



CITY ATTORNEY'S OFFICE

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CITY COUNCIL STAFF REPORT

Meeting: September 3, 2025

Subject

Introduce Municipal Code amendments to Cupertino Municipal Code, Title 11, Vehicles and Traffic, Section 11.24.130, Section 11.27.050, Section 11.28.010, and Section 11.28.020, pertaining to the overnight parking of oversized vehicles on public streets.

Recommended Action:

1. Conduct first reading of Ordinance 25-____: "An Ordinance of the City Council of the City of Cupertino Amending Title 11, Vehicles and Traffic, of the City of Cupertino Municipal Code Sections 11.24.130 (Prohibited for more than seventy-two hours), Section 11.27.050 (Issuance of permits to residents and members of designated groups), Section 11.28.010 (Definitions), and Section 11.28.020 (Parking of oversized vehicles restricted)";
2. Request staff to report back to Council one year post implementation regarding impacts of new rules and possible suggested revisions;
3. Request staff to install oversized vehicle parking restriction signage in areas staff deems to be disproportionately impacted by oversized vehicle parking, including on Bandle Drive, Alves Drive and Saich Way, adjacent to the local Target store, and approve funding of \$10,000 for such signage;
4. Request staff to update the City's website to allow residents to obtain parking permits for their oversized vehicles online.
4. Approve an additional \$25,000 for signage at City entrances. Staff will deploy the funds and install such signs once it determines that the new Ordinance is workable and effective; and
5. Find that the proposed actions are exempt from CEQA.

Background:

On June 24, the Planning Commission considered various options for updating the City of Cupertino's oversized vehicle parking restrictions to prohibit the

parking of oversized vehicles on public right-of-way streets for more than seventy-two hours. Such options were considered as the City has been experiencing an influx of these types of vehicles parking in excess of seventy-two hours on City streets, creating a public nuisance for City residents and interfering with the City's commerce and local businesses.

On July 15, the City Council held a study session to consider the Planning Commission's recommendations. The Council also considered preventing the renting out of oversized vehicles to be used for living or sleeping quarters, as living and sleeping in any vehicle on a public street is prohibited under the City's Municipal Code Section 11.28.020.

The proposed Ordinance would update the City's Municipal Code pertaining to the parking of and/or renting of oversized vehicles within the City in support of the recommendations of the City Council outlined during the July 15 study session.

Reason for Recommendation and Available Options

1. The City's code does not prevent the overnight parking of all oversized vehicles. The current code only prohibits the parking of mobile homes. Updating the municipal code will close the enforcement loopholes that currently exist by defining oversized vehicles and preventing them from parking on the City's public streets overnight, from 10 p.m. to 6 a.m. Although the code prohibits vehicles from parking in a location for more than seventy-two hours, as currently written it does not adequately prevent oversized vehicles from parking indefinitely in substantially the same area on public right-of-way streets, creating a public nuisance for City residents and visitors, and interfering with commerce and local business. This Ordinance provides a comprehensive definition for oversized vehicles and prohibits them from parking without a valid permit overnight, thereby balancing the needs of residents, visitors and local businesses.

2. City residents will remain largely unaffected by this Ordinance, as the City will offer each household up to twenty parking permits per year for their oversized vehicles, allowing residents or their guests to park oversized vehicles on public right-of-way streets for seventy-two hours. After seventy-two hours, the vehicle must be moved to a new location 1,500 feet from the first location and may not return to any location within 1,500 feet of the previous location for at least seventy-two hours. There is no charge imposed on residents for these permits.

3. The City's current Municipal Code prohibits living or sleeping in vehicles on public streets or property. This Ordinance amends the code, expanding the intent of the original code to include the renting or loaning of any vehicle as a home or sleeping quarters.

Staff Recommendation:

Approve the recommended action.

Other Available Options:

1. Consider adopting a program that specifically targets only certain areas impacted by oversized and lived-in vehicles within the City. For example, the City of San Jose has adopted their Oversized and Lived-In Vehicle Enforcement (OLIVE) pilot program, which identifies impacted areas, establishes temporary tow away zones to allow clean up and encourage relocation, and analyzes the feasibility of installing permanent restrictions at select locations.

2. Do not approve the recommended actions and continue with the status quo.

Sustainability Impact

No sustainability impact.

Fiscal Impact

Permit Cost: Staff estimates that processing a permit application will cost approximately \$46.50 based on staff time and the use of City resources. Staff anticipates receiving 3 to 4 permit applications per week. If volume increases, additional personnel may be needed. Staff will also incur approximately \$10,000 in costs developing the electronic interface for the delivery of the seventy-two hour resident permits.

Sign Installation: Signage will cost approximately \$513 per sign. Staff anticipates that 20 signs will be required to adequately cover the impacted areas on the streets near Target, for a total cost of approximately \$10,000. If additional signs for this or other areas are needed, signage costs will increase.

Additionally, Staff plans to install signage at City entrances to notify anyone entering the City of the oversized vehicles parking restrictions. These signs at City entrances will enhance efficient enforcement. Approximately 50 signs will be required at an estimated cost of \$25,000.

City Work Program Item

Yes, Item 12, Unhoused Policies.

City Work Program Item Description

Determine best practices for limited budget smaller cities to manage the unhoused. Review RV practices in surrounding cities for impacts and potential adoption. Review transitional housing outcomes in surrounding cities. Policies to include nimble contingency plans.

Council Goal

Quality of Life.

California Environmental Quality Act

Not applicable.

Prepared by: Floy Andrews, Interim City Attorney

Chad Mosley, Public Works Director

Reviewed by: Benjamin Fu, Community Development Director

Approved for Submission by: Tina Kapoor, Interim City Manager

Attachments:

A – Draft Ordinance (Redline)

B – Draft Ordinance (Clean)