



## Legislation Details (With Board Report)

<b>File #:</b>	ORD 21-009	<b>Name:</b>	Point Lobos No Parking
<b>Type:</b>	Ordinance	<b>Status:</b>	Agenda Ready
<b>File created:</b>	6/2/2021	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	6/8/2021	<b>Final action:</b>	

**Title:** Consider adopting an ordinance to continue prohibiting parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A – Draft Ordinance for State Hwy 1, 3. Attachment B – Location Map, 4. Attachment C – Correspondence, 5. Attachment D - ZA Resolution No. 19-015, 6. No Parking Presentation, 7. (CORRECTED) Completed Board Order and Ordinance Item 25

Date	Ver.	Action By	Action	Result
6/8/2021	1	Board of Supervisors		

Consider adopting an ordinance to continue prohibiting parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:  
Consider adopting an ordinance to continue prohibiting parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County.

**SUMMARY:**

On May 25, 2021, the Board of Supervisors introduced, waived the reading, and set today’s date to consider adoption of the proposed ordinance to continue prohibiting parking at all times on the east side of State Highway 1 in the area of Point Lobos State Park.

On January 29, 2019, the Board adopted Ordinance No. 5307 amending Section 12.28.010 of the Monterey County Code to prohibit parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County. The Board desired to limit this parking prohibition to an initial two-year trial period to assess effects of limiting parking and to see what provisions may be in place from broader planning efforts of parking for State and Regional Parks. Ordinance No. 5307 provided that that the parking prohibition would automatically terminate

two years after becoming operative unless a new ordinance is adopted. In March 2019, Caltrans issued an order prohibiting parking on a state facility, consistent with Ordinance No. 5307. On April 8, 2019, Caltrans issued an encroachment permit to the County for the installation of No Parking signs along said section of State Highway 1. On May 30, 2019, under PLN190123, Zoning Administrator Resolution No. 19-015, the County of Monterey Zoning Administrator adopted findings that the installation of the signs qualifies as a Class 1 Categorical exemption pursuant to Section 15301 of the CEQA guidelines, and approved a Combined Development Permit consisting of a coastal development permit and design approval to allow the installation of said signage. The installation was complete and approved on May 30, 2019, at which time the parking restriction became operative. Staff is returning to the Board for consideration of an ordinance to continue said parking restrictions with no termination date on the restriction.

#### DISCUSSION:

The County has received multiple requests and testimony from local residents, the Big Sur Byway Organization, Carmel Highlands Fire Protection District, and other community groups advocating that the County continue the no parking at any time on the east side of State Highway 1, from a point 1800 feet north of the Point Lobos State Park entrance to a point 1800 feet south of the Point Lobos State Park entrance, a distance of 3600 feet. Without the ordinance, State Park patrons often parked along State Highway 1 and crossed the highway to access the park, creating potentially unsafe conditions for pedestrians and drivers. Prohibiting parking along the east side of State Highway 1 potentially stops unsafe pedestrian movement on the state highway at this location. In addition, there are periods with heavy traffic that create issues for public safety access/response.

For the May 25, 2021 Board meeting, the County received a letter from the California Coastal Commission (CCC) staff expressing support of measures needed to address public safety issues; however, they also expressed concerns about displacement of public parking and adverse impact to public access, and requested that the ordinance be revised to extend the restriction more temporarily by one year, and stated that the ordinance would need to be implemented via a Coastal Development Permit. Because of public safety benefits, the ordinance proposed has no termination date on the restriction. A review by County staff of collision data in this area indicates that since the inception of the parking restriction, there were no collisions reported involving pedestrians, demonstrating success of the two-year parking restriction with no reported adverse effects to Reserve attendance, and therefore a continued, permanent parking restriction would further promote safety in the area. Many community members and public safety providers support the permanent parking restriction. CCC staff also mentioned the need for a review of the County's Local Coastal Program (LCP), and public access and recreational policies of the Coastal Act, and a coastal development permit. County staff previously reviewed the County's LCP and zoning code, and presented their findings at the May 30, 2019 public hearing of the Zoning Administrator for the County of Monterey, and a Combined Development Permit, Resolution No. 19-015, consisting of a coastal development permit and design approval for traffic control signage, was approved on May 30, 2019 with no termination date. (See Attachment D.) No additional signage or change in signage is needed to change the restriction from temporary to permanent. The temporary parking prohibition has not affected Reserve attendance, as described further below. Therefore, staff's opinion is that no additional CDP is needed.

At the January 29, 2019 Board meeting, concerns were also expressed related to limiting access to Point Lobos and the surrounding recreation areas by the removing of parking. Also for the May 25, 2021 Board meeting, a letter from the Big Sur Byways Organization, comprised of representatives from the California State Parks and U.S. Forest Service, among others, states that access to Point Lobos has remained steady and that attendance has not been affected by the parking prohibition. The Big Sur Byways Organization was established per Board of Supervisors Resolution 19-127 to promote and protect public health and safety, and to ensure the continued safe and efficient operation of State Route 1 through the Big Sur area. Additionally, according to the Park It!

Steering Committee, on behalf of Point Lobos Foundation, Big Sur Land Trust, California State Parks, and the Monterey Peninsula Regional Park District, the parking restriction has not affected attendance at Point Lobos, and visits to the Reserve have continued to be at or over capacity after installation of the no parking signs, until the Reserve was closed per shelter-in-place orders/COVID-19. To address potential needs for parking in the area, efforts are underway as part of the Carmel Area State Parks General Plan actions to evaluate long-term parking solutions (i.e., Park-It! Initiative). This effort is being coordinated with Monterey Peninsula Regional Park District and Big Sur Land Trust who also hold public lands in this area. On May 21, 2021, the California State Parks Commission unanimously approved the Carmel Area State Parks General Plan, which includes goals, guidelines and strategies promoting multimodal access and parking management for the Carmel area parks. To date, the Park-It! Initiative has submitted an application to the County for off-site parking in the area known as Marathon Flats, near the intersection of State Highway 1 and Rio Road, and is actively exploring shuttle service linking off-site parking to Point Lobos, Monastery Beach, and San Jose Creek/Palo Corona through potential partnerships with Monterey Salinas Transit (MST) or private vendors. Carmel Highlands Fire Protection District and Big Sur Fire also support the permanent no parking, and cite safety benefits related to keeping visitors and pedestrians from walking across the highway and for providing unobstructed shoulder areas for vehicles to pull off the roadway to allow emergency vehicles to pass through safely and timely.

Per California Vehicle Code Section 22506, Caltrans must approve the parking restriction because it is proposed for a state highway. Accordingly, the restriction previously enacted by ordinance involved coordination and processing with Caltrans related to Caltrans' issuance of an encroachment permit to install and maintain signs. Per Caltrans' order of prohibiting parking on state facility, and in discussions with Caltrans, Caltrans will need documentation of the parking restriction extended by ordinance by the Board of Supervisors. Because the signs are currently in place, keeping the signs in place will require minimal processing through Caltrans.

CEQA

The adoption of these ordinances is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to section 15301 (c) of the CEQA Guidelines because the action involves negligible changes to the regulations that govern the existing highways and streets.

OTHER AGENCY INVOLVEMENT:

Caltrans requires an updated ordinance in order to process the continuation of the State Highway 1 parking prohibition. County Counsel has approved the ordinance as to legal form.

FINANCING:

Traffic control devices and signs were installed when Ordinance No. 5307 was approved. No additional costs are anticipated with this action. If needed, sufficient funds are available in the FY 2020-21 Adopted Budget for the Road Fund 002, Unit 8195, Appropriation Unit RMA0012 to finance this work.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Strategic Initiative for Infrastructure and Public Safety, Meeting our Facilities, Water, Technology and Transportation Needs. The ordinances will allow for the permanent No Parking at Any Time designation that will improve the quality of life for County residents and support economic development results.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure

X            Public Safety

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Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Draft Ordinance for State Hwy 1

Attachment B - Location Map

Attachment C - Correspondence

Attachment D - Zoning Administrator Resolution No. 19-015