



**Draft for Planning Commission Review on
September 8, 2008**

Council Meeting: September 30, 2008

SUBJECT: 2007-0754 Amendments to Title 19 to Amend Parking Standards and Requirements. These changes implement the policies adopted by the City Council on February 26, 2008.

REPORT IN BRIEF

On February 26, 2008, the City Council made a series of policy decisions as part of a study issue to enhance parking requirements for residential and commercial zoning districts (RTC 08-061). The proposed code changes implement those policies (See Attachment B for proposed ordinance language).

BACKGROUND

The subject study issue focused on the adequacy of the City's current parking requirements and methods to improve or enhance parking management, parking layout, or required number of spaces. After a year of study, the City Council adopted a series of policies that included municipal code changes and policy tools to improve parking requirements and incorporate parking management plans to improve efficiencies of parking layouts (See Attachment A, Minutes from City Council Meeting of February 26, 2008). The attached proposed ordinance changes reflect the approved modifications to the zoning code.

EXISTING POLICY

Land Use and Transportation Element:

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.

DISCUSSION

The following is a brief description of the proposed changes to be made to Title 19 to integrate the study issue decisions:

- **Definitions** – New definitions were added for fixed seats, mixed uses and parking management plans. The “shopping center” definition was modified.
- **Restaurants** – All restaurants now require a Miscellaneous Plan Permit.

- **Parking Management Plans** – Are now required as a condition of approval for any new mixed use, multi-family residential, new commercial or shopping center uses and non-retail uses locating within a commercial shopping center. A parking management plan has a series of measures such as valet parking, time limit spaces, and other strategies to achieve maximum efficiency from the parking supply. For multi-family projects, the plan would specify provisions pertaining to the ratio of guest and resident parking and other management requirements.
- **Tools to Enforce Parking Management Plans** – Planning staff is completing a handout with a variety of tools to assist multifamily developments manage parking. These tools include definition of guest use of parking, (i.e. 24 hours or less), resident stickers, and other options to clarify appropriate use of spaces.
- **Reduced Compact Spaces** – Maximum percentage of compact spaces was lowered for multifamily residential uses and places of assembly uses.
- **Provisions for Limited On-Street Parking** – Staff researched previous requirements for guest parking in limited on-street parking situations. Staff discovered an old provision in a previous code that had a specific guest parking requirement for single family home developments in limited on-street parking situations. Staff re-inserted that provision into the current code with modifications and put a footnote regarding multifamily residential projects.
- **Fixed Seating in Restaurants** – More restrictions were included for applying the fixed seating parking ratio for restaurants.
- **Places of Assembly Parking Ratio** - Ratio was amended and the use description was reworded to be consistent with the use tables.
- **Mixed Use Parking Ratio** – Mixed use is now required to provide appropriate parking per commonly-accepted studies.
- **New Parking Ratios for “Education- Recreation and Enrichment” Uses** – Currently the code has one ratio for all recreation and athletic facilities (listed under “Recreational Assembly Areas”). This ratio is similar to that recommended by the ITE (Institute of Traffic Engineers) for health clubs and gyms. Staff has found that this ratio is too stringent for the typical demand generated by “Education – Recreation and Enrichment” type uses, which include martial arts and dance studios and tutoring centers. After researching surrounding cities’ ratios, staff recommends using the same rate the City of Cupertino uses, which is 1 space/4 students plus 1/1 staff at any given time OR 1/250 sq. ft. of gross floor area, whichever is most restrictive. This ratio is representative of the typical parking demand generated by these smaller educational

and recreational studios. The parking ratio for recreational and athletic facilities remains unchanged. The use type has been renamed from “Recreational Assembly Areas” to “Recreational and Athletic Facilities” to make it consistent with the definitions and use tables.

- **Uses Not Enumerated** – Uses not specifically discussed are now required to provide appropriate parking per commonly-accepted studies, as opposed to the original 1 space/180 sq. ft. of gross floor area.
- **MPPs for Special Events** – MPPs are now required for all special events at places of assembly uses. A parking management plan may be required for highly-attended events.

FISCAL IMPACT

None expected.

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 ordinance language as proposed by staff.
2. Make changes to the ordinance language.
3. Do not adopt the ordinance language and direct staff to return with additional information and/or changes.

RECOMMENDATION

Alternative 1.

Reviewed by:

Hanson Hom, Director, Community Development
Prepared by: Diana O'Dell, Senior Planner
Reviewed by: Trudi Ryan, Planning Officer

Approved by:

Amy Chan
City Manager

Attachments

- A. City Council meeting minutes of February 26, 2008
- B. Draft Code Amendments to Title 19.

PUBLIC HEARINGS/GENERAL BUSINESS**2. RTC 08-061 2007-0754 Study Issue: Parking Requirements for Residential and Commercial Developments**

Planning Officer Trudi Ryan presented the staff report.

Councilmember Moylan stated he did not see that revisiting a parking management plan for the Cherry Orchard shopping center was listed as an alternative and questioned if that is something staff is already planning to do. Planning Officer Ryan confirmed that staff is planning to revisit the parking management plan and has already contacted the center. Councilmember Moylan offered his support of revisiting the plan and stated it will have a positive effect on the community.

Councilmember Howe inquired why staff would offer the discretion to define "guest" to the homeowners association as listed on attachment G (h. ii) when there could be a conflict of interest. Planning Officer Ryan explained that the current zoning code does not have a specific requirement for unassigned spaces to be reserved for guest use only. Previously, the Planning Commission has imposed as conditions of approval that a certain percentage of parking would be for guest parking. Planning Officer Ryan stated a minimum of 25 percent would be appropriate for guest parking. Planning Officer Ryan stated the reason to allow the homeowners association to determine the definition of a guest is because that allows flexibility over time for the association to address long-term guests versus short term and what is reasonable.

Councilmember Howe inquired how the homeowner associations will enforce that the garages will be used for parking and not for storage only. Planning Officer Ryan stated if that requirement is included in the conditions of approval from the beginning that will potentially free up the other parking spaces. Since the homeowners association is onsite, they are able to better keep residents apprised of the issues. Planning Officer Ryan explained that in addition there is an upcoming study issue later this year that will look at conditions of approval along with what tools may be available to promote enforcement of those conditions of approval.

Public hearing opened at 7:33 p.m.

Kevin Jackson, chair of the Bicycle and Pedestrian Advisory Commission (BPAC), speaking on his own behalf, stated the BPAC may be able to offer valuable perspective and a comprehensive study that will best serve the needs of the community. Jackson stated concerns with some items in the report and urged Council to consider sending this report to BPAC for review.

Jim Griffith, President of the Sutton Place Homeowners Association, explained his concerns with the amendments primarily attachment G, Item I.H. (6 and 7). Griffith is concerned with the use of statistics and averages because staff should have the flexibility to deviate from numerical guidelines. Griffith stated he is also concerned that once Covenants, Conditions and Restrictions (CC&R's) are in place, they are extremely difficult to modify. Griffith explained that if authority is given to the homeowners association for enforcement, the belief that enforcement will just happen is an incorrect assumption. Griffith stated homeowner association enforcement is an impractical or financial impossibility for most issues.

Arthur Schwartz stated that garages are essential to meet parking requirements. Schwartz suggested investigating whether there is some way that the homeowner associations could utilize the services of the City in enforcing the parking regulations. Schwarz stated he does not know how that could be done and would leave that to City Attorney David Kahn to investigate further. Schwartz stated he agrees that

BPAC should review these amendments because of the long-range goal is to make Sunnyvale green. Schwartz stated the City needs a longer range view of parking requirements.

Public hearing closed at 7:40 p.m.

Councilmember Swegles inquired what the value would be to have BPAC review this study. Planning Officer Ryan stated generally the BPAC advises Council on bicycle and pedestrian issues and the Planning Commission advises the Council on general land use issues. Planning Officer Ryan stated this study has already been reviewed properly by one of the Council's boards and commissions that staff deemed appropriate for this issue, that being the Planning Commission.

Vice Mayor Hamilton inquired if neighborhood preservation has any jurisdiction in these types of developments. Planning Officer Ryan stated staff is offering tools to homeowner associations in order to help them better manage the onsite parking issues. Planning Officer Ryan explained that if something is clearly in conflict with the zoning requirements or conditions of approval (such as when a garage is converted to living space) then the neighborhood preservation staff does have some jurisdiction.

MOTION 1: Councilmember Howe moved and Councilmember Moylan seconded to approve Alternative 2: Council directs staff to prepare amendments to the zoning code to require clarification of parking rates and to codify parking management requirements, as shown in Attachment G, with additional or modified items:

with modifications as listed:

- Attachment G, Section H, Item ii. to include highlighted language as:

Give property managers/homeowners' association **(with some form of City approval)** the latitude to define "guest," since ultimate enforcement is the responsibility of that entity.

- Attachment G, Section H, Item vi to included highlighted language as:

Confirm the responsibility of the property owner or homeowners' association to enforce provisions of the parking management plan. **Staff to provide the associations with tools for property owners and homeowners associations to carry out their responsibility to enforce provisions of the parking management plan.**

Councilmember Moylan added a policy statement to the motion that:

- **Council directs staff to include in the zoning ordinance that staff will return to Council and makes the following policy statement: It is the purpose of this chapter to insure that all uses of a property provide sufficient onsite parking to handle demand.**

Councilmember Howe agreed that the policy statement will be part of his motion.

Councilmember Whittum offered a friendly amendment to have the amendments reviewed by BPAC and then the Planning Commission.

Councilmember Howe stated he would prefer that item stand as a separate motion and did not accept the friendly amendment.

VOTE: 7-0

MOTION: Councilmember Whittum moved and Councilmember Lee seconded approval that the Bicycle and Pedestrian Advisory Commission (BPAC) shall review the amendments prior to Planning Commission review.

Councilmember Whittum stated he supports comments made earlier by the member of the public, Kevin Jackson, regarding the need for this item to be reviewed by BPAC. Councilmember Whittum stated this provides an opportunity to look for removal of on-street parking in new developments and look for ways to improve safety for bicyclists. Councilmember Whittum stated the comments are purely advisory and will not slow the process down at all.

Councilmember Moylan stated that this is a zoning code amendment which addresses the calculation as to how many parking spaces are allowed for each property and is reviewed by the Planning Commission. Councilmember Moylan stated the approved policy statement he just added to the previous motion, stated that on-street parking cannot be relied on for developments. Whatever the property, all parking needs to be taken care of inside the project. Councilmember Moylan stated he is unclear why BPAC should get involved with something that is not happening on the street at all.

Councilmember Whittum stated it would be helpful to have BPAC's input to explore opportunities to move on-street parking to make it safer for bicyclists.

VOTE: 3-4 (Councilmembers Swegles, Howe, Vice Mayor Hamilton, and Mayor Spitaleri dissented)

Motion failed.

**City Council Action February 26, 2008
Amendments to Title 19, Zoning**

GENERAL

It is the purpose of this chapter to insure that all uses of a property provide sufficient onsite parking to handle demand. See 19.46.010

I. MULTI-FAMILY RESIDENTIAL

Parking Lot

- a. Clearly mark compact spaces in order to discourage larger cars from parking in smaller spaces. **City policy, not a code requirement.**
- b. Require that parking lot striping and marking (e.g. compact, guest) is accurately and adequately maintained. **City policy, not a code requirement.**
- c. Require signs to direct vehicles to additional parking spaces on-site. **City policy, not a code requirement.**
- d. Assure that adequate lighting is available in parking lots to keep them safe and desirable for use. **City policy, not a code requirement.**

Required/Allowable Parking

- e. Provide parking ratios for mixed use projects containing residential uses that are based on accepted guidelines, such as the ITE or ULI. **See 19.46.050**
- f. Amend the Zoning Code parking table to include a footnote that requires projects with limited on-street parking to provide more on-site parking. **See 19.46.050**
- g. Reduce allowable compact parking to 10% of unassigned spaces. **See 19.46.050**

Parking Management

- h. Require creation of a Parking Management Plan. **See 19.12.170 for definition and 19.46.045 for requirement.** The Parking Management Plan should describe how property managers or homeowner's associations meet the following requirements: **Much of the details of a parking management plan will be reserved as a standard Condition of Approval.**
 - i. Limit the amount of unassigned spaces that are reserved for specific tenants.
 - ii. Give property managers/homeowner's association (with approval by the Director of Community Development) the latitude to define "guest," since ultimate enforcement is the responsibility of that entity.
 - iii. Specify that 25%- 75% of unassigned spaces be reserved for guest use only, at the discretion of the property owner or homeowners association.
 - iv. Note that property owners and HOA's cannot rent unassigned spaces, except that a nominal fee may be charged for parking management.

- v. Require tenants to use their assigned parking spaces prior to using the unassigned parking spaces.
- vi. Confirm the responsibility of the property owner or homeowner's association to enforce provisions of the parking management plan. [Planning staff may provide the associations with tools for property owners and homeowners associations to carry out their responsibility to enforce provisions of the parking management plan.](#) **Staff is preparing a handout with a variety of tools to assist owner's associations.**
- vii. Require tenants to maintain assigned spaces for parking of automobiles and motorcycles (e.g. do not allow RVs, trailers, boats, etc.)
- viii. Clearly notify potentially residents of the number of parking spaces provided for each unit on-site in order to reduce overuse by specific residents.

II. COMMERCIAL

Parking Lot

- a. Clearly mark compact spaces in order to discourage larger cars from parking in smaller spaces. **City policy, not a code requirement.**
- b. Require that parking lot striping and marking (e.g. compact, timed) is accurately and adequately maintained. **City policy, not a code requirement.**
- c. Require signs to direct vehicles to additional parking spaces on-site. **City policy, not a code requirement.**
- d. Assure that adequate lighting plan is available in parking lots to keep them safe and desirable for use. **City policy, not a code requirement.**

Required/Allowable Parking

- e. Provide parking ratios for mixed use projects that are based on accepted guidelines, such as the ITE or ULI. **See 19.46.050**
- f. Allow the Director of Community Development to determine appropriate parking for "uses not enumerated" based on published studies, adjusted for Sunnyvale's context versus the current code standard of 1 space per 180 square feet. **See 19.46.050.**
- g. Clarify that restaurants using the 100% fixed seating rate may not provide less than the retail or the shopping center in which it is located. **See 19.46.050.**
- h. Clarify that the parking rate for restaurants with 100% fixed seats is for limited seating situations. **See 19.12.070.**
- i. Require all restaurants to receive a staff level permit in order for the parking to be evaluated as part of the review process. **See 19.20.030**

Parking Management

- j. Require creation of a Parking Management Plan (**See 19.12.170 for definition and 19.46.045 for requirement**) specifying:
 - i. That employee parking locations be away from the building, in parking spaces that are the least used; and
 - ii. The location and term of short-term parking.
- k. Confirm the responsibility of the property owner to enforce provisions of the parking management plan.
- l. Allow the use of valet parking when appropriate on sites with limited parking.

Much of the details of a parking management plan will be reserved as a standard Condition of Approval.

Other

- m. Amend the definition for “shopping center” to indicate that the primary uses are retail and that other uses (restaurant, personal service, recreation) may also be allowed. This change would allow better control on the percent of non-retail uses in a shopping center. **See 19.12.200.**

III. PLACES OF ASSEMBLY AND RECREATION USES

Parking Lot

- a. Clearly mark compact spaces in order to discourage larger cars from parking in smaller spaces. **City policy, not a code requirement.**
- b. Require that parking lot striping and marking (e.g. compact, guest) is accurately and adequately maintained. **City policy, not a code requirement.**
- c. Require signs to direct vehicles to additional parking spaces on-site. **City policy, not a code requirement.**
- d. Assure that adequate lighting plan is available in parking lots to keep them safe and desirable for use
- e. Require directional signs to additional parking spaces off-site, as appropriate. **City policy, not a code requirement.**

Required/Allowable Parking

- f. Reduce allowable compact parking to 10% for places of assembly. **See 19.46.050 Places of Assembly**
- g. Allow the Director of Community Development to determine appropriate parking for “uses not enumerated” based on published studies, adjusted for Sunnyvale’s context versus the current standard of 1 space per 180 square feet of gross floor area. **See 19.46.050 Uses Not Enumerated**
- h. Make no modification to the general parking requirement, but note that special functions for Places of Assembly or Recreation may require a Miscellaneous Plan Permit to assure that adequate temporary parking is available. **See 19.82.020**

- i. Amend the Code to parallel the use tables with the parking tables (Places of Assembly Business-serving and Places of Assembly-Community Serving). **See 19.46.050 Places of Assembly**
- j. Amend the Code to specifically list two types of uses in order to best apply the code: Classroom-based and Studio-based education or recreational uses. **See 19.46.050 New Category of Education – Recreation and Enrichment**
- k. Require a Parking Overflow Plan for highly-attended events. **See 19.46.050 Places of Assembly (parking management plan)**
- l. Provide an adequate separation of assembly times if minimum parking is available. **City policy, not a code requirement.**

Parking Management

- m. Require a parking management plan to minimize impacts on adjacent residential neighborhoods due to overflow parking (**See 19.12.170 for definition and 19.46.045 for requirement**)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING SECTIONS 19.12.070 (“F”), 19.12.140 (“M”), 19.12.170 (“P”) AND 19.12.200 (“S”) (DEFINITIONS), TABLE 19.20.030 (PERMITTED USES IN COMMERCIAL ZONES), 19.46.045 PARKING MANAGEMENT PLANS, TABLE 19.46.050 (PARKING REQUIREMENTS), 19.82.020 (MISCELLANEOUS PLAN PERMITS), 19.98.090 (CONDITIONS OF APPROVAL) OF TITLE 19 (ZONING) OF THE SUNNYVALE MUNICIPAL CODE RELATED TO PARKING STANDARDS

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

SECTION 1. CHAPTER 19.12. AMENDED. Section 19.12.070 “F”, 19.12.140 “M”, 19.12.170 “P” and 19.12.200 “S” of Chapter 12 (Definitions) of Title 19 (Zoning) of the Sunnyvale Municipal Code are hereby amended to read, as follows:

19.12.070 “F”

(7) “Fixed seating” means tables and chairs permanently affixed to the floor and consisting of limited seating situations such as ten seats or fewer.

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[Remaining definitions to be renumbered.]

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19.12.140 “M”

(2) “Mixed Use” means a development consisting of one or more lots developed as a cohesive project and designed with a blend of various compatible uses such as commercial, office, and residential.

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[Remaining definitions to be renumbered.]

19.12.170 “P”

(1) “Parking Management Plan” means a plan designed to manage the use of parking on a property for the purpose of addressing:

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(a) peak hour use

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(b) vehicular circulation

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(c) overall quantity of parking spaces

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(d) distribution of parking on-site

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(e) needs of specific users including but not limited to employees, guests, residents and patrons, and

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(f) other circumstances that arise when oversight and control of parking spaces is needed.

[Remaining definitions to be renumbered.]

19.12.200. “S”

(1)-(5) [Text unchanged.]

(6) “Shopping center” means a group primarily retail uses planned, constructed and managed as a total entity. Other uses such as restaurants, personal services and recreational uses may be included.

(7)-(24) [Text unchanged.]

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Deleted: with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

SECTION 2. Section 19.46.010 (“Areas and facilities required – Location”) AMENDED. Section 19.46.010 of Title 19 of the Sunnyvale Municipal Code is hereby amended to read, as follows:

19.46.010 Purpose.

It is the purpose of this Chapter to ensure that all uses of the property provide sufficient on-site parking to handle demand.

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[Former section 19.46.010 is renumbered to be **19.46.015** Areas and facilities required - Location..]

SECTION 3. Table 19.20.030 (“Permitted, Conditionally Permitted and Prohibited Uses in Commercial Zones”) AMENDED. Table 19.20.030 of Chapter 20 (Commercial Zoning Districts) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read, as follows:

TABLE 19.20.030

Permitted, Conditionally Permitted and Prohibited Uses in Commercial Zones

In the table, the letters and symbols are defined as follows:

P = Permitted use

UP = Use permit required

MPP = Miscellaneous plan permit

N = Not permitted, prohibited

COMMERCIAL ZONES	C-1	C-2	C-3	C-4
1. Retail Commercial				
A. Bakeries	P ¹	P ¹	P ¹	P ¹
B. Drive-through retail sales businesses, except restaurants	UP	UP	UP	N

COMMERCIAL ZONES	C-1	C-2	C-3	C-4
C. Retail sales businesses	P ¹	P ¹	P ¹	N
D. Outside display of merchandise or products in connection with a retail sales business	MPP	MPP	MPP	N
2. Service Commercial				
A. Bulk sale of building and construction materials, feed, fertilizers, soil conditioners and fuel (except motor vehicle fuel)	N	N	N	UP
B. Commercial storage	N	N	N	MPP ¹
C. Crafts shops such as cabinetmakers, upholsterers, taxidermists, etc.	N	N	N	UP
D. Custom fabricators	N	N	N	UP
E. Donation centers for used goods²	N	UP	UP	UP
F. Livestock or poultry housing or sales	N	N	N	N
G. Open or unenclosed storage ancillary to a permitted use (screened from public view)	P	P	P	P
H. Outdoor storage of materials or supplies ancillary to a permitted use, not screened from public right-of-way	N	N	N	MPP ¹
I. Printers, copiers, and engravers using chemical processes	N	N	N	MPP ¹
J. Repair shops for household appliances and apparel	P ¹	UP	P ¹	P ¹
K. Retail service uses such as copiers, locksmiths, and engravers not using chemical processes	P ¹	P ¹	P ¹	P ¹
L. Self storage “mini warehousing”	N	UP	UP	MPP ¹
M. Trailer, automobile, boat, motorcycle and truck services and repairs	N	UP	UP	MPP ¹
3. Personal Service				
A. Child care centers with occupancy of 30 or fewer persons	MPP	UP	UP	UP
B. Child care centers with occupancy of 31 or more persons	UP	UP	UP	UP
C. Laundry, cleaning business, self-operated laundries, and dry cleaners	UP	UP	UP	MPP ¹
D. Personal service businesses not otherwise specified	P ¹	P ¹	P ¹	UP
4. Eating/Drinking Establishments				
A. Drive-through restaurants	UP	UP	N	N
B. Nightclubs and cocktail lounges, where alcoholic beverages are sold and consumed	UP	UP	P	N
C. Restaurants and fast food restaurants not serving alcoholic beverages	MPP	UP	UP	UP

COMMERCIAL ZONES	C-1	C-2	C-3	C-4
D. Restaurant and fast food restaurants which serve alcoholic beverages	UP	UP	UP	UP
E. Take-out restaurants	MPP	UP	MPP	MPP¹
5. Automotive				
A. Automotive service stations:	UP	UP	UP	UP
1. Retail sales of groceries at permitted stations ⁷	MPP	MPP	MPP	MPP
2. Retail sale of beer and wine at permitted stations ⁷	UP	UP	UP	UP
B. Car wash facilities	N	UP	UP	UP
C. Automobile/Vehicle repair	N	UP	UP	UP
D. Automotive broker for 3 or fewer vehicles on site	N	MPP ¹	MPP ¹	MPP ¹
E. New or used vehicle sales	N	UP	UP	N
6. Education, Recreation, and Places of Assembly				
A. Education—Recreation and enrichment	UP ⁵	UP ⁵	UP ⁵	N
B. Education—Primary and high school	UP ⁵	UP ⁵	UP ⁵	N
C. Education—Institution of higher learning	UP ⁵	UP ⁵	UP ⁵	N
D. Recreational and athletic facilities	UP ⁵	UP ⁵	UP ⁵	N
E. Places of assembly—Business serving	UP ⁵	UP ⁵	UP ⁵	UP
F. Places of assembly—Community serving	UP ⁵	UP ⁵	UP ⁵	N
G. Cardrooms	N	N	N	N
H. Entertainment establishments	UP	UP	UP	N
7. Office				
A. Ground floor dependent office less than 1,000 square feet	P	P	P	MPP
B. Ground floor dependent office greater than 1,000 square feet	MPP	MPP	MPP	UP
C. Office not located on the ground floor	P	P	P	P
D. Financial institutions	MPP	UP	MPP	UP
E. Research and development office	N	N	N	N
8. Public Facilities				
A. Bus terminals and other public transportation facilities	UP	UP	UP	UP
B. Public utility buildings and service facilities	UP	UP	UP	UP
9. Residential/Boarding/Lodging				
A. Hotel or motel	N	UP	UP	N
B. Residential uses	UP	UP	UP	N ⁶
C. Single room occupancy living facilities	N	UP	UP	N
D. Single room occupancy residential hotels	N	UP	UP	N
10. Other				

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COMMERCIAL ZONES	C-1	C-2	C-3	C-4
A. Any use which is obnoxious, offensive or creates a nuisance	N	N	N	N
B. Adult business establishments	N	N	N	N
C. Assembly, compounding, manufacture or processing of merchandise or products are customarily incidental or essential to permitted retail commercial and service uses	N	N	N	UP
D. Massage establishments ³	P	P	P	P
E. Recycling centers	UP	UP	UP	UP
F. Sale or rental of utility trailers, heavy equipment or machinery	N	N	N	UP
G. Storage or parking of commercial, industrial or public utility vehicles	N ⁴	N ⁴	N ⁴	N ⁴
H. Wholesale storage or warehousing of merchandise or products within a building or premises ⁸	N	N	N	P UP
I. Facilities for storage of recreational vehicles	N	N	N	MPP
J. Animal hospitals and clinics	UP	UP	UP	UP

- 1 Uses which are greater than 10,000 square feet, propose significant changes to the exterior of an existing building, or include construction of a new building require a Use Permit.
- 2 Donation centers shall have a minimum separation of 1.5 miles.
- 3 Subject to provisions of Chapter 9.41.
- 4 Except that daytime and overnight parking of up to five commercial motor vehicles (of a type that are less than 10,000 pounds in gross vehicle weight with not more than two axles) that are owned or operated by the person(s), company or business which conducts the primary use is permitted, provided the vehicles are used for purposes of delivery, pick up or service to patrons of the primary use only, do not utilize on-site required parking and are not utilized for purposes of advertising.
- 5 Educational and recreational uses and places of assembly shall not be located in retail centers in a manner that disrupts the flow of pedestrians between retail establishments.
- 6 Except caretaker residence ancillary to a permitted use.
- 7 Automobile service stations with sale of groceries, beer and wine, or both, require findings as set forth in 19.98.020(i) and/or (j), as applicable.
- 8 In the C-4 zoning district, wholesale storage or warehousing is permitted up to 35% FAR, and requires a use permit for >35% FAR

SECTION 4. CHAPTER 19.46 concerning Parking Management Plans is added as follows.

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19.46.045 Parking Management Plans - when Required.

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Applicants shall provide to the director of community development a Parking Management Plan for all new mixed uses, multi-family residential, new commercial or shopping center uses, and places of assembly uses or as otherwise required by Use Permit or Miscellaneous Plan Permit.

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Inserted: _ ¶

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SECTION 4. Table 19.46.050 ("Parking standards") AMENDED. Table 19.46.050 of Chapter 46 (Off-Street Parking) of Title 19 (Zoning) of the Sunnyvale Municipal Code is hereby amended to read, as follows:

19.46.050. Parking standards.

The number of parking spaces and related standards required for various uses are set forth in Table 19.46.050. The table does not apply to parcels located within downtown specific plan.

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**Table 19.46.050
Parking Requirements**

LAND USE	NUMBER OF PARKING SPACES REQUIRED	MAX. PERCENTAGE OF COMPACT SPACES ALLOWED
RESIDENTIAL USES		
Single-Family and Duplex:	2 covered spaces per unit, plus 2 uncovered spaces on driveway (minimum dimensions 17 ft. x 20 ft.). For projects located on streets with limited or no on-street parking, projects shall provide 0.4 unassigned parking spaces per unit. The two driveway spaces shall not be counted as unassigned spaces.	N/A
Multifamily, Townhouses, Condos and Apartments:	Specific ratios based on the type of parking facilities provided are noted below. See Notes 1 and 2	

	Carports, Underground and Open Parking Lot	One Fully- Enclosed Garage Space and Open Parking Lot	Two or More Fully-Enclosed Garage Spaces	
Studio, efficiency, or 1 bedroom units	1 covered space per unit, plus 0.5 unassigned space per unit.	1 covered space per unit, plus 0.8 unassigned space per unit.	2 covered spaces per unit, plus 0.25 unassigned and guest parking spaces per unit.	10% 35% of uncovered and unassigned spaces in parking lots with more than 10 spaces.
2 bedroom units	1 covered space per unit, plus 1 unassigned space per unit.	1 covered space per unit, plus 1.33 unassigned spaces per unit.	2 covered spaces per unit, plus 0.4 unassigned and guest parking spaces per unit.	10% 35% of uncovered and unassigned spaces in parking lots with more than 10 spaces.
3 bedroom units	1 covered space per unit, plus 1 unassigned space per unit.	1 covered space per unit, plus 1.4 unassigned spaces per unit.	2 covered spaces per unit, plus 0.5 unassigned and guest parking spaces per unit.	10% 35% of uncovered and unassigned spaces in parking lots with more than 10 spaces.
4 or more bedroom units	Add 0.15 unassigned spaces per bedroom per unit to the 3 bedroom requirement.	Add 0.15 unassigned spaces per bedroom per unit to the 3 bedroom requirement.	Add 0.15 unassigned spaces per bedroom per unit to the 3 bedroom requirement.	10% 35% of uncovered and unassigned spaces in parking lots with more than 10 spaces.
Single Room Occupancy and Residential Hotels with units:	Specific ratios based on the size of units noted below.			
Less than 200 sq. ft.	0.25 spaces per unit.			N/A
200 to 250 sq. ft.	0.5 spaces per unit.			N/A
Greater than 250 sq. ft.	1 space per unit.			N/A

Mobile Home Park:	2 spaces per unit, plus 1 space per employee living off-site, plus 1 space per special purpose vehicle. Tandem parking is permitted.	N/A
<u>Mixed Use:</u>	<u>Parking ratios shall be based on accepted guidelines such as ITE or ULI subject to the approval of the Director of Community Development.</u>	

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Note 1: Multifamily residential developments of five or more units shall have secured bicycle parking at a ratio of one secured bicycle parking space for every four units, but no fewer than four spaces.

Note 2: Projects with limited street parking may be required to provide on-site parking beyond minimum requirements adequate to satisfy all parking demand for the project.

LAND USE	NUMBER OF PARKING SPACES REQUIRED	MAX. PERCENTAGE OF COMPACT SPACES ALLOWED
NONRESIDENTIAL USES (cont.)	Parking Ratios reference Gross Floor Area Except as otherwise noted.	
Retail:	Specific ratios based on the type of retail noted below.	
General Retail and Personal Service Shops not in Shopping Centers	1 space per 180 sq. ft.	10% of required spaces. (50% along periphery and as employee parking. 50% interspersed)
Furniture and Appliances Stores	1 space per 400 sq. ft.	10% of required spaces (50% along periphery and as employee parking. 50% interspersed)
Shopping Centers with Retail less than 20,000 sq. ft. of gross floor area	1 space per 180 sq. ft.	10% of required spaces (50% along periphery and as employee parking. 50% interspersed)
Shopping Centers with Retail in 20,000 to 50,000 sq. ft. of gross floor area	1 space per 200 sq. ft.	10% of required spaces (50% along periphery and as employee parking. 50% interspersed)
Shopping Centers with Retail greater than 50,000 sq. ft. of gross floor area	1 space per 225 sq. ft.	10% of required spaces (50% along periphery and as employee parking. 50% interspersed)
Restaurants:	Specific ratios based on proposed seating/service noted below.	
Restaurants with 100% fixed seating	1 space per every 2 fixed seats, plus 1 space per 400 sq. ft. of other area. <u>In no case may restaurants provide less parking than would be required if the space was a retail use/shopping center use in which it is located.</u>	10% of required spaces. (50% along periphery)
Restaurants with bars and Fast Food Restaurants	1 space per 75 sq. ft.	10% of required spaces. (50% along periphery)
Restaurants without fixed seating or bars	1 space per 110 sq. ft.	10% of required spaces. (50% along periphery)
Nightclubs and Bars not incorporated into Restaurants	1 space per 50 sq. ft.	10% of required spaces. (50% along periphery)
Office:	Specific ratios based on type and intensity of uses noted below.	
General Office Uses (free standing)	1 space per 225 sq. ft.	50% of required spaces.

General Office Uses (in a shopping center)	1 space per 180 sq. ft.	10% of required spaces. (50% along periphery)
Medical and Dental Office Uses	1 space per 200 sq. ft.	N/A
Research and Development, General Industrial, or Corporation Office Uses:	1 space per 500 sq. ft. minimum with a maximum of 1 space per 250 sq. ft. The maximum number of spaces allowed shall not be exceeded unless specifically allowed by use permit or special development permit.	50% of required spaces.
Industrial Warehouses:	1 space per 900 sq. ft. minimum with a maximum of 1 space per 600 sq. ft. The maximum number of spaces shall not be exceeded unless specifically allowed by use permit or special development permit.	50% of required spaces.
Commercial Storage and Self-Storage Uses:	1 space per 2,500 sq. ft. of floor area, plus 1 space per 225 sq. ft. of office space, plus 1 space per Live-in manager/employee, plus loading zone spaces as required in Note 2.	50% of required spaces.
Recycling Centers:	1 space per employee.	N/A
Vehicle Repair Garages:	1 space per 180 sq. ft. (including repair bays or covered stalls).	10% of required spaces. (50% along periphery)
Hospitals:	1 space per bed.	10% of required spaces. (50% along periphery)
Sanitariums and Rest Homes:	1 space per 2.25 beds.	10% of required spaces. (50% along periphery)
Financial Institutions:	1 space per 180 sq. ft.	10% of required spaces. (50% along periphery)
Lodging and Board Uses: Lodging and Boarding Houses, Motels, and Hotels	1 space per living or guest unit, plus 1 space per employee living off-site, plus additional parking required for other on-site uses.	30% of required spaces.
Fraternalities and Sororities:	1 space per bed or 0.75 members, whichever is greater, plus 1 space per employee living off-site.	35% of the required spaces, if the spaces are uncovered, unassigned, and the parking lot exceeds 10 spaces.
Libraries:	1 space per every 4 seats, plus 1 space per employee.	10% of required spaces. (50% along periphery)
Places of Assembly: Business-Serving and Community-Serving Religious Institutions, Community Centers, Mortuaries, and Funeral Parlors	1 space per every 3 fixed seats, plus 1 space per 21 sq. ft. of open area or seating space, plus 1 space per 400 sq. ft. of additional floor area, plus 1 space per employee, plus 1 space per special purpose vehicle. A parking management plan may be required for highly-attended events.	10% 35% of required spaces, if the spaces are uncovered and unassigned.
Recreational Assembly Areas such as Dance Halls, Skating Rinks, Auditoriums, Clubs, Lodges, Gymnasiums, Stadiums, or Assembly Areas for more than 20 persons Recreational and Athletic Facilities	1 space per every 3 fixed seats, plus 1 space per 21 sq. ft. of open area or seating space, plus 1 space per employee, plus 1 space per special purpose vehicle.	
Bowling Alleys:	1 space per lane, plus 1 space per employee, plus additional parking required for other on-site uses.	10% of required spaces. (50% along periphery)

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Education – Recreation and Enrichment	1 space per 4 students, plus 1 space per employee OR 1 space per 250 sq. ft. of gross floor area, whichever is most restrictive.	10% of required spaces. (50% along periphery)
Schools and Daycare: Education – Child Care Uses and Primary, High School and Institutions of Higher Learning	Specific ratios based on proposed facilities and activities noted below.	
Pre-schools, child care or day care	1 space per employee during maximum shift, plus 1 space per every 14 children/students.	35% of require spaces, if the spaces are unassigned
Grades K-8	3 spaces per classroom.	35% of required spaces, if the spaces are unassigned
Grades 9-12	1 space per every 4 students.	35% of required spaces, if the spaces are unassigned
Grades over 12	1 space per every 3 fixed seats, plus 1 space per 21 sq. ft. of open area or seating space, plus 1 space per employee, plus 1 space per special purpose vehicle.	35% of required spaces, if the spaces are uncovered and unassigned
School Offices	1 space per 225 sq. ft.	50% of required spaces, if the spaces unassigned
School Gyms and other facilities	1 space per every 3 fixed seats, plus 1 space per 21 sq. ft. of open area useable for seating, plus 1 space per 400 sq. ft. of additional floor area.	35% of required spaces, if the spaces are unassigned
Mixed Use:	Parking ratios shall be based on accepted guidelines such as ITE or ULI subject to the approval of the Director of Community Development.	
Uses not enumerated	1 space per 180 sq. ft. Parking ratios shall be based on accepted guidelines such as ITE or ULI subject to the approval of the Director of Community Development.	10% of required spaces

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Note 2: Loading zone spaces (minimum 10 feet x 50 feet) are required for storage facilities. One (1) loading zone space is required for facilities with 10,000 to 39,999 sq. ft. of gross floor area. Two (2) loading zone spaces are required for facilities with 40,000 to 100,000 sq. ft. of gross floor area. Facilities in excess of 100,000 sq. ft. shall provide 2 loading zones plus one additional loading zone for each 100,000 sq. ft. or portion thereof.

SECTION 4. CHAPTER 19.82 AMENDED. SECTION 19.82.020 concerning requirements for Miscellaneous Plan Permits is added as follows.

19.82.020 When Required [Miscellaneous Plan Permits]

Sections (a) (1) through (16) remain unchanged.]

- (17) Places of Assembly - [Special events](#).- [To ensure adequate temporary parking is available, a Parking Management Plan may be required for highly-attended events.](#)

[Re-number (18 through 26).]

SECTION 5. CHAPTER 19.98 concerning General Requirements AMENDED. Section 19.98.090 of Chapter 98 General Procedures) or Title 19 (Zoning) is amended as follows.

19.98.090. Conditions of approval.

(a) The director of community development, planning commission or city council may approve any permit, or approve the same upon such conditions in addition to those expressly provided in applicable provisions of this code, as it finds desirable in the public interest.

(b) For appurtenant, temporary, hazardous materials storage or emergency shelter container uses conditions may include those determined to be reasonably necessary in connection with the hours of operation, visual screening, cleanup of the location or premises, use of lights or lighting or other means of illumination, or operation of any loudspeaker or sound amplification or any other aspect of the project, in order to prevent the creation of any nuisance or annoyance to the occupants of or commercial visitors to adjacent buildings or premises or any public nuisances.

(c) In addition to any other conditions imposed, the director of community development may require the posting of a cash security in an amount sufficient to guarantee the removal of any fixtures, equipment or stands and the cleanup of the location or premises immediately upon the expiration of any temporary use)).

SECTION 6. 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 7. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 8. 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 newspaper for 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 _____, 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

: