

# City Council Questions

## September 24, 2019 Council Meeting

### ITEM 7.1 OVERSIZED VEHICLE PARKING RESTRICTIONS

1. Page 5 of staff report – what is the thinking behind allowing commercial, business or public transit buses or commuter shuttles to park for no longer than two hours? If they are picking up or dropping off riders, why do they need to park for up to two hours?

This recommendation was modelled on another city’s oversized vehicle parking ordinance and to allow sufficient time for bus or shuttle operations on the public right of way. This timeframe could be changed, however, should Council wish to allow more or less time for bus or shuttle operations.

2. Page 5 of staff report – what is the approximate timing of the design process for future facilities at Rengstorff Park?

Pending scope and budget confirmation by Council, the Aquatics Center design is anticipated to begin in early 2020 and conclude in 2021. The Maintenance and Tennis Buildings’ design is scheduled to begin in summer 2021. The Magical Bridge playground’s design schedule is subject to private fundraising which is underway and on-going, but design is expected in 2020.

3. Several residents indicated that there is an existing narrow streets parking prohibition (Section 19.81). Does the existing “narrow street” definition and corresponding parking prohibition have any impact on either of the proposed ordinances?

No, section 19.81 prohibits any vehicle from parking on certain streets given the width of the street, whereas the proposed ordinance addresses only oversized vehicles on streets that are 40 feet or less.

While both Section 19.81 and the recommended ordinance use the phrase “Narrow Streets” in the title, each describes specifically the type of prohibition and width of street. There is no broad definition of “Narrow Streets” in the City Code that applies to each.

Each code section therefore stands alone and is not affected by the other.

4. For the proposed new narrow street parking prohibition, what is the rationale for the definition being 40 feet or narrower?

Forty foot and narrower streets typically occur in residential areas with relatively small lots and more frequent driveways than commercial areas, where streets are wider to accommodate larger vehicles. Oversized vehicles present visibility concerns at driveways, so such concerns exist on a much greater percentage of 40 foot and narrow streets than on wider streets. Forty foot and narrower streets also typically do not have painted centerlines, and vehicles cross over the center of the street when passing oversized vehicles in order to maintain a comfortable distance. This presents a safety concern when bicycles or other vehicles are traveling in the opposite direction.

5. How many streets are precisely 40 feet in width? Or, how many fewer streets would be affected if the definition of narrow street were changed to *less* than 40 feet (not less than or equal to)?

**Staff has not performed a street-by-street survey so cannot say how many streets are precisely 40 feet in width. As noted, further analysis and resolutions would be required. Forty feet is a common width, though, and staff estimates that at least half of the residential streets in the City are 40 feet wide (as opposed to 36 feet or some other width).**

6. Are there other ways of structuring the proposed narrow street ordinance? For instance, streets without painted centerlines or bike lanes?

**Most of the City's 40 foot or narrower streets do not have painted centerlines or bicycle lanes, so such a restructuring would likely not have a significant impact on which streets are included in the prohibition, but the Council could be more specific if it so desires.**

7. Many streets in the Old Mountain View neighborhood are very narrow, and street parking is permitted on both sides of the street. Are these streets more or less safe than streets with parked oversized vehicles?

**While some of the same issues exist on the very narrow streets in Old Mountain View, the City tries to balance these concerns with the demand for on street parking in residential areas.**

8. Is there a big/ measurable difference in safety between a bike lane blocked by an oversized vehicle and a bike lane blocked by a passenger vehicle?

**Staff's recommendation is based on that in most cases a passenger vehicle will not block the bike lane, while an oversized vehicle will.**

9. What is the definition of Class II bike lane?

**A Class II Bike Lane is a portion of the roadway that has been designated by striping, signage, and pavement markings for the preferential or exclusive use of bicyclists. In common parlance, it's a striped bike lane.**

10. There seem to be a variety of Class II bike lanes – shared bike and parking lanes; separated lanes for parking and biking; buffered bike lanes (striping only; not physically separated). Is it necessary to prohibit oversized vehicles from parking adjacent to all types of Class II bike lanes? I can understand concerns with narrow shared bike and parking lanes, but other types of bike lanes seem to offer more space.

**There are typically two types of striping that designate a Class II bike lane. One has a stripe next to the travel lane and another next to the parking lane. The other has only a stripe next to the travel lane. Staff's recommendation is premised on providing the minimum bike lane width without encroachment from vehicles, regardless of which type of striping is used.**

11. Members of the public have asked whether any new parking ordinance can clearly include oversized industrial and commercial vehicles including pickup trucks? Do you suggest any modifications for this purpose?

**OVs have been defined in the proposed ordinances as any vehicle, or a combination of connected vehicles, which exceeds 22 feet in length or 7 feet in width or 7 feet in height. Because staff's analysis was based on the size rather than the type of vehicle, staff did make specific recommendations regarding including or excluding specific vehicle types, such as pickup trucks.**

12. Can I see where oversized vehicles with overnight occupants are currently parked?

**Please see the map included in the Safe Parking report.**

13. How many are parked by parks?

**Please refer to Living in Vehicle map included in the Safe Parking report.**

**Estimates vary on Shoreline Boulevard; there are typically 50-55 on Crisanto Avenue near Rengstorff Park.**

14. I got a message from the public stating that it would not be legally possible for the city to create an ordinance based on narrow streets defined as 40 feet wide because in section 19.81 of the Mountain View municipal code, a narrow street is already defined as 20 feet wide. Is there any legal clarification necessary regarding narrow streets? For instance, could the 20 foot wide streets be renamed very narrow streets and 40 foot wide streets named narrow streets, or some other solution? The reference is below.

**See answer to #3 above.**

15. Could staff clarify the definition of narrow streets at 40 feet or less vs. what has been brought up as 20 feet?

**See answer to #3 above.**

16. How much time will it take for staff to do the further analysis and develop the chart for the resolution on narrow streets and bike lanes?

**Staff estimates it will take about 150 hours to do the additional work. Staff will return by the end of the year with the analysis.**

17. Can an RV be parked on a private driveway?

**RVs may be parked on private property, however, they are subject to Section 19.111 of the City Code, which regulates the parking of vehicles in residential areas (a link to the section has been included as opposed to a summary given the specific and detailed nature of the regulations). Vehicles parked or stored in a driveway visible from a public street, while subject to these regulations, do not have a time limitation for which they can be parked on the**

driveway so long as the vehicle is owned or leased by the occupants of the residential premises.

Please note that this section currently includes regulations for the parking or storing of vehicles used or occupied for dwelling purposes (subsections b and c), which in light of constitutional concerns, are not currently enforced. Subsection (b) regulates vehicles used for dwelling purposes parked or stored on private property and subsection (c) prohibits dwelling in vehicles parked upon a public street. Amendments to remove those portions of Section 19.111 which are not being enforced will be brought to Council for review in the near future.

18. Do oversized vehicles in Santa Barbara have a legal place to park on the streets during the day?

Addressing the need for parking during the day is a challenge with no easy answer. The City of Santa Barbara has a large scale safe parking program, and a prohibition of oversized vehicle parking, and they were able secure only approximately eight daytime spaces.

**ITEM 7.2 SAFE PARKING ORDINANCE, AMENDMENTS TO THE EMERGENCY SHELTER REGULATIONS, OTHER RELATED MINOR TEXT AMENDMENTS, AND DIRECTION ASSOCIATED WITH SAFE PARKING**

1. Page 3 of staff report – how many adjacent property owners are there? How many objected?

There are six adjacent properties. To our knowledge only one adjacent property owner did not feel comfortable giving the written consent letter for the Temporary Use Permit (TUP).

2. Page 6 of staff report – at the Aug 30 meeting with representatives of the RV Residents Association, how many of the representatives actually live in RVs?

Of the two that attended, one lived in an RV and their membership includes many residents that live in RVs or passenger cars.

3. Page 7 of staff report – if the current shelter crises expires on June 30, 2020, can the Council declare another shelter crises after that to extend the time?

Yes, it will be on the TAL for Council to consider in spring 2020.

4. Page 9 of staff report – are the preferences prioritized, or just taken as one group?

As proposed, the four preferences (families with students in a school district, live/work, seniors, and persons with a disability) are ranked in the order listed and would apply to all safe parking programs. Should more applicants apply than are spaces available, applicants will be placed on a wait list with the safe parking provider. For City lots, the wait list would be managed by lottery. A lottery system is similarly used for affordable housing placement. Private property lot wait lists would be managed by the safe parking service provider. Council could change the ranking order or method of managing the wait list.

5. Page 11 of staff report – will staff also continue to try to secure safe parking site?

**Within the limits of existing staff capacity for homeless initiatives there is ongoing outreach and additional support will need to be provided in support of the HRC if the role is authorized.**

6. The maximum number of persons/beds permitted in emergency shelter is established based on the average Santa Clara census homeless population data from 2007, 2009, and 2011. Using this methodology (taking the average from the past 3 counts), what would the average be now?

**The 78 bed/person maximum for emergency shelters was based on the average Santa Clara County census homeless population data from 2007, 2009, and 2011 and the intent to potentially provide a shelter for Mountain View’s homeless population and not a regional shelter.**

**The most recent data is from the 2019 County Point In Time Census released in May 2019 showing that Mountain View has 606 homeless persons. In 2017, there were 416 homeless persons which would average 511 people for the two counts. It is our understanding that people in RVs were included in this count. Given that the Council is reviewing a multi-faceted approach to this issue such as including safe parking sites, and other considerations such as the ability to manage large-size shelters, the need may be reduced. However, should Council consider increasing the capacity for each emergency shelter, staff is still recommending limiting the size to about 100-150. This will provide some certainty through the conditional use permit process in assessing the maximum impacts and give some consideration to the logistics of managing such a facility.**

7. Given that the urban, mixed-use environment in Downtown is quite similar to the environments we are planning for in San Antonio, North Bayshore, El Camino, and East Whisman, would it make sense at the very least to consider a process akin to that in Downtown that would allow for the possibility of emergency shelter in the other Precise Plan areas?

**The San Antonio, North Bayshore, El Camino, and Draft East Whisman Precise Plans all have a provision in the land use tables called “Other Uses” which allows other uses not specifically named, but similar to listed uses and consistent with the purpose and intent of the Precise Plan, to be considered on a case-by-case basis with submittal of a Provisional Use Permit.**

8. How can we get more transitional housing like Graduate House and Quetzal House?

**Graduate House and Quetzal House are single-family homes that are owned by organizations such as LifeMoves where the homeless are given beds/bedrooms for short stays. Given the current cost of housing, it would be challenging to purchase single-family home in Mountain View for this purpose. Additionally, the approach to homeless has changed from “transitional,” where people can only stay for short periods of time, to a “housing first” model where they move from homelessness to permanent supportive housing. This type of housing is being funded through the County Measure A funds.**

9. Based on staff's outreach, what are common concerns expressed by businesses and private property owners about participating in the safe parking program?

Over the last few years, our outreach to private lot owners regarding participation in the safe parking program has included engagement at the Federal level related to NASA Ames, which was determined to be not a compatible use, a State-owned lot, and multiple private properties in Mountain View that all preferred the lots to be used for market rate uses. The school district has also raised a number of challenges faced by safe parking on their lots.

None, beside PAHC, have agreed to the use of their lots. Some have expressed concerns about issues associated with liability (even though the liability is subsumed by the operator). Others have mentioned they are concerned about negative public perception when the lot it is no longer able to be used for safe parking. Not all provided information on their perspective.

10. What can we do to encourage/incentivize businesses and private property owners to participate in the safe parking program?

It is unknown, but the willingness of the Council to fund safe parking services up to 100 clients, HRC outreach role, increased transparency of the requirements, and the removal of the fee for an application may assist.

11. It is my understanding that the Mountain View Whisman School District is no longer exploring hosting a safe parking site. Can staff confirm this?

Staff learned of the study session and its result from the MVWSD District on September 23, 2019. The Board decision was to not move forward with looking at a safe parking approach. A letter from the Superintendent was shared with the Council.

The Superintendent states the District will move forward with becoming a lead advocate to connect the families with services and to continue to partner with organizations to provide services.

12. If the MVWSD is no longer hosting a safe parking site, can the City legally provide a preference for families with children enrolled in local school districts on public safe parking lots?

Yes, if the Council chooses to.

13. If oversized vehicle parking prohibitions are enacted, how many McKinney-Vento students would be affected?

The City only has access to the data provided by MVWSD as included in their September 21, 2019, report noting: 21 Students in RVs (16 families).

14. So far, how many unique clients have been served by the existing Safe Parking program, and how many have transitioned to permanent housing and/or more stable living environments?

A total of 321 households have been served countywide from July 2018 to September 2019 – 31 by Move Mountain View. Of the 31, 19% or six households moved into permanent housing.

**Programs that had higher rates of obtaining permanent housing served younger individuals/families. Some of the program participants didn't attend an exit interview. Notably, 56% of the households enrolled through Move MV were 55 years old or older, which is the highest percentage of seniors of all the safe parking programs.**

15. Why has the PAHC Terra Bella safe parking site taken so long to become operational? If the proposed regulations had been enacted last year, how much more quickly would the site have come online?

**The difficulty with this site relates to its condition as an unfinished site in need of many repairs (e.g., it was not a finished parking lot).**

16. How much additional staff time would it take to study allowing safe parking in the San Antonio Precise Plan, and to allow emergency shelter in other precise plans? What goes into such a study?

**Staff estimates about six months and about 200 hours of staff time (CDD & CMO) to conduct an assessment. Additional resources would be required for public outreach, studies and environmental assessment. If Council wishes to add this to the Council goals, timelines and priorities for other goals may need to be revised. Based on the scope of work and public outreach discussed by the Council, staff can return with an estimate of staff and other resources, and timelines for Council review.**

17. How many safe parking lots are there operating now in Santa Clara County as a whole? How many spaces for oversized vehicles do those lots provide? How many spaces for vehicles in general (oversized and smaller)?

**Safe Parking is occurring in many cities in the County at present, though most are modest in scale (San Jose, Saratoga, Morgan Hill, and Cupertino) with the current Countywide capacity including faith-based communities at an approximate total of ~71 vehicles, serving ~178 individuals in total (numbers subject to change). The overwhelming majority of the vehicles are passenger cars (seven percent are RVs that have recently begun to be hosted).**

**Local providers and cities served include:**

- *FOCUS Safe Parking Program in Morgan Hill*
- *Rotating Faith Site Safe Park Program in the West Valley Region*
- *Amigos de Guadalupe Safe Parking Pilot Program in the City of San Jose*
- *LifeMoves Safe Parking Program in the City of San Jose*
- *Project We Hope Safe Parking Pilot Program in East Palo Alto*
- *MOVE Lots of Love Program in Mountain View*

18. Can we make a priority in the ordinance for oversized vehicles using the safe lots instead of smaller vehicles? Is there good reason to do so, given that they are the ones that may become more restricted from on-street parking?

**For the City controlled lots, that has been the Council direction.**

19. Could we start with two widely separated 30 vehicle lots at the Shoreline Amphitheater Parking?

To date, Council has authorized the short-term use of one lot (B-Lot) for the purposes of the Safe Parking Program during the non-concert season. Staff recommends starting with one location with 30 vehicles which has been determined to be a best practice for this type of program. The VTA site is the only other location identified for up to 30 vehicles in the City. Due to the Shoreline lot location being seasonal from November to March, Council could provide direction to staff to return with analysis and estimated costs of adding a second location the following year.

20. Can electric hookups be allowed but not required?

If electrical hookups were allowed, this would require compliance with the California electrical Code and building permits.

21. Can we allow generators only from 7 – 9 p.m.?

The City has stationary equipment regulations intended to limit sound levels to adjacent properties during the daytime to 55 dB(A) and to 50 dB(A) during the night (10 p.m. to 7 a.m.). Based on some research, mobile generators have an approximate noise level of 65db(A) at approximately 25 feet away. If there were multiple generators operating at one time on a site then the noise impacts from these would likely exceed these limitations and result in noise impacts to adjacent properties.

22. Is there any estimate of how many RVs may not be operable (able to drive on and off lots daily)?

There is no numeric estimate, but staff has heard anecdotal information that many people have inoperable vehicles. For vehicle residents to express this exposes them to risk as inoperable vehicles are not to be in the public right of way. Current law requires parked vehicles to be moved every 72 hours.

23. Can we change the RV residential use of parking lots “only when not in use by an on-site business but not to exceed 7:00 p.m. to 7:00 a.m. daily” to “5:00 p.m. to 9:00 a.m. daily?”

Council could decide to change the operating hours. It would likely increase operations costs some, and not all lots may be available those hours.

24. The staff report says, “The City has requested legislation granting an exemption from State law which might allow 24/7 operations on City-controlled sites – but that legislation has not been introduced or enacted at this point in time.” How can we speed that up? Is there a rough estimate of how long that might take?

The Mayor will meet with Assemblyman Berman on October 24, 2019. The timing is dependent on the Assembly member’s discretion and the legislative process, but would not occur before early 2020.

25. Could we allow some narrowly specified type of cooking outside vehicles? If not, what is the rationale?

**Based on the fire code, it is recommended charcoal or wood flame barbeques or fire pits are prohibited due to risks of smoldering smoke and disposal issues. Improper disposal of the charcoal or smoldering wood could cause a refuse fire. For simplicity in operations of the lots, it is recommended propane barbeques also be prohibited. The safe parking provider and case managers will work to ensure access to food/services. Unlike Recreation Parks, Safe Parking lots do not have amenities to handle these types of issues.**

26. Does "Prohibitions of generators or amplified sound that is audible outside the vehicle" mean that generators that are quiet would be allowed? If quiet generators are not allowed, what is the rationale?

**See answer to #21 above.**

27. The staff report says, "the safe parking ordinance does not apply to City-owned or -controlled lots." What can we do differently on City-owned or -controlled lots?

**The City will voluntarily comply with the same requirements, but will not file an application.**

28. Does staff have any leads or ideas on specific locations for emergency shelters?

**No.**

29. On page 2 of the staff report, it says, "but the Countywide data shows that for every household housed, nearly three more enter the system (a measure of homeless inflow)" Is this countywide or Mountain View specific?

**Countywide.**