

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ Day _____, 2014

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION ACCEPTING A PUBLIC TRAIL EASEMENT OFFER
OF DEDICATION TO THE COUNTY OF SAN LUIS OBISPO**

The following resolution is hereby offered and read:

WHEREAS, the public trail easement identified on Tract Map 2750 was offered to the County of San Luis Obispo as a condition of approval for the tentative tract map (“the Project”); and

WHEREAS, the location of the public trail offer is within the unincorporated area of the County of San Luis Obispo; and

WHEREAS, the trail easement identified on Tract Map 2750 would provide an unimproved nonexclusive public trail easement to San Luis Obispo County; and

WHEREAS, the acceptance of the offer of dedication is in the public interest; and

WHEREAS, no public access is planned for this public trail easement until the easement is improved with a trail and the County Director of Parks and Recreation or the Board of Supervisors officially opens the trail to the public consistent with the County’s Park Ordinance, Title 11, Chapter 11.04.020(e)(9); and

WHEREAS, the County’s maintenance and liability expenses are anticipated to be minimal; and

WHEREAS, an environmental determination was prepared for the Project, all in accordance with the requirements of the California Environmental Act of 1970, together

with state and local guidelines implementing said Act, all as amended to date (collectively, "CEQA"); and

WHEREAS, local CEQA Guidelines adopted by the Board of Supervisors pursuant to Section 21082 of the Public Resources Code designate the Environmental Coordinator as the person who makes environmental determinations and recommendations pursuant to CEQA; and

WHEREAS, based upon the Environmental Coordinator's recommendation that accepting the public trail easement as part of the Project would not have a significant effect on the environment, the San Luis Obispo County Subdivision Review Board considered and adopted a Mitigated Negative Declaration for the Project on October 12, 2006; and

WHEREAS, San Luis Obispo County's Parks and Recreation Element provides that public trail offers may be timely accepted by the Board of Supervisors for the benefit of the public.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That pursuant to CEQA, accepting this public trail offer into the County's Public Trail Inventory was considered as part of the Project's Mitigated Negative Declaration, which sufficiently analyzed the Project and concluded there were no significant unavoidable impacts; and

2. That the offer of dedication of the public trail easement as described in the Project's conditions of approval and as shown on Tract Map 2750 as filed in Book ____ of Maps at Pages ____ through _____, inclusive, in the Office of the County Recorder is hereby accepted by the Board of Supervisors as part of the County's public trail easement system; and

3. This public trail easement is not open to the public until the Director of the County Parks and Recreation Department or the Board of Supervisors officially opens it; and

4. This Resolution shall become effective immediately upon passage and its

Adoption by the Board of Supervisors; and

5. The County Clerk-Recorder is authorized and instructed to record a copy of the signed resolution in the Office of the County Clerk-Recorder of the County of San Luis Obispo; and

6. Said offer of dedication is offered by: Arciero and Sons, a California Corporation.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: Sharon G. Matuszewicz
Deputy County Counsel

Dated: November 20, 2014

