

**CITY OF SAN MATEO
ORDINANCE NO. 2013-8**

AMENDING SECTION 11.32.020, “DEFINITIONS,” AND SECTION 17.08.020, “PLACING CERTAIN OBJECTS IN THE PUBLIC RIGHT-OF-WAY PROHIBITED – EXCEPTIONS,” AND ADDING SECTION 11.32.105, “PARKING OF OVERSIZED VEHICLES,” OF THE SAN MATEO MUNICIPAL CODE

WHEREAS, Vehicle Code section 22507 authorizes the City of San Mateo to regulate the parking of vehicles on City streets; and

WHEREAS, street parking is in short supply in the City of San Mateo; and

WHEREAS, oversized vehicles, trailers unconnected to vehicles, and boats take up valuable parking spaces on city streets; and

WHEREAS, oversized vehicles parked on City streets make it difficult for drivers to see other drivers, bicyclists, and pedestrians; and

WHEREAS, the City wishes to limit parking of oversized vehicles on City streets; and

WHEREAS, the City wishes to provide for limited exceptions to the prohibition on oversized vehicles in the public right-of-way; and

WHEREAS, the City wishes to prohibit encroachments, including boats, on City streets;

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF SAN MATEO, CALIFORNIA, ORDAINS as follows:

Section 1. Section 11.32.020, “Definitions,” of Chapter 11.32, “Stopping, Standing and Parking,” of the San Mateo Municipal Code is amended to add the following definitions:

“Commercial vehicle” shall have the meaning set forth in state Vehicle Code section 260.

“Oversized vehicle” means a vehicle which meets one or more of the following criteria:

- a. Vehicle (including load height, if any) exceeds 7.5 feet; or
- b. Vehicle, (including load width, if any) exceeds 7.5 feet, as measured from the widest portion of the vehicle or load, but not including mirrors; or
- c. Vehicle, (including load length, if any) exceeds 22 feet (in combination with any attached trailers); or
- d. Manufacturer’s gross vehicle weight rating exceeds 10,000 pounds;

“Recreational vehicle” shall have the meaning set forth in Health and Safety Code section 18010.

“Trailer” shall have the meaning set forth in Vehicle Code section 630.

“Vehicle” shall have the meaning set forth in Vehicle Code section 670.

Section 2. Section 11.32.105, “Parking of Oversized Vehicles,” of Chapter 11.32, “Stopping, Standing and Parking,” of the San Mateo Municipal Code is added to read:

11.32.105 – PARKING OF OVERSIZED VEHICLES AND TRAILERS UNCONNECTED TO VEHICLES.

VEHICLES. In residential zones, it is unlawful for any person to park an oversized vehicle or trailer unconnected to a vehicle on any public street. The Public Works Director, or his or her designee, shall place signage on streets sufficient to give adequate notice of this prohibition.

a. Exceptions for oversized vehicles. This section shall not prohibit the parking of oversized vehicles or recreational vehicles on public streets for any of the following activities.

1. Loading or unloading of persons or property;
2. Service to a property in the vicinity;
3. Emergency repairs or waiting for a tow operator for no longer than eight hours; or
4. Response to a public emergency by any emergency vehicle of any political subdivision of the State of California.
5. Wheelchair-accessible vans.

b. Additional Exception for Recreational Vehicles. This section shall not prohibit the overnight parking of recreational vehicles on public streets immediately abutting the owner's residence for no more than 24 consecutive hours twice during any seven-day period.

Section 3. Section 11.32.110, "Commercial Vehicle – Defined," of Chapter 11.32, Stopping, Standing and Parking," of the San Mateo Municipal Code is deleted.

Section 4. The title and first paragraph of Section 17.08.020, "Placing Certain Objects in the Public Right-of-Way Prohibited – Exceptions," of Chapter 17.08, "Obstruction – Litter," of the San Mateo Municipal Code are amended read:

17.08.020 PLACING CERTAIN OBJECTS IN THE PUBLIC RIGHT-OF-WAY PROHIBITED.

PROHIBITED. No person shall place or cause to be placed, anywhere upon any public way, right-of-way, street, or sidewalk, and no person owning, occupying, or having the control of any premises shall suffer to remain in front thereof, upon any sidewalk, in the public right-of-way, of the half of the street or way next to such premises any appliances, furniture, bench, inoperable vehicles, boats, machinery, foods, merchandise, implement box, debris box, mailbox, or other object, which shall be an obstruction for more than one hour at a time.

Section 5. The remainder of Section 17.08.020 is unchanged.

Section 6. CEQA. This project is exempt from California Environmental Quality Act (CEQA) requirements in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment per CEQA Guidelines Section 15061(b)(3).

Section 7. SEVERABILITY. In the event any section, clause or provision of this Chapter shall be determined invalid or unconstitutional, such section, clause or provision shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 8. PUBLICATION. This Ordinance shall be published in summary in the San Francisco Examiner Peninsula Edition, posted in the City Clerk's Office, and posted on the City's website, all in accord with Section 2.15 of the Charter and shall be effective 30 days after the date of adoption.

The foregoing ordinance was introduced on March 18, 2013, and adopted by the City Council of the City of San Mateo, State of California on the 6th day of May, 2013, by the following vote:

AYES: COUNCIL MEMBERS LIM, ROSS, GROTTE, FRESCHET, AND MATTHEWS

NOES: NONE

ABSENT: NONE

ATTEST:

(SEAL) /s/ PATRICE M. OLDS

Patrice M. Olds, City Clerk

/s/ DAVID LIM

David Lim, Mayor