

# Road Encroachment Ordinance Updates for Annual Business Permits in the Road Right-of-Way

April 23, 2024

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Public Works  
Transportation

# Overview

## Chapter 28 – use of the right-of-way for business:

- Shared mobility devices: scooters, bikes, carshare
- Outdoor dining
- Other business uses in the right-of-way

### **This action would amend Chapter 28 to include PARKLETS:**

a designated area constructed over the roadway used by the adjacent business for Outdoor Business, which may include a temporary, removable small seating or gathering area.



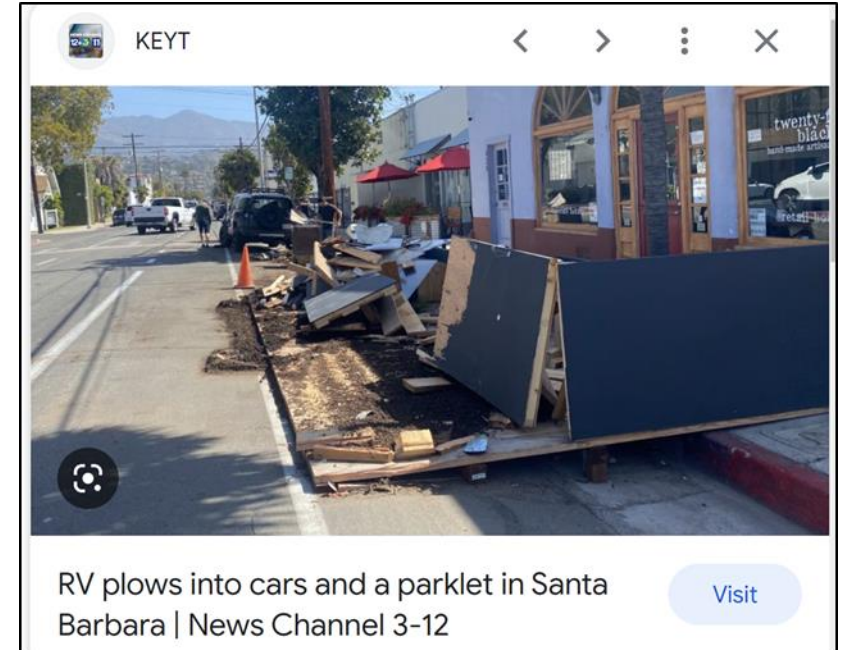
# Primary Considerations for Parklets

- Safety and access
- Impacts to the traveling public and intended uses of road right-of-way
- Compatibility and community impacts
- Cost and fees



# Safety and Access

- Appropriate for low-speed roads, 30 mph or less
- Each parklet is unique and must be evaluated
- Flow of all modes of traffic cannot be impeded
- Appropriate setback from vehicle travel lane or crash rated barriers
- ADA access required
- Visibility must be maintained



# Impacts and Intended Uses of Road Right-of-Way

- Public road right-of-way was intended for mobility of pedestrians, bikes, and vehicles
- Some County areas have limited parking and restrictions on parking removal
- Congested sidewalks or reduced capacity of sidewalks related to increased business activities



# Compatibility and Community Impacts

- Many areas of the County were designed to have street parking as the primary access for business
- Coastal Zone parking generally cannot be removed without offset parking created near by
- Other businesses may be affected by loss of street parking
- Parklets may impact community aesthetics



# Cost and Fees

## COST:

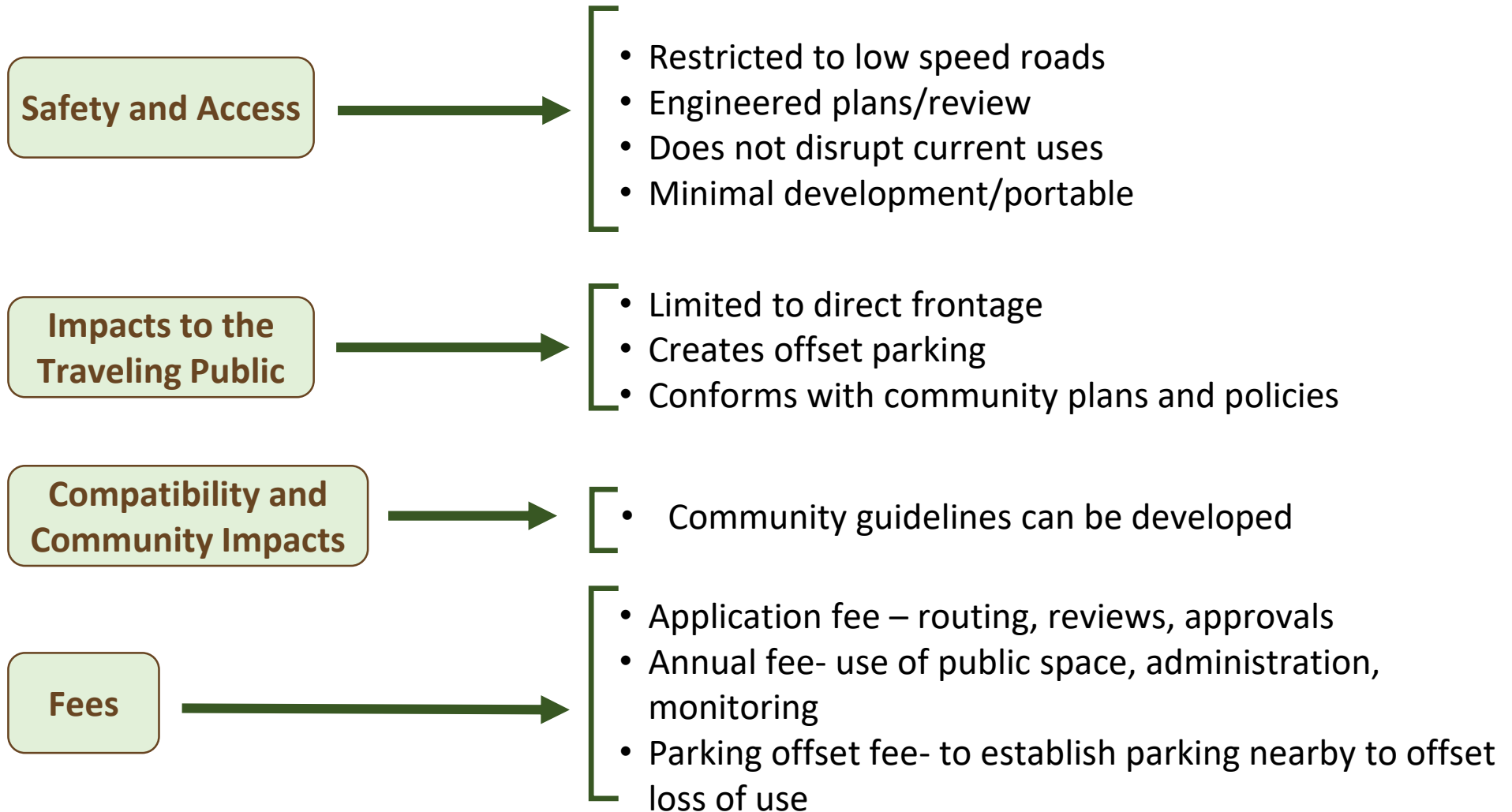
- Permit review and enforcement
- Loss of public space and parking

## FEES:

- Application review and approvals
- Ongoing monitoring
- Creating offset parking for lost spaces



# Summary





# Recommended Actions

- a) Approve the introduction (First Reading) of an Ordinance amending Santa Barbara County Code, Chapter 28-Roads, to allow permitting, regulation, and collection of fees for business operations encroaching on County road right-of-way, All Supervisorial Districts;
- b) Read the title of the Ordinance and waive further reading of the Ordinance in full; and
- c) Continue the item to the Administrative Agenda of May 7, 2024 (Second Reading) to consider the adoption of an Ordinance amending Santa Barbara County Code, Chapter 28 as follows:
  - i) Approve the adoption (Second Reading) of an Ordinance amending Santa Barbara County Code, Chapter 28-Roads, to allow permitting, regulation, and collection of fees for business operations encroaching in the County road right-of-way, All Supervisorial Districts;
  - ii) Determine that this action is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (c), as the proposed project(s) consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, and direct staff to file a Notice of Exemption on that basis.