

PLANNING COMMISSION MINUTES OF SEPTEMBER 8, 2008

2007-0754 - City of Sunnyvale [Applicant]: Make amendments to Sunnyvale Municipal Code Title 19 to modify parking standards and requirements. These changes implement the policies adopted by the City Council on February 26, 2008. DO (*Continued from August 25, 2008*)

Diana O'Dell, Senior Planner, presented the staff report.

Comm. Hungerford referred to Attachment B, page 1, 19.12.070 (7) regarding the definition of fixed seating and ten seats or fewer and said that the item seems to combine two different concepts and does not address if there are more than ten seats. He said it seems like it would be more appropriate to include the limit of ten seats or fewer, someplace else in the ordinance. **Trudi Ryan**, Planning Officer, said she understands the concern, and said that staff is trying to keep these two items together rather than add an additional footnote to the parking tables. She said staff could look at the restaurant areas with the 100% fixed seating and add the phrase "in a limited situation". She said the definition on page 1 can be ended after the phrase "affixed to the floor". **Comm. Hungerford** referred to the Parking Management Plan, also on page 1, and asked if all the items listed in (a) through (f) would have to be met or if there would be some flexibility. Ms. O'Dell said the Parking Management Plan was intended to have a broad definition and Plans could be tailored to include some or all of items (a) through (f). Ms. O'Dell said that additional language could be added indicating that not all of the items listed have to be met. **Comm. Hungerford** suggested that the rewording could be something like, "Parking Management Plan means a plan designed to manage the use of parking on property. Parking Management Plans would typically address the following:" **Comm. Hungerford** referred to Attachment B and suggested several edits that would make the ordinance more readable. He said on page 2 under the definition of 'Shopping center' that the word "of" needs to be added in front of the word "primarily", and the words "that are" need to be added in front of "constructed and managed". **Comm. Hungerford** referred to page 6, of the Parking Requirements Table, under the Number of Parking Spaces Required for Single-Family and Duplex: that the words "an additional" be added in front of the "0.4 unassigned parking spaces".

Vice Chair Chang referred to Attachment B, page 6, regarding the Parking Requirements Table, and discussed with staff the column regarding the Maximum Percentage of Compact Spaces Allowed.

Chair Rowe referred to Attachment A, page 5, item I.h.vii and asked if any consideration was given to requiring that the vehicles parked in the garages be “operable”. Ms. Ryan said staff is looking at a number of different enforcement issues, and the ability of requiring someone have a vehicle that is operable goes beyond the authority of City. Chair Rowe asked staff if the CC&Rs (Covenants, Conditions and Restrictions) could address the operability of vehicles. Ms. Ryan said she does not know if this could be enforced on vehicles in private garages. Chair Rowe, referring to II.a regarding compact spaces and discouraging larger cars from parking in smaller spaces, asked staff about the phrase “City policy, not a code requirement” and about enforcement. Staff said it is difficult to prevent large vehicles from parking in smaller spots and that language could be added to conditions of approval for Parking Management Plans or projects rather than have code language addressing the marking of compact spaces. Chair Rowe and staff further discussed the issue of larger vehicles parking in compact spaces, that it is difficult to enforce, and that some mention could be included in the conditions of a Use Permit.

Chair Rowe opened the public hearing.

There were no public comments.

Chair Rowe closed the public hearing.

Comm. Hungerford moved to recommend to City Council to adopt the ordinance with changes to the ordinance language as discussed. Ms. Ryan offered to recap the changes to the language discussed earlier. She said the suggested modifications are: **to modify section 19.12.070 changing the definition of fixed seating by moving the information regarding limited seating to Table 19.46.050; to modify the Parking Management Plans definition, section 19.46.045, to include language suggesting that the A through F provisions would be typical of what is in a Parking Management Plan; to modify section 19.12.200 under the definition of shopping center, clarifying the language to read “group of primarily retail uses planned”; and to modify Table 19.46.050 with a Single-Family and Duplex guest parking requirement that “projects shall provide an *additional* 0.4 unassigned parking spaces per unit”.** Comm. Travis seconded the motion.

Comm. Hungerford said he thinks this ordinance is a vast improvement and he recommends that the City Council adopt this ordinance.

Comm. Travis said he agrees with Comm. Hungerford.

ACTION: Comm. Hungerford made a motion on 2007-0754 to recommend to City Council to adopt the ordinance language changes in Attachment B with modifications: to modify section 19.12.070 changing the definition of fixed seating by moving the information regarding limited seating to Table 19.46.050; to modify the Parking Management Plans definition, section 19.46.045, to include language suggesting that the A through F provisions would be typical of what is in a Parking Management Plan; to modify section 19.12.200 under the definition of shopping center, clarifying the language to read “group of primarily retail uses planned”; and to modify Table 19.46.050 with a Single-Family and Duplex guest parking requirement that “projects shall provide an *additional* 0.4 unassigned parking spaces per unit”. Comm. Travis seconded. Motion carried unanimously, 7-0.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the September 30, 2008 City Council meeting.