



OFFICE OF THE CITY CLERK

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3223
CUPERTINO.GOV

CITY COUNCIL STAFF REPORT

Date: December 2, 2025

Subject

Declare properties as having potential fire hazards from weeds or other potential nuisances for the Cupertino Weed Abatement Program; set hearing on March 3, 2026 to declare a public nuisance and to consider objections for proposed removal

Recommended Action

Adopt Resolution No. 25-____ declaring properties as having potential fire hazards from weeds or other potential nuisances (Attachment A) and set hearing on March 3, 2026 to declare a public nuisance and to consider objections for proposed removal.

Background

The Cupertino Weed Abatement Program is in place to prevent fire hazards and other nuisances posed by vegetative growth (weeds) and the accumulation of combustible materials. This program is managed by the Santa Clara County Department of Agriculture.

Brush Abatement Program

The City's Brush Abatement Program, managed by the Santa Clara County Fire Department, is separate from the County Weed Abatement Program and addresses wildfire risk by requiring property owners in the Wildland-Urban Interface (WUI) to maintain defensible space (Cupertino Municipal Code Section 16.40.200). Brush inspections occur on a different cycle than weed inspections. Non-compliant properties may also be abated, with the costs placed on the property tax bill. The Council will consider the lien assessments at the July hearing.

Reasons for Recommendation and Available Options

Cupertino Municipal Code Chapter 9.08 requires property owners to remove or destroy weeds on their property for fire and public health protection. Cupertino Municipal Code Section 9.08.020 states:

Whenever any weeds are growing upon any private property or properties or in any street or alley within the City. The City Council shall pass a resolution declaring the same to be a public nuisance and order the County Agricultural Commissioner to give notice of the passage of such resolution as provided in this chapter, and state therein that, unless such nuisance is abated without delay by

the destruction or removal of such weeds, the work of abating such nuisance will be done by the County Agricultural Commissioner, and the expense thereof assessed upon the lots and lands from which, and/or in the front and rear of which, such weeds have been destroyed or removed. Such resolution shall fix the time and place for hearing any objections to the proposed destruction or removal of the weeds.

The weed abatement process is in place to notify the property owners of this responsibility, authorize the County to remove the weeds if the property owner does not do so, and allow the County to recover the costs of abatement.

Process for Weed Abatement Program Outlined

The weed abatement process consists of nine steps that begin in November and go through August of the following year, as shown on the following list. Step One of the process is for the City Council to adopt a resolution declaring properties as having potential fire hazards from weeds or other potential nuisances and to set a hearing on March 3, 2026, to declare a public nuisance and to consider objections for proposed removal. On November 20, 2025, the County filed with the City the report of properties that have been identified as being noncompliant with the abatement program requirements (Attachment B, Exhibit A in Resolution).

The steps in the process are outlined below:

1. County prepares a report of all properties that have been non-compliant in removing weeds in the last three years and provides that report to the City and the City sets a hearing date. The County filed the report on November 20, 2025 (Attachment B, Exhibit A in Resolution). Please note that the City's hearing must be scheduled for March, rather than the customary January date, because the County of Santa Clara will not have its new fee schedule for 2026 approved by the Board of Supervisors until January 6, 2026. This delay requires the City to shift the hearing timeline accordingly. (November)
2. County sends a notice to the property owners on the report notifying them of the hearing date and explaining that they must remove or destroy weeds by the abatement deadline of April 30, 2026 or it will be done for them, with cost of the abatement plus administrative costs assessed to their property (January).
3. City sends a courtesy letter to property owners listed on the report, notifying them of the hearing and the abatement deadline. (January-February).
4. City Council holds the hearing to consider objections by property owners and adopts a resolution declaring weeds a public nuisance and ordering abatement. (March)
Please note that the City's hearing date has been shifted from the typical January timeframe to March to accommodate the revised timeline for Step 1.
5. City sends a courtesy letter to property owners listed on the report, reminding them of the abatement deadline (March).

6. After April 30, the properties are inspected by the County to verify that weeds were removed. The County sends a subsequent letter to property owners listed on the report, after an inspection determines that they are out of compliance; and proceeds with abatement if the property fails the inspection.
7. The County makes a report of all costs associated with the abatement and provides that report to the City (June-July).
8. City notifies the property owners listed on the assessment report, notifying them of the hearing date (July-August).
9. City Council holds a hearing, considers any disputes, and adopts a resolution placing a lien assessment on the properties to allow the County to recover the cost of weed and/or brush abatement (July)

The attached draft resolution (Attachment A) will declare the listed properties as being a potential fire hazard due to weeds and/or combustible materials, or a potential nuisance due to weeds that are noxious, dangerous, or pose health risks. If Council adopts the resolution, property owners on the report will receive notices from the County and the City indicating that public nuisance declared their property must be abated, and that the City Council will conduct a public hearing on March 3, 2026 in order to consider objections to the proposed abatement.

During the public hearing on March 3, 2026, the Council will be asked to approve the Weed Abatement Program report and to declare a public nuisance. If approved, the County will be authorized to perform an inspection of the properties on the report to determine if the property has met the Weed Abatement Program requirements. Property owners will have until April 30, 2025 to abate their property.

Sustainability Impact

No sustainability impact.

City Work Program (CWP) Item/Description

None.

Council Goal:

Quality of Life.

Fiscal Impact

No fiscal impact.

California Environmental Quality Act

The weed abatement program is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15304 (minor alterations to land) and section 15321 (enforcement actions by regulatory agencies).

Prepared by: Lauren Sapudar, Deputy City Clerk

Reviewed by: Kirsten Squarcia, City Clerk/Interim Deputy City Manager
Floy Andrews, Interim City Attorney

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

A - Draft Resolution and Exhibit A

B – Cupertino Commencement Report (Exhibit A)