December 4, 2018

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

Dear Board Members:

SUBJECT: Ordinance Designating California Vehicle Code Enforcement on Certain Privately Owned or Non-County Maintained Roads in the Bolinas Mesa Area, Bolinas

RECOMMENDATION: 1) Conduct a Merit Hearing; and 2) adopt ordinance.

SUMMARY: The Community of Bolinas attracts tourists and other non-local Bay Area resident visitors to its shoreline. Access to the shoreline is provided from County maintained public roads. In the downtown area, two County maintained roads, Wharf Road and Brighton Avenue, provide access to Bolinas Beach. Visitor parking is limited to on-street parking within the road right-of-way, creating an overflow of visitors parking on surrounding non-County maintained or privately-owned roads. On the western side of Bolinas, Agate Beach Park provides shoreline access at the end of Elm Road, a County maintained road. This access point has limited off-street spaces and many visitors often park on surrounding privately owned and non-County maintained roads.

Bolinas residents have expressed concerns regarding public safety and access. Residents’ concerns include parked vehicles blocking driveways, obstructing through travel lanes, and being parked in excess of 72 hours. Although the above concerns are infractions of the California Vehicle Code (CVC), they cannot currently be enforced on many of the roads in Bolinas since most roads in Bolinas are non-County maintained roads.

California Vehicle Code section 21107.5 allows the Board of Supervisors to designate certain non-County maintained roads that are open to public use to be subject to the provisions of the CVC. The County Sheriff has stated that they will enforce the CVC on the non-County maintained roads in Bolinas, if these roads were designated for CVC enforcement by your Board. Since only the general provisions of the vehicle code, as described above, are proposed for enforcement, no additional signage would be required.
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Public Works staff coordinated with the Bolinas Community Public Utilities District (BCPUD) to identify a list of roads in Bolinas that would benefit from CVC enforcement. A total of 49 roads were identified for CVC enforcement and are listed in the ordinance.

The Bolinas Fire Protection District observed incidences where parked vehicles obstructed emergency access and egress and supports the proposed ordinance and its road designations for CVC enforcement. If the ordinance is adopted, parking availability for coastal access would be increased through the removal of abandoned vehicles and vehicles parked for more than 72 hours. The Marin County Deputy Zoning Administrator approved a Coastal Commission Permit on September 27, 2018. Staff recommends adoption of the ordinance to designate certain non-County-maintained roads in the Bolinas Mesa Area for CVC enforcement.

In addition, to be consistent with other Chapters in Title 15, the ordinance adds Chapter 15.60.010 (Penalties) and amends 15.33.020 and 15.26.030 to allow the fines for these Chapters to be established by resolution of the Board of Supervisors.

A first reading of the proposed ordinance was conducted on November 13, 2018. Notices of the public hearing were sent to residents along and/or adjacent to the designated roads.

**FISCAL IMPACT:** There is no net County cost impact to the General Fund by approving this action.

**REVIEWED BY:**  
[ ] County Administrator  
[ X ] Department of Finance  
[ ] County Counsel  
[ X ] Human Resources

Respectfully submitted,

Bob Goralka, P.E., T.E.  
Principal Civil Engineer

c: Robert Mota, Captain, CHP  
Mike Ridgway, Undersheriff  
David Augustus, MCSO  
Nina Snyder, Lieutenant, MCSO

Attachments: Proposed Ordinance