

ORDINANCE NO. _____

**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SUNNYVALE REPEALING ORDINANCE
NO. 2898-09 AND DESIGNATING CERTAIN STREETS IN
THE AREA OF THE CALTRAIN STATION AS
PREFERENTIAL PARKING ZONES FOR THE BENEFIT
OF RESIDENTS ADJACENT THERETO**

WHEREAS, on June 9, 2009, Council adopted Ordinance No. 2898-09 that designated certain streets around the Sunnyvale Caltrain Station as preferential parking zones. On Nov. 25, 2019, the City received a petition from nearly 90% of the residents on N. Taaffe Street and Angel Avenue requesting a change in the parking time limits from 7 hours to 2 hours. Staff collected additional data and surveys and determined that the current increase in parking demand in this neighborhood warrants new parking restrictions to reduce the on-street parking time limits in certain areas north of the Sunnyvale Caltrain Station while eliminating the preferential parking zones on certain street segments south of the Sunnyvale Caltrain Station. Accordingly, Ordinance No 2898-09 shall be repealed and replaced with this current ordinance; and

WHEREAS, north of the Sunnyvale Caltrain Station, residents of W. Hendy Avenue between N. Taaffe Street and N. Murphy Avenue; N. Frances Street between W. Hendy Avenue and California Avenue; N. Taaffe Street between W. Hendy Avenue and Beemer Avenue; Angel Avenue between Beemer Avenue and N. Taaffe Street; Beemer Avenue between Angel Avenue and N. Murphy Avenue; and N. Murphy Avenue between W. Hendy Avenue and California Avenue have provided input and have requested modifications to the 2-hour parking restrictions in the area of the Sunnyvale Caltrain Station; and

WHEREAS, south of the Sunnyvale Caltrain Station, residents of Charles Street between W. McKinley Avenue and W. Evelyn Avenue; Florence Street between W. Evelyn Avenue and Washington Avenue; Washington Avenue between Waverly Street and Charles Street; and Waverly Street between Washington Avenue and W. McKinley Avenue have provided input and have requested modifications to the 7-hour parking restrictions in the area of the Sunnyvale Caltrain Station; and

WHEREAS, staff has recommended modifications of the City's traffic control regulations document to allow for an exemption of the limited parking regulations for residents of W. Hendy Avenue between N. Taaffe Street and N. Murphy Avenue; N. Frances Street between W. Hendy Avenue and California Avenue; N. Taaffe Street between W. Hendy Avenue and Beemer Avenue; Angel Avenue between Beemer Avenue and N. Taaffe Street; Beemer Avenue between Angel Avenue and N. Murphy Avenue; N. Murphy Avenue between W. Hendy Avenue and California Avenue; Charles Street between W. McKinley Avenue and W. Evelyn Avenue; Florence Street between W. Evelyn Avenue and Washington Avenue; Washington Avenue between Waverly Street and Charles Street; and Waverly Street between Washington Avenue and W. McKinley Avenue; and

WHEREAS, under Sunnyvale Municipal Code Section 10.26.020, the City Council may

designate by ordinance certain residential streets or alleys or any portions thereof as a preferential parking zone for the benefit of residents adjacent thereto.

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

SECTION 1. REPEAL OF ORDINANCE NO. 2898-09. Ordinance No. 2898-09 is hereby repealed.

SECTION 2. FINDINGS. In accordance with Sunnyvale Municipal Code 10.26.030 and based upon staff's Report to Council, the Council finds and determines that each preferential parking zone will 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, based on 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.

SECTION 3. PREFERENTIAL PARKING ZONES APPROVED. It is hereby found and determined that an exemption of the 2-hour limited parking regulations for the residents of W. Hendy Avenue, N. Frances Street, N. Taaffe Street, Angel Avenue, Beemer Avenue, and N. Murphy Avenue; and an exemption of the 7-hour limited parking regulations for the residents of Charles Street, Washington Avenue, Waverly Street, and Florence Street in the area of the Caltrain Station is necessary and desirable; and staff is directed to incorporate the exemptions into the City's

traffic control regulations document as preferential parking zones.

SECTION 4. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 5. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 7. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney