



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	18-589	Name:	
Type:	General Agenda Item	Status:	Agenda Ready
File created:	5/25/2018	In control:	Parks Commission
On agenda:	6/7/2018	Final action:	
Title:	a. Receive a report on the County Park Project Review process for proposed projects brought forward by proponents or sponsors as a willing gift, contribution or donation to the County; and b. Provide direction to staff.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Report		

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

- a. Receive a report on the County Park Project Review process for proposed projects brought forward by proponents or sponsors as a willing gift, contribution or donation to the County; and
- b. Provide direction to staff.

RECOMMENDATION:

It is recommended that the Parks Commissions:

- a. Receive a report on the County Park Project Review process for proposed projects brought forward by proponents or sponsors as a willing gift, contribution or donation to the County; and
- b. Provide direction to staff.

SUMMARY:

Staff has outlined 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, by a project proponent or sponsor (County Park Project Review). A project proponent or sponsor can be an individual, community group, organization, county department, partnering agency or an approved 501(c)3 non-profit, or other entity who is authorized to do business with the County. The proposed process is a general outline and will largely depend on the type of proposal submitted, the scope of work involved, and the associated opportunities and constraints.

The goal of the review process is to embrace a willing donation or contribution to the park, provide a framework for review, list the standard for review and allow for well planned, designed and developed public spaces. Three main findings help determine if a proposed project is suitable:

- 1) Complies with existing requirements, agreements, County General Plan, Use Permit, Park Master Plan, as applicable,

- 2) Impacts or intensifies the facility beyond current capacity, and
- 3) Provides the most appropriate use of public land in harmony with the desired or established park theme or character.

The idea of developing a process to consider and review proposed projects brought forward by proponents or sponsors was discussed at the September 2014 Park Commission meeting, where the Commission was seeking ways to be included in the review of proposed projects, especially those that would require a long-term Agreement. Staff worked with the Commission on the original draft version, which has been used to develop the current County Park Project Review process.

The County Park Project Review is intended to be an open public process, with opportunity for public input and involvement. The intent is to review and consider a proposal as well as “weed out” ill-conceived proposals before engaging significant staff time. Projects will be reviewed by the RMA-Parks Department and appropriate other County Departments (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. The Commissions and Board meetings are all public meetings.

DISCUSSION:

State law restricts local agencies from receiving donations. 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. In addition, a Parks Foundation was formed as a non-profit entity separate from the County that is able to accept donations. Monterey County has the ability to request participation from the Foundation for qualifying park projects. 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.

A proposed park project must go through various steps to be considered for development, implementation and inclusion into the County park system.

Submittal of Proposal - RMA-Parks Review

All proposed projects shall be submitted, in writing, to the RMA Director and Chief of Parks. The proposal should be well thought out and contain enough detailed information for a thorough review. The more information provided will result in a more complete review and analysis of the proposed project.

- RMA will review the proposal and make an initial determination. The Director may refer the proposal to the Development Review Committee (DRC) for further review, analysis and direction from involved County Departments and partnering agencies. A response will be provided within thirty (30) days from the date of the application. Staff may request additional information or material, ask for clarifications, or call for a meeting. In certain cases, the Director could provide an approval of the proposal, based on the findings made.

- If the Director deems the proposal 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 Application, which initiates a more formal review. The proposed project would next be presented to the County's Parks Commission for a (preliminary) review, comments, input and direction.
- If the Director deems the proposal is not appropriate, the proposal can be revised and resubmitted or the proponent can request that the proposal be considered by the Parks Commission.

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 affords the applicant and their design team an opportunity to have an open dialog with staff from applicable land use agencies (internal and external to County), but it is not a public meeting. DRC intends to help provide direction for applicants to better understand what is needed and their next steps in the Review Process. A summary of the DRC discussion is provided to the applicant following the meeting.

Park Commission Review and Recommendation

The Parks Commission is responsible for acting in an advisory capacity to the County Board of Supervisors in promoting, aiding, encouraging and conducting a public parks program, including the development of recreational and park facilities. The Parks Commission meetings are open to the public and duly noticed as per the requirements of the Brown Act. There is an opportunity for public comment at these meetings.

- RMA-Parks will use the information provided in the (Park Project Review) application to develop a staff report with a recommendation and schedule the item for the next available Parks Commission meeting, as determined by the RMA Director. The time frame for taking a proposal to the Parks Commission depends on the submittal of a complete application, the Parks Commission meeting schedule and a final determination by the Director.
- The Parks Commission may take action on the proposed project, direct the applicant to return with additional information, material or revisions, forward a recommendation to the Board of Supervisors for a formal approval and inclusion into the Parks Department Work Program. 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).

The proposed project requires a final review and recommendation by the Parks Commission to the Board of Supervisors.

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. For land use legislative actions, the Planning Commission acts in an advisory capacity to the County Board of Supervisors. County does not need to grant itself entitlements on its own land. However, 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.
- The Board is the decision-making body and 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.
- 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.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

Park projects brought forward as a willing gift, contribution or donation to the County, would not be anticipated to impact the General Fund. 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:

This project represents 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
- X Health & Human Services
- X Infrastructure
- X Public Safety

Prepared by: John Akeman, Parks Planning Manager, (831) 755-4911

Approved by: John Dugan, RMA Land Use and Community Development Deputy Director
Carl P. Holm, AICP, RMA Director

Approved by:

Dated: May 30, 2018