



DATE: September 24, 2019

CATEGORY: Unfinished Business,

DEPT.: Public Works Department,
City Manager's Office, and
City Attorney's Office

TITLE: **Oversized Vehicle Parking
Restrictions**

RECOMMENDATION

Council approve the following recommendations:

1. Bicycle Lane Safety:

- a. Introduce An Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Certain Streets Adjacent to Class II Bikeways, to be read in title only, further reading waived, and set second reading for October 22, 2019 (Attachment 1 to the Council report).
- b. Direct staff to evaluate certain streets adjacent to Class II Bikeways and return before the end of the year with a resolution prohibiting parking of oversized vehicles on specified streets adjacent to Class II bikeways.

2. Narrow Streets:

- a. Introduce An Ordinance Amending Articles I and VIII of Chapter 19 of the Mountain View City Code Related to Oversized Vehicle Parking on Narrow Streets, to be read in title only, further reading waived, and set second reading for October 22, 2019 (Attachment 2 to the Council report).
- b. Direct staff to evaluate narrow streets Citywide and return before the end of the year with a resolution prohibiting parking of oversized vehicles on specified streets, or portions thereof, less than or equal to 40' wide.
- c. Direct staff to return with an analysis of existing restricted parking on City streets greater than 40' wide.

3. Direct staff to add a work plan item to return with recommendations to address parking, generally, adjacent to and along the frontage of parks Citywide.

BACKGROUND

The increased presence of oversized vehicles, including large numbers of recreational vehicles (RVs), campers, trailers, motorhomes, and, in some cases, boats and repurposed school buses on public streets, has been an area of concern expressed by the public that has required a significant investment of City time and resources. These vehicles appear to be used for a number of purposes, including human habitation, recreation, work, and/or storage purposes. In general, oversized vehicles can create traffic-safety and mobility issues. In addition, the public right-of-way is not designed or intended for habitation as it lacks the infrastructure for basic human services (e.g., utilities, sanitary waste facilities, and garbage services).

Issues related to oversized vehicles parked in the public right-of-way have been raised during the Council's many discussions regarding the issue of homelessness and unstably housed residents, most recently on March 19, 2019 and June 11, 2019 (Attachments 3 and 4).

On June 11, 2019, after a lengthy discussion, the Council directed staff to return in the fall with the following: restrictions addressing key public health and safety concerns related to oversized vehicles near driveways, pedestrian crossings, key bike and pedestrian corridors, and daytime restrictions in certain areas around Eagle Park and Rengstorff Park; what restrictions in residential zones would look like; and an ordinance with an effective date of January 1, 2020 for an overnight prohibition on oversized vehicle parking from 2:00 a.m. to 6:00 a.m. After further reviewing Council direction, analyzing the range of options, and discussing the issue with outside legal counsel, staff is recommending a focused approach as described in the Analysis section of this report.

The Council also directed staff to draft a safe parking ordinance, including a streamlined approach to allow more than four vehicles per lot and establish temporary safe parking programs at Shoreline Amphitheatre (Lot B) from November 2019 through March 2020 and the VTA lot (located at the Pioneer Way/Evelyn Avenue Lot). Councilmembers expressed some interest in a transition plan to give time for people living in oversized vehicles to have an opportunity to participate in safe parking or pursue other alternatives; thus, both items are on the same Council agenda for September 24, 2019.

ANALYSIS

Oversized vehicles have been defined in the proposed ordinances as any vehicle, or a combination of connected vehicles, which exceeds 22' in length or 7' in width or 7' in height. The proposed definition of oversized vehicles would generally exclude passenger vans and pickup trucks.

The Public Works Department typically requires 8' of roadway width for on-street parking. In some areas of the City, the parking width has been reduced to 7' to accommodate a particular road configuration. For this reason, the ordinance includes a parking restriction of oversized vehicles that are in excess of 7' wide as this is the minimum space required for on-street parking.

Bicycle Lane Safety

Public Works Department staff evaluated traffic safety impacts of tall vehicles near driveways, bike/pedestrian crossings, pedestrian corridors, and intersections. Staff believes that the existing ordinance restricting the parking of vehicles in excess of 6' in height is sufficient to address visibility issues at these locations. The parking signage table included in City Code was last updated in October 2018, and a process is already in place to update this table as needed.

The existing ordinance addresses vehicles in excess of 6' in height but does not address traffic safety impacts related to oversized vehicle *width*. One issue identified is the encroachment of oversized vehicles into the bicycle lane, which can force bicycles into the vehicle lanes to avoid the oversized vehicles. The minimum bicycle lane width in the City is typically either 5' or 6' depending on the posted speed limit for vehicles on the street. If parking is allowed adjacent to the bicycle lane, a minimum of 8' for standard vehicle parking is needed adjacent to the curb in order to maintain the minimum bicycle lane width. As such, staff recommends that oversized vehicle parking be restricted at all locations where bicycle lanes exist to prevent oversized vehicles from encroaching into the bicycle lane (see Attachment 5).

There are also two locations (along Middlefield Road and Bryant Avenue) where parking is allowed in the bicycle lane during certain hours but is restricted other hours. Staff recommends that oversized vehicle parking be restricted in these areas, as bicycles must travel further into the vehicle lane to avoid oversized vehicles.

Staff would return with the resolution (as required) and a revised parking signage table after further analysis to ensure accuracy of each street point-to-point restriction.

Parking of Oversized Vehicles on Narrow Streets

Council directed staff to evaluate restricting oversized vehicles parking in residential areas due to safety concerns. Staff recommends a focus on street width as a direct way to address traffic safety implications.

Parcels on residential streets are typically narrower than commercial/industrial streets, so driveways are spaced much more closely. Oversized vehicles present visibility concerns at driveways, so such concerns exist on a much greater percentage of residential streets than commercial/industrial streets.

While the width of residential streets varies, the curb-to-curb width of such streets is typically less than or equal to 40' wide. Commercial and industrial streets are typically wider to accommodate the travel and parking of larger vehicles. Residential streets typically do not have painted centerlines, which requires vehicles to cross over the center of the street when passing oversized vehicles in order to maintain a comfortable distance. This presents safety concerns when bicycles or other vehicles are traveling in the opposite direction.

As such, staff recommends Council adopt an ordinance restricting parking of oversized vehicles on narrow streets (less than or equal to 40' wide) Citywide 24/7 to address traffic safety concerns. Based on staff's preliminary review, the locations of streets that are less than or equal to 40' wide are shown on Attachment 6.

The information provided in this report regarding narrow streets is based on staff's preliminary analysis. If the recommended actions are approved, staff will perform a detailed analysis of the narrow streets, prepare a resolution (as required) enumerating each restricted street, prepare a sign program, and install signs. Staff would return with the required resolution and table after this further analysis to ensure accuracy of each street point-to-point restriction.

Wider Streets

In addition to the above actions, staff would return with an analysis of existing restricted parking on City streets greater than 40' wide.

Exemptions for Parking Restrictions in Bike Lanes and Narrow Streets

- Any oversized vehicle actively engaged in the loading or unloading of materials, supplies, or goods in the delivery of goods, wares, merchandise, or other materials at an adjacent business or residence for no longer than sixty (60) minutes;

- Construction vehicles with a valid City of Mountain View-issued excavation or encroachment permit;
- Commercial loading zones;
- Any vehicle belonging to or under contract with Federal, State, or local government authorities, or a public utility, and any emergency vehicles as defined by California Vehicle Code Section 165;
- Any commercial, business, or public transit bus or commuter shuttle for no longer than two (2) hours, and any bus in an area specifically posted to allow bus parking for a prescribed time;
- Wheelchair-accessible vans with a valid disabled placard or license plate issued and properly displayed pursuant to the California Vehicle Code.

Parking Restrictions at Parks

Oversized vehicles are regularly parking near Eagle and Rengstorff Parks. A portion of the frontages of these parks would be included in the bicycle lane and narrow street restrictions discussed previously. Staff recommends separately considering parking at other park frontages to address turnover issues for all vehicles, as this is not specifically related to oversized vehicles.

If directed by the Council, staff could add as a work plan item and return with a separate recommendation to address parking, generally, adjacent to and along the frontage of parks. Should this be desired, public noticing and community outreach will be needed before a resolution would be adopted. Should Council provide this direction, staff recommends to time this review to coincide with the design process of future facilities scheduled in Rengstorff Park such as a new Rengstorff Pool and Magical Bridge playground. This process would be similar to the one used to modify parking restrictions on Shoreline Boulevard to accommodate the new Latham Community Garden. Timing would also allow staff to review other park locations and receive public input to ensure all impacts are considered.

Outreach

Stakeholder Outreach. City staff has continued both general public outreach and stakeholder engagement since the June 11, 2019 Council meeting. Specifically, staff held a meeting with representatives from the RV Residents Association on August 30, 2019.

These representatives shared their concerns and challenges, pointing out that the diversity of those living in vehicles mirrors the diversity of the Mountain View community as a whole. They also explained that residents living in vehicles do not consider themselves to be homeless and have the same needs and concerns as people living in fixed housing. In addition, meeting participants highlighted a number of challenges presented by potential parking restrictions and certain safe parking provisions. Other stakeholder concerns included the desire to have access to long-term, stable, affordable housing at extremely low-income levels; for safe parking to be 24/7; and for assistance meeting safe parking requirements, such as purchasing insurance.

Additional General Outreach. In addition to the routine Council meeting notifications as discussed in the Public Noticing section of this report, staff provided significant supplemental Citywide communications for this item, including: web page updates, a web news posting, an ad for the KMVT Cable-TV bulletin board, multiple postings to all social media channels (Facebook, Twitter, Instagram, NextDoor), an ad in the *Mountain View Voice*, and sharing information by e-mail with outreach to the collaborators, partners, stakeholders, members of the faith community, mobile outreach to RV residents with flyers in English and Spanish and e-mail, all neighborhood associations, City advisory bodies, legislative contacts, school districts, Foothill College, the Chamber of Commerce, the Central Business Association, and businesses that have provided their e-mail for the City's business license program.

Required Signage, Noticing, and Enforcement

The City is required by State law to provide adequate notice of parking restrictions, including signage, before such restrictions can be enforced. Until signs are installed Citywide, the ordinances cannot be enforced.

Public Works Department staff has conducted a preliminary analysis and concluded that a minimum of 140 to 160 signs will be required to be posted at City and main neighborhood entry points. Staff estimates the total number of signs could range from 180 to 200 in order to provide additional signage along major corridors.

Staff estimates that the manufacture and installation of signage would be completed by the end of December 2019 to allow enforcement in January 2020.

If Council adopts these parking restrictions, CSA and County and Police outreach teams will notice all oversized vehicles of the restriction and opportunities for safe parking, that would include providing a "fact sheet" with this information.

In addition to individualized noticing, the City will provide supplemental Citywide communications, including the following: a news release/advisory, web page updates, a web news posting, an ad for the KMVT Cable-TV bulletin board, multiple postings to all social media channels (Facebook, Twitter, Instagram, NextDoor), and e-mails to the collaborators, partners, stakeholders, members of the faith community, mobile outreach to RV residents and the RV-residents neighborhood association, all neighborhood associations, City advisory bodies, legislative contacts, school districts, Foothill College, the Chamber of Commerce, the Central Business Association, and businesses that have provided their e-mail for the City's business license program.

ENVIRONMENTAL REVIEW

Adoption of the ordinances regulating oversized vehicle parking on narrow streets and adjacent to Class II bikeways would provide limitations on the use of public streets for parking, and is, therefore, categorically exempt from environmental review pursuant to CEQA Guidelines Section 15301 concerning the operation or minor alteration of existing public facilities involving negligible or no expansion of use, and no exceptions to this exemption apply. In addition, the "common-sense exemption" contained in CEQA Guidelines Section 15061(b)(3) applies because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

FISCAL IMPACT

There are costs associated with communications outreach, signage, enforcement, and administration. The recommendations in this report can be funded using the Fiscal Year 2019-20 Adopted Budget allocation authorized for Homeless Enforcement Initiatives.

ALTERNATIVES

The Council may wish to consider the following alternatives:

1. Modify one or more of the proposed ordinances.
2. Do not introduce or adopt one or more of the proposed ordinances.
3. Direct staff to draft an ordinance banning oversized vehicle parking.
4. Do not direct staff to return with associated resolutions.

5. Do not direct staff to return with analysis of existing restricted parking on City streets greater than 40' wide.
6. Do not direct staff to add as a work plan item and return with a separate recommendation to address parking, generally, adjacent to and along the frontage of parks.
7. Provide other direction.

PUBLIC NOTICING

All routine Council agenda notice and posting procedures were followed with a notice to be published in the *San Jose Post Record*. Mailed notices were sent to all property owners and residents in the City. A copy of the report was sent to the County, CSA, MOVE, stakeholder group members and, as feasible, others who have corresponded with the City Manager's Office on this topic. Additional Citywide communications are described earlier in this report.

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- Attachments:
1. Ordinance—Oversized Vehicle Parking Prohibited (Bicycle Lane Safety)
 2. Ordinance—Oversized Vehicle Parking Narrow Streets Prohibited (Narrow Streets)
 3. Council Report for March 19, 2019
 4. Council Report for June 11, 2019
 5. Bicycle Lane Map (Class II Bikeways)
 6. Narrow Streets Map—Less Than or Equal to 40' Wide (Face-of-Curb to Face-of-Curb)