



Council Meeting: April 29, 2008

SUBJECT: Options for Suspension of Timed Parking Enforcement During Special Events [Study Issue]

REPORT IN BRIEF

The purpose of this report is to seek Council's approval to amend the City of Sunnyvale Municipal Code to allow the suspension of parking enforcement in posted time restricted parking lots and streets during designated special events. This change will encourage attendance of community oriented events and may reduce the potential negative impact on surrounding neighborhoods during these events.

The recommended changes to the Municipal Code will add an additional element to the review of special event applications and potentially provide a cost recovery mechanism for city services related to the suspension of timed parking.

Staff recommends that Council approve a change to the Municipal Code to allow city staff the discretion to suspend enforcement in time restricted parking lots during designated special events as long as the applicant can demonstrate the suspension will reduce the negative impact on surrounding neighborhoods, enhance community attendance and improve traffic flow and safety in the area of the event.

BACKGROUND

In June of 2007 Council asked staff to consider the feasibility of changing the Municipal Code to waive timed parking during certain special events that are open to the public, Downtown Special Events, and private events whether open to the public or not (Attachment A, Study Issue Paper DPS-01). Staff was asked to prepare a report that provided the following information:

- Which restrictions should be considered for exemption in any change to the Municipal Code?
- The impact to neighborhoods and businesses created by the Special Event exemptions.
- The costs related to parking enforcement and the impact on City revenues should the Municipal Code be amended.

The City of Sunnyvale has implemented timed parking restrictions in several of the downtown parking lots by Municipal Code Ordinance to ensure customer

access to business in the downtown area. The timed parking lots and timed street parking encourage a constant flow of patrons for a successful downtown, while discouraging all day parking for other purposes, such as distance commuting. The posted parking signs notify all community members that utilize the parking lots of the restrictions and create a mechanism for public safety to enforce the restrictions.

The timed restricted parking lots and streets serve the businesses and the community well on a day-to-day basis; however, they do limit the community's ability to stay and enjoy a special event in the downtown area due to the time limit imposed by the restricted parking. Events such as the Art and Wine Festival, St. Patrick's Day Festival, Farmers Market and Summer Concert Series are good examples. People want to enjoy a day long event, but with the parking restrictions they are forced to park in the surrounding residential areas which places them at risk to be cited for exceeding the 3 to 4 hour time limit and negatively impacts the surrounding neighborhood. One day of parking enforcement during last years Art & Wine Festival resulted in 85 citations being issued. Enforcement of the timed parking restrictions also places an unnecessary burden on the Department of Public Safety and limits officer's availability to respond to emergencies.

EXISTING POLICY

Land Use and Transportation Sub-Element

C1.1: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values.

Action Statement: C1.1.1 Prepare and update land use and transportation policies, design guidelines, regulations and engineering specifications to reflect community and neighborhood values.

Action Statement: C1.2.1 Promote downtown as a unique place that is interesting and accessible to the whole City and the region.

Community Design Sub-Element

Policy D.2 Maintain beautiful and comfortable outdoor public places which provide a shared sense of ownership and belonging for Sunnyvale residents, business owners and visitors.

Action Statements:

D.2k. Continue to encourage pedestrian and commercial activity on the sidewalks of the historic 100 block of Murphy Avenue.

D.2m. Support the parking assessment district downtown.

D.2n. Encourage below grade parking downtown and avoid parking structures which hide important buildings and districts or block the view into the downtown from major roadways.

Policy B.3 Community Organizations - Support local and neighborhood organizations and strengthen contacts between the City and community groups.

Action Statement: B.3a. Identify and strengthen contacts between the City and community organizations.

Public Safety Sub-Element: Law Enforcement

Policy A.5 Facilitate the safe movement of pedestrians, bicyclists and vehicles.

Action Statement: A.5f Maintain liaison with the Traffic Engineering Department in studying and solving traffic problems

Goal D: Conduct planning and administration that incorporates interaction with other city departments as well as other agencies, both public and private, where mutual concerns exist which could have impact on the delivery of law enforcement services.

DISCUSSION

In February of this year, Council adopted a Special Event Permit process for public and private special events, to encourage and ensure safe and successful community events. An integral part of the Special Event Application process is the development of a traffic and a parking plan that addresses potential concerns including the safety of pedestrians and bicyclists, the safe movement of vehicle traffic in and around the event and ensures that an adequate number of parking spaces will be available for the event. The application process allows for the applicant to request that the City waive the timed parking restrictions or the City may choose to waive timed parking restrictions for an appropriate number of parking lots and/or streets to encourage attendance and reduce the impact on surrounding neighborhoods.

Staff believes that continued enforcement during special events may force special event patrons to park in the surrounding neighborhoods in an effort to adhere to the posted parking limits and avoid a citation. Doing so creates traffic and parking problems in those effected neighborhoods and discourages neighborhood support of downtown community events.

During the Special Event Application process staff could consider the regional and local appeal of the event and the estimated attendance in determining the number of parking spaces needed to encourage and support the event. Estimated attendance will be an important factor regardless of whether the event is public or private when determining the need for waiving timed parking

restrictions. It is important to understand that waiving timed parking restrictions is an effort to reduce potential safety hazards such as obstructing bike lanes and driveways, blocking city hydrants and the impact of parking in neighborhoods. Staff will not normally consider waiving or suspending enforcement of other types of signage such as “No Parking Any Time” signs because they are often related specifically to safety concerns due to a variety of factors such as width of the street, bike lane access, visibility and traffic flow.

There are several timed restricted parking lots and timed restricted parking streets in the downtown area available for staff and the applicant to consider waiving the parking restrictions in an effort to ensure a safe and successful event (Attachment C).

Staff is recommending a change to Municipal Code Section 10.16.030(a), as shown in italics.

10.16.030. Emergency parking signs—Signs indicating street repairs or cleaning.

(a) Whenever the traffic engineer shall determine that any *emergency* traffic congestion is likely to result from the holding of public or private assemblages, gatherings or functions, or for other reasons, the traffic engineer shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as the traffic engineer shall direct during the time such temporary signs are in place. *The traffic engineer shall also have power and authority to suspend or modify existing parking limitations by erecting temporary signs or modifying existing signs for the duration of the event.* Signs shall remain in place only during the existence of the emergency and the traffic engineer shall cause such signs to be removed promptly thereafter.

The flexibility to waive parking restrictions during special events will assist the City of Sunnyvale and the sponsor of the event in creating a safe and successful event. Access to convenient long-term parking for an all day event such as the Art and Wine Festival is vital for community participation and support. It will allow patrons of the event to stay and enjoy all the event has to offer and encourage parking in designated lots thereby reducing the traffic and parking congestion in surrounding neighborhoods.

Amending the Municipal Code will not only allow the City to waive the timed parking restrictions if appropriate but potentially recover the cost associated with staff time spent to mitigate the current signage if a change is approved through the Special Events Application Process.

FISCAL IMPACT

Should the Council choose to make the recommended change to the Municipal Code to include the suspension of timed parking for Special Events, staff will purchase covers for timed street parking signs and purchase Special Event Parking Signs to be placed at the entrance/exit routes of all timed parking areas during the special events using existing funds. The on-going costs associated with the placement of the signs and/or covers for the event(s) will be recovered through the Special Event Permit fee process.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center, and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk

ALTERNATIVES

1. Adopt the proposed ordinance amending Chapter 10.16., allowing for the temporary suspension of timed parking for special events.
2. Do not adopt the ordinance.
3. Direct staff to do further study.

RECOMMENDATION

Staff recommends Alternative #1, adopt the proposed ordinance amending Chapter 10.16., allowing for the temporary suspension of timed parking for special events.

Reviewed by:

Don Johnson, Director, Public Safety
Prepared by: Kelly Fitzgerald, Captain

Approved by:

Amy Chan
City Manager

Attachments

- A. Study Issue Paper 2008 DPS-01
- B. An Ordinance of the City Council of the City of Sunnyvale amending Section 10.16.030 of Chapter 16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code
- C. List of Timed Parking Lots and Time Street Parking Areas

Proposed New Council Study Issue

Number DPS-01

Status Above the line

Calendar Year 2008

New or Previous New

Title Exemptions for Special Event Parking

Lead Department Public Safety

Element or SubElement Land Use and Transportation Sub-Element

1. What are the key elements of the issue? What precipitated it?

At the June 5, 2007 City Council Meeting, Vice Mayor Spitaleri and Councilmember Swegles proposed a New Council Study Issue to be considered at the 2007 Council Study Issues Workshop. This Study Issue would consider the feasibility of changing the Municipal Code to waive timed parking restrictions during certain Special Events due to limited parking availability. Staff would evaluate the types of "Special Events," including City sponsored events that are open to the public, Downtown Special Events, and private events whether open to the public or not; and which restrictions should be considered for exemption in any change to the Municipal Code. Finally, staff would evaluate impacts to neighborhoods and businesses created by Special Event exemptions, costs related to parking enforcement, and the impact on City revenues should Municipal Code changes be adopted.

2. How does this relate to the General Plan or existing City Policy?

Goal C3 Attain a Transportation System that is effective, safe, pleasant, and convenient.

- Action Statement

C3.4.6 Manage on-street parking to assure safe, efficient traffic flow.

3. Origin of issue

Council Member(s) Swegles and Spitaleri
General Plan
City Staff
Public
Board or Commission none

4. Multiple Year Project? No Planned Completion Year 2008

5. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
 Does this issue require review by a Board/Commission? No
 If so, which?
 Is a Council Study Session anticipated? No
 What is the public participation process?
 N/A

6. Cost of Study

Operating Budget Program covering costs
 Project Budget covering costs
 481 Police Services
 Budget modification \$ amount needed for study
 \$0
 Explain below what the additional funding will be used for

7. Potential fiscal impact to implement recommendations in the Study approved by Council

Capital expenditure range None
 Operating expenditure range None
 New revenues/savings range None
 Explain impact briefly

8. Staff Recommendation

Staff Recommendation For Study

If 'For Study' or 'Against Study', explain
 In keeping with the philosophy of encouraging attendance at Community Events, Staff believes Council should consider waiving timed parking restrictions during certain Special Events.

9. Estimated consultant hours for completion of the study issue

0

Managers	Role	Manager	Hours			
Lead	Fitzgerald, Kelly	Mgr CY1:	10	Mgr CY2:	0	
		Staff CY1:	0	Staff CY2:	0	
Support	D'alba, Ron	Mgr CY1:	10	Mgr CY2:	0	
		Staff CY1:	0	Staff CY2:	0	
Interdep	Kahn, David	Mgr CY1:	5	Mgr CY2:	0	
		Staff CY1:	0	Staff CY2:	0	
Interdep	Verceles, Connie	Mgr CY1:	4	Mgr CY2:	0	
		Staff CY1:	0	Staff CY2:	0	
Interdep	Witthaus, Jack					

Mgr CY1: 10 Mgr CY2: 0
Staff CY1: 0 Staff CY2: 0

Total Hours CY1: 39

Total Hours CY2: 0

Note: If staff's recommendation is 'For Study' or 'Against Study', the Director should note the relative importance of this Study to other major projects that the Department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by

Department Director

Date

Approved by

City Manager

Date

Addendum

A. Board / Commission Recommendation

Issue Created Too Late for B/C Ranking

Board or Commission	Rank Rank	Rank 1 year ago	Rank 2 years ago
Arts Commission			
Bicycle and Pedestrian Advisory Committee			
Board of Building Code Appeals			
Board of Library Trustees			
Child Care Advisory Board			
Heritage Preservation Commission			
Housing and Human Services Commission			
Parks and Recreation Commission			
Personnel Board			
Planning Commission			
Board or Commission ranking comments			

B. Council

Council Rank 1
Work Plan Review Date (blank)
Study Session Date (blank)
RTC Date 4/29/2008
Actual Complete Date (blank)
Staff Contact

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING SECTION 10.16.030 OF CHAPTER 16 (PARKING REGULATIONS) OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE SUNNYVALE MUNICIPAL CODE

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

SECTION 1. SECTION 10.16.030 AMENDED. Sections 10.16.030 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

10.16.030. Emergency ~~parking signs—Signs indicating street repairs or cleaning~~ and special event parking signs; signs indicating street repairs or cleaning.

(a) Whenever the traffic engineer shall determine that any ~~emergency~~ traffic congestion is likely to result from the holding of public or private assemblages, special events, gatherings or functions, or for other reasons, the traffic engineer shall have power and authority to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys as the traffic engineer shall direct during the time such temporary signs are in place. The traffic engineer shall also have power and authority to suspend or modify existing parking limitations by erecting temporary signs or modifying existing signs for the duration of the event. Signs shall remain in place only during the existence of the emergency and the traffic engineer shall cause such signs to be removed promptly thereafter.

(b) [text unchanged]

(c) [text unchanged]

SECTION 2. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision 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 3. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(1), 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 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. 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 of a notice once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, 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 _____, 2008, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2008, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney

Downtown Timed Parking

Timed Parking Lots

200 W. Washington (Macy's Lot)

4hr Time Limit

For all vehicles north of the solid yellow line across the parking lot

Frances/Evelyn Lot

3hr Time Limit

Sunnyvale/Evelyn Lot

3hr Time Limit

200 W. Evelyn (Underground parking)

3hr Time Limit

Taaffe/Capella (Post Office)

15 Minute Time Limit

Cal-trans Lot (Frances/Evelyn)

Spaces 1-62

Are reserved for employees of Murphy's Square

Timed Street Parking

Carroll Ave.

3 hr Time Limit

W. Washington between Sunnyvale Ave. and Mathilda

3 hr. Time Limit

Murphy Ave. North of W. Washington

1 hr. Time Limit