

COASTAL CONSERVANCY

Staff Recommendation
December 6, 2018

CAYUCOS ACCESSWAY

Project No. 18-021-01
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$75,000 to the County of San Luis Obispo for reconstruction of a beach accessway, including a stairway, in the town of Cayucos.

LOCATION: Pacific Avenue, between First and Second Streets, Cayucos, in northern San Luis Obispo County (Exhibit 1).

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Photos of Existing Accessway Conditions](#)
- Exhibit 3: [Site Plans](#)
- Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400, *et. seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed seventy five thousand dollars (\$75,000) to the County of San Luis Obispo (County) for reconstruction of a beach accessway, including a stairway, in the town of Cayucos. Prior to the disbursement of funds for construction of the project, the County shall submit for the review and approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. Evidence that the County has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
2. A final work program, including final construction drawings, a final budget, schedule, and names of any contractors and subcontractors to be employed for these tasks.

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3. Signing plans for the project acknowledging Conservancy participation and for signing all existing Coastal Trail segments under the County's jurisdiction with the Conservancy's Coastal Trail emblem.

In addition, to the extent appropriate, the County shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development' and the requirements of all applicable federal and state laws governing barrier-free access for persons with disabilities into the project."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding public access and will serve more than local public needs.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.

PROJECT SUMMARY:

Staff recommends disbursement of up to \$75,000 to the County of San Luis Obispo for reconstruction of a beach accessway in the town of Cayucos in northern San Luis Obispo County.

The beaches in and around Cayucos are highly popular destinations for visitors to the central coast region, and the Conservancy has a long history of actively supporting the county's commitment to develop access to and along its beaches. The stairway between First and Second Avenues leads to the south end of the Cayucos's downtown beach area. Built over thirty years ago, the largely wooden stairway began to deteriorate and has been closed to the public for the past year due to the public safety risk (Exhibit 2).

The new accessway will include a resurfaced parking area, trash cans, signage, bike rack and "mutt-mitt" station (Exhibit 3). A blufftop path will extend from the entrance to an overlook with two benches. The path and overlook will meet American with Disabilities Act ("ADA") standards. From the overlook a new concrete stairway descending to a sandy beach will meet current building and safety standards, with proper tread height and widths, landings, and handrails. The foundation at base of the stairway will include pilings that extend five or more feet into bedrock to maximize its lifespan.

In addition to the proposed Conservancy funding, the County has secured \$73,000 in Coastal Commission in-lieu funds stemming from a nearby private development that impacted public access. The County will also be providing match funds from its general fund (see the Project Financing Section below).

Site Description: Owned and managed by the County of San Luis Obispo, the accessway is fronted by Cayucos State Beach and is one third of a mile south of the Cayucos Pier within the residential neighborhoods of central Cayucos, an unincorporated town in northern San Luis Obispo County (Exhibit 1). Morro Strand State Beach is immediately adjacent to and south of Cayucos State Beach, and together these two state beaches offer over four miles of contiguous

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sandy beach stretching from the Cayucos Pier south to “The Rock” at the mouth of the Morro Bay Harbor. The overlook and stairway feature panoramic vistas of Estero Bay and the open ocean, and will be served by plentiful on-street parking and garbage pick-up.

Grantee Qualifications: The County of San Luis Obispo has done an excellent job constructing, managing and maintaining their system of public accessways in the project region. The County has a long history of working with the Conservancy on a wide variety of coastal access projects, including construction and reconstruction of numerous beach access stairways in Cayucos as well as the Cayucos Pier that underwent a multi-million dollar renovation completed in 2016 with Conservancy match funding.

Project History: In the 1980’s the Conservancy provided \$97,000 to the county for the construction of ten new coastal accessways in Cayucos. Over the decades the structural integrity of some of these stairways degraded significantly, and in 2007 the Conservancy provided funds to replace one of these stairways and repair another. In 2017 County staff and officials contacted Conservancy staff to request match funds for the subject accessway. Final plans were completed and a coastal permit approved in the fall of 2018.

PROJECT FINANCING

Coastal Conservancy	\$75,000
County of San Luis Obispo	\$102,000
Coastal Commission in-lieu fee	<u>\$73,000</u>
Project Total	\$250,000

Conservancy funds for this project are expected to derive from an appropriation to the Conservancy from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12, Public Resources Code Section 5096.300 et seq.). Proposition 12 funds appropriated to the Conservancy may be used for projects that are consistent with Division 21 of the Public Resources Code and involve the acquisition from a willing seller, preservation, restoration, or enhancement of real property in coastal areas and watersheds or the development of public use facilities. Public Resources Code Section 5096.352(c)(3) directs that a portion of Proposition 12 funds be used by the Conservancy specifically for projects, including those that develop public accessways, in Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara Counties. Consistent with Proposition 12, and specifically Section 5096.352(c)(3) the proposed project consists of development of public use facilities in a public accessway in San Luis Obispo County pursuant to Chapter 9 of Division 21 of the Public Resources Code.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Section 31400 *et seq.*) regarding a System of Public Accessways. Section 31400 states that it is the intent of the Legislature that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state’s coastline. Section 31400.1 authorizes the Conservancy to provide grants to public entities or non-profit

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organizations to develop, operate and manage lands for access to and along the coast. For grants to local agencies, the subject accessway must serve more than local public needs.

Section 31400.2 requires the Conservancy to consider certain factors in determining the amount of funding for an access project. Consistent with Section 31400.2, the amount of funding recommended to be provided by the Conservancy is based on the total amount of funding available for coastal public accessway projects, the fiscal resources of the applicant, the urgency of the project relative to other eligible projects, and consideration of the Conservancy's Project Selection Criteria (See Consistency with Conservancy's Project Selection Criteria & Guidelines).

Section 31400.3 authorizes the Conservancy to "provide such assistance as is required to aid public agencies and non-profit organizations in establishing a system of public coastal accessways...". The proposed authorization is consistent with all of these sections because Conservancy funds will be granted to a public entity, the County of San Luis Obispo, to develop a beach access stairway and related accessway facilities in a coastal accessway that has been closed to the public due to the dilapidated condition of the existing stairway. Further, because Cayucos State Beaches serves many visitors to the central coast region, the proposed project will serve more than local public needs.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

Standard No. 1, Protect Public and Coastal Resources: Consistent with Standard No. 1, the proposed accessway is located where it can safely accommodate public use and will be designed to minimize alteration of natural landforms and be subordinate to the setting's character.

Standard No. 8, Trails: The proposed accessway will provide public access with appropriate surface materials, and adequate drainage.

Standard No. 9, Scenic Overlooks: The project includes an overlook and will be accessible to those with physical disabilities.

Standard No. 12, Support Facilities: The project will provide support facilities, including adequate parking, signs, trash receptacles, and benches.

Standard No. 13, Barrier-Free: The project will be accessible to those with physical disabilities.

CONSISTENCY WITH CONSERVANCY'S 2018 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 2, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the project will enhance opportunities for access for people with disabilities to and along the coast.

Consistent with **Goal 2, Objective D** of the Conservancy's 2018-2022 Strategic Plan Open, the project will entail the reconstruction of a dilapidated and unsafe facility to increase and enhance coastal recreational opportunities and enable people to enjoy natural, cultural, and historical resources.

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CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Promotion and implementation of state plans and policies:** By developing a public shoreline access facility the project serves to promote and implement state Coastal Act policies as follows:
 - **Coastal Act (1976), Public Resources Code Section 30210** on public access and recreation calls for "maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse," and Section 30214 calls for public access and recreation "tak[ing] into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case. . .". The proposed project is consistent with this section in that it will provide safe public access to the state beaches of Cayucos while protecting private property owner rights and natural resource areas from overuse. The County of San Luis Obispo will be responsible for posting and operating the accessway in a manner that is consistent with this section.
4. **Support of the public:** The project has broad support of the public, public agencies and elected officials as demonstrated by the letters attached as Exhibit 4.
5. **Location:** The proposed project is located within the coastal zone of San Luis Obispo County.
6. **Need:** Conservancy funding is needed to match the funding provided by the grantee in order to reestablish beach access.
7. **Greater-than-local interest:** The proposed projects would serve residents from throughout San Luis Obispo County as well as visitors traveling to and along the central coast who travel to the popular State Park beaches and pier fronting the town of Cayucos.
8. **Sea level rise vulnerability:** The base of the stairway will be located approximately ten feet above the mean high tide line while the top of the accessway is roughly 25 feet above the toe of the bluff. The stairway will be constructed with concrete to better withstand wave run up and storm surge, and the foundation at the base of the stairway will include concrete and steel pilings extending five or more feet into bedrock.

Additional Criteria

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9. **Leverage:** See the “Project Financing” section above.
10. **Readiness:** The grantee will be ready to begin construction of the project in early 2019 pending Conservancy approval of the grant request.
11. **Realization of prior Conservancy goals:** “See “Project History” above.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES

The project is consistent with the County of San Luis Obispo’s Estero Planning Area Local Coastal Plan Land Use Element certified by the Coastal Commission on February 25, 1988 (and revised January 7, 2009 and certified by the Coastal Commission) which recommends the development of public shoreline access facilities in the project area. Specifically, Chapter 4, Cayucos Land Use Policy B.2 Cayucos Recreation, states the County is to “Develop and maintain accepted beach access ways for safe, public use.”

COMPLIANCE WITH CEQA:

Staff has reviewed the project description and Notice of Exemption prepared for the project by the County of San Luis Obispo and determined that the project is categorically exempt from the California Environmental Quality Act under 14 Cal. Code of Regulations Section 15302 regarding Replacement or Reconstruction of structures and facilities. Specifically, Section 15302 exempts “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced”. The subject stairway and related accessway facilities will be reconstructed on the same site as the previous accessway and will have substantially the same purpose and capacity as the replaced accessway. Upon approval, staff will file a Notice of Exemption.