

**ORDINANCE NO. 2912-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING CERTAIN SECTIONS OF TITLE 10 (VEHICLES AND TRAFFIC) AND TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE TO ADDRESS COMMERCIAL VEHICLE PARKING IN RESIDENTIAL AREAS**

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

SECTION 1. SECTION 10.16.160 AMENDED. Section 10.16.160 of Chapter 10.16 (Parking Regulations) of Title 10 (Vehicles and Traffic) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**10.16.160. Parking commercial vehicles in residential district.**

It is unlawful for any person to park any commercial vehicle ten thousand pounds or more (other than a pick-up truck, station wagon or similar vehicle of a size similar to an ordinary passenger vehicle) more than five hours in any residential district except:

(a) – (b) [text unchanged]

SECTION 2. SECTION 19.12.230 AMENDED. Section 19.12.230 ("V") of Chapter 19.12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read as follows:

**19.12.230. "V"**

(1) "Vehicle, commercial" means any vehicle with a gross vehicle weight of ten thousand pounds or more<sup>1</sup> according to the manufacturers' specifications, which is required to obtain a commercial vehicle license.

(2) - (3) [text unchanged]

<sup>1</sup> This ordinance is intended to be consistent with California Vehicle Code §22507.5 or successor statute.

SECTION 3. 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 4. 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 or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared invalid.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. 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 December 15, 2009, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
Date of Attestation: \_\_\_\_\_

\_\_\_\_\_  
Mayor

SEAL

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
David E. Kahn, City Attorney