



appendix a: land use definitions



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INTRODUCTION

The Land Use Map (**Figure A-1**) of Community Vision 2040 illustrates the policies in this element and in other elements that play a major role in guiding urban development. The map cannot be used alone because it illustrates the text, which should be used along with it.

The Land Use Map illustrates the general form of Cupertino in terms of land use patterns and intensity of land use activities. In contrast, the Municipal Zoning Map divides the city into very precisely drawn land use categories. Zoning districts have precisely written standards governing permitted activities and development forms. A series of policy statements accompany the planning text to guide the public and government officials in establishing precise zoning boundaries and pinpoint permitted activities.

California law requires that the zoning map and zoning regulations be consistent with the Land Use Map and text. The zoning map and regulations must be brought into conformity with Community Vision 2040 within a reasonable period after it is adopted.

LAND USE CATEGORIES

Patterns and symbols, defined on the map legend, are used on the Land Use Map to identify land use categories, the road system, major land features and significant public and private facilities. The following is a description of each land use category:

RESIDENTIAL

This designation identifies areas suitable for residential dwellings and is divided into nine sub-categories based on dwelling unit density, which is expressed as the number of dwellings permitted on each acre. Maximum residential yield is calculated by multiplying the maximum dwelling unit density by the size of the lot in acres, excluding any public rights-of-way, in fee or as an easement, other access easements, and easements for creeks and other waterways, or lot area as further defined in the Municipal Code. Accessory dwelling units continue to be permitted as required by State and local laws.

Community Vision 2040 does not define whether the dwellings are to be owned or rented by their inhabitants or whether they are to be attached or detached.

Very Low Density: Intensity is based on applying one of four slope-density formulas—Foothill Modified, Foothill Modified 1/2 Acre, Semi-Rural 5 acre, or Foothill 5-20 acre - for each site. This classification is intended to protect environmentally sensitive areas from extensive development and to protect human life from hazards related to flood, fire and unstable terrain.

Low Density: Sites have an established maximum density between 1-5 or 1-6 units (*Rancho Rinconada*) on each acre and may have a required minimum density. This category is intended to promote a suburban lifestyle of detached single-family homes. Planned residential communities can be incorporated into this category if the development form is compatible with adjoining residential development. Duplexes with accessory dwelling units (up to a maximum of four total units) may be permitted per the City's Housing Element and Municipal Code regulations to support "missing middle" housing types.

Low/Medium Density: Sites have an established density between 5.01-10 units per acre and may have a required minimum density. This category accommodates more intensive forms of residential development while still being compatible with the predominant single-family detached residential neighborhood. This development can be successfully incorporated into a single-family environment.

Medium Density: Sites have an established maximum density between 10.01-20 units per acre and may have a required minimum density. This category is intended for smaller-scale multiple-family residential developments, including duplexes, and townhome/rowhouse development. In addition to high-demand housing types, such as townhomes, this density range provides opportunities for the development of "missing middle" housing types and allows for a gradual transition from existing single-family residential uses to higher-density development. These developments should be located on the edges of single-family residential communities where utility services and street networks are adequate to serve the increased densities of this category.

Medium/High Density: Sites have an established maximum density between 20.01-35 units per acre and may have a required minimum density. This category promotes a wide range of housing choices including triplexes/ fourplexes, or other multiple-family residential and townhome development, or a mix thereof. The zoning for the site specifies whether townhomes are permitted to develop with townhomes, with the TH combining district established in the Municipal Code. The category is used in corridors with access to services and transit.

High Density: Sites have an established maximum density between 35.01-50 units per acre and may have a required minimum density. This category is intended for primarily multiple-family residential development, with some sites, zoning permitting, having the ability to also develop with a small townhome component to allow varied housing choices. The zoning for the site specifies whether townhomes are permitted, with the TH combining district established in the Municipal Code. The category is used only at locations with adequate utility services or transit or both. This category offers wide opportunity for housing choice, especially for people who want a more urban environment.

High/Very High Density: Sites have an established maximum density between 50.01-65 units per acre and may have a required minimum density. This category promotes a wide range of housing choices in primarily multiple-family or mixed-use residential developments in urban environments. In some cases, zoning may permit a small component of townhome development to provide varied housing choices with the TH combining district established in the Municipal Code. The category is used only at locations with adequate utility services, transit, or both.

Very High Density: Sites have an established maximum density between 65.01-80 units per acre and may have a required minimum density. This category offers extensive opportunity for housing choice, especially for people who want a more urban environment. The category is used only at locations with adequate utility services, transit, or both.

Highest Density: Sites have an established maximum density between 80.01-95 units per acre and may have a required minimum density. This category offers maximum opportunity for housing choice, including workforce housing. The category is used only at locations with adequate utility services located adjacent to an office campus environment.

COMMERCIAL/RESIDENTIAL

This designation allows commercial and residential uses. Commercial use means retail sales or service establishments with direct contact with customers and a sales floor/serving area, and limited professional offices. This applies to commercial activities ranging from neighborhood convenience stores to regionally oriented specialty stores. Retail stores that would be a nuisance for adjoining neighborhoods or harmful to the community identity would be regulated by the commercial zoning ordinance and use permit procedure. Retail stores do not include businesses that function as a warehouse, provide only pick-up and drop-off services, and/or do not offer direct services or sale of goods.

Smaller commercial parcels in existing residential areas may be needed to provide local neighborhood serving retail; otherwise, they may be redeveloped at residential densities identified in the land use map.

The residential density for each sub-category is identified below. 100% residential development is allowed on sites with a General Plan land use designation of Commercial/Residential, if at least 40% of the total units are affordable, with at least 20% of the total units affordable to lower income households.

Commercial/Residential Low/Medium Density: This category allows mixed-use development with commercial uses and an established maximum residential density between 5.01-10 units per acre by site, in addition to possibly having a required minimum residential density. Development in this category promotes low to medium intensity residential development within walking distance to local/neighborhood serving commercial uses.

Commercial/Residential Medium Density: This category allows mixed-use development with commercial uses, and an established maximum residential density between 10.01-20 units per acre by site, in addition to possibly having a required minimum residential density. Development in this category should promote housing choices for “missing-middle” housing and smaller-scale multiple-family residential, combined with commercial development. The intensity allows for a gradual transition from existing single-family residential uses to higher-density development.

Commercial/Residential Medium/High Density: This category allows mixed-use development with commercial uses and an established maximum residential density between 20.01-35 units per acre by site, in addition to possibly having a required minimum residential density. Development in this category promotes commercial development combined with a range of housing choices for people who want a more urban environment, with either multiple-family residential or townhome development, or a mix thereof. In some cases, zoning may permit a small component of townhome development to provide varied housing choices with the TH combining district established in the Municipal Code. The intensity requires that the category generally be used in corridors with access to services and transit.

Commercial/Residential High Density: This category allows mixed-use development with commercial uses, and an established maximum residential density between 35.01-50 units per acre by site, in addition to possibly having a required minimum residential density. Development in this category is intended primarily for multiple-family residential. In some cases, zoning may permit a component of townhome development to provide varied housing choices with the TH combining district established in the Municipal Code. The intensity requires that the category be used only at locations with adequate utility services or transit or both. This category offers a wide opportunity for housing choice, especially for people who want to live in an urban environment.

Commercial/Residential High/Very High Density: This category allows mixed-use development with commercial uses, and an established maximum residential density between 50.01-65 units per acre by site, in addition to possibly having a required minimum residential density. Development in this category promotes commercial development with a wide range of housing choices in primarily multiple-family residential development. In some cases, zoning may permit a small component of townhome development to provide varied housing choices with the TH combining district established in the Municipal Code. The intensity requires that the category be used only at locations with adequate utility services, transit, or both.

Commercial/Residential Very High Density: This category allows mixed-use development with commercial uses, and an established maximum residential density between 65.01-80 units per acre by site, in addition to possibly having a required minimum residential density. Development in this category offers maximum opportunity for housing choice, especially for people who want a distinctly urban environment. The intensity requires that the category be used only at locations with adequate utility services, high-quality, transit, or both.

NEIGHBORHOOD COMMERCIAL/RESIDENTIAL

Neighborhood Commercial is a subset of the Commercial land use designation. This category includes retail activities, personal services, and limited commercial offices that serve primarily the residents of adjacent neighborhoods. Residential living units shall only be allowed as upper floor uses or behind the permitted non-residential component of live/work units.

REGIONAL SHOPPING / RESIDENTIAL

This designation applies to the portions of the Vallco Shopping District Special Area that allow residential uses. This designation allows residential development at a maximum density of 35 dwelling units per acre and a minimum density of 29.7 dwelling units per acre by right. Limited, supporting commercial uses that include retail sales, businesses, and service establishments with direct contact with customers on the ground level are permitted but not required. High-performing retail, restaurant and entertainment uses are permitted. The development may result in structures with up to five levels in residential only structures or up to six levels in structures that include ground-floor commercial uses with the heights indicated in Figure LU-2.

REGIONAL SHOPPING

This designation applies to the portions of the Vallco Shopping District Special Area that do not allow residential uses. This designation allows commercial uses that include retail sales, businesses, and service establishments with direct contact with customers. High-performing retail, restaurant and entertainment uses are permitted. Hotel uses are permitted, and a business class hotel with conference center and active uses including main entrances, lobbies, retail and restaurants on the ground floor is encouraged.

OFFICE

This designation encompasses all office uses referenced in the City's Administrative and Professional Office Zone including administrative, professional and research and development activities.

Prototype research and development is permitted if it is conducted along with the office functions of a business. Prototype R&D is defined as research and development activities that lead to the development of a new product or a new manufacturing and assembly process. Products developed, manufactured or assembled here are not intended to be mass-produced for sale at this location.

Guidelines for Prototype Research and Development: The type, use and storage of hazardous material for prototype R&D or assembly is regulated by the Uniform Building Code, the Uniform Fire Code and any new ordinance or other regulation that controls hazardous materials.

The building must not present the appearance that a prototype R&D or assembly process is in place. There will be no exterior storage and receiving facilities will be small. Generally, no more than 25 percent of the total space occupied by the firm will be devoted to this activity.

COMMERCIAL/OFFICE/RESIDENTIAL

This designation applies to the mixed-use areas that are predominantly commercial and office uses. Supporting residential uses may be allowed to offset job growth, better balance the citywide jobs to housing ratio and when they are compatible with the primarily non-residential character of the area. Residential development is subject to the numerical caps and other policies (described in the Land Use and Community Design element).

INDUSTRIAL/RESIDENTIAL

This designation allows primarily industrial uses and secondarily residential uses or a compatible combination of the two. Industrial use refers to manufacturing, assembly and research and development. Administrative offices that support manufacturing and wholesaling are included.

Housing may be allowed to offset job growth and better balance citywide jobs to housing ratio. Residential development is subject to the numerical caps and other policies (described in the Land Use and Community Design Element).

INDUSTRIAL/COMMERCIAL/RESIDENTIAL

This designation allows primarily industrial uses and secondarily commercial uses or a compatible combination of the two. Industrial use refers to manufacturing, assembly and research and development. Administrative offices that support manufacturing and wholesaling are included.

Housing may be allowed to offset job growth and better balance citywide jobs to housing ratio. Residential development is subject to the numerical caps and other policies (described in the Land Use and Community Design Element).

OFFICE/INDUSTRIAL/COMMERCIAL/RESIDENTIAL

This designation applies to areas that are primarily office uses and industrial uses. Commercial uses should be ancillary and supportive of the office and industrial base with the exception of larger parcels, which may be used for regionally oriented stores. Residential development is subject to the numerical caps and other policies (described in the Land Use and Community Design Element).

QUASI-PUBLIC/INSTITUTIONAL

This designation applies to privately owned land involving activities such as a private utility, a profit or non-profit facility giving continuous patient care, an educational facility or a religious facility.

PARKS AND OPEN SPACE

This designation applies to land owned by the public and used for recreation. It is also applied to private open space and recreational lands.

RIPARIAN CORRIDOR

This designation applies to creek corridors if they are not part of a larger park or residential property.

PUBLIC FACILITIES

This designation applies to land used or planned to be used by a governmental entity for a public purpose.

TRANSPORTATION

This designation applies to streets, highways and rail corridors.

MONTA VISTA NEIGHBORHOOD LAND USE DESIGNATION

Residential: The Monta Vista neighborhood has four density ranges, which allow flexibility in allowing single family, duplex and/or multi-family housing types. The four density ranges establish the maximum residential density for sites located in each of the designations and are identified on the General Plan Land Use map.

Non-residential: The non-residential designations are the same as the rest of Cupertino.

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