



## Legislation Details (With Board Report)

<b>File #:</b>	21-348	<b>Name:</b>	Urgency Ordinance, No Parking Scenic Drive
<b>Type:</b>	General Agenda Item	<b>Status:</b>	Passed - County Counsel Office
<b>File created:</b>	4/21/2021	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	4/27/2021	<b>Final action:</b>	4/27/2021

**Title:** Introduce, waive reading and adopt an urgency ordinance creating a “no parking \$250 fine tow away” zone along portions of Scenic Drive in the unincorporated area in the Carmel Point area near the City of Carmel-by-the-Sea, and authorizing the County Administrative Officer to enter into an agreement with the City of Carmel-by-the-Sea for its police department to enforce the regulation (4/5ths vote required).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. No Parking\_Draft Ordinance\_Ex A, 3. No Parking\_Location Map\_Scenic Drive\_Ex B, 4. (REVISED) Completed Board Order and Ordinance Item No. 30

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of Supervisors	approved - county counsel	Pass

Introduce, waive reading and adopt an urgency ordinance creating a “no parking \$250 fine tow away” zone along portions of Scenic Drive in the unincorporated area in the Carmel Point area near the City of Carmel-by-the-Sea, and authorizing the County Administrative Officer to enter into an agreement with the City of Carmel-by-the-Sea for its police department to enforce the regulation (4/5ths vote required).

**RECOMMENDATION:**

It is recommended that the Board of Supervisors introduce, waive reading and adopt an urgency ordinance creating a “no parking \$250 fine tow away” zone along portions of Scenic Drive in the unincorporated area in the Carmel Point area near the City of Carmel-by-the-Sea, and authorizing the County Administrative Officer to enter into an agreement with the City of Carmel-by-the-Sea for its police department to enforce the regulation (4/5ths vote required).

**SUMMARY/DISCUSSION:**

The area along Scenic Drive around Carmel Point in the unincorporated area near the City of Carmel-by-the-Sea is a residential area that is a popular location for people to visit, walk, and view the beach for recreation. This attraction has created an safety problem: people ignore the existing “no parking” signs and park in such a way along Scenic Drive as to block travel lanes, residential driveways, and sight distance, causing hazards to the public otherwise travelling along the roads and contributing to unsafe turn movements, posing access constraints for emergency responders, and endangering pedestrian and bicycle traffic. These problems have become more urgent as the County progresses through the “tiers” of the State’s Blueprint for a Safer Economy and travel restrictions are lifted as more visitors come to the County and visit the location.

Public Works, Facilities and Parks staff has identified that the most impacted areas along Scenic Road are from Santa Lucia Avenue to Carmelo Street, near the entrance to the parking lot at Carmel River State Beach. This segment of Scenic Drive is a one-lane, one-way roadway presently designated “no parking” on both sides per Monterey County Code Section 12.28.010. Increasing the fine for a violation of the regulation, and creating the

“tow-away” option would further reinforce the existing “no parking” areas and serve as an additional deterrent to promote compliance and assist enforcement. The immediate imposition of “no parking \$250 fine” zones are critical to the public health, safety and welfare due to the current clearing weather conditions and upcoming spring and summer seasons that will entice the public to come to the area to recreate as restrictions on travel are eased. The proposed ordinance removes a violation of the current “no parking zone” from that section of the Code that provides for no towing, and adds it to the section that provides for towing. An amendment of the County Parking Violation Penalty Schedule is necessary to implement the greater fine. The proposed ordinance provides for that amendment.

The Sheriff’s Office is authorized to issue tickets for violations of the “no parking” zones within the County; however, the Sheriff’s resources are insufficient to address the significant problem occurring along Scenic Drive. The City of Carmel-by-the-Sea has offered its Police Department as an enforcing agency if appropriate. To authorize the City Police Officers to issue tickets, the County Administrative Officer must be authorized to contract with the City of Carmel-by-the-Sea to provide enforcement. The proposed ordinance provides the necessary authority to contract with the City and its Police Department.

An urgency ordinance is proposed in order to take effect immediately; staff will process a due course ordinance to amend the County Code in the future as appropriate.

OTHER AGENCY INVOLVEMENT:

The California Highway Patrol (CHP) currently has authority to provide enforcement and issue citations related to operation of motor vehicles on County roads. This urgency ordinance will provide for similar authority for the City of Carmel-by-the-Sea Police Department to provide enforcement.

FINANCING:

Adoption of this ordinance requires the posting of appropriate signage. These traffic control devices will be funded by the Road Fund. The cost to install the necessary signage is estimated at \$6,000. Sufficient funds are available in the FY 2020-21 Adopted Budget for the Road Fund 002, Unit 8443, Appropriation Unit RMA0012 to finance this work.

CEQA:

The adoption of the ordinance is categorically exempt under the California Environmental Quality Act pursuant to sections 15301 (c) and 15308 of the CEQA Guidelines because the action will involve negligible changes to the existing County regulations that govern the existing County highways and streets, and the action is for the protection of the environment.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This proposed program correlates to the Strategic Initiatives adopted by the Board of Supervisors by working towards the goals of improving health and quality of life outcomes to individuals and families, and to address the immediate threat to the public peace, health and safety.

Mark a check to the related Board of Supervisors Strategic Initiatives

Economic Development

Administration

Health & Human Services

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure

  X   Public Safety

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Dated: April 21, 2021

April 21, 2021

Prepared by: Chad Alinio

Approved by: Leslie J. Girard

Attachments: Board Report

Ex. A - Draft ordinance

Ex. B - Location Map