



Kate Harrison
Councilmember District 4

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2

Meeting Date: January 28, 2020

Item Number: 15

Item Description: Resolution for Safe Recreational Vehicle (RV) Parking at Designated City-Owned Parking Lots During Overnight Non-Business Hours

Submitted by: Councilmember Harrison

- Adopt a first reading of an ordinance amending Berkeley Municipal Code 6.24 to allow for the parking of oversized vehicles at municipal off-street parking lots during non-business hours.
- Amend the resolution to clarify that municipal off-street parking lots that do not have a low entry clearance should be considered as potential locations for the Grace Period Parking.
- Reiterate that the City Manager is authorized to negotiate with other public agencies, including state agencies, to find other possible locations for the Grace Period Parking.

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE 6.24.170-18 TO ALLOW THE PARKING
OF OVERSIZED VEHICLES IN MUNICIPAL OFF-STREET PARKING LOTS DURING
OVERNIGHT NON-BUSINESS HOURS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 6.24 is amended to read as follows:

6.24.170 Weight of vehicles.

It is unlawful for any person to stop, stand or park any vehicle having a gross weight in excess of five thousand nine hundred ninety-nine pounds in any municipal off-street parking lot [between the hours of seven a.m. and eight p.m.](#)

6.24.180 Length of vehicles.

It is unlawful for any person to stop, stand or park any vehicle having an overall length in excess of twenty-one feet in any municipal off-street parking lot [between the hours of seven a.m. and eight p.m.](#)

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

RESOLUTION NO. ##,###-N.S.

Safe Recreational Vehicle (RV) Parking at Designated City-Owned Parking Lots During Overnight Non-Business Hours

WHEREAS, the Berkeley City Council adopted Ordinance No. 7,643- N.S. on March 26, 2019 amending Berkeley Municipal Code section 14.40.120 to add oversized RVs and campers to the list of vehicles not allowed to park overnight on the public right-of-way between the hours of two a.m. and five a.m. for a greater length of time than one hour; and

WHEREAS, the City Council also adopted “Implementation Guidelines for Managing RV Parking” on March 26, 2019 in order to ensure that enforcement of Ordinance No. 7,643-N.S. would not commence until outreach is conducted and a program is developed to enable specified priority populations to receive a three-month “Grace Period” Permit to park in a designated safe location with a possibility of renewal; and

WHEREAS, the population of individuals and families living in RVs and campers on the public right-of-way for extended periods of time is diverse, with some vehicles housing populations that the City Council has deemed priority populations due to their vulnerability and their historical ties with the City, which are including homeless persons with significant chronic health conditions, physical limitations, and similar vulnerabilities, homeless families with minor children, homeless persons who work or study in Berkeley, and homeless persons who previously had a Berkeley home address within the last 10 years; families with children, people who work or study in Berkeley, and persons who previously had a Berkeley home address within the last 10 years; and

WHEREAS, the City has an interest in providing temporary safe parking locations for RV dwellers; and

WHEREAS, the City also adopted and extended Resolution No. 68.206, declaring a homeless Shelter Crisis until January 2022; and

WHEREAS, the proliferation of RV dwellers reflects the regional shortage of affordable homes and related homelessness crisis, with a need to prioritize supportive services based on consideration of health status, disability and self-care needs, age and household size (including the presence of children); and

WHEREAS, the City of Berkeley has contracted with a homeless services provider to conduct outreach to people living in RVs; and

WHEREAS, the City of Berkeley has conducted an exhaustive search for a 24-hour safe RV parking location within city limits, including discussions with numerous public and private entities, with no locations to date found to be viable due to a variety of issues such as expense, limited size, or being legally infeasible; and-

WHEREAS, the California Vehicle Code Section ~~22519 21107.8(a)(1)~~ establishes that a ~~City may by resolution regulate parking in any off-street parking facility which it owns or operates with signage; and city may, by resolution, find and declare that there are off-street parking facilities that are available for a public vehicular parking use; and~~

WHEREAS, the City of Berkeley seeks to implement all laws and ordinances in a fair and humane manner.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that ~~the City Manager is hereby authorized to select any of the following City-owned lots to accommodate up to 25 permits for designated City-owned parking lots with appropriate ingress and egress shall be made available~~ overnight RV parking during non-business hours for individuals in receipt of a three-month Grace Period Permit; ~~for safe RV parking.~~

1. The Harrison Street parking lot at the northeast corner of Harrison Street and the railroad tracks, which is 3rd Street.
2. The West Berkeley Senior Center parking lot at 1900 6th Street.
3. The parking lot behind City Hall at 2180 Milvia Street (entry on Allston Way).
4. The Corporation Yard at 1326 Allston Way in an area to be designated.
5. The South Berkeley Senior Center parking lot at 2939 Ellis Street.
6. Berkeley Animal Shelter parking lot at 1 Bolivar Drive.
7. Elmwood Parking Lot

BE IT FURTHER RESOLVED that the City Manager is authorized to determine which of the above-listed lots are the most appropriate City-owned ~~parking~~ lots for the three-month Grace Period Permit for safe RV parking, with consideration for safe ingress and egress, potential accessibility of restroom facilities, and other health and safety considerations and to determine appropriate hours of availability during overnight non-business hours.

BE IT FURTHER RESOLVED that the City Manager is authorized to change which lots are originally selected by substituting one of the other above-listed ~~seven~~ lots or another appropriate lot in place of an originally selected lot, and/or change the amount of space allocated in each lot for RV parking.

BE IT FURTHER RESOLVED that completion of the assessment of needs and community connections of RV dwellers and a permit process for distributing RVs throughout the City should continue to be explored as RVs are given permits to park in the above lots. To that end the City Manager is authorized to negotiate with other public agencies, including but not limited to the State Lands Commission, to find other appropriate lots for the Grace Period Permit; and

BE IT FURTHER RESOLVED that the City Manager is authorized to implement a parking permit system for the lots selected for overnight RV parking by developing a parking permit application and prioritizing the issuance of permits to homeless persons with significant chronic health conditions, physical limitations, and similar vulnerabilities, homeless families with minor children, homeless persons who work or study in Berkeley, and homeless persons who previously had a Berkeley home address within the last 10 years.

BE IT FURTHER RESOLVED that the City Manager should try to issue a total of 25 RV overnight parking permits or as close to 25 as is practical.

BE IT FURTHER RESOLVED that the City Manager is authorized to implement rules, regulations, and a possible fee schedule to promote neighborly conduct for RV overnight parking permit holders and can rescind a parking permit, if the rules are broken by the permit holder or persons associated with the permit holder.

BE IT FURTHER RESOLVED that the City is authorized to remove any RV or other vehicle that is parked in any of the above-listed lots without a permit or in violation of the rules governing use of the lot, if signage governing the allowed use of the lot and warning that vehicles may be towed is posted.