

ORDINANCE NO. 3460

**AN ORDINANCE AMENDING THE TRAFFIC REGULATIONS CODE AMENDING CHAPTER 15.70
OF THE COUNTY'S TRAFFIC REGULATIONS CODE BOOK, AND
ESTABLISHING LIMITED PARKING AREAS FOR THE TOWN OF LOS OSOS**

WHEREAS, Title 15 of the San Luis Obispo County Code establishes the County's Traffic Regulations Code; and

WHEREAS, Chapter 15.70 of the County's Traffic Regulations Code currently sets forth certain "limited parking areas" which, among other things, prohibits overnight camping in the Town of Avila Beach, the Town of Oceano, the Town of Cayucos, or on Lone Pine Road, Prefumo Canyon Road/See Canyon Road, San Luis Obispo Road – San Simeon Road, Stage Coach Road, Monterey Road, Cotton Creek Road, and on various public streets in the Sea Cliff Estates Area in the Town of Cambria, or at the County Veteran's Memorial Building; and

WHEREAS, by this Ordinance, the County desires to establish uniform rules regarding overnight camping in vehicles along coastal communities within the unincorporated area of the County; and

WHEREAS, the County finds that the use of County streets, rights of way and other similar property for overnight camping use is, especially when used on a long-term basis, inappropriate and incompatible with the intended purpose of such facilities (i.e. such use interferes with the public's ability to access such facilities on a daily basis); and

WHEREAS, the County further finds that overnight camping on County streets, rights of way and other similar property within the coastal communities, especially in areas near the coast line, impacts the ability of the public to access the coast for recreational purposes.

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: That the recitals above are true and correct and incorporated herein by this reference.

SECTION 2: The Board of Supervisors hereby finds that the adoption of this Ordinance is not a project under California Environmental Quality Act (CEQA), 14 CCR § 15378 because the Ordinance will not directly or indirectly result in a physical change in the environment.

The Ordinance simply establishes certain rules and regulations concerning the use of the County's public streets, rights of way and public property.

SECTION 3. The Traffic Regulations Code for the County of San Luis Obispo is hereby amended as shown on the attached Exhibit "A" by the addition of sections contained therein.

SECTION 4: If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this resolution. The Board of Supervisors hereby declares that it would have passed this resolution and each section, subsection, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5: This Ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 14th day of September, 2021, and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 28th day of September, 2021, by the following roll call vote, to wit:

AYES: Supervisors Bruce S. Gibson, Dawn Ortiz-Legg, John Peschong, Debbie Arnold and Chairperson Lynn Compton

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted on the 28th day of September, 2021.

Lynn Compton
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON
Ex-Officio Clerk of the Board of Supervisors

By: T'Ana Christiansen
Deputy Clerk

[SEAL]

Exhibit A

Amendments to the Traffic Regulations Code County of San Luis Obispo

The following sections in Chapter 15 of the County of San Luis Obispo's Traffic Regulations Code is hereby as follows:

15.70.040 The Town of Avila Beach and Avila Beach Drive for Overnight Camping, Living or Sleeping.

The Town of Avila Beach and Avila Beach Drive for Overnight Camping, Living or Sleeping. It is unlawful at any time from one-half hour after sunset to one-half hour before sunrise to park a vehicle on the public streets or alleys, including the rights-of-way and public parking lots in the town of Avila Beach and along Avila Beach Drive (County Road No. 2070) from its westerly terminus to the intersection with Route 101, for the purpose of allowing the occupants thereof to camp, live or sleep within the vehicle. For the purpose of this section, any motor vehicle parking during the time mentioned herein and which, (1) contains a person or persons sleeping therein, or (2) contains bedding arranged for the purpose of, or in such a way as will permit, the occupants thereof to remain overnight shall be deemed a violation of this section. Vehicles parked in violation of this section may be towed pursuant to Vehicle Code section 22651(n) and applicable law.

15.70.045 The Town of Oceano for Overnight Camping, Living or Sleeping.

The Town of Oceano for Overnight Camping, Living or Sleeping. It is unlawful at any time from one-half hour after sunset to one-half hour before sunrise to park a vehicle on the public streets or alleys, including the rights-of-way and public parking lots in the town of Oceano, for the purpose of allowing occupants thereof to camp, live or sleep within the vehicle. For the purpose of this section, any vehicle parking during the time mentioned herein and which, (1) contains a person or persons sleeping therein, or (2) contains bedding arranged for the purpose, or in such a way will permit the occupants thereof to remain shall be deemed a violation of this section. Vehicles parked in violation of this section may be towed pursuant to Vehicle Code section 22651(n) and applicable law.

15.70.123 The Town of Cayucos for Overnight Camping, Living or Sleeping.

The Town of Cayucos for Overnight Camping, Living or Sleeping. It is unlawful at any time from one-half hour after sunset to one-half hour before sunrise to park a vehicle on the public streets or alleys, including the rights-of-way and public parking lots in the town of Cayucos, and the entire length of Cabrillo Street (County Road No. 4240) for the purpose of allowing occupants thereof to camp, live or sleep within the vehicle. For the purpose of this section, any vehicle parking during the time mentioned herein and which, (1) contains a person or persons sleeping therein, or (2) contains bedding arranged for the purpose, or in such a way will permit the occupants thereof to remain shall be deemed a violation of this section. For the purpose of this regulation, the town of Cayucos is henceforth defined as the area within the official urban reserve line of Cayucos, described as the area bounded by State Route 1 to the north and east beginning at the westerly intersection of Ocean Avenue (County Road No. 4256) thence south to the southerly terminus of Studio Drive (County Road No. 4228)

and that area east of State Route 1 from and including Thirteenth Street (County Road No. 4239) to a parallel line one-quarter mile east of State Route 1 thence south to the southerly right of way line of Chaney Avenue (County Road No. 5302). Vehicles parked in violation of this section may be towed pursuant to Vehicle Code section 22651(n) and applicable law.

The following section is added to Chapter 15 of the San Luis Obispo County Traffic Regulations Code:

15.70.160 The Town of Los Osos for Overnight Camping, Living or Sleeping.

The Town of Los Osos for Overnight Camping, Living or Sleeping. It is unlawful at any time from one-half hour after sunset to one-half hour before sunrise to park a vehicle on the public streets or alleys, including the rights-of-way and public parking lots in the town of Los Osos for the purpose of allowing occupants thereof to camp, live or sleep within the vehicle. For the purpose of this section, any vehicle parking during the time mentioned herein and which, (1) contains a person or persons sleeping therein, or (2) contains bedding arranged for the purpose, or in such a way will permit the occupants thereof to remain shall be deemed a violation of this section. For the purpose of this regulation, the town of Los Osos is defined as the area within the official urban reserve line of Los Osos. Vehicles parked in violation of this section may be towed pursuant to Vehicle Code section 22651(n) and applicable law.