the 5th cycle have utilized density bonuses, incentives, waivers, and/or reduction in parking standards. They were been approved by the City between 2016 and 202112.	Continue, through Strategy HE-2.3.8. Development will be citywide but extra focus will be given to areas with currently low percentages of renter-occupied households to facilitate housing mobility.
HE-2.3.8	**Extremely Low-Income Housing and Housing for Persons with Special Needs** The City will continue to encourage the development of adequate housing to meet the needs of extremely low-income households and persons with special needs, including the following incentives: • Provide financing assistance using the Below Market-Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant funds (CDBG). • Allow residential developments to exceed planned density maximums if they provide special needs housing	The City cContinued to provide financing assistance using the BMR AHF and CDBG funds. ;A $3,672,000 loan to The Veranda to assist with the Land Acquisition of 19 extremely low-income units. Additional financial assistance included: allow residential developments to exceed planned density maximums for special needs housing, grant reductions in offstreetoff-street parking, and partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds. The City worked with developers and non-profit organizations to encourage the development of affordable housing opportunities regionally and in the City. The City coordinated with a number of groups to engage in discussions about grant funding opportunities, regional housing needs, and efforts to address homelessness. The City participated in the following groups: Santa Clara County PLHA Consortium, Regional CDBG/Housing Coordinators Group, SV@Home, Non-Profit Housing of Northern CA. The participants in these groups, including the	Continue, through Strategy HE-2.3.10. Additionally, Strategies HE-2.3.1 and HE-5.1.2 have been developed and supplement aspects of this program.

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	• Grant reductions in off-street parking on a case-by-case basis • Partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds	City, work together to pool their knowledge and share expertise. The County's Office of Supportive Housing helps to coordinate these efforts and provides the participants with invaluable technical assistance. Through the SCC PLHA Consortium, the City was awarded an allocation of PLHA funding and is currently working towards implementing the funding for projects in Cupertino. In addition, the City participates in the biweekly Regional CDBG/Housing Coordinators meeting and provides technical assistance to the public service agencies it funds. The City also participates in the Santa Clara County HOME Consortium. The City is workedking with non-profits and developers to review the feasibility of residential uses on two potential affordable housing sites (Mary Avenue and Byrne Avenue) with the goal of assisting with the development of affordable housing for developmentally disabled adults. The City issued an RFP (request for proposals) for the site and received interest from one developer. Currently, the City is in the process of drafting an ENA *Exclusive Negotiating Agreement (ENA)* to move the project forward. In 2021, the City entered into the Santa Clara County Permanent Local Housing (PLHA) Consortium. As part the FY 22-23 City of Work Program, the City and submitted an application to HCD for funding for the development of affordable housing. This is included in the FY 22-23 City Work Program.	
HE-2.3.9	**Employee Housing** The City permits employee housing in multiple zoning districts. Pursuant to the State Employee Housing Act, any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use. No conditional use permit, zoning	The City amended the zoning code in 2014Continue to implement the City's zoning code to to allow employee housing in multiple zoning districts. . The Zoning Ordinance is regularly updated to comply with state law.	ContinueDeleted.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located. The Employee Housing Act also specifies that housing for six or fewer employees be treated as a residential use. The City amended the Zoning Ordinance to be consistent with the State law in 2014 and will continue to comply with the Employee Housing Act where it would apply.		
HE-3.3.1	**Residential Rehabilitation** The City will continue to: • Utilize its Below Market-Rate Affordable Housing Fund (BMR AHF) and Community Development Block Grant (CDBG) funds to support residential rehabilitation efforts in the community. These include: • Acquisition/rehabilitation of rental housing • Rehabilitation of owner-occupied housing • Provide assistance for home safety repairs and mobility/accessibility	The City utilized BMR AHF and CDBG funds to acquire/rehabilitate rental housing and rehabilitate owner-occupied housing. In 2021, the following CDBG funds were provided to the following rehabilitation efforts.: ~~Continue to utilize BMR AHF and CDBG funds to~~ • A rehabilitation award of $399,986 to the Greenwood Court Renovation Project, assisting four former transitional housing units that converted to BMR rental units. • $561,482 in CDBG funds to Rebuilding Together Silicon Valley, a low-income housing repair and rehabilitation program. • $783,049 to the Vista Village Renovation Project for substantial rehabilitation. ~~acquire/rehabilitate rental housing and rehabilitate owner occupied housing. $1,500,000 in CDBG funds were provided to residential rehabilitation efforts.~~	Continue, through Strategy HE-3.3.1.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	improvements to income-qualified owner-occupants using CDBG funds • Partner with and/or support the funding application of qualified affordable housing developers for regional, state, and federal affordable housing funds		
HE-3.3.2	**Preservation of At-Risk Housing Units** One housing project – Beardon Drive (eight units. The City will proactively contact the property owner regarding its intent to remain or opt out of the affordable program. In the event the project becomes at risk of converting to market-rate housing, the City will work with the property owner or other interested nonprofit housing providers to preserve the units. The City will also conduct outreach to the tenants to provide information on any potential conversion and available affordable housing assistance programs. The City will continue to monitor its entire portfolio of affordable housing for-sale and rental inventory annually. The City will monitor its affordable for-sale inventory by requiring Below Market-Rate (BMR) homeowners to submit proof of occupancy such as utility bills, mortgage loan documentation, homeowner's insurance, and property tax bills. The City will further monitor its affordable for-sale inventory by ordering title company lot books, reviewing property profile reports and updating its	In the event the project becomes at risk of converting to market-rate housing, the City will work with the property owner or other interested nonprofit housing providers to preserve the eight units. In 2017, the BMR AFH fund provided $175,000 to Hello Housing, which assisted five households purchase BMR for-sale units. In 2019, as part of the BMR AHF program, the owner of Beardon Drive paid off the City's CDBG loan and indicated that the 8 units making up the property would continue to operate as affordable housing.	Continue, through Strategy HE-3.3.2. The City will continue to monitor and conduct outreach to at-risk below-market rate housing units throughout the City and will also implement policy that provides tenants or mission-driven nonprofits the right of first refusal to purchase a property at market price.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	public database annually. The City will monitor its affordable rental inventory by verifying proof of occupancy and performing annual rental income certifications for each BMR tenant.		
HE-3.3.3	**Condominium Conversion** Condominium conversions are not allowed if the rental vacancy rate in Cupertino and certain adjacent areas is less than five percent at the time of the application for conversion and has averaged five percent over the past six months. The City will continue to monitor the effectiveness of this ordinance in providing opportunities for homeownership while preserving a balanced housing stock with rental housing.	~~Continue~~ The City~~to~~ continued to monitor the effectiveness of this ordinance by~~in~~ providing opportunities for homeownership while preserving a balanced housing stock with rental housing.	Continue, through Strategy HE-3.3.3. The ordinance has proven successful and will be carried forward with no modification or additional language.
HE-3.3.4	**Housing Preservation Program** When a proposed development or redevelopment of a site would cause a loss of multi-family housing, the City will grant approval only if: • The project will comply with the City's Below Market-Rate Program • The number of units provided on the site is at least equal to the number of existing units, and • Adverse impacts on displaced tenants, in developments with more than four units, are mitigated	The City c~~C~~ontinued to participate in studies of regional housing need and displacement. In collaboration with the Santa Clara County Consortium, the City's Affirmatively Furthering Fair Housing (AFFH) documents was completed in spring 2022. ~~and consider policies or programs to address the indirect displacement of low-income residents as appropriate~~	Continue, through Strategy HE-3.3.4. The updated strategy also commits the City to approving the redevelopment of existing multifamily units if they are redeveloped at the same or deeper affordability, with the equivalent size and provides displaced tenants with right of first refusal to rent new units at the same rent.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	The City will participate, as appropriate, in studies of regional housing need and displacement, and consider policies or programs to address the indirect displacement of lower income residents		
HE-3.3.5	**Neighborhood and Community Clean-Up Campaigns** The City will continue to encourage and sponsor neighborhood and community clean-up campaigns for both public and private properties	The City c~~C~~ontinued to encourage and sponsor neighborhood and community clean-up campaigns for both public and private properties. The City promotes and~~/or~~ staffs the following events available to the community: • ~~•~~ Recology provides quarterly drop-~~-~~off events for bulky items, construction waste, landscape waste, and hazardous waste (due to COVID, the quarterly events were cancelled and resumed in mid-2021)~~, construction waste, landscape waste, and hazardous waste~~. • ~~•~~ The City staffs two annual creek clean ups- National River Clean Up Day and Coastal Clean Up Day.	~~Continue~~Deleted.
HE-4.1.1	**Enforcement of Title 24** The City will continue to enforce Title 24 requirements for energy conservation and will evaluate utilizing some of the other suggestions as identified in the Environmental Resources/ Sustainability element	The City continued to enforce Title 24 requirements for energy conservation and evaluate u~~tiliz~~ing some of the other suggestions as identified in the Environmental Resources/Sustainability element. In 2020~~19~~, the City a~~a~~dopted REACH codes, which were further amended in 2022, that~~which~~ will assist in achieving the City's sustainability goals. The City has Chapter 16.58, Green Building Standards Code, that requires certain projects to achieve LEED certification or similar.	Continue, through Strategy HE-4.1.1. The program has proven successful and will be carried forward with no modification or additional language.

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
HE-4.1.2	**Sustainable Practices** The City will continue to implement the Landscape Ordinance for water conservation and the Green Building Ordinance. To further the objectives of the Green Building Ordinance, the City will evaluate the potential to provide incentives, such as waiving or reducing fees, for energy conservation improvements at affordable housing projects (existing or new) with fewer than ten units to exceed the minimum requirements of the California Green Building Code. This City will also implement the policies in its climate action plan to achieve residential-focused greenhouse gas emission reductions and further these community energy and water conservation goals	The City Continue to the implemented the following ordinances: • Landscape Ordinance, Green Building Ordinance , and the City's Climate The Climate Action Plan, which , including evaluatesing the potential to provide incentives for energy conservation improvements at affordable housing projects (e.g., waiving or reducing fees,) and continue to implement • the policies in the climate action plan. Continue to The City also adopted implement the eEnergy efficiency reach codes that include requirements for electrification for certain types of buildings, water efficiency, and green materials to reduce energy use and lower greenhouse gas emissions. These codes include reach codes which are a component of the California Energy and California Green Building Codes and include requirements for water efficiency, green materials, and other items designed to encourage building electrification for certain types of buildings.	Continue, through program HE-4.1.2.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
HE-5.1.1	**Emergency Shelters** The City will continue to facilitate housing opportunities for special needs persons by allowing emergency shelters as a permitted use in the "BQ" Quasi-Public zoning district. The City will subject emergency shelters to the same development standards as other similar uses within the BQ zoning district, except for those provisions permitted by State law and provided in the Zoning Ordinance for emergency shelters	The City ~~Continue to~~ facilitate~~de~~ housing opportunities for special ~~I~~needs ~~persons~~ groups by allowing emergency shelters as a permitted use in the "BQ" Quasi-Public Building zoning district. In 2021, the City established the City Unhoused Task Force to address the needs of unhoused residents through resource referral and ~~. The~~City ~~-~~partnered with the West Valley Rotating Safe Car Park (RSCP) program. The RSCP program is an emergency homeless program made up of a network of local city governments, service organizations, and volunteer faith-based host sites that provide temporary overnight parking for homeless individuals/families living out of their cars. The RSCP program is still active, and there is a maximum of 30 people at a time per safe parking site. The same year, the City created a pilot Homeless Jobs Program with two Cupertino unhoused residents participating in the program. The City Work Program is renewed on an annual basis by the City Council, and contains a variety of different projects, one of which being the City Plan To End Homelessness. The City Council did not prioritize the Plan To End Homelessness for the FY 2023-25 City Work Program. This item was concluded, and no final version of the Plan was created. Unused funds will be returned to the General Fund. ~~RSCP program is an emergency homeless program made up of a network of local city governments, service organizations, and volunteer faith-based host sites that provide temporary overnight parking for homeless individuals/families living out of thei cars. The City created a website and application process for the RSCP program.~~	Continue, through Strategy HE-5.1.1. The updated strategy amends the Zoning Code to permit in the Quasi-Public zoning district without discretionary review and commits the City to review and revise managerial standards.
HE-5.1.2	**Supportive Services for Lower-Income Households and Persons with Special Needs**	~~In 2021~~During the planning period, the City took various steps to provide supportive services for lower-income households and persons with special needs, including:	Continue, through Strategy HE 5.1.2. The program has been a success and is carried forward with added focus on areas along the Interstate 280 corridor, in the areas abutting at

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
	The City will continue to utilize its Below Market-Rate Affordable Housing Fund, Community Development Block Grant (CDBG) funds, and General Fund Human Service Grants (HSG) funds to provide for a range of supportive services for lower-income households and persons with special needs	• -Eestablishinged the City Unhoused Task Force to address the needs of unhoused residents. • CDBG $164,807 to Live Oak Adult Day Services, a senior adult day care. • CDBG $299,156 to West Valley Community Services (WVCS) CARE Program, a community access to resource and education program. • HSG $66,189 to Catholic Charities of Santa Clara County, a long-term care ombudsman program. • HSG $25,000 to MAITRI, a transitional housing direct client services program. • HSG $105,999 to Senior Adult Legal Assistance, a legal assistance to elders program. HSG- $266,778 to WVCS Haven to Home program, a supportive services and housing resources program for the homeless.ts. In 2021, $3,000,000 in BMR AHF, CDBG, and HSG funds were provided to supportive services for low-income • households and persons with special needs. • In 2021, the City established the City Unhoused Task Force to address the needs of unhoused residents through resource referral. In FY 21-22 and FY 22-23, the City Work Program included a Homeless Jobs Program. The City developed and funded the Homeless Jobs Program to provide up to eight months of employment for two unhoused residents in Cupertino.	the intersection of Highway 85 and Stevens Creek Boulevard, along N. Foothill Boulevard (western edge of Creston-Pharlap neighborhood), and along Miller Avenue north of Creekside Park.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
HE-5.1.3	**Rotating Homeless Shelter** The City will continue to support the operation of a Rotating Homeless Shelter program	The City provided Faith in Action Rotating Shelter with space at City Hall to provide intake and registration for the community each night until it was shut down in 2017. In 2021, the City partnered with the West Valley RSCP program. ~~. The RSCP program is~~ an emergency homeless program made up of a network of local city governments, service organizations, and volunteer faith-based host sites that provide temporary overnight parking for homeless individuals/families living out of their cars. Through $299,156 in CDBG funding, the City assisted 887 households and provided services to prevent homelessness. ~~As part of the City's FY 21-22 work program, the City is developing a City Plan to End Homelessness.~~	Modify, through Strategy HE-5.1.3. The Strategy has been updated based on previous program outcomes. The City will continue to support the Rotating Safe Car Park program. ~~Continue~~
HE-6.1.1	**Fair Housing Services** The City will continue to: • Provide fair housing services, which include outreach, education, counseling, and investigation of fair housing complaints • Retain a fair housing service provider to provide direct services for residents, landlords, and other housing professionals • Coordinate with efforts of the Santa Clara County Fair Housing Consortium to affirmatively further fair housing • Distribute fair housing materials produced by various organizations at public counters and public events	~~Continue to provide fair housing services including outreach, education, counseling, and investigation of fair housing complaints.~~ In 2020, the City coordinated with the Regional CDBG/Housing Coordinators group to begin drafting the City's Affirmatively Furthering Fair Housing Plan. The City has provided a total ~~of~~ $~~of~~ $850,000 in BMR AHF funds to fair-housing services and landlord/tenant rental mediation programs.	Continue, through program HE-6.1.1. The strategy will also include commitments to partner with a local fair housing service provider.

Table B6-1Table B6-2 Overview of AdoptedReview of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
HE-7.3.1	**Coordination with Outside Agencies and Organizations** The City will meet with these agencies/organizations periodically to discuss the changing needs, development trends, alternative approaches, and partnering opportunities: • School districts • Housing providers • Neighboring jurisdictions • Association of Bay Area Governments (ABAG) • Air Quality Management District • Housing Trust Silicon Valley • Santa Clara County Fair Housing Consortium • Santa Clara County HOME Consortium • Santa Clara County Continuum of Care (COC) • Housing Authority of Santa Clara County (HASCC) • Valley Transportation Authority (VTA)	The City Continue to coordinated with these groups to apply for and receive grant funding, and engage in discussions about regional housing needs, and efforts to address homelessness. with school districts, housing providers, neighboring jurisdictions, ABAG, Air Quality Management District, Housing Trust Silicon Valley, Santa Clara County Fair Housing Consortium, Destination: Home, Santa Clara County HOME Consortium, Santa Clara County Continuum of Care, Housing Authority of Santa Clara County, and ValleyTransportation Authority. The City participated in the following groups: Santa Clara County PLHA Consortium, Regional CDBG/Housing Coordinators, SV@Home, Non-Profit Housing of Northern CA,. The participants in these groups, including the City, work together to pool their knowledge, share expertise, and provide each other technical assistance as needed. The City coordinated with these groups to engage in discussions about grant funding opportunities, regional housing needs, and efforts to address homelessness. The City participated in the following groups: Santa Clara County PLHA Consortium, Regional CDBG/Housing Coordinators Group, SV@Home, Non-Profit Housing of Northern CA. The participants in these groups, including the City, work together to pool their knowledge and share expertise. The County's Office of Supportive Housing helps to coordinate these efforts and provides the participants with invaluable technical assistance. Through the SCC PLHA Consortium, the City was awarded an allocation of PLHA funding and is currently working towards implementing the funding for projects in Cupertino. . Housing CAA, Grounded Solutions, US Department of Housing and Urban Development, among others. In 2021, the City provided referrals to COVID-related funding sources and services. As part of the FY 21-22 and 22-23 City Work Program, the City is developing a City Plan to End Homelessness. The	Continue, through Strategy HE-7.3.1. The City will commit to meet with these agencies and organizations to periodically discuss the changing needs, development trends, alternative approaches, and partnering opportunities.

~~Table B6-1~~Table B6-2 ~~Overview of Adopted~~Review of the 5th Cycle Housing Element Programs			
No.	**Programs/Actions**	**Achievements/Effectiveness**	**Continue/Modify/Delete**
		City Council did not prioritize the Plan To End Homelessness for the Fiscal Year 2023-25 City Work Program. This item was concluded, and no final version of the Plan was created. The unused funds will be returned to the General Fund.	

B6.6 PRODUCTION OF HOUSING

The 2015 Housing Element identified a Regional Housing Needs Allocation of 1,064 housing units in Cupertino between January 1, 2015 and June 30, 2023. The RHNA was divided into the following income categories:

- 356 units affordable to extremely low- and very low-income households;
- 207 units affordable to low-income households;
- 231 units affordable to moderate-income households; and
- 270 units affordable to above moderate-income households.

As shown in Table B6-2, Housing Units Produced, 2015-2023, below, during the 2015–2023 planning period, 418 new units were added to the City's housing stock, achieving approximately 39 percent of the City's RHNA. This indicates that residential growth was slower than ABAGs projections. This may be in part due to the COVID pandemic, the cost of land and constructions costs.

Table B6-2 Housing Units Produced, 2015-2023

Affordability	New Construction Need	Housing Units Produced	Percent Achieved
Extremely Low	178	*	*
Very Low	178	48	13.4%
Low	207	19	9.1%
Moderate	231	134	58.0%
Above Moderate	270	217	80.3%
Total	**1,064**	**418**	39.2%

SOURCE: HCD Annual Progress Report Dashboard (as of October 25, 2021).
NOTE: This table should be updated prior to finalization to account for units through January 1, 2023.

B6.7 APPROPRIATENESS IN GOALS, OBJECTIVES, AND POLICIES

The goals, objectives, and policies identified in the 2015 Housing Element were appropriate for the 2015-2023 timeframe because they directly relate to the program requirements listed by the California Department of Housing and Community Development (HCD).

As for new construction, the greatest progress was made in producing housing in the Moderate Income and Above Moderate-Income categories, where the City permitted approximately ~~58~~ 68 percent and ~~80~~ 119 percent of the needed units, respectively. ~~-~~The City permitted only about 13.5~~4~~ percent of its needed Very Low-Income units and 9.2~~1~~ percent of its Low-Income units. As was the case ~~in the~~ in prior years, the cost of ~~housing~~ land and construction continued to be high in Cupertino, making affordable housing difficult to develop in thise ~~Cupertino~~ market.

B6.8 SUMMARY

Like many communities, the City of Cupertino experienced less ~~development~~construction than expected in its 2015–2023 planning period. Of the 1,064 units it identified in its table of quantified housing objectives (Table HE-6 on page H-19 of the 2015 Housing Element), the City was able to issue building permits for~~permitted only 418~~ 546 units (approximately ~~39.2 percent~~51.3 percent), most of them for Above Moderate-Income households, even though the City had entitled more than 3,400 units (including more than 1,201 lower income units) during this time frame.

Nonetheless, the goals, objectives, policies, and actions in the 2015–2023 Housing Element complied with State Housing Law that was in effect at the time and provided proper guidance for housing development in the city. With the 2023-2031 Housing Element update, objectives for each of the goals will be modified as appropriate to more specifically respond to the housing environment in Cupertino. Policies will also be modified as needed to respond to current Housing Element Law and existing and anticipated residential development conditions.

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