



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Discussion and Potential Actions on Study Issue DPS 24-02-Evaluate Municipal Code Section 10.16.120 (Use of Streets or Public Parking Facilities for Storage of Vehicles Prohibited) and Modernize Parking Requirements and Restrictions

#### **BACKGROUND**

The City of Sunnyvale receives ongoing calls for service from residents and businesses regarding vehicles parked on public streets for extended periods in violation of Sunnyvale Municipal Code (SMC) Section 10.16.120, which limits on-street vehicle storage to seventy-two consecutive hours. While the ordinance has long been in place, its lack of objective standards has created challenges for enforcement and uncertainty for the public.

In February 2024, City Council directed staff to evaluate and modernize the City's long-term parking regulations. Council requested a review of best practices used by peer cities, clarification of enforcement standards related to vehicle movement, and evaluation of policy options for oversized vehicles, including permit programs and potential restrictions near parks and schools. In response, staff retained Walker Consultants to prepare a Citywide Parking Study focused on 72-hour parking and oversized vehicle management.

Attachment A titled, "Citywide Parking Study," provides the technical analysis, peer city review, legal context, and community outreach findings that support staff's recommendations below.

#### **EXISTING POLICY**

Sunnyvale Municipal Code (SMC) Section 10.16.120

It is unlawful for any person who owns or has possession, custody or control of any vehicle, including a boat or trailer, to park or leave such vehicle upon any street, alley, or public parking facility for a period of seventy-two consecutive hours or more. The intent of this section is to limit parking of vehicles, boats and trailers to seventy-two consecutive hours. A vehicle or trailer shall be considered to have been parked or left standing for seventy-two or more consecutive hours if it has remained inoperable or has not been moved. An inoperable vehicle is a vehicle that cannot be moved under its own power or a vehicle which cannot operate legally and safely on the highways of the state. Pushing or moving a vehicle a short distance or attempting to rub away the tire marking will not be considered compliance with this section. Additionally, successive acts of parking shall be presumed to be a single act of parking within the meaning of this section when the vehicle is moved merely for the purpose of avoiding the parking limitations prescribed by this section.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California

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Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

## **DISCUSSION**

The Citywide Parking Study concluded that Sunnyvale’s 72-hour parking ordinance is difficult to enforce as currently written. While the intent of the code is unambiguous, direction to residents is less clear. The ordinance does not define how far a vehicle must be moved or how quickly it can be returned to the same parking space to be considered compliant. As a result, vehicles are often moved short distances and return quickly, allowing long-term street parking to continue and generating repeated complaints from residents and businesses.

Peer cities in the region have addressed this issue by adding objective standards, such as a minimum distance a vehicle must be moved and a required waiting period before returning to the same space. These approaches provide clearer expectations for the public and improve consistency in enforcement. The study found general community support for these changes and no identified fiscal impact, as they clarify existing rules rather than create new programs.

Public outreach also identified broader concerns related to oversized vehicles, including impacts to neighborhood safety, sanitation, and business operations. Residents and businesses reported loss of parking availability, blocked sight lines, trash accumulation, and safety concerns. At the same time, some community members emphasized the importance of a balanced approach that avoids simply shifting vehicles from one area to another without addressing underlying issues related to inhabited vehicles.

The study evaluated the potential for an oversized vehicle parking permit program as a tool to manage these impacts. Peer city examples show that permit programs can provide limited flexibility for residents who own oversized vehicles while discouraging long-term storage on public streets. Community feedback in Sunnyvale was generally supportive of a permit option for residents. However, the study also identified several considerations, including administrative complexity, signage and enforcement costs, towing challenges, and concerns about equity if permits are implemented without safe parking or alternative options. For these reasons, the study identifies a permit program as a possible future policy option that would require additional Council direction and resource evaluation before implementation.

The study also examined the practice commonly referred to as vanlording, which involves the commercial rental of vans or recreational vehicles for habitation on public streets. Findings indicate that this practice can exploit vulnerable individuals, create public health and safety risks, and undermine the intended use of the public right of way. Peer cities have taken steps to prohibit this activity, though enforcement can be challenging. The study notes that vanlording was not a major topic of public outreach but remains a concern in Sunnyvale and a policy issue requiring Council guidance if the City chooses to pursue code changes in this area.

Updating Section 10.16.120 to include movement and return requirements is a focused near-term action that improves enforceability and responds directly to documented concerns. This action establishes a baseline for managing long-term parking on public streets while allowing Council to consider more complex policy options, including permit programs and restrictions related to oversized vehicles and vanlording, through future legislative actions.

## **FISCAL IMPACT**

There are no fiscal impacts associated with amending the ordinance to clarify the 72-hour parking requirements. Any fiscal impacts related to the implementation of an oversized vehicle parking permit program or other programmatic changes, including restrictions near parks and schools, would require further evaluation. Based on the findings of the Citywide Parking Study, these impacts are expected to be significant and would be subject to future Council review and approval.

## **PUBLIC CONTACT**

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the City Hall reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

## **Alternatives**

Alternative 1 (Recommended):

Direct staff to return to Council with amendments to Sunnyvale Municipal Code Section 10.16.120 to require that vehicles be moved a minimum distance of 0.25 miles to comply with the 72 hour parking limit and prohibit vehicles from returning to the same parking space for at least 24 hours. Direct staff to evaluate the practice commonly referred to as vanlording for potential inclusion within the ordinance. Direct staff to return after one year to determine if the evaluation and implementation of an oversized vehicle parking permit program and a potential prohibition on oversized vehicle parking near parks and schools is still needed.

Alternative 2:

Direct staff to make no changes to Sunnyvale Municipal Code Section 10.16.120 and do not pursue further actions related to vanlording, an oversized vehicle parking permit program, or potential restrictions on oversized vehicle parking near parks and schools.

Alternative 3:

Direct staff to return to Council with amendments to Sunnyvale Municipal Code Section 10.16.120 to require that vehicles be moved a minimum distance of 0.25 miles to comply with the 72 hour parking limit and prohibit vehicles from returning to the same parking space for at least 24 hours, and take no further action related to vanlording, an oversized vehicle parking permit program, or potential restrictions on oversized vehicle parking near parks and schools.

Alternative 4:

Provide other direction to staff as determined by Council.

## **STAFF RECOMMENDATION**

Staff recommends Alternate 1:

Direct staff to return to Council with amendments to Sunnyvale Municipal Code Section 10.16.120 to require that vehicles be moved a minimum distance of 0.25 miles to comply with the 72 hour parking limit and prohibit vehicles from returning to the same parking space for at least 24 hours. Direct staff to evaluate the practice commonly referred to as vanlording for potential inclusion within the ordinance. Direct staff to return after one year to determine if the evaluation and implementation of an oversized vehicle parking permit program and a potential

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prohibition on oversized vehicle parking near parks and schools is still needed.

### **LEVINE ACT**

The Levine Act (Gov. Code Section 84308) prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$500 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html)

An "X" in the checklist below indicates that the action being considered falls under a Levine Act category or exemption:

#### **SUBJECT TO THE LEVINE ACT**

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise

#### **EXEMPT FROM THE LEVINE ACT**

- Competitively bid contract\*
- Labor or personal employment contract
- Contract under \$50,000 or non-fiscal
- Contract between public agencies
- General policy and legislative actions

\* "Competitively bid" means a contract that must be awarded to the lowest responsive and responsible bidder.

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Approved by: Tim Kirby, City Manager

### **ATTACHMENTS**

1. City-wide Parking Study