



## OFFICE OF THE CITY CLERK

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### CITY COUNCIL STAFF REPORT

Date: May 19, 2026

#### Subject

Setting a hearing date of June 16, 2026 to declare brush with potential fire hazard a public nuisance and consider objections to proposed removal through the Cupertino Brush Abatement Program (Wildland-Urban Interface Fire Area); declaring properties as having potential fire hazards from brush a public nuisance and authorizing removal.

#### Recommended Action

Adopt Resolution No 26-\_\_\_ declaring properties as having potential fire hazards from brush a public nuisance; and set a hearing date of June 16, 2026 to declare brush with potential fire hazard a public nuisance and to hear objections to proposed removal.

#### Background

The Cupertino Brush Abatement Program is a separate program from the County Weed Abatement Program that works to protect the City from wildfire risk by reducing potential fuel, such as brush, from hillside areas. This program is managed by the Santa Clara County Fire Department. Cupertino Municipal Code Section 16.40.200 requires property owners in the locally adopted Wildland-Urban Interface Fire Area (WUI) to maintain effective defensible space by removing brush, flammable vegetation and combustible growth when required by the fire code official due to steepness of terrain or other conditions. All properties in the WUI area are subject to the requirements of the Brush Abatement Program. The Program authorizes the County to remove the brush if the property owner does not and to recover the cost of abatement.

#### Reasons for Recommendation and Available Options

Each year, homeowners are reminded that they must remove brush and vegetation from around their home to comply with minimum fire safe regulations. On March 9, 2026, County Fire mailed a letter notifying property owners in designated fire hazard severity zones (Attachments C-D).

Fire crews begin conducting property inspections in early April of each year. Properties that are found to be out of compliance with the enforced safety regulations are issued a notice of violation requesting corrections (Attachment E). These properties are identified on the Non-Compliant Properties List prepared by County Fire (Attachment B, Exhibit A in Resolution). All properties must comply before June 1. After June 1, non-compliant properties are referred for mandatory abatement by an assigned County contractor. The costs associated with the abatement work for

that parcel are placed on the homeowner's property tax bill. A list of Santa Clara County Weed Abatement fees is also included (Attachment F).

To proceed with the annual brush abatement process, staff recommends adopting the draft resolution declaring properties as having potential fire hazards from brush a public nuisance; and setting a hearing date of June 16, 2026 to declare brush with potential fire hazard a public nuisance and to hear objections to proposed removal (Attachment A). If the resolution is not adopted, County Fire will be unable to authorize abatement work performed by a contractor on properties that are not in compliance with the vegetation clearance requirements.

Sustainability Impact

No sustainability impact.

Fiscal Impact

There are no fiscal impacts at this step in the process. Any costs associated with the program are charged to property owners, as determined at the lien assessment hearing on June 16. The City Council holds the hearing, considers any objections, 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.

City Work Program (CWP) Item/Description

None.

Council Goal:

Quality of Life.

California Environmental Quality Act

Weed abatement activities are exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15304 (minor alteration to land).

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Reviewed by: Kirsten Squarcia, Deputy City Manager

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

A – Draft Resolution and Exhibit A (Non-Compliant Properties List)

B – Non-Compliant Properties List (Exhibit A in Resolution)

C – Defensible Space Inspection Letter Property Owner Letter

D – Defensible Space Information Property Owner Letter

E – Notice of Violation

F – 2026 Santa Clara County Weed Abatement Rates