

Attachment A

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**Monterey County Board of Supervisors
September xx, 2018 - CONSENT**

..Title

Adopt a resolution approving County Park Project Review Process Guidelines for considering a proposed park development or improvement project brought forward as a gift, contribution or donation to the County.

..Report**RECOMMENDATION:**

Monterey County Parks Commission recommends that the Board of Supervisors adopt a resolution approving County Park Project Review Process Guidelines for considering a proposed park development or improvement project brought forward as a gift, contribution or donation to the County (**Attachment A – Draft Board Resolution**).

SUMMARY:

Staff has worked with the County Park Commission to outline a procedure that can be used for reviewing and considering a proposed park development or improvement project brought forward as a willing gift, contribution or donation to the County (**Attachment A1 - Park Project Review Guidelines**).

The goal is to embrace a willing donation or contribution to the park and allow for well planned, designed and developed public spaces. Guidelines have been developed to help determine if a proposed project is suitable as follows:

- 1) Identify potential impacts and the need to address them through special studies, evaluations, or reports.
- 2) Restrict a proposal from increasing existing uses above and beyond the current levels and capacity allowances unless such impacts have been analyzed, can be mitigated, are deemed necessary and justified.
- 3) Require a proposal to fit within the overall, existing character of the park and help to preserve the park's special resources.

Projects will be reviewed by the RMA (Parks) and other County Departments as appropriate (possibly the Development Review Committee), Parks Commission, and Planning Commission if required (CEQA, Entitlement). Large-scale proposals would be presented to the Board of Supervisors for consideration and direction.

This County Park Project Review is intended to be an open public process, with opportunity for public input and involvement. The Commissions and Board meetings are all public meetings.

The Park Commission has approved the County Park Project Review Guidelines and is recommending that your Board consider and approve this process to be used by RMA-Park staff when considering a proposed park development or improvement project brought forward by a project proponent or sponsor.

DISCUSSION:

Section 19.12.010 Monterey County Code requires applications for a subdivision to dedicate land or pay a fee for park and recreational facilities pursuant to the Quimby Act. From time-to-time an individual offers to voluntarily donate land to, or develop amenities in a County Park.

Currently, there is no policy or protocol established for processing a voluntary gift or contribution, and State law restricts local agencies from receiving donations. A Parks Foundation was formed as a non-profit entity separate from the County that can accept donations. Monterey County can request participation from the Foundation for qualifying park projects.

A proposed park development or improvement project brought forward as a willing gift, contribution or donation to the County would go through various steps to be considered for development, implementation and inclusion into the County park system. A summary of the process would consist of the following:

Submittal of Proposal - RMA-Parks Review

- All proposed projects shall be submitted to RMA-Parks.
- RMA-Parks staff will review the proposal and make an initial determination.
- If the proposal is deemed appropriate and approved at the department level, the willing community group, organization or partnering agency will be invited to submit a Park's Project Review Application¹ (**Attachment B – Application Form, Attachment C – Fee Waiver Form**), which initiates a more formal review and response.
- The department may refer the proposal to the Development Review Committee (DRC) for further review, analysis and direction from involved County Departments and partnering agencies.

Development Review Committee (DRC)

- DRC is a process the County uses to present concepts and receive feedback early in the prior to expending significant resources on technical studies and design with submittal of a formal (development) application. DRC intends to help provide direction for applicants to better understand what is needed and their next steps in the Review Process.

Park Commission Review and Recommendation

- RMA-Parks will use the information provided in the Park Project Review application to develop a staff report with a recommendation to the Parks Commission.
- The Parks Commission may act on the proposed project, direct the applicant to return with additional information, material or revisions, or forward a recommendation to the Board of Supervisors for consideration, additional direction and/or approval.
- Alternatively, the Parks Commission could deny the proposed project based on their findings that the project is not in compliance with existing plans, codes, ordinances or requirements, that there are significant impacts that may not be mitigated or the proposal does not fit within the overall character of the park facility.
- Depending on the proposed project and associated scope-of-work involved, the project may be required to go before the County Planning Commission if a land use entitlement is required or the project is subject to the California Environmental Quality Act (CEQA).

Planning Commission Review

- The Planning Commission is authorized to prepare and adopt a comprehensive, long-term, general plan for the physical development of the County, including powers (land use authority) prescribed by law.

¹ Park Project Review Application.

- A Parks proposed project may be required to go before the Planning Commission for consideration of a land use entitlement or CEQA analysis if the project serves an outside entity.
- Following this review, the project may be returned to staff with further direction, the Park Commission with a recommendation, or to the Board of Supervisors with a recommendation for consideration and/or action.

Board of Supervisors Consideration and Approval

- Once the proposed project has been reviewed and approved by RMA-Parks, DRC (if necessary), Park Commission, and/or Planning Commission (if necessary), a recommendation will be forwarded to the Board of Supervisors for formal consideration and approval.
- If the Board approves the project, they may be asked to provide further direction to RMA-Park staff, include the project in the Department's Work Program, and other departmental work programs (if necessary) and identify associated resources to implement the project. They may also provide direction to the project proponents or sponsors as well.
- Costs associated with proposed park improvements, brought forward by project proponents or sponsors, including yet not limited to the planning, design, development, special studies and reports, permitting fees, materials and labor, shall be at the expense of the willing individual, community group, organization, partnering agency, non-profit, or other entity, unless other agreements have been approved by the Board of Supervisors.
- If the project is approved, an Agreement between the County and project proponent or sponsor will be developed to clearly address the obligations and expectations for on-going maintenance, operations and financing. The Agreement would be presented to the Board of Supervisors for consideration and approval.
- The Board is the decision-making body, regardless of the recommendation. The Board may deny the proposed project based on the findings and determination that it is not in compliance with existing plans, codes, ordinances or requirements; that there are significant impacts that cannot be mitigated; that it does not fit within the overall character of the park, or if its determined that there is not enough public support for the proposed project.

OTHER AGENCY INVOLVEMENT:

RMA consults with the Office of the County Counsel on Park and land use related matters.

FINANCING:

As proposed, staff would not anticipate impact to the General Fund as a result of park projects brought forward as a willing gift, contribution or donation to the County. Costs associated with proposed park project shall be at the expense of the project proponent or sponsor unless the Board of Supervisors has approved other agreements. RMA-Parks or other County Departments may provide assistance, staff resources or other in-kind contributions as deemed appropriate, and agreed to by the Director of RMA and/or Board of Supervisors.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

These Guidelines represent a process for considering voluntary donations or contributions from outside parties to help provide Park improvements without adding cost to the County. Proposed projects might involve infrastructure improvements or renovations to a County Park facility,

such as an accessible hiking trail, sports field, playground, Barbeque area or area to be landscaped.

These improvements provide opportunities for healthy activities, for healthy lifestyle options to help reduce heart disease, stroke, diabetes, obesity and other chronic disease risk factors. This project also represents infrastructure improvements at county facilities. New improvements require compliance with ADA, therefore use of these improved facilities will provide opportunities to those with physical challenges. It's also believed that public safety will be enhanced because of well-planned and designed outdoor recreational amenities.

The recommended action supports the following Board of Supervisors' Strategic Initiatives:

- ☐ Economic Development
- ☐ Administration
- ☒ Health & Human Services
- ☒ Infrastructure
- ☒ Public Safety

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Approved by: John Dugan, RMA Land Use and Community Development Deputy Director

Approved by: Carl P. Holm, AICP, RMA Director

Dated: September xx, 2018

Attachment(s):

- A- Board Resolution, including:
 - 1. County Park Project Review Process Guidelines
- B- Application Form
- C- Fee Waiver Form