

Recommended Urgency Ordinance

Delegating Authority To The County Road Commissioner

To Temporarily Restrict Parking

On County Roads Or Highways

During Proclaimed Local Emergency From COVID-19 Virus

To Reduce The Unhealthy Overcrowding Of Parking Areas

Enforceable By Santa Barbara County Sheriff's Office

Urgency Ordinance: Background

On May 12th, the Board unanimously directed County Counsel to draft an Urgency Ordinance that -- during the proclaimed Local Emergency from the COVID-19 virus -- would:

- Prevent the unhealthy overcrowding of parking areas as a result of a “lack of social distancing;” and
- Delegate authority to the County Road Commissioner to post temporary parking restrictions, including parking time limits, on affected roads and highways in the unincorporated County.

Urgency Ordinance: Authority

The recommended Urgency Ordinance is necessary for the immediate preservation of the public peace, health and safety, and would be in accordance with:

- Government Code § 8634 (Cal. Emergency Services Act)
- Proclaimed Santa Barbara County Local Emergency
- State and Federal COVID-19 Orders
- Government Code §§ 25123, 25131 (Urgency Ordinances)

Urgency Ordinance: Overview

- Delegates authority to the County Road Commissioner to post temporary parking restrictions on County roads and highways, to reduce unhealthy overcrowding of parking areas;
- Effective immediately* upon adoption, and remains in effect until Santa Barbara County Local Emergency is terminated;
- States mandatory decision factors for the Road Commissioner;
- Periodic reports preserve Board's oversight; and
- Enforceable by Santa Barbara County Sheriff's Office

Urgency Ordinance: Mandatory Decision Factors

When making decisions about temporary parking restrictions to reduce the unhealthy overcrowding of parking areas that would occur otherwise, the County Road Commissioner must:

1. Consider the **days, times, and locations** most impacted by **large crowds**;
2. Evaluate how temporary parking restrictions may **impact nearby neighborhoods**;
3. Consult with Sheriff's Office and CHP; and,
4. **Weigh any potential impact to coastal access against the necessity to preserve social distancing** requirements and slow the spread of the COVID-19 virus during the proclaimed Local Emergency from the COVID-19 virus.

Urgency Ordinance: Change #1 (Quick Fix)

28-123.2 Delegation of Authority During COVID-19 Pandemic.

(a) The Board of Supervisors hereby authorizes the Santa Barbara County Road Commissioner or their designee (“Road Commissioner”), during the proclaimed Santa Barbara County Local Emergency from the COVID-19 virus, to temporarily restrict or limit parking, including parking time limits, on portions of any county road or highway in order to reduce the unhealthy over-crowding of parking areas that would occur otherwise as a result of a lack of “social distancing” of at least six feet, so long **as** the County Road Commissioner in making that decision:

Urgency Ordinance: Change #2 (Effective date)

- Effective Date: Crafted originally to be effective immediately and stay in effect until Santa Barbara County Local Emergency is terminated;
- However, we recommend a slight modification to the effective date in the Coastal Zone, while we are waiting on further coordination with the California Coastal Commission

Coastal Commission's Executive Director recently issued a letter to public agencies, stating support for actions by public agencies related to COVID-19.

Urgency Ordinance: Change #2 (Effective Date)

28-123.5 Effective Date.

This urgency ordinance, sections 28-123.1 through 28-123.6, shall take effect and be in full force immediately upon adoption by at least a four-fifths vote of the Board of Supervisors pursuant to Government Code Section 25123, with the exception of in the Coastal Zone where it shall take effect and be in full force upon the issuance of a permit waiver by the California Coastal Commission Executive Director pursuant to Public Resources Code section 30611, and shall remain in effect until the proclaimed Santa Barbara County Local Emergency from the COVID-19 virus is terminated.

Recommended That The Board of Supervisors:

- Adopt an Urgency Ordinance amending Chapter 28 of the Santa Barbara County Code to add sections 28-123.1 through 28-123.6,* to delegate and authorize the County Road Commissioner to post temporary no parking restrictions, including parking time limits, on County roads and highways to prevent the unhealthy overcrowding of parking areas otherwise, during the COVID-19 pandemic and until the proclaimed Santa Barbara County Local Emergency from the COVID-19 virus is terminated;
- Read the title and waive further reading of the Urgency Ordinance;
- Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15269(c), 15060(c)(2) and 15060(c); and
- Waive the Notice of Exemption 6-day posting requirement for good cause pursuant to County CEQA Guidelines Section V.D.2.

Questions?