



Memorandum

**TO: RULES AND OPEN
GOVERNMENT COMMITTEE**

FROM: Mayor Matt Mahan
Councilmember Sergio Jimenez
Councilmember David Cohen
Councilmember Bien Doan

**SUBJECT: REGULATING OVERSIZED
VEHICLES CITYWIDE**

DATE: September 7, 2023

Approved

RECOMMENDATIONS

Direct the City Manager and the City Attorney to explore the following concepts and return to Council within 90 days with recommendations and a framework for evaluation and discussion. The staff analysis should include:

1. Potential oversized vehicle (boats, large trucks, and recreational vehicles) parking regulations citywide. Staff should research the following potential strategies:
 - a. Determining if there are appropriate on-street locations (that is, on public right-of-way) that can be identified as safe and permissible for oversized vehicles to be parked, and establishing a free, low-barrier permit program to direct individuals to park their vehicles in those areas, where they could remain temporarily if they adhere to a code of conduct
 - i. Evaluate the practicality of limiting the number of permits to the number of lived-in RVs counted in the latest point-in-time census
 - ii. Evaluate the staff and resource implications of providing services like portable sewage disposal to the specified areas
 - b. Identifying characteristics of city streets, such as narrow streets, streets with bike lanes, and streets within a certain proximity to sensitive receptors, where a new ordinance restricting parking of oversized vehicles could be enforced
 - c. Designing a pilot program that would phase in implementation and enforcement of oversized vehicle parking restrictions in areas that would most benefit from restrictions
 - d. Providing notice and maps to residents living in oversized vehicles regarding areas they can park and corresponding enforcement actions
 - e. Understanding the ability of San Jose to enforce existing laws and restrictions pertaining to oversized and lived-in vehicles

- i. Consider and provide alternative enforcement tools, including the existing 72-hour parking restriction; current street cleaning schedules to maintain our public roads clear of debris, oils, and other impacts associated with oversized vehicles, and other regulations designed to deter storage of vehicles on public right of ways and support appropriate circulation of vehicles.
2. Zoning Code amendments and other options to streamline the creation of RV Safe Parking sites, which shall include:
 - a. Reducing the number of times staff needs to return to Council by providing the Public Works Director with authority to approve contracting bids
 - b. Utilizing the ‘design-build’ strategy to streamline the bidding and design process
 - c. Determining any emergency powers the City can declare to expedite production
 - d. Identifying appropriate zoning districts to allow Safe Parking as a by-right use
3. Identify the above recommendations that will require additional resources for implementation so that they can be considered for inclusion in the Mayor’s March Budget Message for Fiscal Year 2024-2025.

DISCUSSION

Cities across California have seen a dramatic rise in the number of oversized vehicles, recreational vehicles (RVs), and accessory vehicles parked for extended periods of time on public streets by both housed and unhoused residents. In San Jose alone, the latest Point-in-Time (PIT) count identified 770 lived-in RVs throughout the city, and many housed residents keep their oversized vehicles on city streets for storage, recreation, and work. Our offices regularly receive complaints from constituents about the traffic, pedestrian, health, and public safety risks arising from oversized vehicles parked on city streets.

Fortunately, various city departments are already working hard to address the impacts associated with oversized vehicles on city streets. For example, to better support unhoused residents living in RVs, Council recently approved the largest safe parking site to date at 1300 Berryessa Road, and we opened the VTA Santa Teresa Safe Parking site in July. However, we’ll continue to grapple with the health and safety impacts associated with oversized vehicles on public streets until more alternatives come online.

Additionally, city staff are working to revamp our vehicle abatement program and improve our response to the abandoned, illegally parked, and nuisance vehicles that litter city streets. In the meantime, unregulated parking of oversized vehicles on city streets continue to pose environmental, traffic, health and safety risks for both our unhoused and housed residents. Oversized vehicles can block lines of sight through intersections, obstruct driveways, impede bike lanes, and restrict lane width.

A comprehensive citywide approach to regulate oversized vehicles can help mitigate the various safety risks associated with these vehicles while setting clear expectations for where such vehicles can and can’t be parked. As examples, Mountain View implemented a “Narrow Streets” Ordinance that clearly delineates where boats, RVs, and other oversized vehicles can and can’t be parked ; and Redwood City has seen success with their free permitted parking program on city streets. There are more strategies to address oversized vehicles, and we need to better understand if and how any of these strategies can work for San Jose.

To tailor a solution for San Jose, staff should identify safe and appropriate locations where long-term, on street parking could be permissible and explore a free, low-barrier permit program - akin to Redwood City's - with specific parameters for where unhoused residents living in their oversized vehicles can park if they agree to a code of conduct. The code of conduct could include good neighbor policies that address lighting, noise, waste disposal and crime, while continuing to enforce the city policy on preventing the belongings from an unhoused individual to spill onto sidewalks and go beyond a specified perimeter. Additional considerations should include limits on density so that any given street doesn't disproportionately bear the burden of on-street parking of oversized vehicles.

Recognizing the permit program could potentially attract residents from neighboring cities, staff should consider limiting the number of permits available to correspond to the most recent count of lived-in oversized vehicles on San Jose streets. Once operational, the permit program can help city staff and outreach teams build rapport with individuals living in oversized vehicles and connect them to supportive services when available.

In parallel, city staff is directed to identify street characteristics that will determine where an oversized vehicle ordinance could be enforced. The presence of bike lanes or proximity to schools and daycares, for example, offer compelling traffic safety reasons for restricting oversized vehicle parking. Given limited staff resources, we should explore piloting enforcement on streets that would benefit the most from restrictions, such as streets near sensitive receptors, in urban villages with high concentrations of pedestrian traffic and limited parking, and in our downtown.

Finally, as new citywide parking regulations are considered, staff should assess the feasibility of conducting outreach to individuals living in oversized vehicles and informing them of the free permit program, its benefits, and new parking restrictions. Outreach is intended to where residents can and can't park oversized vehicles should be clearly delineated through a distributable map, similar to the [maps Mountain View developed](#). Impacted residents, both housed and unhoused, should be clearly informed about enforcement actions the city can take under the new ordinance.

We recognize this is the first step of many that we'll likely need to take to regulate oversized vehicles citywide and that full implementation of a new ordinance will likely require additional staff resources. However, we believe we can take a phased approach that first lays the policy groundwork so that when additional resources are available the path to implementation is clear.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.