



# COUNCIL REPORT

**DATE:** May 24, 2022

**CATEGORY:** New Business

**DEPT.:** Public Works

**TITLE:** **Adoption of Resolutions to Prohibit Oversized Vehicle Parking on Narrow Streets and Streets Adjacent to Class II Bikeways, and Introduction of an Ordinance and Adoption of Resolutions to Prohibit Parking of All Vehicles from 2:00 a.m. to 6:00 a.m. at Designated Locations**

## RECOMMENDATION

1. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18409 Designating One Street, or Portions Thereof, Where Oversized Vehicle Parking Adjacent to Class II Bikeways is Prohibited Pursuant to Mountain View City Code Section 19.79.3, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18533 Designating One Street (Yosemite Avenue), or Portions Thereof, Where Oversized Vehicle Parking on Narrow Streets is Prohibited Pursuant to Mountain View City Code Section 19.79.4, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18533 Designating One Street (Walker Drive), or Portions Thereof, Where Oversized Vehicle Parking on Narrow Streets is Prohibited Pursuant to Mountain View City Code Section 19.79.4, to be read in title only, further reading waived (Attachment 3 to the Council report).
4. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18533 Designating One Street (Blossom Lane), or Portions Thereof, Where Oversized Vehicle Parking on Narrow Streets is Prohibited Pursuant to Mountain View City Code Section 19.79.4, to be read in title only, further reading waived (Attachment 4 to the Council report).
5. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18409 Designating Three Streets, or Portions Thereof, Where Oversized Vehicle Parking

Adjacent to Class II Bikeways is Prohibited Pursuant to Mountain View City Code Section 19.79.3, to be read in title only, further reading waived (Attachment 5 to the Council report).

6. Adopt a Resolution of the City Council of the City of Mountain View Amending Resolution No. 18533 Designating 34 Streets, or Portions Thereof, Where Oversized Vehicle Parking on Narrow Streets is Prohibited Pursuant to Mountain View City Code Section 19.79.4, to be read in title only, further reading waived (Attachment 6 to the Council report).
7. Introduce an Ordinance of the City of Mountain View Amending Chapter 19, Article VIII, Division 3, Section 19.71 of the Mountain View City Code Relating to Prohibited Parking Between the Hours of 2:00 a.m. and 6:00 a.m., to be read in title only, further reading waived, and set a second reading for June 14, 2022 (Attachment 8 to the Council report). The effective date of the Ordinance is August 30, 2022.
8. Adopt a Resolution of the City Council of the City of Mountain View Designating One Street or Portions Thereof, Where Parking is Prohibited Between the Hours of 2:00 a.m. and 6:00 a.m. Pursuant to Mountain View City Code Section 19.71, to be read in title only, further reading waived (Attachment 9 to the Council report). The effective date of the Resolution is August 30, 2022.
9. Adopt a Resolution of the City Council of the City of Mountain View Designating Seven Streets, or Portions Thereof, Where Parking is Prohibited Between the Hours of 2:00 a.m. and 6:00 a.m. Pursuant to Mountain View City Code Section 19.71, to be read in title only, further reading waived (Attachment 10 to the Council report). The effective date of the Resolution is August 30, 2022.

## **BACKGROUND**

On [September 24, 2019](#), the City Council introduced the following two ordinances to restrict oversized vehicle parking:

- At all locations adjacent to Class II Bikeways to prevent oversized vehicles from encroaching into the bicycle lanes (Bike Lane Ordinance).
- On narrow streets (less than or equal to 40' wide) Citywide to address traffic safety concerns, with an effective date of June 30, 2020 (Narrow Streets Ordinance).

At this meeting, Council also directed staff to return with an analysis of existing restricted parking on City streets greater than 40' wide.

On [October 22, 2019](#), Council adopted both ordinances. The ordinances required that the Council adopt resolutions designating the street segments subject to the parking restrictions and for the City to post signs or markings on these street segments giving adequate noticing of the restrictions prior to enforcement.

On [December 3, 2019](#), Council adopted a resolution designating the streets, or portions thereof, where oversized vehicle parking adjacent to Class II bikeways is prohibited pursuant to Mountain View City Code Section 19.79.3. The signs prohibiting the parking of oversized vehicles on these street segments were installed between March and November 2020.

On November 22, 2019, a timely and sufficient referendum petition against the Narrow Streets Ordinance was submitted to the City Clerk's Office. The effective date for the ordinance was suspended by operation of law and, on [January 14, 2020](#), the City Council adopted a resolution to submit the Ordinance to the voters. Designated as Measure C, the Ordinance was approved by a majority of the voters (56.6%) in the November 3, 2020 election. The Ordinance went into effect on December 18, 2020.

On [December 8, 2020](#), Council adopted a resolution designating the streets, or portions thereof, where oversized vehicle parking on narrow streets is prohibited pursuant to Mountain View City Code Section 19.79.4. Council also approved Narrow Streets Sign Installation, Capital Improvement Program Project 21-59, and approved the plans and specifications for the installation of the signs. The sign fabrication and construction contracts were executed by May 2021. Sign installation for the designated street segments began in August 2021 and was completed in April 2022.

On July 14, 2021, a lawsuit was filed against the City in U.S. District Court challenging the implementation of both the Bike Lane Ordinance and Narrow Streets Ordinance. The litigation is on hold under a stipulation that the City will not ticket or tow oversized vehicles for failing to comply with the Bike Lane or Narrow Streets Ordinances through July 4, 2022, in order to provide time for the City and plaintiffs to try to resolve the lawsuit. Under the terms of the stipulation, the City may continue to seek voluntary compliance with the ordinances as well as enforce other public health and safety laws.

## **ANALYSIS**

The installation of the oversized vehicle parking prohibition signs adjacent to Class II bikeways and on narrow streets, as designated in the December 2019 and December 2020 resolutions, has been completed. Over the last few months, staff has determined that there are additional City

streets with available parking that are adjacent to Class II bikeways or that qualify as narrow streets that should be added to the resolutions.

In addition, as directed by the Council, staff has completed an analysis of existing restricted parking on City streets greater than 40' wide. This analysis has resulted in a recommendation to amend the current City Code related to prohibiting parking on streets from 2:00 a.m. to 6:00 a.m. and to adopt resolutions listing certain street segments that will continue to have such a parking restriction.

The recommended resolutions and ordinance changes are described below.

### **Bike Lane Resolution**

Since Council adopted the December 2019 Resolution listing the streets subject to the Bike Lane Ordinance, staff has identified two street segments that were inadvertently left off of the list and one street (two segments) where new bike lanes have been added. Staff recommends that Council adopt the Resolutions in Attachments 1 and 5 to add these street segments to the list of streets subject to the Bike Lane Ordinance that prohibits oversized vehicle parking. The new street segments to be added are shown in green on Figure 1.

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 May 24, 2022  
 Page 5 of 16

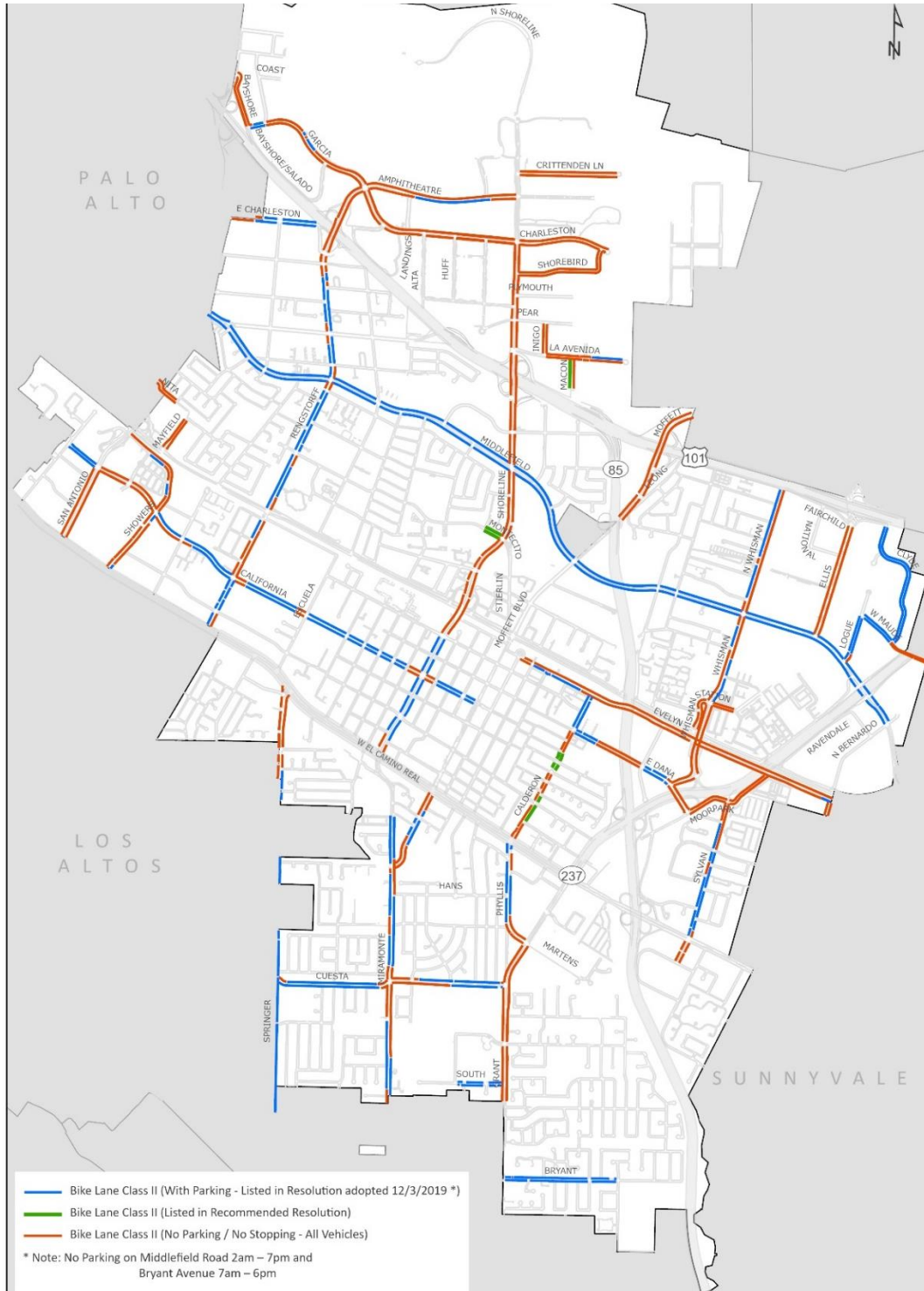


Figure 1—Bike Lanes Map

### **Narrow Streets Resolution**

The December 2020 Resolution listing narrow streets included a total of 444 street segments. Of these street segments, City staff was able to identify and field verify that 183 of these street segments were clearly less than 40' wide, qualifying as narrow streets. Over 292 street segments needed to be measured with more accuracy because they were believed to be very close to 40' wide. In October 2020, the City entered into an agreement with Mott MacDonald Group, Inc. (Consultant), to measure the width of the 292 street segments, approximately 72 miles of street. The Consultant's team measured the streets using a Mobile Laser Scanning System. Mobile Laser Scanning is a land surveying method that uses laser systems mounted on moving vehicles to efficiently collect data. The precision of the data acquired by this system is specified to be within 5 millimeters (0.2"). Two hundred sixty-one (261) of the 292 street segments measured were determined to qualify as narrow streets.

The City of Mountain View's street network is 140 centerline miles in length, and it was a challenge for staff to identify and measure all potential narrow streets in fall 2020. In some cases, street widths varied for the same street and individual blocks had to be reviewed. In addition, the street measurements taken by the Consultant were done in a very short amount of time with thousands of data points taken. Staff randomly spot-checked many locations to confirm their accuracy, but not all locations. Due to the large quantity of streets requiring measurement and verification, staff anticipated that some additional street segments would need to be added to the list of narrow streets and included scope for further measurements in the Consultant agreement.

In preparation for additional verification efforts, staff has been collecting a list of the following since the sign installation began in August 2021:

- Street segments that staff determined should be remeasured based on staff's field observations;
- Street segments that have been questioned by community members with data to support them being remeasured; and
- Street segments that were missed in the initial data collection efforts.

The additional measurements were taken in March and April 2022. Some of the streets listed in the December 2020 Narrow Streets Resolution were remeasured and all were confirmed to be 40' or less. Therefore, no street segments that were listed in the December 2020 Resolution are recommended to be removed from the list of narrow streets.

Thirty-seven (37) additional street segments qualify as narrow and are listed in the Resolutions in Attachments 2, 3, 4, and 6 and shown in green on Figure 2. Thirty-five (35) of these streets were missed in the initial data collection efforts, with most of them being cul-de-sacs and short street segments. Of the streets remeasured that were not previously identified as narrow, the following two were determined to be 40' or less:

- Continental Circle—In the measurements taken in 2020, only a portion of Continental Circle was determined to be 40' or less. In response to community comments, staff reviewed the data for the segment parallel to State Route 85, which was not designated as a narrow street in the December 2020 Resolution, and found that the measurement provided by the Consultant used a data point from behind the curb, thus including area off of the pavement where vehicles cannot park. Staff had the Consultant remeasure all of Continental Circle with the correct limit of flow line at bottom of curb, and it was determined that all of Continental Circle is 40' or less. To be assured no similar errors were made with other streets, staff had the Consultant verify the data points used for measuring the other streets to confirm they were based on flow lines. Continental Circle was the only street found to have had this error.
- Walker Drive off of North Whisman Road—This street was within 1" of qualifying as a narrow street based on a single measurement point. Staff had measurements taken along the full length of this street, and these measurements indicate that the street qualifies as a narrow street.

Staff recommends that Council adopt the Resolutions in Attachments 2, 3, 4, and 6 to add these street segments to the list of streets subject to the Narrow Streets Ordinance that prohibits oversized vehicle parking. The new street segments to be added are shown in green on Figure 2.

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May 24, 2022

Page 8 of 16

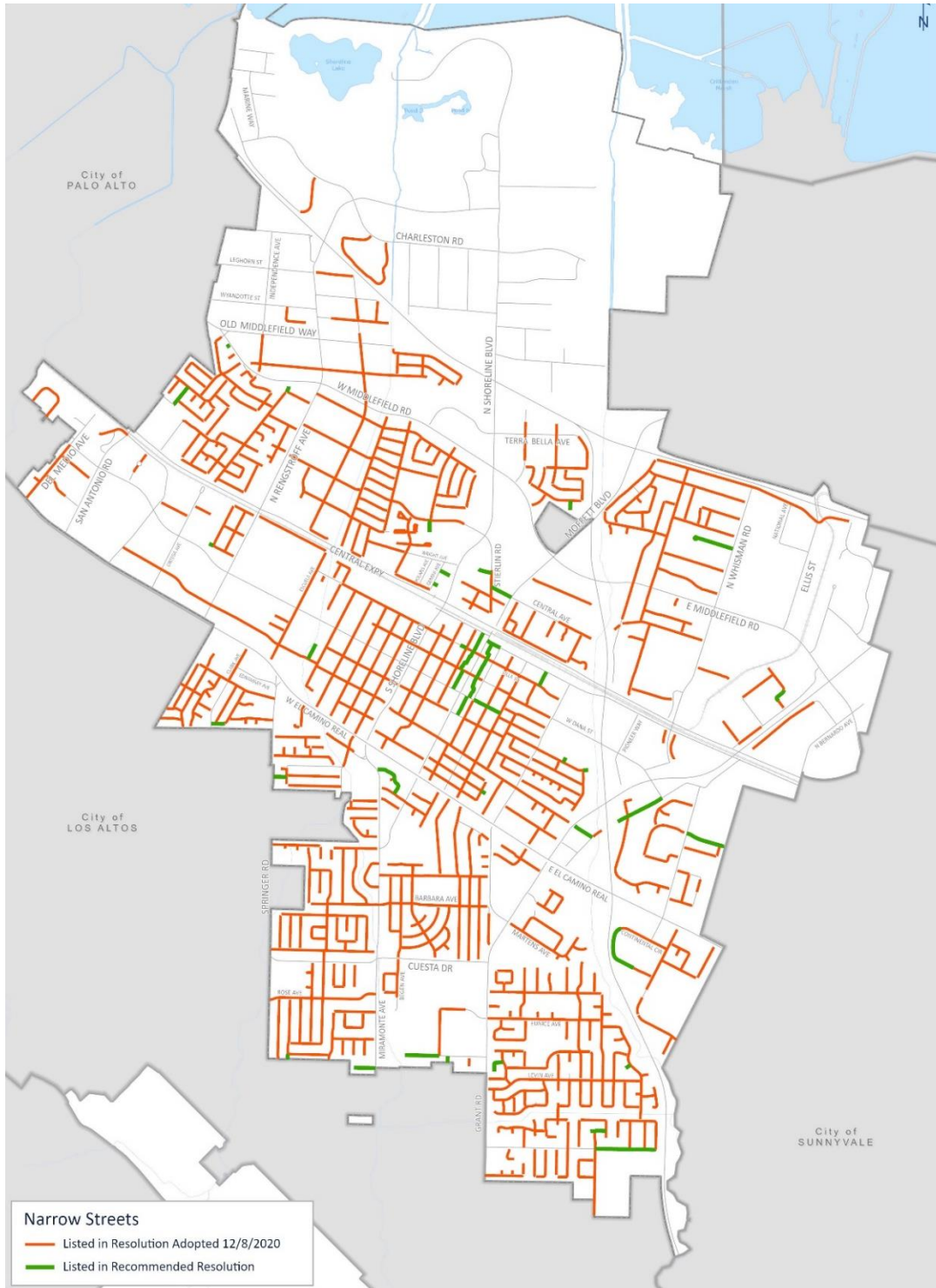


Figure 2—Narrow Streets Map



### **Parking Restrictions on Streets Greater Than 40' Wide**

As directed by Council, staff has reviewed the parking restrictions on streets greater than 40' wide. Listed below are the types of parking restrictions and staff's findings related to them:

- **No Parking/No Stopping Anytime**—These parking restrictions are typically used where there is no width available for parking of any vehicles on the street. In other words, the traffic lanes and bike lanes use the full pavement width. These restrictions are also used where visibility needs to be preserved, such as along curves and approaches to intersections. Staff confirmed that the locations where these restrictions exist are appropriate and essential for safety.
- **Timed Parking Restrictions**—These parking restrictions consist of the following parking zones: five-hour, three-hour, two-hour, one-hour, 24-minute, and 12-minute. These zones on streets wider than 40' are primarily in the downtown commercial area (e.g., segments of Castro Street, Evelyn Avenue, and Villa Street) and have been established to ensure parking turnover and drop-off/pick-up areas related to downtown parking demand. The other locations are near high schools to regulate school-related street parking. Staff confirmed that the locations where these restrictions exist are appropriate for their intended purposes.
- **Parking Prohibited 2:00 a.m. to 6:00 a.m.**—While this parking prohibition, also known as overnight parking prohibition, applies to all vehicles and streets Citywide under the City Code, the City only enforces on streets where signage has been installed. Staff reviewed the locations of the existing signs related to traffic safety and other potential situations that may warrant keeping these signs in place. Staff's findings and recommendations are discussed below.

### **Existing Overnight Parking Restrictions**

The signs prohibiting parking from 2:00 a.m. to 6:00 a.m. are posted on 38 street segments throughout the City. Some of these street segments also have other parking restrictions in place, including narrow streets, bike lanes, and timed parking restrictions. A few are located in residential areas; however, most are located in commercial/industrial areas, including North Bayshore near San Antonio Road, Independence Avenue/Leghorn Street area west of Rengstorff Avenue, Terra Bella Avenue west of Shoreline Boulevard, and the East Whisman area.

In reviewing the history of these signs, it was found that they were installed by staff on a complaint basis due to past issues of the streets being used for overnight and long-term parking by freight trucks, construction vehicles, other oversized vehicles, and/or vehicles for sale.

#### *Evaluation of Overnight Parking Prohibitions*

In evaluating the use of these signs, staff has determined that overnight parking prohibitions do not directly address traffic safety. Prior to the adoption of the Narrow Streets and Bike Lanes Ordinances, prohibited overnight parking provided indirect traffic safety benefits for narrow streets and streets with bike lanes where larger vehicles would have otherwise parked overnight and, thus, helped discourage parking by larger vehicles during the day. These traffic safety benefits are now provided directly by the Narrow Streets and Bike Lanes Ordinances. For streets wider than 40', there can be traffic safety concerns at driveways and intersections due to obstructed sight lines. In these situations, visibility can be preserved through the installation of red curb and/or signage prohibiting vehicles over 6' tall within the sight triangles of driveways and intersections.

#### *Community Outreach*

In early April 2022, staff mailed notices to all property owners and tenants along all streets with the existing overnight parking prohibition signage. The notices indicated that the City is evaluating the "No Parking" signs on the street fronting their property or building and the possibility that the signs may be identified for removal. The notices invited them to submit comments or input for the evaluation through email or by phone.

Staff received comments by phone, email, and letter from 57 individuals. Nine of the comments were supportive of removing the signs and 48 expressed concerns about removing the signs and/or wanted more information on why the City is evaluating removing the signs. A summary of the comments received is as follows:

- Seven of the nine comments in support of removing the overnight parking prohibitions were residents of the Santiago Villa mobile home park who wanted more street parking availability.
- Most of the comments not supportive of removing the signs were concerned about inhabited vehicles parking on the street for long periods of time. Concerns cited included increased garbage on the street, sewage spills, tapping into their water and other utilities, general criminal activity, safety and security at night, property damage, reduced property values, and inability to attract tenants.

- Twelve (12) of the 48 comments opposed to removing the signs were from property owners along streets with bike lanes, where oversized vehicle parking is prohibited with the Bike Lane Ordinance. Many of them were concerned that oversized vehicles would return, with the issues cited above about vehicles being used for living purposes.
- Some expressed concerns about large vehicles blocking access to driveways, creating visibility issues for driveways, and impeding safe bicycle and pedestrian access along the street.
- Nearly one-third of all comments were concerned about losing on-street parking capacity needed for employees, business customers, and visitors.
- A couple of commenters asked if the 72-hour parking limit would be enforced.
- A couple of commenters requested information on how the City will ensure safety of properties and tenants, clean up garbage and debris from the vehicles parking overnight, and have the vehicles leave by 6:00 a.m. so parking would be available for employees and business customers.

#### *Street Segments Recommended to Retain Overnight Parking Restrictions*

In recommending parking restrictions of any type, staff considers specific criteria that ensures the parking restriction is serving a safety or community purpose. This criteria must have a reasonable justification and would be applied to all similarly situated locations. As noted above, staff determined that the overnight parking prohibitions do not address traffic safety. Staff then considered whether there were any types of land uses sensitive to middle of the night parking activity. It was determined that prohibiting overnight parking for all vehicles can provide certain benefits to land uses that are sensitive to noise created by human activity during the middle of the night. In reviewing the locations with the existing overnight parking prohibition, staff identified two such land uses: residential areas and sensitive ecological/habitat areas.

In addition, staff reviewed the community input provided for any new information on street characteristics or land use factors that should be considered for prohibiting overnight parking for all vehicles on certain streets in the City. While staff is cognizant that overnight parking on City streets can present challenges and concerns for some property owners fronting these streets, none of the concerns raised in the outreach differentiated those streets from other streets in the City wider than 40' where overnight parking is allowed. Certain concerns related to driveways can be addressed with red curb to preserve sight lines and turning access. Other concerns related to public health and safety would be addressed through enforcement of City Codes and laws.

Based on staff's assessment, it is recommended that the signs be retained only on the streets with the sensitive land uses identified by staff, which includes the following street segments:

1. San Antonio Circle, westerly end (both sides)—Residential.
2. North Rengstorff Avenue from 650' to 850' north of Central Expressway (east side)—Residential.
3. Terminal Boulevard from Broderick Way to San Antonio Road (south side)—Ecological/Habitat.
4. Pamela Drive from Oak Lane to 270' south of Oak Lane (both sides)—Residential.
5. Independence Avenue from Wyandotte Street to 250' south of Wyandotte Street (west side)—Residential.
6. Wyandotte Street from Independence Avenue to 650' east of Independence Avenue (north side)—Residential, including park frontage.
7. View Street from Villa Street to Dana Street (east side)—Residential.
8. Cuesta Drive from Montalto Drive to Nilda Avenue (south side)—Residential, including park frontage.

Figure 3 shows all existing street segments with signage prohibiting parking from 2:00 a.m. to 6:00 a.m. and indicates which street segments are recommended to retain the signs (red lines) and which are recommended for removal of the signs (blue lines).

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May 24, 2022

Page 13 of 16

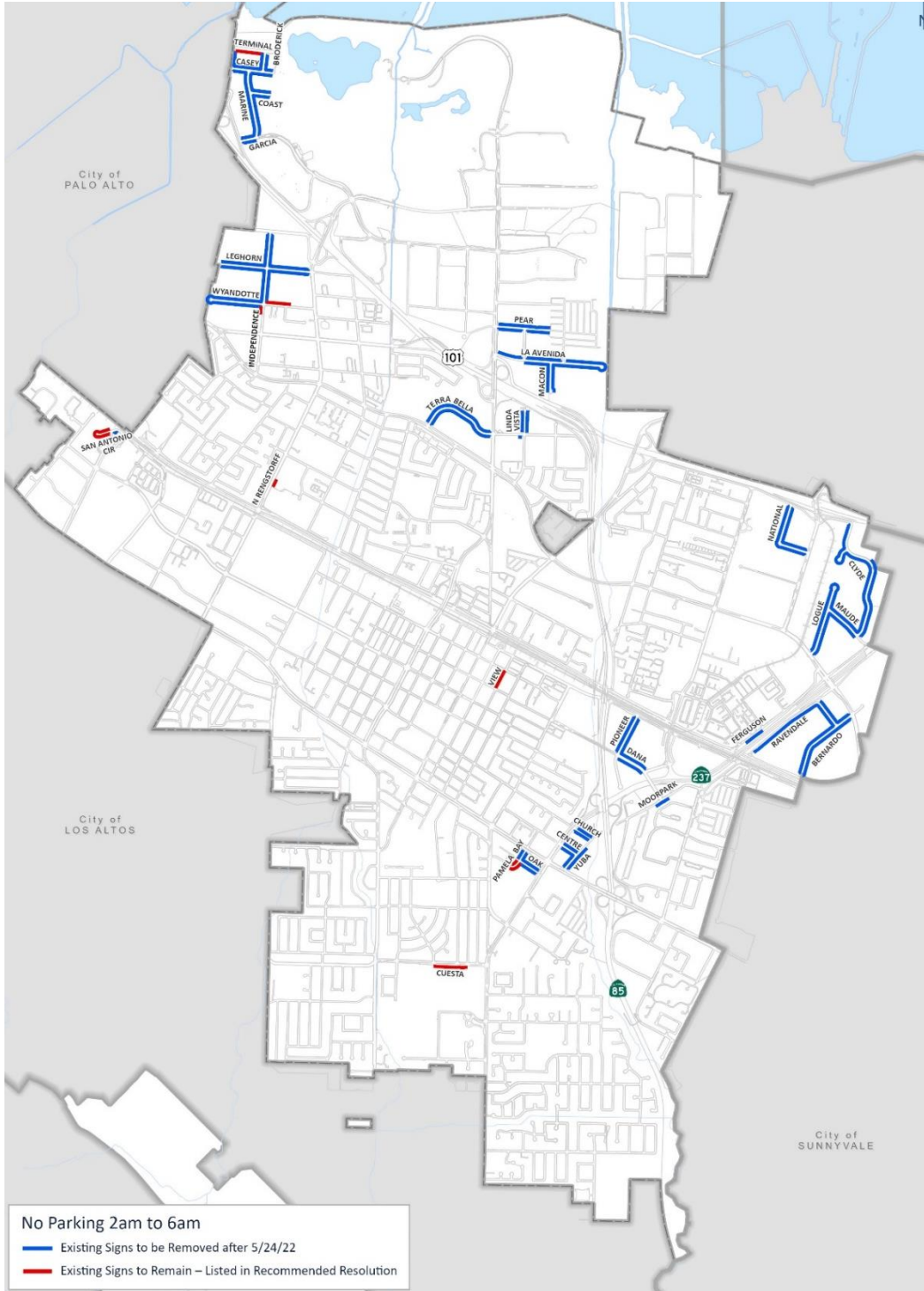


Figure 3—No Parking 2:00 a.m. to 6:00 a.m. Map

### *Ordinance and Resolution Prohibiting Overnight Parking*

The California Vehicle Code, Section 22507.5, authorizes local agencies to enact, by ordinance or resolution, parking prohibitions between the hours of 2:00 a.m. and 6:00 a.m. The current City Code, Section 19.71, prohibits parking any vehicle on all City streets for longer than one hour between the hours of 2:00 a.m. and 6:00 a.m. without a permit issued by the Police Chief (Attachment 7). It provides an exception for any regularly licensed physician when engaged in making a professional call. The time period for permits issued by the Police Chief cannot exceed six months. This City Code section was last amended in 1966 and is obsolete. It is not enforced, and the Police Chief does not issue such permits. Staff recommends amending this section of the City Code.

Similar to other parking-related ordinances in the City Code, the recommended ordinance would make it unlawful to park any vehicle from 2:00 a.m. to 6:00 a.m. of any day upon any of the streets or parts of streets as designated and set forth by resolution of the City Council. Staff recommends that the Council introduce the proposed Ordinance (Attachment 8) and set a Second Reading to adopt the Ordinance set for June 14, 2022.

Staff also recommends that Council approve the Resolutions in Attachments 9 and 10, which designate those streets, and portions thereof, where parking will be prohibited by all vehicles from 2:00 a.m. to 6:00 a.m. and where the Overnight Parking Prohibition signage will be retained, effective upon the effective date of the new Ordinance.

The Ordinance and Resolutions are written to be effective August 30, 2022. Removing the signs along the streets that are not included in the adopted resolutions will be done by staff on August 29, 2022 or just before this date.

Staff plans to use the three months between Council adoption of the resolutions and the effective date to continue discussions with the property owners and tenants along the streets where the signs will be removed to address their concerns. During this time, staff will evaluate the streets to determine where red curb or signage may be needed at driveways and intersections to preserve sight-line visibility. In addition, staff will meet with concerned property owners and tenants to provide information about City Codes and laws related to their public health and safety concerns and discuss a process for them to work with the Police Department when problems arise and enforcement of these City Codes and laws is required.

### **FISCAL IMPACT**

Sign installations will be required for the new street segments listed in the Bike Lane and Narrow Streets Resolutions. Less than 100 new signs will be required, and there are sufficient surplus

signs in stock for these installations. In addition, the number of signs to install can be handled by City staff within the next four to six months, and contractor assistance is not required. Removal of the signs prohibiting parking from 2:00 a.m. to 6:00 a.m. along the streets not included in the Resolution adopted by Council will also be performed by City staff. The staffing costs to install and remove the signs can be absorbed as part of the annual operating budget for the Traffic Engineering and Streets Sections.

### **CONCLUSION**

Staff recommends Council adopt resolutions adding streets subject to the Bike Lane and Narrow Streets Ordinances. These resolutions include bike lanes added to the City's streets since the December 2019 Bike Lane Resolution was adopted and streets inadvertently left off of the Narrow Streets December 2020 Resolution. In response to Council direction to review the parking restrictions on streets greater than 40' wide, staff has determined that the use of the signs prohibiting parking from 2:00 a.m. to 6:00 a.m. could be modified. Staff recommends introducing an ordinance to amend the current City Code related to no parking from 2:00 a.m. to 6:00 a.m. and adopt resolutions designating those streets to retain the existing signs based on certain sensitive land uses effective August 30, 2022.

### **ALTERNATIVES**

1. Do not adopt the Resolutions designating additional streets subject to the Bike Lane or Narrow Streets Ordinances.
2. Modify the Ordinance prohibiting parking from 2:00 a.m. to 6:00 a.m. on certain streets.
3. Do not adopt the Resolutions designating street segments to prohibit parking from 2:00 a.m. to 6:00 a.m.
4. Provide other direction.

**PUBLIC NOTICING**

Agenda posting. Notices were also sent to all property owners and tenants along street segments with 2:00 a.m. to 6:00 p.m. “No Parking” signs. A copy of this report was sent to the County, Community Services Agency (CSA), MOVE Mountain View, and stakeholder group members.

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Approved by:

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City Manager

LL-DSC/TS/4/CAM/904-05-24-22CR  
201908

- Attachments:
1. Resolution Designating One Street to Prohibit Oversized Vehicle Parking Adjacent to Class II Bikeways
  2. Resolution Designating One Street (Yosemite Avenue) to Prohibit Oversized Vehicle Parking on Narrow Streets
  3. Resolution Designating One Street (Walker Drive) to Prohibit Oversized Vehicle Parking on Narrow Streets
  4. Resolution Designating One Street (Blossom Lane) to Prohibit Oversized Vehicle Parking on Narrow Streets
  5. Resolution Designating Three Streets to Prohibit Oversized Vehicle Parking Adjacent to Class II Bikeways
  6. Resolution Designating 34 Streets to Prohibit Oversized Vehicle Parking on Narrow Streets
  7. City Code Section 19.71—Parking between the hours of 2:00 a.m. and 6:00 a.m. Prohibited, Exceptions
  8. New Ordinance—Parking Prohibited Between the Hours of 2:00 a.m. and 6:00 a.m.
  9. Resolution Designating One Street to Prohibit Parking Between the Hours of 2:00 a.m. and 6:00 a.m.
  10. Resolution Designating Seven Streets to Prohibit Parking Between the Hours of 2:00 a.m. and 6:00 a.m.