



December 14, 2020

Cupertino City Council
Cupertino City Hall
10300 Torre Avenue
Cupertino CA 95014-3202

Re: Item 12 – City’s proposed local density bonus ordinance

Dear Mayor Paul, Vice Mayor Chao and Councilmembers:

We, the undersigned authors of this correspondence, write to express our concern regarding the proposed City density bonus ordinance that just popped up at the last minute and respectfully ask you not to adopt it. State Density Bonus Law has been on the books for decades and yet suddenly you are now considering a local ordinance in an apparent effort to limit the application of new amendments to state law.

Even with the slight dip in apartment rents due to the impact of the pandemic, Cupertino continues to be the most expensive rental housing market in Silicon Valley yet the proposed City ordinance would reduce both the percentage (from 15% to 13%) of required inclusionary very low-income housing and the percentage of density bonus units (from 50% to 40%) below those authorized under new state law that becomes effective on January 1, 2021.

Unlike your proposed ordinance, which wasn’t vetted by either the Housing Commission or Planning Commission, AB 2345 went through an extensive state legislative committee process and the final version of the bill signed into law by Governor Newsom reflects input from and negotiations with numerous stakeholders to ensure both project feasibility and neighborhood compatibility.

The state statute adopted by the Legislature finds and declares that the intent behind State Density Bonus Law is to allow the private sector and market-rate developments to provide affordable housing for lower-income households without the need for public subsidies.

We urge you to reject the proposed ordinance before you and allow the new amendments to State Density Bonus Law to go into effect and be applied to the City of Cupertino and

future projects. This is the best way to address the housing availability and affordability problems the city faces.

We thank you in advance for your consideration of this request.

Sincerely,

Michael Lane - San Francisco Bay Area Planning and Urban Research Association (SPUR)

David Meyer - Silicon Valley at Home

Matt Regan - Bay Area Council

Vince Rocha - Silicon Valley Leadership Group