AGENDA STAFF REPORT

Control: 26001961

MEETING DATE:	11/17/2026
LEGAL ENTITY TAKING ACTION:	Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S):	All Districts
SUBMITTING AGENCY/DEPARTMENT:	OC Community Resources
DEPARTMENT CONTACT PERSON(S):	Dylan Wright, 714-480-2788 Pam Passow, 714-973-6650

SUBJECT: Adopt OC Parks Proposed Fee Schedule and Camping Stay Limits

CEO CONCUR	**COUNTY COUNSEL REVIEW**	**CLERK OF THE BOARD**
Concur	Approve resolution to form	PUBLIC HEARINGS 3 Votes Board Majority

Budgeted: No	**Current Year Cost:** N/A	**Annual Cost:** N/A
Staffing Impact: No		**Sole Source:** No
Current Fiscal Year Revenue: See Financial Impact Section	**Funding Source:** N/A	**County Audit in Last 3 years:** No
Levine Act Review Completed? N/A		

Prior Board Action: 12/6/2022 #27, 8/20/2013 #27, 12/7/2010 #38, 9/28/2010 #25

RECOMMENDED ACTION(S):

1. Conduct a public hearing.
2. Find that the subject project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of the CEQA Guidelines as the establishment or modification, structuring, restructuring or approval of rates, tolls, fares and other charges by a public agency which are for the purposes of meeting operating expenses, including employee wage rates and fringe benefits, purchasing or leasing supplies, equipment, or materials as set forth herein. In addition, find that the project is categorically exempt from CEQA, Class 1 (Existing Facilities) pursuant to CEQA Guidelines Section 15301.
3. Adopt a resolution that:
    a. Adopts a revised fee schedule for OC Parks, which is attached hereto as Attachment A.
    b. Finds that the proposed fee schedule does not fall within the definition of a "Tax" under Proposition 26 because it is excepted by California Constitution Article XIII C, Section 1, Subdivision (e)(1), (2), and (4).

c. Finds that revenue resulting from the proposed fees will not exceed the estimated reasonable cost of providing the services for which the fees are levied, and that the fees are not levied for general revenue purposes.
d. Supersedes County of Orange Board of Supervisors Resolution No. 91-770B to the extent that the permit fees are updated in the revised fee schedule for OC Parks, which is attached hereto as Attachment A.
e. Supersedes County of Orange Board of Supervisors Resolution No. 98-432 to the extent that the permit fees are updated in the revised fee schedule for OC Parks, which is attached hereto as Attachment A.
f. Rescinds County of Orange Board of Supervisors Resolution Nos. 13-084 and 22-148 in their entirety.

4. Adopt a resolution that limits the number of nights an individual may stay overnight at an OC Parks camping facility to a maximum of 30 nights in a calendar year, with no stay exceeding 14 consecutive nights.

SUMMARY:

Adoption of the revised OC Parks fee schedule and the resolution limiting overnight stays at camping facilities will enhance cost recovery efforts, provide a modernized fee framework that better aligns with current operational practices, and preserve equitable public access to OC Parks facilities and programs.

BACKGROUND INFORMATION:

OC Community Resources/OC Parks (OCCR/OC Parks) manages nearly 60,000 acres of County parkland comprised of a variety of open space, park, historical and coastal facilities; 150 miles of paved bikeways; and 350 miles of unpaved riding and hiking trails. OCCR/OC Parks is committed to being a responsible steward of the resources it manages and to ensuring that parks remain open, safe, and well-maintained for the public to enjoy. Updating Park fees helps support the long-term sustainability of park operations and OC Parks' ability to continue providing high-quality services to the public.

Fee Schedule Update

On December 7, 2010, via Resolution No. 10-198, the Board of Supervisors (Board) approved and adopted a fee schedule, effective January 1, 2011 (2011 Fee Schedule).

On August 20, 2013, via Resolution No. 13-084, the Board approved and adopted a revised OC Parks Fee Schedule (2013 Fee Schedule), which amended language pertaining to the Alcoholic Beverage Service Fee and added Tri-City Regional Park to the list of locations approved for alcoholic beverage service. No changes were made to the other fees adopted in the 2011 Fee Schedule.

On December 6, 2022, the Board approved and adopted the current OC Parks Fee Schedule (Fee Schedule), which added one additional fee, an accession fee charged to third parties for transferring archaeological and paleontological material to OCCR/OC Parks for incorporation into its collection. This fee was designed to offset costs associated with the long-term storage and curation of archaeological and paleontological materials. Aside from the addition of this fee, the other fees remained unchanged since the 2011 Fee Schedule.

OCCR/OC Parks approached the current fee study with three overarching goals: support cost recovery for ongoing stewardship and maintenance of park assets, streamline fees to align with current operational

practices, and keep access affordable. Proposed fee updates were informed by a market survey of comparables from neighboring jurisdictions and for a selection of fees, a cost recovery analysis was performed by Auditor-Controller. The resulting Proposed Fee Schedule is more streamlined, than the current Fee Schedule to better align with current operation and improve clarity, with proposed fees set at or below market averages The complete list of changes is included in Attachment D Fee Comparison.

Below is a summary of notable changes in the Proposed Fee Schedule:

- Consolidated Fees
  - Consolidated parking rates to have a singular rate for both weekdays and weekends.
  - Consolidated various tiers of annual passes and adjusted pricing based on market averages.
  - Consolidated various tiers of fees for interpretive programming.
  - Consolidated various tiers of fees for athletic areas.
- Restructured Fees
  - Restructured camping fees based on campsite type and adjusted rates for individual campsites and miscellaneous camping amenities.
  - Restructured facility use fees and adjusted fees based on market averages.
  - Updated facility-specific fees to align with current and anticipated future amenities at various facilities.
  - Restructured fee waiver program for nonprofit organizations using facilities for special events.
  - Restructured permit fees and adjusted fees based on market survey results.
  - Incorporated filming and photography fees previously only outlined in Board Resolution No. 91-770B and Board Resolution No. 98-121 (Photography Fee Resolutions) into the fee schedule. Fees remain consistent with those listed in the Photography Fee Resolutions.
  - Adjusted fees for contracted support staff and use of staff overtime to reflect current fully burdened staff rates.
- Added or Removed Fees
  - Added replacement fee for lost annual passes.
  - Removed Holiday/Special Occasion parking rate.
  - Added cancellation fee for camping and facility reservations.
  - Removed Security Deposits for reserving an amenity.
  - Removed certain entitlement permit fee types that do not apply to current operations.

Camping Stay Limits

On September 28, 2010, the Board of Supervisors adopted Ordinance No. 10-015, which amended Codified Ordinance of the County of Orange section 2-5-17 to state, in relevant part, that "No person shall camp, occupy camp facilities, use camp paraphernalia or store personal property in a recreational area in excess of the period prescribed by resolution of the Board of Supervisors." Since the adoption of this ordinance, no Board resolution has defined how long a person may camp at OC Parks facilities.

To support broad public access to camping opportunities, OC Parks reviewed policies from California State Parks, U.S. Forest Service and neighboring jurisdictions and proposes to limit overnight camping stays at OC Parks facilities to 30 days per calendar year, with no single stay exceeding 14 days.

OCCR/OC Parks respectfully requests that the Board adopt the Proposed Fee Schedule and limitation on overnight camping stays at OC Parks facilities along with their associated resolutions.

Compliance with Proposition 26:
The Proposed Fee Schedule does not fall within the definition of a "tax" under Proposition 26 because it is excepted by California Constitution Article XIII C, Section 1, Subdivisions (e)(1), (e)(2) and (e)(4). Subdivision (e)(1) excepts from the definition of a tax, "a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege." Subdivision (e)(2) excepts from the definition of tax, "a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product." Subdivision (e)(4) excepts from the definition of a tax, "a charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property." These exceptions apply because the fees listed in the Proposed Fee Schedule funds the services for which the fees are charged or are imposed upon those who use the County's parklands. Additionally, the fee amounts are less than or are no more than is necessary to recover the reasonable cost of the OC Parks fee-related activities.

Based on the fees in the Proposed Fee Schedule being excluded from the definition of "tax" due to the above exceptions and that they do not exceed the cost of providing the product or service, the fees in the Proposed Fee Schedule should not be considered a tax.

Compliance with CEQA:
The subject activity is statutorily exempt from review under CEQA pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of the CEQA Guidelines, as the establishment or modification of rates, fees and charges which are for the purpose of meeting operating expenses, including employee wage rates and fringe benefits, purchasing or leasing supplies, equipment or materials. In addition, the proposed project is categorically exempt (Class 1) from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 because the exemption provides for the operation of existing public facilities involving negligible or no expansion of existing use.

The adoption of the revised OC Parks fee schedule will provide for cost recovery to support ongoing stewardship and maintenance of park facilities, and the adoption of a resolution to limit camping overnight stays at an OC Parks camping facility will ensure more equitable access to camping opportunities at OC Parks facilities.

FINANCIAL IMPACT:
The total Fiscal Year 2026–27 operating budget for all OC Parks funds is $279,035,233 and the primary funding source is property taxes. The Proposed Fee Schedule is anticipated to generate an additional $1,223,760 from parking, facility use and facility-specific reservation fees during Fiscal Year 2026–27, and a projected additional $2,447,519 during subsequent fiscal years. The fees in the Proposed Fee Schedule will not exceed the reasonable cost of providing such services for which the fees are levied and are not levied for general revenue purposes. The fees will not provide full cost recovery but will increase overall cost recovery efforts.

Revenues generated from the fees listed in the Proposed Fee Schedule will be incorporated into OC Parks Fund 405, OC Dana Point Harbor Fund 108, and County Tidelands Newport Bay Fund 106 FY 2027–28 Budgets and will be included in the budgeting process for future years.

STAFFING IMPACT:
N/A

REVIEWING AGENCIES/DEPARTMENTS:
N/A

ATTACHMENTS:
Attachment A - Fee Schedule Resolution
Attachment B - Camping Limit Resolution
Attachment C - Fee Checklists
Attachment D - Fee Comparison