

ATTACHMENT C

Housing Element Implementation Programs	Goal A: Supply of Units			Goal B: Affordable Housing			Goal C: Enhanced Neighborhoods			Goal D: Energy	Goal E: Special Needs	Goal F: Fair Housing	Goal G: Coordination	
	Policy 1	Policy 2	Policy 3	Policy 4	Policy 5	Policy 6	Policy 7	Policy 8	Policy 9	Policy 10	Policy 11	Policy 12	Policy 13	Policy 14
<p>Program 1: Land Use Policy and Zoning Provisions</p> <p>The City will continue to:</p> <ul style="list-style-type: none"> • Provide adequate capacity through its Land Use Element and Zoning Ordinance to accommodate its RHNA of 1,064 units, while maintaining a balanced land use plan that offers opportunities for employment growth, commercial/retail activities, services, and amenities. • Monitor its development standards to ensure they are adequate and appropriate to facilitate a range of housing in the community • Monitor its sites inventory and make it available on City website. 	√	√	√		√	√								
<p>Program 2: Second Dwelling Units</p> <p>The City will continue to implement the Second Dwelling Unit Ordinance and encourage the production of second units.</p>	√	√			√	√								
<p>Program 3: Encourage Lot Consolidation</p> <p>The City will continue to:</p> <ul style="list-style-type: none"> • Encourage 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 intra- and inter-agency cooperation in working with applicants at no cost prior to application submittal for assistance with preliminary plan review. 	√	√	√			√								
<p>Program 4: Flexible Residential Standards</p> <p>The City will continue to:</p> <ul style="list-style-type: none"> • Offer flexible residential development standards in planned residential zoning districts, such as smaller lot sizes, lot widths, floor area ratios and setbacks, particularly for higher density and attached housing developments. • Consider granting reductions in off-street parking on a case-by-case basis for senior housing. 	√	√	√			√								
<p>Program 5: Office and Industrial Housing Mitigation Program</p> <p>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 fee, which will then be used to support affordable housing for families who work in Cupertino but live elsewhere. These fees are collected and deposited in the City's Below Market-Rate (BMR) Affordable Housing Fund (AHF).</p>				√	√	√	√							

Proposed 2014-2022 Housing Element Programs and Relationship to Goals and Policies

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<p>Program 6: 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 all new residential development of one unit or greater. 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 or more for-sale units must provide on-site BMR units. Projects of 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 Affordable Housing Fund (AHF).</p>				√	√	√	√							
<p>New Program 7: Below Market-Rate (BMR) Affordable Housing Fund (AHF) The City’s Below Market-Rate (BMR) Affordable Housing Fund (AHF) will continue to support affordable housing projects, programs and services, including but not limited to:</p> <ul style="list-style-type: none"> • Rehabilitation • Acquisition with or without rehabilitation • New construction • Preserving “at-risk” BMR units • Rental operating subsidies • Down payment assistance • Land write-downs • Direct gap financing • Public service agencies • Special needs housing <p>The City will target a portion of the Below Market-Rate (BMR) Affordable Housing Fund (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).</p>					√	√	√							
<p>Program 8: Referral to 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:</p> <ul style="list-style-type: none"> • Mortgage Credit Certificate (MCC) • Section 8 Housing Choice Vouchers • Housing Trust of Santa Clara County (HTSCC) • Housing Authority of Santa Clara County (HASCC) • County of Santa Clara HOME Consortium 					√	√	√							

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<p>Program 9: Surplus Properties for Housing The City will explore opportunities on surplus properties as follows:</p> <ul style="list-style-type: none"> • 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. • Review housing programs in neighboring school districts that assist teachers for applicability in Cupertino. 					√									
<p>Program 10: Incentives for Affordable Housing Development The City will continue to offer a range of incentives to facilitate the development of affordable housing. These include:</p> <ul style="list-style-type: none"> • Financial assistance through the City’s Below Market-Rate (BMR) Affordable Housing Fund (AHF) and Community Development Block Grant (CDBG) Program funds; • Density bonus incentives; • Flexible development standards; • Technical assistance; • Waiver of park dedication fees; • Parking ordinance waivers; and • Expedited permit processing. 					√	√								
<p>Program 11: 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 elderly, victims of domestic violence, and the disabled, including persons with developmental disabilities).</p> <p>Specifically, the City will consider the following incentives:</p> <ul style="list-style-type: none"> • Provide financing assistance using the BMR AHF and CDBG funds (refer to New Program 7). • 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. 		√			√	√								

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<p>Program 12: Residential Rehabilitation The City will continue to:</p> <ul style="list-style-type: none"> Utilize its BMR AHF and CDBG funds to support residential rehabilitation efforts in the community. These include: <ul style="list-style-type: none"> 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 program is on the correction of safety hazards. Explore opportunities for acquisition and/or rehabilitation of rental housing for lower income households. 							√	√						
<p>Program 13: Preservation of At-Risk Housing Units To preserve the City’s affordable housing inventory, the City will:</p> <ul style="list-style-type: none"> Annually monitor the status of its affordable housing inventory and contact property owners for the intent to remain or opt out of their affordable programs. In the event a project becomes at risk of converting to market-rate housing, work with property owners or other interested non-profit housing providers to preserve the units. 									√					
<p>Program 14: Condominium Conversion The City’s existing Condominium Conversion Ordinance regulates the conversion of rental units in multi-family housing development in order 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 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.</p>					√				√					
<p>Program 15: 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.</p>								√						
<p>Program 16: Enforcement of Title 24 The City will continue to enforce Title 24 requirements for energy conservation.</p>										√				

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<p>Program 17: Green Building Ordinance The City will continue to implement the Green Building Ordinance (adopted in 2013) that applies to new residential and nonresidential development, additions, renovations, and tenant improvements.</p>										√				
<p>Program 18: Emergency Shelters The City amended its Zoning Ordinance in 2010 to provide for the siting of emergency shelters in the "BQ" Quasi-Public zoning districts as a permitted use. However, the development standards established in the Zoning Ordinance do not meet State law requirements for permanent year-round shelters. Specifically, the City requires the shelter to be located in an existing church structure – a location requirement not permitted under State law. The City will revise the Zoning Ordinance within one year of the Housing Element adoption to comply with State law.</p>											√			
<p>Program 19: Rotating Homeless Shelter The City will continue to support the operation of the rotating emergency shelter program.</p>											√			
<p>Program 20: Supportive Services for Lower Income Households and Persons with Special Needs The City will continue to utilize its Below Market-Rate (BMR) Affordable Housing Fund (AHF), General Fund Human Service Grants (HSG) Program and CDBG funds, to provide for a range of supportive services for lower income households and persons with special needs.</p>											√			
<p>Program 21: Fair Housing Services The City will continue to:</p> <ul style="list-style-type: none"> • 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. 												√		

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<p>Program 22: Coordination 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:</p> <ul style="list-style-type: none"> • School districts • Housing developers • Public service agencies • Association of Bay Area Governments (ABAG) • Housing Trust of Santa Clara County (HTSCC) • Santa Clara County Fair Housing Consortium • Santa Clara County HOME Consortium • Santa Clara County Continuum of Care (COC) • Housing Authority of the County of Santa Clara County (HACSCC) <p>Specifically, the City will meet with these agencies/ organizations periodically to discuss the changing needs, development trends, alternative approaches, and partnering opportunities.</p>													√	√
<p>Program 23: Nexus Study Update The City will update its Nexus Study in relationship to its Office, Industrial and Residential Mitigation Program with every Housing Element update</p>				√										
<p>Program 24: Community Development Block Grant (CDBG) Program The City will continue to utilize Community Development Block Grant (CDBG) entitlement funds to support eligible capital housing projects and public service housing activities.</p>					√						√			
<p>Program 25: General Fund Human Service Grants (HSG) Program The City will continue to utilize General Fund Human Service Grants (HSG) funds to support public service agencies, affordable housing programs and services.</p>											√			
<p>Program 26: HOME Investment Partnerships (HOME) Program The City will propose to join the County of Santa Clara HOME Consortium. The City would be eligible to apply for HOME funds through the County of Santa Clara for eligible affordable housing projects and programs.</p>					√									

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Program 27: Rental Housing Preservation Program (PLACEHOLDER) This program will be discussed further in light of recent court cases such as Palmer vs. City of Los Angeles, Sterling Park vs. City of Palo Alto. Also in response to recent court cases various cities are addressing this issue with updating mitigation fees for rental units. Due to the uncertainty of the outcome of several court cases that are pending this program will be discussed further.									√					