



## CITY ATTORNEY'S OFFICE

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### CITY COUNCIL STAFF REPORT

#### DESK ITEM

Meeting: May 6, 2025

#### Agenda Item #9

##### Subject

Approval of an Interim Urgency Ordinance Imposing a Moratorium on the Transition of Multiple-Family Use Housing to Student Housing within a One Half Mile Radius of Foothill-De Anza Community College in the City of Cupertino; or approval of a Resolution Encouraging the Building of Newly Constructed Student Housing and Preventing the Conversion of Multiple-Family Use Housing to Student Housing within the City of Cupertino.

##### Recommended Action

Staff recommends that the City Council take the following actions:

1. Open and conduct a public hearing to consider the attached interim urgency ordinance; and
  - 2a. Waive further reading and adopt, by a four-fifths (4/5ths) vote of the City Council, the attached interim urgency Ordinance No. 25-2270 by title only (the same to take effect immediately upon adoption), entitled, "An Interim Urgency Ordinance of the City of Cupertino, California, Enacted Pursuant to California Government Code section 65858 Establishing a 45-Day Temporary Moratorium on the Transition of Multiple-Family Use Housing to Student Housing Within One Half Mile Radius of Foothill-De Anza Community College in the City of Cupertino During the Pendency of the City's Review and Adoption of Permanent Zoning Regulations for Such Uses"; or
  - 2b. Adopt Resolution No. 25-025 Encouraging the Building of Newly Constructed Student Housing and Preserving Multiple-Family Use Housing By Preventing the Conversion of Multiple-Family Use Housing to Student Housing Within the City of Cupertino

##### Background:

On May 5, 2025, the Foothill-De Anza Community College Board of Trustees voted to approve 1) the due diligence review it conducted pertaining to the McClellan Terrace apartment building, 2) the purchase of the building for \$65.6 million, and 3) the retention of a relocation consultant.

Reference to these actions should be included in the Interim Urgency Ordinance Imposing a Moratorium on the Transition of Multiple-Family Use Housing to Student Housing within a One Half Mile Radius of Foothill-De Anza Community College in the City of Cupertino; or approval of a Resolution Encouraging the Building of Newly Constructed Student Housing and Preventing the Conversion of Multiple-Family Use Housing to Student Housing within the City of Cupertino.

Attachments Provided with Original Staff Report:

- A. Moratorium Radius Map
- B. Draft Ordinance
- C. Draft Resolution

Attachments Provided with Desk Item:

- D. Additional text to Urgency Ordinance
- E. Additional text to Urgency Ordinance