



Legislation Details (With Board Report)

File #: ORD 19-016 **Name:** State Hwy 1 No. Parking Ordinance
Type: Ordinance **Status:** Passed
File created: 1/22/2019 **In control:** Board of Supervisors
On agenda: 1/29/2019 **Final action:** 1/29/2019

Title: a. Adopt an ordinance 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 for a two year period; and
b. Authorize the Director of Resource Management Agency to apply on behalf of the County for an encroachment permit from Caltrans to install no parking signs on the east side of State Highway 1 adjacent to Point Lobos State Park in accordance with the adopted ordinance.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Ordinance for State Hwy 1, 3. Attachment B - Redline Ordinance State Hwy 1, 4. Attachment C - Location Map, 5. 42.1 Completed Board Order & Ordinance

Date	Ver.	Action By	Action	Result
1/29/2019	1	Board of Supervisors	adopted- rma public works and facilities	Pass

a. Adopt an ordinance 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 for a two year period; and
b. Authorize the Director of Resource Management Agency to apply on behalf of the County for an encroachment permit from Caltrans to install no parking signs on the east side of State Highway 1 adjacent to Point Lobos State Park in accordance with the adopted ordinance.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt an ordinance 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 (Attachment A) for a two year period; and
- b. Authorize the Director of Resource Management Agency to apply on behalf of the County for an encroachment permit from Caltrans to install no parking signs on the east side of State Highway 1 adjacent to Point Lobos State Park in accordance with the adopted ordinance.

SUMMARY:

On January 15, 2019, the Board considered the adoption of an ordinance 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 desires to limit this parking prohibition to an initial two-year trial period to assess effects of limiting parking and what provisions may be in place from broader planning efforts of parking for State and Regional Parks. The parking prohibition will automatically terminate two years after becoming operative unless a new ordinance is adopted. Staff will plan to return to the Board before the two-year period ends with a report on the conditions and for consideration by the Board of whether to continue parking restrictions.

DISCUSSION:

The County has received multiple requests from local residents advocating that the County request approvals from California Department of Transportation (CalTrans) and, if needed, the California Coastal Commission to establish 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. State Park patrons often park along State Highway 1 and cross the highway to access the park, creating potentially unsafe conditions for drivers. This prohibited parking along 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.

The Board recognizes the need for public access and question if secondary effects could occur from this action. Staff noted that efforts are underway as part of State Parks General Plan efforts to evaluate long-term parking solutions (aka Park It Plan). This effort is being coordinated with Monterey Peninsula Regional park District and Big Sur Land Trust who also hold public lands in this area.

Balancing these safety concerns with preservation of public access to Point Lobos State Park and recognizing pending planning efforts to address the volume of visitors to the state park, the Board desires to limit this parking prohibition to an initial two-year trial period. Per California Vehicle Code section 22506, Caltrans must approve the parking restriction because it is proposed for a state highway. Accordingly, the restriction enacted by this ordinance will not become operative unless and until Caltrans approves an encroachment permit. In addition, while such signage is normally exempt from the requirement from a coastal development permit, Coastal Commission staff have noted that removing parking requires providing alternative parking, which could be addressed through the Park It Plan.

The parking restriction will remain in effect initially for only two years after becoming operative and shall automatically sunset unless the Board adopts a new ordinance to continue this parking restriction.

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 must issue an encroachment permit in order for the State Highway 1 parking prohibition to go into effect. RMA is working with Caltrans to coordinate efforts to expedite the encroachment permit for State Highway 1. Staff has consulted Coastal Commission relative to issuing a coastal permit. County Counsel has approved the ordinance as to legal form.

FINANCING:

Traffic control devices are funded by the Road Fund. The cost to install the necessary signing is estimated at \$800.00. Sufficient funds are available in the FY 2018-19 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 installation of No Parking at Any Time signs that will improve the quality of life for County residents and support economic development results.

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

Prepared by: Randell Ishii, M.S., P.E., RMA Chief of Public Works

Reviewed by: Neville Pereira, P.E., CBO, Interim RMA Deputy Director of Public Works, Parks and Facilities

Approved by: Carl P. Holm, AICP, RMA Director

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

Attachment A - Ordinance for State Hwy 1

Attachment B - Redline Ordinance for State Hwy 1

Attachment C - Location Map