



OFFICE OF THE CITY CLERK

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CITY COUNCIL STAFF REPORT

Meeting: July 6, 2023

Subject

Brush abatement for public nuisance and potential fire hazard pursuant to Cupertino Municipal Code (Section 16.40.200) regarding defensible space (brush) and Resolution No. 23-053.

Recommended Action

Remove this item from the agenda since all parcels have complied with the Wildland Urban Interface (WUI) enforced safety regulations.

Reasons for Recommendation

Cupertino Municipal Code Section 16.40.200 requires property owners in the locally adopted Wildland-Urban Interface Fire Area (WUI) to maintain effective defensible space by removing brush, flammable vegetation and combustible growth when required by the Fire Code official due to steepness of terrain or other conditions. The Cupertino Brush Abatement Program is a separate program from the County Weed Abatement Program and authorizes the Santa Clara County Fire Department (SCCFD) to remove the brush if the property owner does not, and to recover the costs of abatement.

On May 16, 2023, Council adopted Resolution No. 23-053 declaring brush to be a public nuisance and potential fire hazard and setting a hearing date of July 6, 2023 to hear property owners having any objections to the proposed removal of brush (Attachment B).

The SCCFD Community Risk Program Director informed the City Clerk's Office that the City of Cupertino has zero properties reported as non-compliant with the WUI enforced safety regulations (Attachment A). With this information, there is no need to conduct the public hearing to consider objections scheduled for July 6, 2023. It is recommended that City Council remove this item from the agenda.

Sustainability Impact

There is no sustainability impact.

Fiscal Impact

There is no fiscal impact.

California Environmental Quality Act

There is no California Environmental Quality Act impact.

Prepared by: Kirsten Squarcia, City Clerk

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A - 2023 WUI Enforced Safety Regulations List of Non-Compliant Properties

B – Approved Resolution No. 23-053