



Monterey County

Parks Commission

Agenda Item #6

Legistar File Number: 18-756

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

August 02, 2018

Introduced: 7/13/2018

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Consider recommending partial smoking ban proposal for incorporation in the amended Monterey County Code Chapter 14.12; or direct staff to incorporate a different option.
- b. Provide direction to staff on scope and timing of implementation of smoking ban.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Consider recommending partial smoking ban proposal for incorporation in the amended Monterey County Code Chapter 14.12; or direct staff to incorporate a different option.
- b. Provide direction to staff on scope and timing of implementation of smoking ban.

SUMMARY:

Monterey County Code Chapter 14.12 establishes regulations for County Parks. The Chapter was created in 1970 and last updated in 2008. Staff prepared a comprehensive update to Chapter 14.12 to reflect Parks now being within the Resource Management Agency (RMA), incorporate new smoking regulations, address fee modifications, and better organize and clarify the Chapter's authority and scope. On June 7, 2018, RMA presented a draft ordinance and the Commission provided direction for changes, with significant changes/discussion relative to proposed smoking limitations. In response, staff has provided additional information to consider for how to address smoking in County Parks. Staff seeks Commission direction before finalizing the draft ordinance. Based on the Commission direction, staff will return with a revised draft ordinance for consideration before going to the Board of Supervisors.

DISCUSSION:

On June 7, 2018, the Resource Management Agency (RMA) presented an update on Parks fees and proposed revisions to Monterey County Code Chapter 14.12 (County Parks). Based on prior Commission direction, the proposed revisions included a total smoking ban in Jacks Peak and Manzanita Parks, and smoking only in designated parking lots and campgrounds in Toro, Royal Oaks, Laguna Seca, San Lorenzo, Lake San Antonio and Lake Nacimiento. During the meeting, that the Commission discussed a total ban on smoking in all County parks. Staff was then directed to return to the Commission with additional information on smoking ban options.

Staff researched smoking bans in parks for various California counties. Each county addresses smoking differently to reflect the design and use of local parks. Staff 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). SCRAMP manages Laguna Seca park

under the direction of the CAO. CAO met with SCRAM and determined that an initial ban could be enforced at the raceway paddock and pit lane. CalParks recommends that the lakes remain free of any smoking ban at this time. CalParks estimates that over 75 percent of parties who come to the lakes include at least one smoker, and anticipates substantial challenges in accommodating the number of smoking visitors and enforcing non-smoking areas should a ban be implemented. NYCRA recommends that designated smoking areas be provided on Manzanita Park to accommodate their volunteers who smoke.

Parks facilities have been divided into the following categories: Indoor/Enclosed Areas, Outdoor Areas, Unenclosed Facilities Campgrounds and Live-On Facilities. Each area can be assigned a No Smoking, Designated Smoking or Contract/Agreement status. No Smoking means that smoking is prohibited in that area. Designated means that the department director responsible for a park could set designated smoking areas within that category (e.g., specific campgrounds or parking lots designated as smoking). Contract/Agreement allows smoking as part of a contracted event/facility use agreement or management agreement.

Options for the Parks Commission to consider include:

- No ban in any park (current ordinance)
- Total ban in all parks
- Partial/Park-specific bans (recommended)

Staff recommends park-specific designated smoking limitations, with each facility carefully evaluated to create a smoking ordinance that promotes public health and considers park use. **Attachment A** provides greater detail about recommended smoking limitations using a park-specific approach with input from staff, CAO and CalParks.

OTHER AGENCY INVOLVEMENT:

RMA is working with County Counsel throughout the update process. County Counsel still needs to review the ordinance as to legal form. RMA and Health Department are collaborating to implement the updated smoking prohibitions. Chapter 14.12 would only address smoking as it relates to County Parks. RMA is working with the Health Department to also update Chapter 10.70 of the County Code, which addresses smoking prohibitions for the entire County.




FINANCING:

This work has been completed by staff without need or use for outside services. Therefore, there is no impact to the General Fund by receiving this report.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Proposed changes provide updates to the County Code that would address current needs including public safety, operations in the County parks, and rules and regulations. Reducing contact with secondhand smoke will promote public health while considering park use and providing access to County Parks for all residents.

☐ Economic Development
☒ Administration
☒ Health & Human Services
☐ Infrastructure
☒ Public Safety

Prepared by: John Snively, Management Analyst (831) 759-6617 
Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services 
Approved by: Carl P. Holm, AICP, RMA Director 

Dated: July 18, 2018

Attachments:

Attachment A - Summary of County Smoking Bans