

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL

FROM: JASON NUTT, DIRECTOR OF TRANSPORTATION & PUBLIC WORKS

SUBJECT: DESIGNATION OF A RECREATIONAL TRAIL ACROSS THE OAKMONT TREATMENT PLANT PROPERTY

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Transportation & Public Works and Santa Rosa Water Departments, that the Council, by resolution, designate a recreational trail across the Oakmont Treatment Plant property and direct staff to discuss the acquisition of a public bicycle and pedestrian easement from the Oakmont Village Association over their property immediately to the east to provide continuous public access between Channel Drive and Stone Bridge Road.

EXECUTIVE SUMMARY

The Transportation and Public Works and Santa Rosa Water Departments have been working collaboratively to address requests to formalize a bicycle and pedestrian access across the Oakmont Treatment Plant property connecting Channel Drive and Stone Bridge Road. The Oakmont Village Association (OVA) has determined it is in the best interest of their residents to construct a pathway across their property located immediately to the north of the Oakmont Treatment Plant as the connection between the Oakmont Treatment Plant and Stone Bridge Drive. In addition, the OVA has conceptually agreed to discuss the providing a public access easement that would encompass their newly constructed pathway for the purpose of allowing both bicycles and pedestrians to cross between Channel Drive and Stone Bridge Road.

BACKGROUND

There are three properties laying between Channel Drive and Stone Bridge Road; the Oakmont Treatment Plant, Oakmont Village Association and the Oakmont RV storage facility owned by Brad Benson. The Oakmont Treatment Plant is accessed via a paved service road across Mr. Benson's property to the west of the RV storage facility, but

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utilizes the same driveway approach onto Stone Bridge Drive. Within the last two years, Mr. Benson has constructed a caretaker's home along the service road.

The City has discussed obtaining a public access easement over the Oakmont Treatment Plan service road that crosses Mr. Benson's property. While Mr. Benson was open to the possibility in prior years, he has since concluded that having a public access easement across his property is not in his best interest and closed further discussion.

In 2016, Mr. Benson posted "No Trespassing" signage at both ends of the service road advising the public that they must have permission to cross his property. In response to Mr. Benson's actions, the Oakmont Village Association has developed a plan to construct a pathway along their property immediately to the west of the service road to ensure that their residents continue to have access to Annadel State Park.

PRIOR CITY COUNCIL REVIEW

Council adopted the 2010 Bicycle and Pedestrian Master Plan (BPMP) on February 15, 2011, which designates Routes 231 along Channel Drive and through the Wild Oak community (Attachment 2 – Route 231 description & map).

Council adopted the Citywide Creek Master Plan on August 27, 2013, which designates the service bridge associated with the Oakmont Treatment Plan crossing Oakmont Creek as an "existing trail bridge" (Attachment 3 – Santa Rosa Creek 1).

Council entered into a settlement with Wild Oak on November 14, 2016 associated with the pathway through their community and agreed to eliminate Route 231 from the BPMP associated with bicycle access.

ANALYSIS

The Oakmont Village Association (OVA) has notified the City that they have developed a pathway across their property located immediately north of the Oakmont Treatment Plant, running parallel to the service road across Mr. Benson's property. The pathway is approximately five-feet wide and surfaced with decomposed granite. It connects Stone Bridge Road to the north with the Oakmont Treatment Plant property to the south and provide a connection for Oakmont residents to enjoy Annadel State Park without having to trespass on Mr. Benson's property. The OVA has also conceptually agreed to discuss allowing a public access easement to be established over their property and new pathway for the benefit of general public bicycle and pedestrian access. Staff would begin this dialog and negotiations with the OVA once the Council has declared its intent to designate the existing trail connecting Channel Drive and Stone Bridge Drive a recreational trail.

Due to the regular public use of the existing service bridge by both pedestrians and bicyclists, and the growing interest by the public in having the City formalize the public access, Santa Rosa Water retained Structural Design Group of Santa Rosa to perform a

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structural review of the bridge. This 2015 evaluation determined that the bridge is in fair condition with no major structural deficiencies that would prohibit continued use by pedestrians and bicyclists. There are a number of recommendations associated with specific aspects of the bridge, such as painting the decking and modifying the hand railing to improve conditions, increase the longevity of the bridge and to bring the bridge into full compliance with the California Building Code.

In November 2016, staff retained a certified access specialist to evaluate the trail conditions for compliance with the Federal American's with Disabilities Act. It was concluded that no significant changes were required to designate the recreational trail for public use; however, the City would be required to identify the trail in the City's transition plan with a defined timeline to bring the facilities into full compliance.

California Government Code Section 831.4 provides absolute protection to public landowners from lawsuits filed by persons using public trails designated for recreational purposes. In enacting section 831.4, the Legislature expressed a clear policy to permit the use of available recreational property, both public and private, without placing the burden and expense of altering the property or defending claims for injuries on the landowner. There are similar protections associated with private landowners per Civil Code Section 846 that would protect the OVA and Mr. Benson should the designated recreational use eventually cross either of their properties.

FISCAL IMPACT

The structural review of the service bridge identified a number of recommendations. Staff has not fully evaluated the cost implication of implementing these recommendations; however, it is anticipated that the work can be completed within the departmental operating budgets.

There may be a cost associated with the acquisition of a public access easement from the Oakmont Village Association. This has not yet been determined.

Formally designating this access as a recreational trail will require that the City bring it into full compliance with the Federal American's with Disabilities Act as part of the transition plan. This cost is currently unknown, but will come back to the Council as a Capital Improvement Program project in the future.

ENVIRONMENTAL IMPACT

The act of designating a recreational trail and obtaining a public access easement over an existing pathway is Categorical Exempt under Section 15301 of the California Environmental Quality Act Guidelines.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

The Bicycle and Pedestrian Advisory Board (BPAB) has begun discussing alternative routing options to connect Annadel State Park, Spring Lake Regional Park, Oakmont and SR-12. While they continue to discuss long-term connections, they have determined that a local connection at the Oakmont Treatment Plant is appropriate and should be formalized.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 - Site Map
- Attachment 2 - Bicycle & Pedestrian Master Plan, Route 231 map and description
- Attachment 3 - Santa Rosa Citywide Creek Master Plan, Santa Rosa Creek 1 map
- Resolution

CONTACT

Jason Nutt, Director of Transportation & Public Works