



Agenda Item 8A

Approvals:

City Manager PJH

Dept. Head [Signature]

Attorney JAG

Finance gr

AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: November 19, 2013

Department: Beaches, Parks & Recreation/Marine Safety Division
Prepared By: Bill Humphreys, Marine Safety Chief
Rod Mellott, Marine Safety Lieutenant

Subject: ***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 12.32.130 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE USE OF BICYCLES AND OTHER ACTIVITIES ON THE PIER, BEACH ACCESS ROAD AND BEACH TRAIL.***

Fiscal Impact: None.

Summary: At its September 17, 2013 meeting, the City Council directed staff to prepare an ordinance modifying the summer restrictions for bike riding on the Beach Trail, south of the pier, and return for approval. An ordinance to modify chapter 12.32.130 of the San Clemente Municipal Code related to bike riding on the beach has been prepared and reviewed by the City Attorney and is being presented tonight for City Council adoption.

Background: At the September 17, 2013 City Council meeting, staff presented a report describing options for reducing restrictions for bike riding on the Beach Trail south of the pier. Staff recommended reducing the bike walk zone to allow bike riding south of the wooden bridge at Trafalgar Canyon. Currently, bike riding is prohibited between the pier and the South T-Street railroad crossing during summer months. The staff report also contained a recommendation from the Beaches, Parks and Recreation Commission for no change to the current regulations. This recommendation was based on safety concerns because of the large crowds, number of vehicles, and potential intersections with the restrooms, T-Street overpass, and concession. After review and discussion, the City Council directed staff to modify the current ordinance to reduce the "bike walk zone" south of the pier, allowing bike riding south of the bridge at Trafalgar Canyon. The ordinance modifying chapter 12.32.130 of the San Clemente Municipal code is attached.

Discussion: Staff was also requested to evaluate the possibility of requiring bicycles to be equipped with bike bells. Staff researched the use and effectiveness of bike bells, as well as issues related to mandating their use via an ordinance. Staff presented the results of this research via a memorandum to Council. Staff's recommendation was to encourage the use of bike bells, but not to mandate them.

Recommended

Action: STAFF RECOMMENDS THAT the City Council introduce an ordinance entitled, /
ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE,
CALIFORNIA, AMENDING SECTION 12.32.130 OF THE SAN CLEMENTE
MUNICIPAL CODE RELATING TO THE USE OF BICYCLES AND OTHER
ACTIVITIES ON THE PIER, BEACH ACCESS ROAD AND BEACH TRAIL.

Attachments: An ordinance amending section 12.32.130 of the San Clemente Municipal Code

Notification: Beaches, Parks and Recreation Commission

S.A. J

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING SECTION 12.32.130 OF THE SAN CLEMENTE MUNICIPAL CODE RELATING TO THE USE OF BICYCLES AND OTHER ACTIVITIES ON THE PIER, BEACH ACCESS ROAD AND BEACH TRAIL

WHEREAS, Section 12.32.130 of the San Clemente Municipal Code generally prohibits bike riding on the pier, access road and portions of the beach trail that overlay on beach service road; and

WHEREAS, Section 12.32.130 of the Municipal Code permits the City Council to make modifications if the City Council determines that such modification will not be contrary to the public health, safety or welfare.

WHEREAS, The City Of San Clemente desires to increase the amount of area available for bicycle riding in that it is not contrary to public health, safety or welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 12.32.130 of the San Clemente Municipal Code, entitled "Cycling, skateboarding and similar activities on pier and access road," is hereby amended to read in its entirety as follows:

12.32.130 Cycling, skateboarding and similar activities on pier, access road and beach trail.

A. Prohibited Activities on Pier and Access Road.Except as provided below in Subsection (B) of this section, no person shall ride or permit to be ridden, drive, or permit to be driven, any bicycle, tricycle, skateboard, roller skates, or similar type device on the municipal pier, accesses to the pier, service roads, or beach access roads. In addition, no person shall throw any "frisbee" or other similar device on the municipal pier, accesses to the pier, service roads, or beach access roads.

B. Use of Bicycles on Beach Trail.Riding of bicycles is permitted on the Beach Trail, including those portions that overlay the beach service road, subject to the restrictions of this subsection B. Riding of bicycles on the Beach Trail is not permitted between the pier and the south end of the Trafalgar Canyon Bridge from June 15 through Labor Day. Riding of bicycles is not permitted on Mariposa Point Boardwalk, Riviera Beach Trail Bridge, Montalvo Beach Trail Bridge, or on the asphalt area extending north and south of the base of the pier at any time. Bicycle owners are permitted to walk their bicycles through restricted areas and at restricted times. Bicycles may be ridden at a

maximum speed of ten (10) mph on all portions of the Beach Trail. Reckless riding of bicycles is prohibited, and no person shall allow his or her bicycle to block or be left unattended on the Beach Trail at any time.

C. Modification.In the event of special circumstances so warranting, the City Council may by resolution modify the requirements established herein. Modifications by the City Council shall only be made if the City Council determines that such modification will not be contrary to the public health, safety or welfare.

SECTION 3. The City Clerk shall certify to the passage and adoption of this Ordinance and the same shall be noticed as required by law and shall take effect as provided by law.

APPROVED, ADOPTED and SIGNED this _____ day of _____, 2013.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

8A-5

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. _____ having been regularly introduced at the meeting of _____, 2013, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the _____ day of _____, 2013, and said ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM:

City Attorney