

Sunnyvale Municipal Code
Chapter 10.26, Preferential Parking on Residential Street

10.26.010. Definitions.

The following words and phrases and their derivations when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them.

(1) “Commuter and non-residentially oriented vehicles” means any motor vehicles operated by persons whose destinations are to non-residentially developed properties.

(2) “Frontage” means the property line, or length thereof, of any parcel adjoining a street or other public right-of-way, whether said property line is a front or side property line.

(3) “Residential street or alley” means any street or alley or portion thereof, at least six hundred feet in length or extending between two intersecting streets or alleys, if both of the following conditions are met:

(A) Not less than seventy-five percent of the total frontage along both sides of said street or alley or portion thereof is within a residential or public facilities zone designation; and

(B) Not less than fifty percent of all of the parcels having frontage on either side of said street or alley or portion thereof are residentially developed. For purposes of this subsection, parcels combined in a single integrated use shall be deemed to be a single parcel.

(4) “Residential zone designation” means any of the following zoning districts, as defined in Title 19, whether or not combined with any district set forth in Chapter 19.20:

(A) R-0, R-1, R-1.5, R-1.7/PD (Low density residential)

(B) R-2 (Low-medium density residential)

(C) R-3 (Medium density residential)

(D) R-4 (High density residential)

(E) R-5 (High density residential and office)

(F) R-MH (Residential-mobile home).

(5) “Residentially developed” means a parcel which has constructed on it one or more dwelling units, the use of which for residential occupancy purposes constitutes the primary use of the property. (Ord. 2524-95 § 1; Ord. 2053-83 § 2 (part)).

10.26.020. Establishment of preferential parking zones.

The city council may designate by ordinance certain residential streets or alleys or any portions thereof not less than one hundred fifty feet in length, or either or both sides thereof, as a preferential parking zone for the benefit of residents adjacent

thereto, in which zone vehicles displaying a permit or other authorized indicia may be exempt from parking prohibitions or restrictions established pursuant to Section 10.24.010, 10.24.020, or 10.24.030 and otherwise posted, marked or noticed. (Ord. 2053-83 § 2 (part)).

10.26.030. Findings.

Each preferential parking zone may be designated only upon findings that such zone is required to enhance or protect the quality of life in the area of the proposed zone and that such zone is necessary to provide reasonably available and convenient parking for the benefit of the adjacent residents. Such findings shall be based upon the following criteria established to the satisfaction of the city council:

(a) Commuter and non-residentially oriented vehicles do, or may, substantially and regularly interfere with the use of the majority of available public street or alley parking spaces by adjacent residents;

(b) The interference by vehicles referred to in subsection (a) of this section occurs at regular and significant intervals. For purposes of this chapter, such interference shall be presumed to be regular and significant if it occurs, under typical circumstances, not less frequently than three times per week, Monday through Friday;

(c) The establishment of the proposed zone would benefit a majority of the residents adjacent to the proposed zone. Written requests for such a zone by residents of not less than fifty percent of the residentially developed parcels adjacent to the proposed zone shall constitute rebuttable evidence of such benefit;

(d) No reasonable displacement of commuter or non-residentially oriented vehicles into surrounding residential areas will result. In making this determination, substantial weight shall be given to the availability of alternate public and private parking facilities, and in particular underutilized or underdeveloped facilities or areas;

(e) A shortage of reasonably available and convenient residentially related parking spaces exist in the area of the proposed zone; and

(f) No alternative solution is feasible or practical. (Ord. 2053-82 § 2 (part)).

10.26.040. Notice of preferential parking zone.

No preferential parking ordinance shall apply until signs or markings giving adequate notice thereof have been placed. (Ord. 2053-83 § 2 (part)).

10.26.050. Issuance of permits.

(a) The department of public works shall be responsible for the issuance of permits pursuant to this chapter. Applicants for such permits shall present such proof, as may be required by said department, of residence adjacent to the area designated as a preferential parking zone and of the number of vehicles registered at said residence regularly used by the applicant. Not more than one permit shall be issued for each such motor vehicle. Not more than three permits shall be issued for each qualified

dwelling unit to any qualified applicant or applicants. Applicants requesting more than three permits for any dwelling unit may be granted additional permits by the department of public works upon a showing that there are more than three vehicles registered at the address of such dwelling unit or regularly used by residents thereof and that insufficient off-street parking is available to the applicant during the effective hours of the preferential parking zone. The department of public works shall prescribe appropriate application forms and procedures with respect to such permits. The form of the permit shall be prescribed by the department of public works. The department of public works may also issue to qualified applicants one or more temporary guest permits upon a showing of need therefor and in such form as may be prescribed by the department of public works. Such temporary permits shall be valid only for the date shown on the face of such permits.

(b) Permits issued pursuant to this section shall remain effective for a period of one calendar year or fraction thereof, or so long as the applicant continues to reside in a qualified dwelling unit for such permit or until the preferential parking zone for which such permit was issued is eliminated, whichever period of time is less; provided, that any temporary guest permits issued hereunder shall be effective for a period not to exceed twenty-four hours.

(c) Each permit shall be subject to all conditions and restrictions set forth in this chapter and of the preferential parking zone for which it was issued, including conditions or restrictions which may be altered or amended from time to time. The issuance of such permit shall not be construed to be a permit for, or approval of, any violation of any provisions of this code or any other laws or regulations. (Ord. 2929-10 § 1; Ord. 2053-83 § 2 (part)).

10.26.060. Prohibitions.

(a) No vehicle shall be parked or stopped adjacent to any curb in a preferential parking zone in violation of any posted or noticed prohibition or restriction unless such vehicle shall have prominently displayed, in the matter set forth herein, a permit indicating an exemption from such restriction or prohibition.

(b) It is unlawful for any person to sell, rent or lease, or cause to be sold, rented or leased for any value or consideration any preferential parking permit. Upon conviction of a violation of this subsection, all preferential permits issued to, or for the benefit of, the dwelling unit for which the sold, rented or leased permit was authorized shall be void.

(c) It is unlawful for any person to buy or otherwise acquire for value or use any preferential parking permit except as provided for in this chapter. (Ord. 2053-83 § 2 (part)).

10.26.070. Locations and restrictions.

The director of public works or designee shall install, at such streets or alleys or portions thereof as have been declared to be preferential parking zones, appropriate signs or markings giving notice of such parking restriction. (Ord. 2053-83 § 2 (part)).