

Attachment A

Attachment A – Summary of County Smoking Bans

The Center for Tobacco Policy provides the following list of Counties with smoking bans. Counties in **bold** are included in the detailed summary that follows.

Table 1 – Smoking Bans in California Counties		
Strict Ban	Designated Smoking Areas in Parks	Smoking Ban Limited to Some Areas
Alameda Co		
Contra Costa Co	Los Angeles Co	Alpine Co
Marin Co	Riverside Co	Colusa Co
Mariposa Co	Santa Barbara Co	El Dorado Co
San Diego Co	Solano Co	Fresno Co
San Mateo Co	Sonoma Co	Imperial Co
Santa Clara Co	Yuba Co	Inyo Co
Santa Cruz Co		Kern Co
Ventura Co		Madera Co
		Mono Co
		Napa Co
		Orange Co
		Placer Co
		Plumas Co
		Sacramento Co
		San Bernardino Co
		San Joaquin Co
		San Luis Obispo Co
		Shasta Co
		Sierra Co
		Siskiyou Co
		Tulare Co

Approach 1 - Strict Smoking Ban

The first approach the County may consider is to introduce a strict ban on smoking at all County parks and open spaces. Although sometimes referred to as a “total ban”, several of these “total ban” counties include some form of exemption for specific facilities. The Center for Tobacco Policy database of California ordinances relating to smoking identifies nine counties that have implemented a strict ban on smoking. A summary of the prohibitions and any exemptions in five of these county codes are listed in Table 2 below. Several counties provide exceptions for managed parks or large facilities. Marin and Santa Cruz do not offer overnight camping facilities.

Table 2 - Strict Smoking Bans						
County	Code Sections	Prohibitions	Exceptions/Comments	Day Use	Overnight Options	
Contra Costa County	445-4.002 445-4.004	All Park Areas	- *Parks managed through East Bay Regional Parks District allows smoking in overnight camping.	Yes	Yes*	
Marin	7.70.050 7.7020	Recreation Areas	- Rec Areas definition includes parks, sporting facilities, stadiums, etc. - 11 of 21 parks are less than 4 acres. All but 2 are less than 50.	Yes	No	

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San Mateo County	4.96.040	All Park Areas	<ul style="list-style-type: none"> - Total ban on smoking in all parks/campgrounds. - Note: Exemption for San Francisco airport – 4.96.280 	Yes	Yes
Santa Clara County	B13-82 B14-21.6	All Park Areas	<ul style="list-style-type: none"> - Does not apply to parks under commercial lease at time of adoption, only future leases. - Wineries, golf courses, open areas 30 ft. away from “service areas” ok to smoke. 	Yes	Yes
Santa Cruz County	7.88.070 10.04.155	All Park Areas	<ul style="list-style-type: none"> - Total ban on smoking in all parks. - Camping not available. 	Yes	No

Approach 2 – Partial Smoking Ban

The American Lung Association in California recognizes a partial smoking ban or “Listing Approach” as a viable option to provide the same type of protection from secondhand smoke as the inclusive (strict) approach, but allows a community to gradually introduce smoke-free outdoor areas over time. A partial outdoor smoking ban can be tailored to meet the needs of individual locations and park uses. Staff found similarities in park facilities and uses between other counties that have implemented a partial smoking ban and the County of Monterey. Counties generally followed one of two formats: a general smoking ban with specific exceptions for facilities (Table 3), or a smoking ban only in designated areas (Table 4).

To provide Laguna Seca Park and the raceway with an equitable comparison to similar facilities, RMA researched other racing venues and their smoking policies, which are described in Table 5. It should be noted that Sonoma Raceway, which allows smoking in designated areas is located in Sonoma County, which prohibits smoking in parks, including campgrounds.

Table 3 - General Bans with Specific Exceptions					
County	Code Sections	Prohibitions	Exceptions/Comments	Day Use	Overnight Options
Los Angeles County	17.04.645 17.12.365	All Parks	<ul style="list-style-type: none"> - Designated areas in contract-operated facilities, as determined by the Director - Parking areas within the County 	Yes	Yes
Riverside County	8.152	All enclosed/unenclosed areas.	<ul style="list-style-type: none"> - Designated smoking areas set by facilities management. - Event facility has designated smoking. - No smoking at regional sports complex or in park buildings. 	Yes	Yes
Santa Barbara County	Ch 37-5	Unenclosed Recreational Areas	<ul style="list-style-type: none"> - Smoking allowed in Camping Parks (Jalama Beach and Cachuma Lake) - Within 30 feet of any in-park residence. - Parks when used for a public event (farmer’s market, festival, etc) - 	Yes	Yes

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Sonoma County	Ch 32-5 Ch 32-6	All Areas/Parks	<ul style="list-style-type: none"> - Implemented 14 months after adoption - No smoking in campgrounds - Director allowed to set designated smoking areas. - Note: See Sonoma Speedway 	Yes	Yes
Table 4 - Smoking Ban Limited to Specific Areas					
County	Code Sections	Prohibitions	Exceptions/Comments	Day Use	Overnight Options
El Dorado County	8.60.040	Indoor Areas	- “Indoor Areas” includes “Other places in which members of the general public congregate for service or otherwise frequent.” – Subsection H, limited to enclosed arenas.	Yes	No
Kern County	13.04.190 13.04.210	Specific Park Open Spaces	<ul style="list-style-type: none"> - Rexland Acres Park, Lamont Park and DiGiorgio Park; only 3 out of 48 park sites to ban smoking. - Exceptions for parking lots. - *Rexland, Lamont and DiGiorgio parks do not have camping. - Cannabis banned in all County parks. 	Yes	Yes*
Madera County	9.11.040	Enclosed Public Spaces	- No smoking ban in outdoor park areas.	Yes	Yes
Napa County	8.08.040	Sports Arenas	- No exceptions. No specific reference to parks and outdoor/open spaces.	Yes	Yes
Orange County	2-5-65	As prohibited by Director due to fire danger.	- Monterey County Code includes a similar clause: 14.12.130.7	Yes	Yes

Table 5 - Smoking at Racetracks			
Raceway	Prohibitions	Exceptions/Comments	Overnight Camping
Sonoma Raceway, Sonoma, CA	All seating areas, suites, concession stand lines, eating areas and restrooms.	- Ground level concourse behind the Main Grandstand and away from the seating areas in the Turns 2, 3, 7 and 9 Terraces.	No
Ocean Speedway, Watsonville, CA	Designated smoking areas.	- Smoking is only allowed in the bleachers in turn 1 and turn 4 - Note: Santa Cruz Co. has total ban in parks.	No
Daytona International Speedway, Daytona, FL	Stadium is smoke free.	- Provide designated smoking areas throughout the stadium - Smoking allowed in campgrounds	Yes

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Del Mar Thoroughbred Club, CA	No smoking policy in most areas.	- Smoking is permitted only in designated outdoor areas where seating is not provided. - Smoking is not permitted during concerts.	No
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County Parks Smoking Ban

Staff recommends that smoking bans be considered on an individual park basis in order to fit with the unique conditions of each park. Staff has received input from stakeholders responsible for the operations at County parks: The County Administration Office (CAO), Sport Car Racing Club of the Monterey Peninsula (SCRAMP), Urban Parks Concessionaires (CalParks) and the North County Youth Recreation Association (NCYRA). Table 6 lists the smoking bans as recommended by Staff and supported by these operations stakeholders. Smoking bans in each park consider the following options:

- **Park Facilities** – Ban may cover entire park, or listed by areas
 - **Indoor/Enclosed Areas** – Buildings and facilities in parks that provide a service.
 - **Outdoor Areas** – open fields, picnic areas without facilities and trails.
 - **Unenclosed Facilities** – Playgrounds, gazebos, picnic tables and BBQs.
 - **Campgrounds** – May be listed as designated sites only or cover all camping facilities.
 - **Live-On Facilities** – Volunteers and certain staff live on park grounds in RV's or trailers.
- **Ban Type**
 - **No Smoking** – Smoking is not allowed at any time in the associated area.
 - **Designated** – Code would authorize the department director responsible for a park to set designated smoking areas, subject to County code.
 - **Contract/Agreement** – An option, based on Santa Barbara County, that allows smoking as part of a contracted event/facility use agreement or management agreement.
- **Timeline** – Ban may become effective upon adoption of the ordinance, or a future date could be set (6, 12, 18 months after adoption, or specific date) to allow a public awareness campaign to be implemented.

Table 6 – Recommended Smoking Ban			
Park	Ban Type		Comments
Day Use Parks			
- Toro	No Smoking	-	Removes proposal for designated smoking at Toro, Royal Oaks.
- Royal Oaks	No Smoking		
- Manzanita	No Smoking	-	Special Events that include overnight camping at day use parks would be considered Events and would be categorized as No Smoking.
- Jack’s Peak	No Smoking		
- Events	No Smoking		
- Live On	No Ban		
San Lorenzo Park			
- Indoor/Enclosed	No Smoking		Campgrounds: Designate sites within 75ft of facilities as non-smoking. (See maps attached)
- Outdoor Areas	No Smoking		
- Unenclosed Facilities	No Smoking		
- Campgrounds	Designated	-	
- Events	No Smoking		

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- Live On	No Ban	
Laguna Seca Raceway		
- Paddock/Pit Lane	No Smoking	- Facility managed through CAO office by SCRAMP.
- Campground	No Ban	- *Indoor/Enclosed facilities would be subject to any
- Indoor/Enclosed	No Ban*	general indoor smoking ban under 10.70
- Unenclosed Facilities	No Ban	
- Events	Contract	
- Live On	No Ban	
Lake San Antonio		
- Campgrounds	Designated	- Non-smoking camp loop(s) as initial option.
- Indoor/Enclosed Areas	No Smoking*	- *Indoor/Enclosed facilities would be subject to any
- All Other Areas	Designated	general indoor smoking ban under 10.70
- Events	Contract	
- Live On	No Ban	
Lake Nacimiento		
- Campground	Designated	- Non-smoking camp loop(s) as initial option.
- SLO County	Designated	- Covered under San Luis Obispo Code 11.20.210(7).
- Events	Contract	
- Line On	No Ban	

Options for Designated Smoking Sites in Parks Campgrounds

San Lorenzo

San Lorenzo is the only day use park which also includes a campground. Currently there is no limit on smoking in the park or campground. Image 1.1 and 1.2 below show the campsites available, and proximity to campground facilities. Proximity to park facilities and prevailing winds were considered in choosing camping spaces. Data available on wind conditions in King City indicate that prevailing winds shift throughout the year, coming from the North-West from February through September, and South-East from October through January. Sites 45-71, which lie within seventy-five (75) feet of campground facilities and border the common areas, could be designated non-smoking.

Image 1.1 – Camp Sites at San Lorenzo Park

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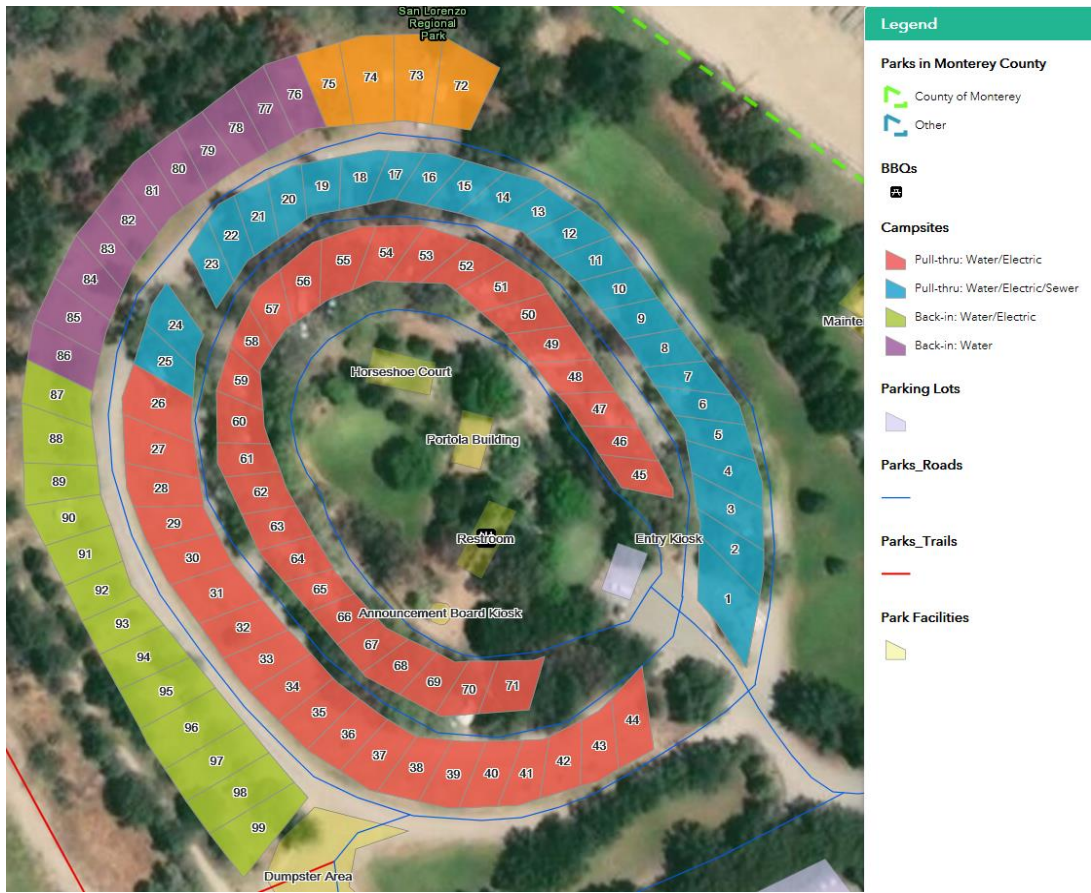


Image 1.2 – 75ft Radius Around Buildings on San Lorenzo Park Campground



Lake San Antonio and Lake Nacimiento

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Staff acknowledges the research which shows the dangers of smoking and secondhand smoke, as well as the desire of a portion of the public to smoke. In parks where the average stay is limited to a few hours or daytime only, the need for designated smoking areas is reduced. Overnight stays are a significant part of the annual business at Lake San Antonio and Lake Nacimiento. Under the existing ordinance, smoking is not banned at the lakes. Any proposed ban would reduce the risk of both secondhand smoke and fire from discarded cigarettes. Staff recommends that a phased smoking ban be used at the lakes. This will allow the public to become aware of changes to smoking regulations in time to prepare and reduce the impact that an abrupt ban would have on tourism and customer satisfaction of the park. Lake Nacimiento is located within the boundaries of San Luis Obispo County and falls under San Luis Obispo Code 11.20. The current San Luis Obispo County code allows the parks director or designee to set designated non-smoking areas within the Lake Nacimiento recreation area. Lake San Antonio is located within Monterey County and falls under County Code Chapter 14.12.

- **Non-Smoking Campground Loop**

The initial smoking ban would consist of turning Camping loops at Lake San Antonio and Lake Nacimiento into non-smoking locations. This will allow the County to evaluate response to the ban and determine the financial and enforcement impact additional smoking restrictions may have on the lakes. It will also allow the County time to educate the public on the dangers of smoking and secondhand smoke.