



Meeting Date: August 03, 2023	From: Kathryn Kleinschmidt
Item Number: 23-08	
Sponsored By: Yue Wang, PE, Caltrans	<b>Presented By:</b> Kathryn Kleinschmidt, PE, PTOE, Caltrans
<b>Description:</b> Caltrans District 5 in partner California State Parks, the Community A others, requests CTCDC recommendation OVERNIGHT CAMPING OR SLEEPING IN V	ssociation of Big Sur (CABS), and on for a new word message sign "NO

## Recommendation:

Motion by committee to recommend inclusion of the new word message sign "NO OVERNIGHT CAMPING OR SLEEPING IN VEHICLE" as shown per newly proposed CA MUTCD Section 2B.113(CA) "NO OVERNIGHT CAMPING OR SLEEPING IN VEHICLE" Sign.

## Agency Making Request/Sponsor:

Kathryn Kleinschmidt, PE, PTOE (Caltrans District 5) and Randell Ishii, MS, PE, TE, PTOE; Director of Public Works, Facilities and Parks (County of Monterey) / Yue Wang, Caltrans CTCDC member

## **Background:**

The area along State Highway One (State Route 1) in the Big Sur Area is a popular location for people to visit, walk, and view the beach for recreation. This attraction has created a safety problem: people ignore the existing 'no camping' prohibition and set up campfires. A roadside camping prohibition already exists under Monterey County Code Section 14.18.020.A, which 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 Monterey County Supervisorial District 5 Office that enforcement could be strengthened by increasing the amount of the citation under the existing code and would serve as an additional deterrent to promote compliance and assist enforcement. As such, at the July 26, 2022 Board Meeting, the Monterey County Board of Supervisors adopted the Urgency Ordinance (Attachment B) that enhanced the existing prohibition from 1986, by increasing the fine to a \$1,000 fine as a civil penalty.

Different versions of the "No Camping" signage were placed throughout the years. The local community group "The Big Sur Byways Organization (BSBO)", was established by the Monterey County Board of Supervisors through Resolution 19-127, to promote and protect public health and safety, and to ensure the continued safe



## California Traffic Control Devices Committee (CTCDC) Agenda Item Report



and efficient operation of State Highway One through the Big Sur area. They were supportive of the Urgency Ordinance. They also have a Sign Subcommittee that guides the type/placement of signs in the Big Sur area. The subcommittee discussed the different versions of the placed signs and are recommending the existing version shown as Attachment D (which has been in existence and in place for years).

## Attachments:

Attachment A – Proposed New Section 2B.113(CA)

Attachment B – Proposed Changes to Figure 2B-106(CA)

Attachment C – Proposed Changes to Table 2B-1(CA)

Attachment D – Existing Signage

Attachment E - County of Monterey Ordinance No. 5381

Attachment F – Letters of Support





## ATTACHMENT A





## Attachment A – Proposed New Section 2B.113(CA)

### CHAPTER 2B. REGULATORY SIGNS, BARRICADES, AND GATES

### Proposal:

Note:

Black text is consistent with the Federal MUTCD. Blue text is current text as amended for use in California. Struck-out red text is to be deleted from the CA MUTCD. Red text is newly proposed text.

## Modify Chapter 2B as shown:

## Section 2B.113(CA) <u>NO OVERNIGHT CAMPING OR SLEEPING IN VEHICLE Sign</u> (<u>R111(CA)</u>)

Option:

<sup>o1</sup> The NO OVERNIGHT CAMPING OR SLEEPING IN VEHICLE (R111(CA)) sign (see Figure 2B-106(CA)) may be used to inform the public that it is unlawful to camp or sleep in the vehicle along a state highway or local roadway where there is an adopted resolution or ordinance that supports the use.

<sup>02</sup> The R111(CA) sign may have a supplemental plaque installed below the sign for the applicable fine amount per the adopted resolution or ordinance (e.g., \$1000 FINE).

Support:

<sup>03</sup> Do not use the R111(CA) sign when there is no adopted resolution or ordinance to support its use or enforcement of the sign.





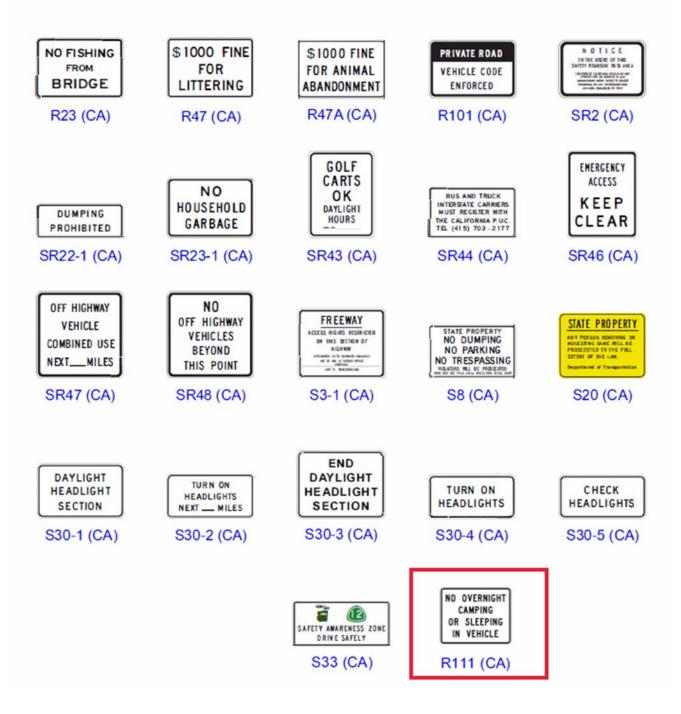
# ATTACHMENT B





## Attachment B – Proposed Changes to Figure 2B-106(CA)

## Figure 2B-106 (CA). California Miscellaneous Regulatory Signs







## ATTACHMENT C





## Attachment C – Proposed Changes to Table 2B-1(CA)

### Proposal:

Note:

Black text is consistent with the Federal MUTCD. Blue text is current text as amended for use in California. Struck-out red text is to be deleted from the CA MUTCD. Red text is newly proposed text.

## Modify Table 2B-1(CA) as shown:

## Table 2B-1(CA). California Regulatory Signa and Plaque Sizes

Sign or Plaque	Sign	Section	Conventional Road		Expressway	Freeway	Minimum	Oversized
Sign of Flaque	Designation	Section	Single Lane	Multi- Lane	скріеззиау	Treeway	Winnight	Oversized
DAYLIGHT HEADLIGHT SECTION	S30-1(CA)	2B.64	84 x 54	84 x 54				
TURN ON HEADLIGHTS NEXT X MILES	S30-2(CA)	2B.64	108 x 54	108 x 54				
END DAYLIGHT HEADLIGHT SECTION	S30-3(CA)	2B.64	84 x 66	84 x 66				
TURN ON HEADLIGHTS	S30-4(CA)	2B.64	84 x 42	84 x 42				
CHECK HEADLIGHTS	S30-5(CA)	2B.64	84 x 42	84 x 42				
Safety Corridor Sign	S33(CA)	2B.64	102 x 48	102 x 48				
NO OVERNIGHT CAMPING OR SLEEPING IN VEHICLE	R111(CA)	2B.113(CA)	30 X 24	30 X 24				

#### Table 2B-1(CA). California Regulatory Sign and Plaque Sizes (Sheet 7 of 7)





## ATTACHMENT D





## Attachment D – Existing Signage







## ATTACHMENT E





### Attachment E – County of Monterey Ordinance No. 5381



AN URGENCY ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTION 14.18.040 OF THE MONTEREY COUNTY CODE TO ESTABLISH A \$1,000 CIVIL PENALTY FOR ILLEGAL CAMPING IN THE RIGHT-OF-WAY OF STATE HIGHWAY ONE BETWEEN CARMEL RIVER AND THE MONTEREY-SAN LUIS OBISPO COUNTY LINE

#### **County Counsel Summary**

This ordinance is an urgency ordinance for the immediate preservation of the public peace, health and safety of the County of Monterey due to persons camping illegally in unincorporated area along State Highway One between the Carmel River and the Monterey-San Luis Obispo County Line. This ordinance amends Section 14.18.040 of the Monterey County Code to establish up to a \$1,000 civil penalty for any illegal camping in the right-of-way of State Highway One between the Carmel River and the Monterey-San Luis Obispo County Line. Roadside visitor camping along State Highway One in this area has created a consistent and increasing public health and safety concern for the community, particularly regarding campfires, disturbed habitat, and littering, and the potential for forest fires. This risk is heightened now given the current drought and increased traveling due to Covid-19 pandemic restrictions being lifted. This ordinance is an urgency ordinance pursuant to Government Code section 25123 and requires a four-fifths vote for adoption.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. PURPOSE AND FINDINGS.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey ("County") may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. Monterey County Code section 14.80.020(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."

C. Despite Section 14.80.020(A), residents of the Big Sur area have still reported that individuals illegally camp along portions of State Highway One between the Carmel River and the Monterey-San Luis Obispo County Line.

D. It is necessary and appropriate for the immediate protection of the public peace, health, safety and welfare of the County to establish a \$1,000 civil penalty for violation of Section 14.80.020(A). Roadside camping along State Highway One in this area has created a consistent and increasing public health and safety concern for the community, particularly

Ordinance re: civil penalty for illegal camping State Highway One, Big Sur area Page 1 of 3





regarding campfires, disturbed habitat and littering, and the potential for forest fires. This risk is heightened now given the current drought and increased traveling due to Covid-19 pandemic restrictions being lifted.

E. The County has received multiple requests from community groups and residents advocating emphasizing and enforcing the existing no camping area along State Highway One.

F. 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.

SECTION 2. Section 14.80.040 of the Monterey County Code is amended to read as follows:

A. It shall be at the discretion of the peace officer enforcing this Chapter to determine if the person sleeping or resting in his or her vehicle is doing so for health or safety purposes. The peace officer shall not issue a citation if the peace officer reasonably believes that the person sleeping or resting in his or her parked vehicle is doing so the health or safety purposes unless the area in which the vehicle is parked is specifically posted or signed as a no parking area.

B. A violation of Section 14.18.020(A) of this Chapter shall be punishable by a civil penalty of not more than one thousand dollars (\$1,000).

SECTION 3. OTHER ACTIONS.

County staff are authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this ordinance including the posting of appropriate signage in and around the described locations.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 5. EFFECTIVE DATE AND TERM.

This ordinance shall take effect immediately as an urgency ordinance based on the finding of the Board of Supervisors that this ordinance is adopted in compliance with Government Code Section 25123, that it is necessary for the immediate protection of the public peace, health, and safety, and shall remain in effect until it is terminated or superseded.

Ordinance re: civil penalty for illegal camping State Highway One, Big Sur area

Page 2 of 3





PASSED AND ADOPTED this 26thday of \_\_\_\_\_2022, by the following vote: AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams NOES: None ABSENT: None pres. Mary Adams, Chair, Monterey County Board of Supervisors APPROVED AS TO FORM: AT T E S T: VALERIE RALPH Clerk of the Board KELLY L. DONLON By: Emmonrow H. Sontos Assistant County Counsel Deputy Ordinance re: civil penalty for illegal camping Page 3 of 3 State Highway One, Big Sur area





## ATTACHMENT F





## Attachment F – Letters of Support

1441 Schilling Plac Salinas, California Date: July To: Gur CA Offi Div 112	93901-4527 MEMORA		(831) 755-4800 www.co.monterey.ca.us
To: Gur CA Off Div 112	5, 2023 nderpal (Johnny) Bhullar, PE, TE MUTCD Editor & CTCDC Secretary & Leg	<u>NDUM</u>	
To: Gur CA Off Div 112	nderpal (Johnny) Bhullar, PE, TE MUTCD Editor & CTCDC Secretary & Leg		
CA Off Div 112	MUTCD Editor & CTCDC Secretary & Leg		
	sion of Safety Programs, Caltrans ) N Street amento, CA 95814	gal Liaison	
	dell Ishii, MS, PE, TE, PTOE; Director of P or Price; Associate Planner in Housing & C		
Subject: Req	est for CTCDC Approval of New Word M	lessage Sign	
Peta Sup Col Patt Mai Johi	y Kleinschmidt, PE, PTOE; Caltrans Distri r Hendrix, PE; Caltrans District 5 ervisor Mary Adams; Monterey County Sup een Courtney, Chief of Staff; Monterey Cou e Kronlund, Executive Director; Community cos Ortega, Superintendent of Big Sur Secto Olejnik; Caltrans District 5 Aldinger; Big Sur River Inn	pervisorial District 5 unty Supervisorial Distric y Association of Big Sur	t 5
Sur (CABS), and c	y, in partnership with Caltrans District 5, C thers, requests CTCDC approval to use a ne ss" to replace existing non-standard word m	ew word message sign "N	2

#### **BACKGROUND:**

State Route 1 is a two-lane undivided facility within these points of Carmel River and the Monterey-San Luis Obispo County border (approximately 72 miles). It was last estimated to have an AADT of approximately 6,800 vehicles per day in 2020 (near Yankee Point). The speed limit varies throughout its length, and it is the County's understanding that Caltrans District 5 has performed and approved a new Engineering and Traffic Survey (E&TS) from PM 0.00 to PM 44.50 that is anticipated to place applicable speed limit signs in the near future. Bicyclists are allowed on the facility. This portion of State Route 1 is also one of the first designated "Scenic Highways" in the State.





The area along State Highway One (AKA: State Route 1) in the Big Sur Area is a popular location for people to visit, walk, and view the beach for recreation. This attraction has created a safety problem: people ignore the existing 'no camping' prohibition and set up campfires. A roadside camping prohibition already exists under Monterey County Code Section 14.18.020.A, which 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 Monterey County Supervisorial District 5 Office that enforcement could be strengthened by increasing the amount of the citation under the existing code, and would serve as an additional deterrent to promote compliance and assist enforcement. As such, at the July 26, 2022 Board Meeting, the Monterey County Board of Supervisors adopted the Urgency Ordinance (Attachment B) that enhanced the existing prohibition from 1986, by increasing the fine to \$1,000 fine as a civil penalty.

Different versions of the "No Camping" signage were placed throughout the years. The local community group "The Big Sur Byways Organization (BSBO)", was established by the Monterey County Board of Supervisors through Resolution 19-127, to promote and protect public health and safety, and to ensure the continued safe and efficient operation of State Highway One (AKA: State Route 1) through the Big Sur area. They were supportive of the Urgency Ordinance. They also have a Sign Subcommittee that guides the type/placement of signs in the Big Sur area. The subcommittee discussed the different versions of the placed signs, and are recommending the existing version shown as Attachment A (which has been in existence and emplaced for years).

#### **DISCUSSION:**

The County is not aware of plans to install new campgrounds along State Route 1. The County is also not aware of plans to create new or additional turnouts along State Route 1. Moreover, road shoulders along this highway segment are often narrow and constrained, with many in the southbound direction directly at a shoulder drop-off with a steep slope down to the ocean. Thus, space available for the public to park and enjoy the Central Coast coastline and Pacific Ocean, is very limited. To further emphasize, this is not a "No Parking" zone or parking prohibition; rather, it is an ordinance to prohibit camping. Therefore, it is not precluding the public's ability to use/enjoy access to the coast, nor does it preclude road users from having that emergency access to pull over. The presence of overnight campers in these limited turnouts or shoulders causes a traffic hazard for the road users and emergency responders, by taking up space in the limited real estate. Moreover, there have been reports of environmental health and sanitation concerns, where human fecal matter and detritus have allegedly been left behind. Law enforcement has advocated for the signs and additional sign locations, as they will aid in the enforcement has submitted letters of support for the signs and additional sign locations (Attachment C). Therefore, the sign packages notifying road users on the State highway will be in place for the foreseeable future.

It is the County, with its partners of Caltrans District 5 and the local community and law enforcement, intention to notify road users of the regulation. Therefore, we are recommending that the existing word signage on the signs be adopted as new word message regulatory signs with a white background and black legends.

#### **SUMMARY:**

1. County of Monterey, in partnership with Caltrans District 5, California State Parks, the Community Association of Big Sur (CABS), and others, requests CTCDC approval to use a new word message sign "No Overnight Camping or Sleeping in Vehicles" to replace existing non-standard word message signs.

Thank you for your consideration of this request. The County and Caltrans District 5 looks forward to receiving a response from the Committee. If you have questions or comments, please contact Randell Ishii by email at <u>ishiir@co.monterey.ca.us</u> or Kathy Kleinschmidt by email at <u>Kathryn.Kleinschmidt@dot.ca.gov</u>.

RYI/ryi

Attachments:

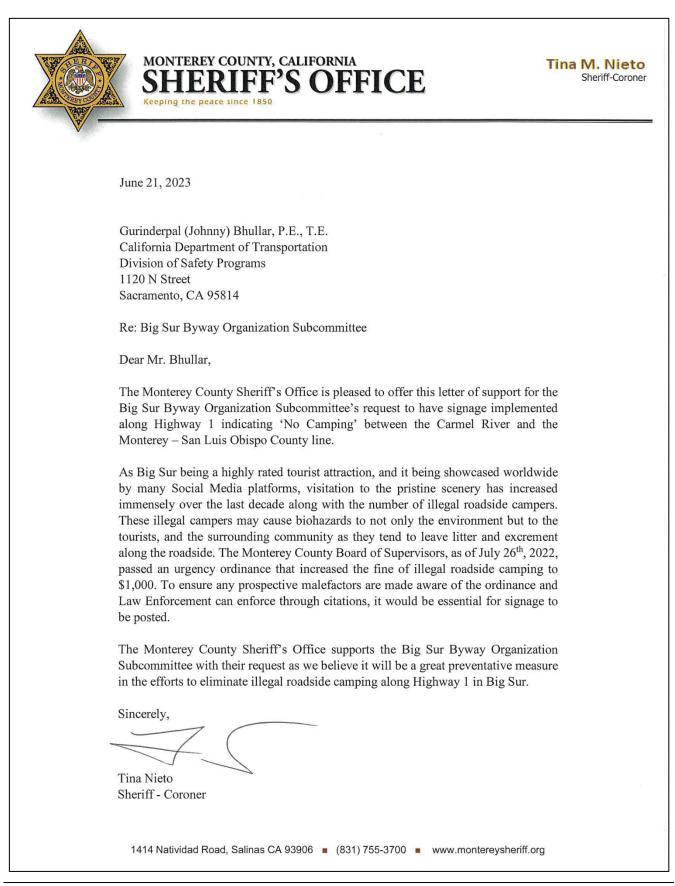




Attachment A – Sign Design Recommended by the Big Sur Byway Organization (BSBO) – Sign Subcommittee Attachment B – Urgency Ordinance by Monterey County Board of Supervisors Attachment C – Letters of Support













## OF BIG SUR PO Box 59, Big Sur, CA 93920

Executive Director Butch Kronlund

#### Executive Board

Ryne Leuzinger, Bd Chair Kendra Morgenrath, Vice Bd Chair Lisa Kleissner, Treasurer Patte Kronlund, Secretary

#### **Board of Directors**

Tom Collins Mike Gilson Jolinda Matthews Martine Palafox Pam Peck Blain VandenBerg

**Community Advisors** Mike Caplin Martha Diehl John Handy Richard "Dick" Ravich

Websites CABigSur.org BigSurPledge.org To: Monterey County Board of Supervisors: Mary Adams, Luis Aliejo, Wendy Root Askew, John Phillips and Chris Lopez.

From: Butch Kronlund, Executive Director CABS.

Regarding: The agenda item #55:

55. Adopt an urgency ordinance amending Section 14.18.040 of the Monterey County Code to establish up to a \$1,000 civil penalty for

illegal camping in the right-of-way of State Highway One between the Carmel River and the Monterey-San Luis Obispo County Line.

Dear Monterey County Supervisors,

As visitation to Big Sur has exploded over the course of the last decade, the practice of illegal roadside camping has grown in an equally explosive way. As I reported to you back in January of 2021, on any given evening, there are as many as 200 or more illegal roadside campers utilizing the coastal turnouts along Highway 1 as their personal campground. The cumulative result of this activity is the destruction and degradation of one of the world's most beautiful scenic assets. Every night, despite the efforts of law enforcement, human waste, toilet paper and trash accumulate along the Highway, creating a threat to health and a visual blight on our collective national heritage.

As you know, the current fine for illegal roadside camping is less than the cost of a campsite at any of the legal campgrounds in Big Sur, making the current fine a non-deterrent. As a result, I'm writing you today on behalf of many Big Sur residents to support the County in adopting an urgency ordinance that amends the current fine for illegal roadside camping to \$1,000 anywhere inside the Big Sur planning area.

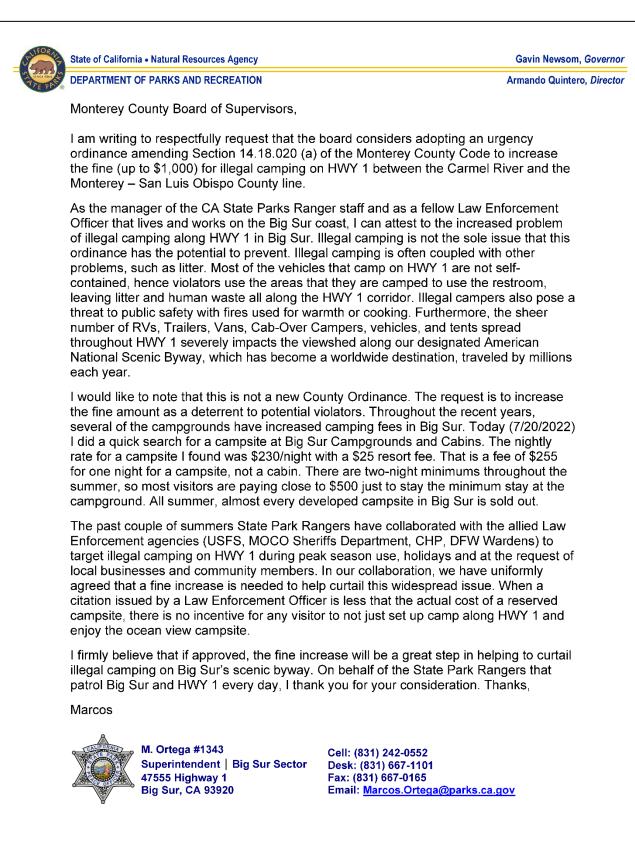
Sincerely, Butch-

Community Association of Big Sur is a 501 (c) 3 (EIN 77-0091132). Our shared mission is to protect and defend the rural and residential character, and to preserve the natural and aesthetic beauty of the Big Sur coast: to provide for the health, safety, and welfare of the Big Sur Community; to encourage community service and otherwise act in the interests of the residents and property owners of the community. CABS is committed to a collaborative approach towards responsible land stewardship. CABS believes that an effective partnership between private and public property owners is essential for a sustainable and healthy community.

Caring for the coast for over 50 years











## **MONTEREY COUNTY**

#### **BOARD OF SUPERVISORS**

MARY L. ADAMS, SUPERVISOR – FIFTH DISTRICT 1200 Aguajito Road, Suite #1, Monterey, CA 93940 E-mail: District5@co.monterey.ca.us Phone: (831) 647-7755

July 7, 2023

Gurinderpal (Johnny) Bhullar, PE, TE CA MUTCD Editor & CTCDC Secretary & Legal Liaison Office of Traffic Safety Systems & Devices Division of Safety Programs, Caltrans 1120 N Street Sacramento. CA 95814

Dear Mr. Bhullar:

As the Fifth District Supervisor for the County of Monterey, I write you to request the approval of new signage in the Big Sur Region along Highway 1. This signage is needed to address health and safety concerns stemming from illegal camping along the highway. Big Sur is an incredibly popular tourist destination, with an estimated four million visitors per year. Social media has showcased the beauty and serenity of the Big Sur Coast and visitors have increased, but the number of ovemight accommodations has not. Therefore, the number of illegal campers along Highway 1 has greatly increased, causing health and safety issues by such things as illegal campfires, increased human waste, litter, traffic hazards and impacts to the viewshed.

Residents, business owners, and Law Enforcment Officials in the Big Sur region contacted my office asking for help to address this issue. In response, my colleagues on the Board of Supervisors and I passed an urgency ordinance increasing the fine of illegal roadside camping to \$1,000 to deter people from camping along the highway. We now need approval for the signage to ensure visitors are aware of this ordinance.

The approval of new signage through the CA Traffic Control Devices Committee then will allow the County of Monterey and law enforcement officials to enforce the law. We feel an obligation to all who visit our area to ensure the Big Sur coast is protected and remains pristine for all.

. Sincerely,

my h. Geours.

Mary L. Adams Board of Supervisors Fifth District