



CITY MANAGER'S OFFICE

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CITY COUNCIL STAFF REPORT

Date: December 2, 2025

Subject

Second reading and enactment of amendments to the Municipal Code, Title 5 (Business Licenses and Regulations) to Establish Chapter 5.51 to Regulate Film Production

Recommended Action

Conduct the second reading and enact Ordinance No. 25-2279: "An Ordinance of the City Council of the City of Cupertino Amending City Code Title 5 (Business Licenses and Regulations) to Establish Chapter 5.51 to Regulate Film Production."

Reasons for Recommendation and Available Options

On November 4, 2025, the City Council introduced and conducted the first reading of an ordinance amending Cupertino Municipal Code Title Five (Business Licenses and Regulations) to establish chapter 5.51 to regulate film production with the following modifications:

- Section 5.51.060(A) – Noticing requirements were increased from 48 hours to 72 hours prior to the first day of filming.
- Section 5.51.060(B) – Filming hours were reduced from 10:00 p.m. to 8:00 p.m. for residential areas.

In accordance with California Government Code Section 14999.21, staff submitted the proposed ordinance to the California Film Commission (Commission) for review, and received feedback included in Attachment C, and summarized below:

- The Commission recommended issuing the filming permit within 2-5 business days instead of the 14-30 days we have in the current proposed ordinance.
 - Staff considered this option and determined that 2-5 business days was insufficient timing to administratively review and approve a permit with all necessary documentation and insurance.

- The Commission recommended going back to the standard filming hours 7:00 a.m. – 10:00 p.m. for residential zones (with the option to extend hours with the approval of affected residents and business owners).
 - Reducing the filming hours to 8:00 p.m. in residential zones was a specific Council directive at the first reading therefore this recommendation was not incorporated.
- The Commission recommended that the ordinance should include a section on violations and fining those found filming without a permit.
 - Ordinance section 5.51.070 covers permit denial, revocation, or suspension for those found in violation of this ordinance. The fees are being discussed as a separate item and Council can consider a violation fee at that time.

If the City Council approves the second reading and enactment at the December 2, 2025, meeting, the proposed ordinance will be in effect thirty days after.

Sustainability Impact

No sustainability impact.

Fiscal Impact

The proposed ordinance authorizes the City to collect permit fees and require such permittees to carry insurance limits at levels expected to protect the City from liability and to cover the various costs incurred by the City associated with such film production activity within the City. In adopting the associated fee schedule, future film production within the City should not create a fiscal impact on the City's finances.

City Work Program (CWP) Item/Description

None

Council Goal:

Fiscal Strategy

California Environmental Quality Act

No California Environmental Quality Act impact.

Prepared by: Astrid Robles, Senior Management Analyst

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

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

A – Draft Ordinance (Clean)

B – Draft Ordinance (Redline)

C – Feedback from California Film Commission