

**ORDINANCE NO. 2025- \_\_\_\_\_**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO AMENDING TITLE 11, VEHICLES AND TRAFFIC, OF THE CITY OF CUPERTINO'S MUNICIPAL CODE TO AMEND SECTION 11.24.130 (PROHIBITED FOR MORE THAN SEVENTY-TWO HOURS), AMEND SECTION 11.24.200 (REMOVAL OF VEHICLES FROM STREET), AND AMEND SECTIONS 11.28.010 AND 11.28.020 (PARKING OF OVERSIZED VEHICLES RESTRICTED)**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO DOES ORDAIN AS FOLLOW:**

**Municipal Code Changes.** The City of Cupertino's Municipal Code is amended as provided herein (new text in underline and deleted text in ~~striketrough~~).

**Section 1.**      Recitals.

The City Council hereby finds and determines that the above recitals are true and correct and are incorporated herein.

**Section 2.**      Title 11, Chapter 11, Section 11.24.130 of the City of Cupertino's Code is hereby amended to read as follows:

**"Sec. 11.24.130                      Prohibited for More than Seventy-Two Hours.**

A. No person who owns or has in ~~his~~ their possession, custody, or control any vehicle or trailer shall park such vehicle or trailer upon any public street or alley for more than a consecutive period of seventy-two (72) hours. This prohibition shall apply to all vehicles parked or left standing within Cupertino city limits unless explicitly exempt from this parking restriction by this Section or another section of this code.

B. Any vehicle that has been parked or left standing in the same location or parking spot for seventy-two (72) consecutive hours must be moved at least one thousand five hundred (1,500) feet (approximately three-tenths (3/10) of a mile) from its current location and may not return to the same location or parking spot for at least twenty-four (24) hours after its departure.

C. Any vehicle that has been parked or left standing in violation of this seventy-two (72) hour parking limit may be issued a citation or removed from the street in accordance with California Vehicle Code Section 22651, as may be amended or renumbered from time to time."

**Section 3.**      Title 11, Chapter 11, Section 11.24.250 of the City of Cupertino's Code is hereby amended to read as follows:

**"Sec. 11.24.200                      Removal of Vehicles from Street.**

Any regularly employed and salaried employee who is engaged in the direction of traffic or enforcement of parking regulations when designated by the sheriff may issue a citation or remove

a vehicle from a street, except a freeway, in the manner and subject to the requirements of Vehicle Code of the state Sections 22650 through 22856 under the following circumstances:

A. When any vehicle is illegally parked so as to block the entrance to a private driveway and it is impractical to move such vehicle from in front of the driveway to another point on the street;

B. When any vehicle is illegally parked so as to prevent access by firefighting equipment to a fire hydrant and it is impracticable to move such vehicle from in front of the fire hydrant to another point on the street;

C. When a vehicle is parked or left standing in the same location or parking spot for seventy-two (72) or more consecutive hours, and it has not been moved at least one thousand five hundred 1,500 feet from that location or has returned within twenty-four (24) hours of being moved;

D. When a vehicle is parked or left standing upon a street where the use of such street or a portion thereof is necessary for the cleaning, repair or construction of the street, or for the installation of underground utilities, or where the use of the street or any portion thereof is authorized for a purpose other than the normal flow of traffic, or where the use of the street or any portion thereof is necessary for the movement of equipment, articles or structures of unusual size, and the parking of such vehicle would prohibit or interfere with such use or movement; provided, that signs giving notice that such vehicle may be removed are erected or placed at least twenty-four hours prior to removal;

E. When a vehicle is parked or left standing on a highway so as to obstruct the normal movement of traffic;

F. When any vehicle is found illegally parked and there are no license plates or other evidence of registration displayed, the vehicle may be impounded until the owner or person in control of the vehicle furnishes evidence of his or her identity and an address within California at which he or she can be located;

G. Whenever any vehicle is parked or left standing where parking is prohibited by ordinance and signs are posted giving notice of authorization for removal;

H. When any Oversized Vehicle is parked or left standing on a public street within one hundred (100) feet of the property line of a residential district, including multi-family residential or mixed-use properties; and

I. When any Oversized Vehicle is parked or left standing on a public street within one hundred (100) feet of the property line of customer-facing retail establishment, including establishments primarily serving walk-in customers such as stores, restaurants, or other similar businesses.

**Section 4.** Title 11, Chapter 11, Section 11.28.010 of the City of Cupertino's Code is hereby added to read as follows:

**“Sec. 11.28.010        Definitions**

A. “Camp car” means a vehicle with or without motive power which is designed for human habitation and which contains plumbing, heating or electrical equipment. .

B. “Commercial vehicle” means any vehicle or part thereof required to be registered under the State of California Vehicle Code, which is used or maintained for the transportation of persons for hire, compensation, or profit, or designed, used or maintained primarily for the transportation of property, except passenger vehicles and house cars.

C. “Customer-facing retail establishment” means an establishment generally open to the public during typical business hours and predominantly engaged in providing retail sale, rental, service, processing, or repair of items primarily intended for consumer or household use, including but not limited to eating and drinking services, hotels, theaters, fitness gyms, commercial recreation, commercial nurseries, automobile showrooms, day care centers, retail financial services, other commercial uses, services, or activities determined by the Director of Public Works to be accessible to the general public, generate walk in pedestrian clientele, and contribute to a high level of pedestrian activity.

D. “Mobile home” means a vehicle, other than a motor vehicle, designed or used as permanent housing, designed for human habitation, for carrying persons and property on its own structure and for being drawn by a motor vehicle, and shall include a trailer coach.

E. “Oversized vehicle” shall mean any motorized vehicle as defined in California Vehicle Code section 670 or a combination of motorized vehicle(s) and/or non-motorized vehicle(s), including any attached trailers, vehicle or loads thereon, which exceeds 22 feet in length, and/or 6 feet in width and 7 feet in height. To determine the height, width or length of a vehicle defined in this Section, any extension to the vehicle caused by mirrors, air conditioners, or similar attachments allowed by Section 35109, 35110 or 35111 of the California Vehicle Code, as the same may be amended from time to time, shall not be included. Oversized Vehicle shall include any camp trailer, camper, fifth wheel travel trailer, house car, mobile home, trailer coach, as defined in California Vehicle Code Sections 242, 243, 324, 362, 396, 635, or successor statutes, or any recreational vehicle, as defined by California Health and Safety Code section 18010 or successor statute.

F. “Park” means to stand or leave standing any vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in the loading or unloading of passengers or materials.

G. “Public streets” means all streets, lanes, places, avenues and portions thereof, including extensions in length and width, which have been dedicated by the owners thereof to public use, acquired for public use, or in which a public easement exists.

H. “Truck trailer” means a commercial vehicle without motive power designed to be drawn by a truck.

I. “Vehicle” means any boat, bus, trailer, motor home, van, camper (whether or not attached to a pickup or other vehicle), camp trailer, mobile home, motorcycle, automobile, truck, pickup, airplane, haul trailer, truck tractor, truck trailer, utility trailer, or parts thereof, or any device by

which any person or property may be propelled, moved or drawn upon a public street, excepting a device moved exclusively by human power.”

**Section 5.** Title 11, Chapter 11, Section 11.28.020 of the City of Cupertino’s Code is hereby added to read as follows:

**“Section 11.28.020 Vehicle Parking Regulations.**

A. Living or Sleeping Quarters. No vehicle shall be used for living or sleeping quarters on any public street.

B. Mobile Homes. Mobile homes, excluding travel trailers, are not permitted to be parked on public streets within the residential zones of the City.

C. Unmounted Campers. It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any unmounted camper on any public street.

D. Oversized Vehicle Parking. No person shall stop, stand, park or leave standing any oversized vehicle on any public street within (a) 100 feet from the property line of a residential district , and (b) within 100 feet from the property line of a customer-facing retail establishment, including establishments primarily serving walk-in customers such as stores, restaurants, or other similar businesses.

E. Loading and Unloading and Utility Vehicles. The provisions of this chapter shall not apply to active loading or unloading of any vehicle, or to any public service or utility company vehicle while in the performance of service or maintenance work.

F. Construction Trailers. Trailers may be used for temporary offices on construction projects. A permit must be obtained from the City Building Department after satisfactory information has been given that the use is in compliance with the conditions of this chapter.”

**Section 6.** CEQA.

The City Council determines that this ordinance is exempt from and not subject to review under the California Environmental Quality Act (CEQA) because, without limitation, it is not a “project” as defined in CEQA Guidelines Section 15378(b)(2) and/or 15378(b)(5) as it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment per CEQA Guidelines Section 15601(b)(3), each as a separate and independent basis for CEQA compliance.

**Section 7.** Conflicting Provisions.

If provisions of this Ordinance are in conflict with each other, other provisions of the City Council's Code, regulations or policies, any other resolution or ordinance of the City Council, or any state law or regulation, the more restrictive provisions shall apply.

**Section 8.** Severability.

If any provision, section, subsection, sentence, clause or phrase or sections of this ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the invalidity of the remaining portions of this Ordinance shall not be affected, it being the intent of the City Council in adopting this Ordinance that no portions, provisions or regulations contained herein shall become inoperative, or fail by reason of the unconstitutionality of any other provision hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 9.** Publication and Posting.

City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by Government Code section 36934.

**Section 10.** Effective Date.

Upon adoption, this Ordinance shall become effective and in full force at 12:01 a.m. on the thirty-first day after its passage.

Introduced and read at a regular meeting of the City Council of the City of Cupertino on \_\_\_\_\_, 2025.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Liang-Fan Chao, Mayor

ATTEST:

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, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR CITY OF CUPERTINO

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Floy Andrews, City Attorney  
Aleshire & Wynder, LLP