

ORDINANCE NO. 21-2228

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AMENDING CITY CODE SECTION 11.27.145, DESIGNATION OF PREFERENTIAL
PARKING ZONES, TO ADD SERRA STREET (ALL SATURDAYS, SUNDAYS,
AND HOLIDAYS, FROM 6 A.M. TO 2 P.M.)**

The City Council of the City of Cupertino finds that:

1. Under the provisions of Section 22507 of the California Vehicle Code (CVC), Chapter 11.27 has been established in the Cupertino Municipal Code allowing the City Council to establish preferential parking zones in Cupertino in which parking will be prohibited as established by ordinance of the City Council.
2. Exemptions from such prohibition, when not otherwise indicated, will be by securing and displaying in a vehicle a type of parking permit described in Chapter 11.27.

WHEREAS, Serra Street, due to its proximity to Rancho San Antonio Park, experiences a large influx of overflow parking on weekends and holidays from users of the Park; and

WHEREAS, In conformance with the City's established preferential parking zone program, a successful petition has been received by residents of Serra Street in which greater than two-thirds of residents support the establishment of a preferential parking zone; and

WHEREAS, Necessary fees have been paid by residents of Serra Street in conformance with the approved fee schedule to enable staff to bring the approval of this ordinance forward for City Council consideration.

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

SECTION 1. Adoption.

The Cupertino Municipal Code is hereby amended as set forth in Attachment A, at the bottom of this ordinance.

SECTION 2: Severability and Continuity.

The City Council declares that each section, sub-section, paragraph, sub-paragraph, sentence, clause and phrase of this ordinance is severable and independent of every other section, sub-section, paragraph, sub-paragraph, sentence, clause and phrase of this ordinance. If any section, sub-section, paragraph, sub-paragraph, sentence, clause or phrase of this ordinance is held invalid, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, the City Council declares that it would have adopted the remaining provisions of this ordinance irrespective of such portion, and further declares its express intent that the remaining portions of this ordinance should remain in effect after the invalid portion has been eliminated. To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Cupertino Municipal Code, these provisions shall be construed as continuations of those provisions and not as an amendment to or readoption of the earlier provisions.

SECTION 3: California Environmental Quality Act.

This Ordinance is not a project under the requirements of the California Environmental Quality Act (CEQA), together with related State CEQA Guidelines because it has no potential for resulting in physical change in the environment. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. The CEQA guidelines apply only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action establishing a preferential parking zone would have no or only a de minimis effect on the environment because there will be an overall decrease in the use of street parking on Serra Street and there will be no significant impacts to the environment based on such decreased use or displacement of parked vehicles. The foregoing determination is made by the City Council in its independent judgment.

SECTION 4: Effective Date.

This Ordinance shall take effect thirty days after adoption as provided by Government Code Section 36937.

SECTION 5: Publication.

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The City Clerk shall give notice of adoption of this Ordinance as required by law. Pursuant to Government Code Section 36933, a summary of this Ordinance may be prepared by the City Clerk and published in lieu of publication of the entire text. The City Clerk shall post in the office of the City Clerk a certified copy of the full text of the Ordinance listing the names of the City Council members voting for and against the ordinance.

INTRODUCED at a regular meeting of the Cupertino City Council on June 15, 2021, and **ENACTED** at a regular meeting of the Cupertino City Council on July 20, 2021 by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED: _____ Darcy Paul, Mayor City of Cupertino	_____ Date
ATTEST: _____ Kirsten Squarcia, City Clerk	_____ Date
APPROVED AS TO FORM: _____ Heather Minner, City Attorney	_____ Date

Attachment A – An ordinance to amend Table 11.27.145, adding Serra Street to list of streets with Preferential Parking Zones

The sections of the Cupertino Municipal Code set forth below are amended or adopted as follows:

11.27.145 Designation of Preferential Parking Zones.

The following street areas are designated as preferential parking zones under this chapter:

Street	Limits	Special Hours
Ann Arbor Court	Lauretta Drive to Christensen	Daily 7:00 a.m.-- 10:00 p.m.
August Lane	All	M--F 9:00 a.m.-- 5:00 p.m.
Barbara Lane	East side	M--F 8:00 a.m.-- 7:30 p.m.
Barbara Lane	Scofield Drive to Pepper Tree Lane	Sat 8:00 a.m.--4:00 p.m.
Black Oak Way	Sycamore Drive to end	Sat, Sun, holidays 7:00 a.m.- -4:00 p.m.
Bonny Drive	Sola to Scofield	M--F 8:00 a.m.-- 7:30 p.m.
Bonny Drive	Scofield Drive to Shelly Drive	Sat 8:00 a.m.--4:00 p.m.
Byrne Avenue	McClellan to 200 feet north	M--F 8:00 a.m.-- 4:00 p.m.
Canyon Oak Way	Cristo Rey Drive to 21101 Canyon Oak Way	Sat, Sun, holidays 7:00 a.m.- -4:00 p.m.
Cedar Tree Lane	Blaney to Orange Tree Lane	Sun 7:00 a.m.-- 12:00 p.m.
Cedar Tree Court	Cedar Tree Lane to end of cul de sac	Sun 7:00 a.m.-- 12:00 p.m.
Christensen Drive	All	Daily 7:00 a.m.-- 10:00 p.m.
Clearcreek Court	All	F--Sun 6:00 p.m.-- 2:00 a.m.
Clearwood Court	All	F--Sun 6:00 p.m.-- 2:00 a.m.
Dolores Avenue	Byrne Avenue to 200 feet west of Orange Avenue	M--F 7:00 a.m.-- 4:00 p.m. while school is in session
Fairwoods Court	South Stelling Road to end	Daily
Fenway Court	All	Daily 7:00 a.m.-- 10:00 p.m.
Fort Baker Drive	Presidio to Hyannisport	M--F 8:00 a.m.-- 3:30 p.m.
Hammond Way	East end to west end	Sat, Sun, holidays 7:00 a.m.- -4:00 p.m.

Hyannisport Drive	Fort Baker to Linda Vista Drive	M--F 7:00 a.m.-- 4:00 p.m. while school is in session
Imperial Avenue	Alcazar Avenue to McClellan Road	M--F 8:00 a.m.-- 3:30 p.m. while school is in session
Juniper Court	Oak Valley Road to end	Sat, Sun, holidays 7:00 a.m.- -4:00 p.m.
Larry Avenue	Merritt Drive to Lucille Avenue	M--F, 8:00 a.m.-4:00 p.m.
Lily Avenue	All	M--F 8:00 a.m.-- 7:30 p.m.
Lily Court	All	M--F 8:00 a.m.-- 7:30 p.m.
Madrid Road	From McClellan Road to the end	M--F 7:00 a.m.- -4:00 p.m.
McClellan Road	East side, 430 feet west of Byrne Avenue to Madrid Road	M--F 7:00 a.m.-- 4:00 p.m.
Merritt Drive	Blaney to east of Baywood Court 100 feet	Sun 7:00 a.m.-- 12:00 p.m.
Merritt Drive	Vista Drive to Orange Tree Lane	M--F, 8:00 a.m.-4:00 p.m.
New Haven Drive	All	M--F 8:00 a.m.-- 3:30 p.m.
Noble Fir Court	All	Daily, 8:00 a.m.-7:30 p.m.
Noonan Court	All	M--F 8:00 a.m.-- 4:00 p.m.
Oak Valley Road	Cupertino City limit to Sycamore Drive	Sat, Sun, holidays 7:00 a.m.- -4:00 p.m.
Old Town Court	All	M--F 8:00 a.m.-- 3:30 p.m.
Orange Avenue	East side McClellan to Noonan Court	M--F 8:00 a.m.-- 4:00 p.m.
Orange Avenue	West side McClellan to Dolores	M--F 8:00 a.m.-- 4:00 p.m.
Orange Tree Lane	Cedar Tree Lane south 175 feet	Sun 7:00 a.m.-- 12:00 p.m.
Pacifica Avenue	Northside from Torre Avenue to a point 460 feet easterly thereof	M--F 7:00 a.m. - 3:00 p.m., except holidays
Peppertree Lane	All	M--F 8:00 a.m.-- 7:30 p.m.
Peppertree Lane	Stelling Road to	Sat 8:00 a.m.--4:00 p.m.
Phar Lap Drive	Stevens Creek Blvd. to Clearcreek Court	F--Su 6:00 p.m.-- 2:00 a.m.
Presidio Drive	Fort Baker to New Haven	M--F 8:00 a.m.-- 3:30 p.m.
Presidio Drive	Providence Court to New Haven Court	M--F 8:00 a.m.-- 3:30 p.m.
Presidio Drive	100 feet east of New Haven Court to 100 feet west of New Haven Court	M--F 8:00 a.m.-- 3:30 p.m.
Randy Lane	Merritt Drive to Lucille Avenue	M--F 8:00 a.m.- 4:00 p.m.
Red Fir Court	All	Daily, 8:00 a.m.-7:30 p.m.

Rodrigues Avenue	Southside from Torre Avenue to a point 230 feet easterly thereof	M--F 7:00 a.m. - 5:00 p.m., except holidays
Rodrigues Avenue	Southside from a point 300 feet east of Torre Avenue to a point 340 feet easterly there of	Daily
Rodrigues Avenue	Southside from a point 340 feet east of Torre Avenue to a point 625 feet easterly thereof	M--F 7:00 a.m.- 5:00 p.m., except holidays
Rose Blossom	McClellan to Lily Way	M--F 8:00 a.m.-- 7:30 p.m.
Santa Lucia Road	Stevens Canyon to Merriman Road	Daily
Scofield Drive	Barbara to Western	M--F 8:00 a.m.-- 7:30 p.m.
September Court	All	M--F 9:00 a.m.-- 5:00 p.m.
September Drive	McClellan to 200 feet south of August Lane	M--F 9:00 a.m.-- 5:00 p.m.
<u>Serra Street</u>	<u>All</u>	<u>Sat, Sun, holidays 6:00 a.m.--2:00 p.m.</u>
Shattuck Drive	All	M--F 8:00 a.m. - 3:30 p.m. when school is in session
Shelly Drive	Bonny to Westacres	M--F 8:00 a.m.-- 7:30 p.m.
Stelling Road	McClellan to Erin	Daily
Stevens Canyon Road	West side Santa Lucia north 200 feet	Daily
Sycamore Drive	St. Joseph Avenue to Oak Valley Road	Sat, Sun, holidays 7:00 a.m.- -4:00 p.m.
Torre Avenue	Eastside from Rodrigues Avenue to a point 265 feet southerly thereof	M--F 7:00 a.m.- 5:00 p.m., except holidays
Tula Court	All	First Saturday of each month 8:00 a.m.--12:00 p.m.
Tula Lane	All	First Saturday of each month 8:00 a.m.--12:00 p.m.
White Fir Court	All	Daily, 8:00 a.m.-7:30 p.m.
Wilkinson Ave	Hyannisport to Columbus	M--F 8:00 a.m.-- 3:30 p.m.

*Text added to existing provisions is shown in bold double-underlined text (**example**) and text to be deleted is shown in strikethrough (~~example~~). Text in existing provisions is not amended or readopted by this Ordinance. Text in italics is explanatory and is not an amendment to the Code.*

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Where the explanatory text indicates that a new section is being added to the City Code, the new section is shown in plain text.