



Legislation Details (With Board Report)

**File #:** PAR 22-003      **Name:** Referral 2021.29 Big Sur Roadside Camping Prohibition

**Type:** Preliminary Analysis Report      **Status:** General Government - Consent

**File created:** 12/30/2021      **In control:** Board of Supervisors

**On agenda:** 1/11/2022      **Final action:**

**Title:** Receive a preliminary analysis report in response to Board Referral No. 2021.29 seeking increased fines for the Big Sur Roadside Camping Prohibition.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Board Referral No. #2021.29, 3. Completed Board Order Item No. 31

Date	Ver.	Action By	Action	Result
1/11/2022	1	Board of Supervisors	received	Pass

Receive a preliminary analysis report in response to **Board Referral No. 2021.29** seeking increased fines for the Big Sur Roadside Camping Prohibition.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a preliminary analysis report in response to **Board Referral No. 2021.29** and:
- b. Direct that staff proceed with completion of referral based on description in this report; or,
- c. Direct that staff:
  - i. Proceed with completion of referral based on modifications by the Board; or,
  - ii. Return to Board with a more comprehensive analysis of referral and anticipated effort for completion; or,
  - iii. Rescind referral.
- d. Provide further direction, as appropriate.

PRELIMINARY ANALYSIS:

**Referral Summary & Background:**

On December 7, 2021, the Board added Supervisor Adams’ Referral No. 2021.29 to the County Board of Supervisors’ referral matrix. The referral is seeking to increase the administrative citation and fine amount for citations issued under Monterey County Code Section 14.18.020.A.

**Proposed Project Description:**

On October 9, 2019, Supervisor Adams submitted Board Referral No. 2019.16 entitled “Big Sur Roadside Camping Prohibition Enforcement.” This is a follow up referral to request a specific fine increase, pursuant to Monterey County Code Section 1.22.100, for citations issued under Section 14.18.020.A, to the amount of \$1,000.

Monterey County Code Section 14.18.020.A. states, “No person shall camp in the right-of-way of State Highway One between the Carmel River and the Monterey-San Luis Obispo County Line at any time.” Various law enforcement agencies that are active in the Big Sur Area may issue citations under this Monterey County

Code. These agencies have provided input to the District 5 Office that enforcement could be strengthened by increasing the amount of the citation under the existing code. They recommend the fine should be significantly greater than the cost of established, permitted camping areas within the Big Sur area and that the fine amount should be consistent with litter fines of \$1,000, known to be an effective deterrent.

The referral involves completion of the following tasks:

- Prepare ordinance and Board Report to present to the Board for consideration. Includes the amount of time to route an item through the levels of departmental review prior to an item being taken to the Board for consideration.
- Schedule and present a public hearing per the California Government Code.
- If approved, allow thirty days to pass per California Government Code Section 25123.
- Install requisite signage.

Note: Due to the public safety concerns, an urgency ordinance is recommended so that the timeframes are compressed and accelerated.

**Estimated Project Cost:**

Costs are not fully-determined at this time, but will consist primarily of staff time, and signage material costs if necessary. Time impacts associated with this request may include staff time from Public Works, Facilities and Parks Department (PWFP), the Office of the County Counsel, Monterey County Sheriff’s Office (MCSO), and outside departments such as the California Highway Patrol (CHP), California State Parks (State Parks), and the United States Forestry Service (USFS).

**Staffing Level Estimate:**

Staffing level estimates are undetermined at this time. Time impacts associated with this request may include staff time from PWFP, the Office of the County Counsel, MCSO, CHP, State Parks, and USFS.

**Departmental Challenges:**

If additional signage is necessary, Staff will need to determine placement of the signage which could be a challenge. PWFP does not foresee any other immediate challenges at this time that would impede its ability in completing this referral by the proposed response date referenced below.

**Proposed Response Date:**

Staff proposes to return to the Board prior to April 30, 2022.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

The recommended action supports the Board of Supervisors’ Strategic Initiatives for Administration and Public Safety. These services will enhance our Transportation needs, and will improve the quality of life for County residents.

- 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

Attachment:

Attachment A - Board Referral No. #2021.29