



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning & Development
Department Nos.: 053,052
For Agenda Of: April 9, 2013
Placement: Departmental
Estimated Tme: 30 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn S. Russell, Ph.D., Planning & Development (805) 568-2085
Director(s) Herman Parker, Community Services (805) 568-2467
Contact Info: Brian A. Tetley, (P&D) (805) 884-6848
Claude Garciacelay, (Parks) (805) 568-2469
SUBJECT: Consideration of Acceptance of an Irrevocable Offer to Dedicate Public Access Easements: Hollister Ranch, Third District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors either:

1. Adopt the attached Resolution to accept an Irrevocable Offer to Dedicate public access easements in the Hollister Ranch area of unincorporated Santa Barbara County; or
2. Decline to accept the Irrevocable Offer to Dedicate public access easements in the Hollister Ranch area of unincorporated Santa Barbara County.

Summary Text:

A recorded Irrevocable Offer to Dedicate (OTD) public coastal beach access within Hollister Ranch states it will become revocable after April 28, 2013. The OTD may be accepted by the County or another public agency or private association acceptable to the Director of the Coastal Commission. The OTD is the result of a condition of approval of State Coastal Development Permit (CDP No. 309-05) for the uncompleted YMCA Ocean Center and Camp project. The OTD involves the following public access easements within Hollister Ranch:

1. Lateral access for public passive recreation between the high tide line and the bluff along a 3,300 foot long shoreline that is located 3.5 miles west of Gaviota State Park;
2. Lateral access for the public to pass along a bluff top coastal trail along the bluff top when the beach access discussed above is restricted due to high tide or storm conditions; and
3. Access along Rancho Real Road for operation of a transit system, subject to certain restrictions, from Gaviota State Park and use of a vertical foot path to the beach.

The County may, but is not required to, accept the OTD. The details regarding the Offer to Dedicate are included in Attachment A.

Acceptance of the OTD by the County would allow the County to consider planning for the opening of this portion of the shoreline to public access at some point in the future, in furtherance of the Local Coastal Plan's coastal access policies. The OTD includes a number of conditions which must be met before making the access easements available to the public. These conditions would require substantial initial and ongoing funding. For example, public access is required to occur through operation of a transit system originating at the Gaviota State Park parking lot. Prior to operation of the transit system, a transit operation plan must be developed in conjunction with the Executive Director of the California Coastal Commission (CCC), addressing fees covering costs, hours of operation, and balancing recreational needs, habitat protection, and education regarding appropriate use of the beach.

In the event the OTD is not accepted by the County, CCC staff has indicated that the State Coastal Conservancy (Conservancy) would be required to accept the OTD. Public Resources Code Section 31402.2 requires the Conservancy to accept any outstanding OTD that has not been accepted by another public agency or nonprofit organization within 90 days of its expiration date. The Conservancy Board has delegated authority to accept OTDs to the Conservancy Executive Officer. Procedurally, the Conservancy Executive Officer would sign the Certificate of Acceptance and the Conservancy would take title to the property interests. In terms of timing, the Conservancy indicates it would take place sometime between April 9 and the expiration date. Your Board may choose to decline to accept the easements so the Coastal Conservancy may accept the easements, which may be better funded to meet the requirements of the OTD.

Background:

On June 23, 1980, the Board approved a Conditional Use Permit (78-CP-83) for a YMCA Camp in the Hollister Ranch area. Subsequent to the Board approval, the CCC approved Coastal Development Permit (CDP) No. 82-309 for the project. A condition of approval of the CDP required the recordation of an Irrevocable Offer to Dedicate public access easements that was recorded on April 28, 1982. The OTD may be accepted by either the County or by a public agency or private organization acceptable to the Executive Director of the CCC. By its own terms, the OTD is irrevocable until April 28, 2013.

The CCC found that the project did not have any significant adverse environmental impact. Acceptance of the irrevocable OTD was a foreseeable implementation of the project approved in 1980. Acceptance by your Board does not require further environmental review.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Staff estimates the initial cost of operating the easement to the public to be \$150,000 and estimates annual maintenance costs to be \$117,980 per year, as further detailed in Attachment F. Any decision to open the public access improvements would be dependent on identification of adequate funding.

Staffing Impacts:

Legal Positions:

0

FTEs:

0

Special Instructions:

After Board action, distribute as follows:

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| 1. | Copy of Original Document | Clerk of the Board Files |
| 2. | Original Doc. & Minute Order | General Services, Attn: Ronn Carlentine |
| 3. | Copy of Original Doc.
& Minute Order | Parks Dept., Attn: Claude Garciacelay |
| 4. | Copy of Original Doc.
& Minute Order | Planning & Development, Attn: Brian A. Tetley |

NOTE: General Services will record the original Resolution. A copy of the recorded Resolution will be delivered to the Clerk of the Board's office.

Attachments:

Attachment A – Offer to Dedicate with Exhibits

Attachment B – Resolution

Attachment C – Assessor's Parcel Map

Attachment D – Vicinity Aerial Photo/Map

Attachment E – Site Aerial Photo

Attachment F – Draft Budget

Authored by:

Brian A. Tetley, (P&D) (805) 884-6848

cc: