

2.24 Resolutions Authorizing Removal of Vehicles Parked in Violation of Large Vehicle or Overnight Parking Restrictions on Identified Streets.

Recommendation:


(a) Adopt a resolution authorizing the removal of large vehicles parked or left standing in violation of “no large vehicle parking zones” on portions of the streets located on both sides of Rock Springs Drive – Wool Creek Drive, between Needles Drive and the driveway of Shirakawa Elementary School.

(b) Adopt a resolution authorizing the removal of vehicles parked or left standing between 10:00 p.m. and 6:00 a.m. in violation of “no overnight parking zones” on the following streets or portions of streets:

- (1) Both sides of East Gish Road, between Berger Drive and Oakland Road;
- (2) The east side of Education Park Drive, between North Pine Hollow Circle and Schulte Drive;
- (3) The west side of Education Park Drive, between Mabury Road and Schulte Drive;
- (4) The north side of Wool Creek Drive, between Senter Road and Will Wool Drive;
- (5) The south side of Wool Creek Drive, between Senter Road and 400 feet east of Senter Road; and
- (6) Both sides of Will Wool Drive, between Wool Creek Drive and Quinn Avenue.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Transportation)

CITY COUNCIL ACTION REQUEST

Department(s): Transportation	CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.	Coordination: City Attorney's Office; City Manager's Budget Office; and the Planning, Building, and Code Enforcement Department.	Dept. Approval: /s/ John Ristow
Council District(s): Citywide			CMO Approval:  5/9/24

SUBJECT: RESOLUTIONS AUTHORIZING REMOVAL OF VEHICLES PARKED IN VIOLATION OF LARGE VEHICLE OR OVERNIGHT PARKING RESTRICTIONS ON IDENTIFIED STREETS

RECOMMENDATION:

- (a) Adopt a resolution authorizing the removal of large vehicles parked or left standing in violation of “no large vehicle parking zones” on portions of the streets located on both sides of Rock Springs Drive – Wool Creek Drive, between Needles Drive and the driveway of Shirakawa Elementary School.
- (b) Adopt a resolution authorizing the removal of vehicles parked or left standing between 10:00 p.m. and 6:00 a.m. in violation of “no overnight parking zones” on the following streets or portions of streets:
 - (1) Both sides of East Gish Road, between Berger Drive and Oakland Road;
 - (2) The east side of Education Park Drive, between North Pine Hollow Circle and Schulte Drive;
 - (3) The west side of Education Park Drive, between Mabury Road and Schulte Drive;
 - (4) The north side of Wool Creek Drive, between Senter Road and Will Wool Drive;
 - (5) The south side of Wool Creek Drive, between Senter Road and 400 feet east of Senter Road; and
 - (6) Both sides of Will Wool Drive, between Wool Creek Drive and Quinn Avenue.

BASIS FOR RECOMMENDATION:

At the January 30, 2024 City Council meeting, the City Council approved item 8.2 and directed the City Manager and City Attorney to:

- Prepare an ordinance giving flexibility to add locations through City Council resolution which prohibits the parking and authorizes the towing of oversized vehicles on public roadways within any area where an engineering assessment has identified that safety hazards for pedestrians, bicycles, or vehicles caused by the parking of oversized vehicles exist.
- Prepare an ordinance giving flexibility to add locations through City Council resolution, which prohibits the parking and authorizes the towing of vehicles parked within any area that prohibits parking between the hours of 10:00 p.m. and 6:00 a.m.
- Initiate a pilot at three K-12 schools most impacted by the parking of oversized vehicles.

Subsequently, at the April 9, 2024 City Council meeting, City Council approved two ordinances (Nos. 31051 and 31052) authorizing the removal of vehicles parked in violation of prohibited large vehicle parking zones and no overnight parking zones.

As directed during the January 30, 2024 City Council meeting, staff conducted the required engineering assessments, resulting in the identification of the parking restrictions outlined in the recommended resolutions at Independence High School, Shirakawa Elementary School, and Challenger School – Berryessa.

Commission Recommendation/Input:

No commission recommendation or input is associated with this action.

COST AND FUNDING SOURCE:
Costing for all impacted elements and service deliveries included with the implementation of the two recommended resolutions will be absorbed in the existing 2023-2024 Operating Budget.
FOR QUESTIONS CONTACT: Heather Hoshii, Department of Transportation Deputy Director, at heather.hoshii@sanjoseca.gov .

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE REMOVAL OF LARGE VEHICLES PARKED UPON A STREET, OR PORTIONS THEREOF, WHERE THE PARKING OF LARGE VEHICLES CREATES A SAFETY HAZARD FOR PEDESTRIANS OR VEHICLES PURSUANT TO SECTION 11.98.025 OF CHAPTER 11.98 OF TITLE 11 OF THE SAN JOSE MUNICIPAL CODE

WHEREAS, on February 15, 1988, the City Council adopted Ordinance No. 22736, authorizing the City of San José (“City”) to designate, on a case-by-case basis, streets where no large vehicles may be parked to prevent large vehicles from visually obstructing or impeding the flow of traffic or creating special safety problems for pedestrians and vehicle operators; and

WHEREAS, the City Council has determined that is necessary to authorize the removal of large vehicles parked or left standing in violation of “no large vehicle parking zones” to prevent large vehicles from visually obstructing or impeding the flow of traffic or creating special safety problems for pedestrians and vehicle operators; and

WHEREAS, Subsection (n) of Section 22651 of Article 1 of Chapter 10 of Division 11 of the California Vehicle Code authorizes the removal of vehicles parked or left standing where a local authority, by resolution or ordinance has prohibited parking and signs have been posted giving notice of the removal; and

WHEREAS, on April 9, 2024, the City Council adopted Ordinance No. 31051, which amended Chapter 11.98 of Title 11 of the San José Municipal Code to add Section 11.98.025 authorizing the City to designate by resolution the removal of large vehicles parked or left standing in violation of a “no large vehicle parking zone;” and

WHEREAS, in accordance with Section 11.98.025, the City desires to authorize the removal of large vehicles parked or left standing in violation of “no large vehicle parking zones,” or portions thereof, designated by this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The foregoing recitals are hereby incorporated by reference.
2. The removal of large vehicles parked or left standing in violation of “no large vehicle parking zones” is hereby authorized on both sides of Rock Springs Drive – Wool Creek Drive, between Needles Drive and the driveway of Shirakawa Elementary School.

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ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE REMOVAL OF VEHICLES PARKED UPON A STREET, OR PORTIONS THEREOF, WHERE OVERNIGHT PARKING OF VEHICLES IS PROHIBITED PURSUANT TO SECTION 11.56.060 OF CHAPTER 11.56 OF TITLE 11 OF THE SAN JOSE MUNICIPAL CODE

WHEREAS, the City Council has determined that it is necessary to authorize the removal of vehicles parked or left standing in violation of “no overnight parking zones” in order to provide for the public’s efficient use of affected contiguous properties and the free or unrestricted flow of traffic; and

WHEREAS, Subsection (n) of Section 22651 of Article 1 of Chapter 10 of Division 11 of the California Vehicle Code authorizes the removal of vehicles parked or left standing where a local authority, by resolution or ordinance, has prohibited parking and signs have been posted giving notice of the removal; and

WHEREAS, on April 9, 2024, the City Council adopted Ordinance No. 31052, which amended Chapter 11.56 of Title 11 of the San José Municipal Code to add Section 11.56.060 authorizing the City to designate by resolution the removal of vehicles parked or left standing in violation of a “no overnight parking zone;” and

WHEREAS, in accordance with Section 11.56.060, the City desires to authorize the removal of vehicles parked or left standing in violation of “no overnight parking zones,” on a street or portions thereof, designated by this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The foregoing recitals are hereby incorporated by reference.
2. The removal of vehicles parked or left standing between 10:00 PM and 6:00 AM in violation of “no overnight parking zones” is hereby authorized on the following streets or portions of streets:
 - A. Both sides of East Gish Road, between Berger Drive and Oakland Road;
 - B. The east side of Education Park Drive, between North Pine Hollow Circle and Schulte Drive;
 - C. The west side of Education Park Drive, between Mabury Road and Schulte Drive;
 - D. The north side of Wool Creek Drive, between Senter Road and Will Wool Drive;
 - E. The south side of Wool Creek Drive, between Senter Road and four hundred (400) feet east of Senter Road;
 - F. Both sides of Will Wool Drive, between Wool Creek Drive and Quinn Avenue.

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ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk