

**RESOLUTION No. 204967**

Adopted on FEB 24 1972

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That Council Policy 600-11, entitled "Credit for Park and Recreation Facilities Provided by Subdivisions," be, and it is hereby amended by deleting paragraph B.2.b. and renumbering paragraph B.2.c to B.2.b., as set forth in the form of Council Policy filed in the office of the City Clerk as Document No. 73916.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed to add the aforesaid amendment to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

  
Frederick C. Conrad, Chief Deputy

FCC:nkr  
2-15-72

## COUNCIL POLICY

*Proposed Amendment*

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
	CREDIT FOR PARK AND RECREATION FACILITIES PROVIDED BY SUBDIVISIONS	600-11	10/20/70

DOCUMENT NO. 739116FILED FEB 25 1972

OFFICE OF THE CITY CLERK

Chapter X, Article 2, Division 8, Sections ~~SAN DIEGO, CALIFORNIA~~ 102.0800, 102.0805, 102.0810 of the San Diego Municipal Code, provide for the contribution of lands and/or payment of fees for park and recreational facilities in subdivisions. Section 102.0806 is quoted as follows:

"Where private usable land is provided for park and recreational purposes, such areas may be credited against the requirement for payment of fees for park and recreation purposes or contribution of land and payment of fees as provided in Section 102.0805 hereof, provided the City Council, applying such criteria as usability, public access, proposed improvements and permanency, finds it is in the public interest to do so."

PURPOSE

To establish Council Policy in the evaluation of the amount of credit to be allowed when park and recreational facilities are furnished by the subdivider.

DEFINITIONS

1. Usable land for park and recreation purposes shall mean a parcel of land of a size which in itself or in conjunction with available adjacent parcels will form a park conforming to the standards of the Progress Guide and General Plan for the City of San Diego and unencumbered by easements which would interfere with development. The contours of the land shall be suitable for development as a population base park and acceptable to the City Manager.
2. Suitable public access shall mean location with street frontage on at least one side, not more than three (3) feet above or below street level.
3. Development of park lands shall mean development according to City standards.
4. Facility means any structure or improvement placed on park lands for recreational purposes, including, but not limited to, recreation buildings, swimming pools, tennis courts, shuffleboard courts, childrens' play area-equipped with apparatus, and the like.

POLICY

- A. Park and recreational facilities developed by a subdivider and conveyed to City for operation by City within its Park System
  1. In order to qualify for credit against fees required for park and recreational facilities, such facilities developed by a subdivider

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POLICY (Continued)

and conveyed to the City for operation must satisfy the following criteria:

- a. No restriction may be placed on the land which would:
  - (i) limit the use of the park or facility to any person because of race, religion or creed; or
  - (ii) limit the availability of the park or facility for the use of the general public; or
  - (iii) require fees, if any, charged the general public to exceed those charged inhabitants of any subdivision.
- b. The land on which the facility is located shall be either deeded to the City, dedicated for park and recreation purposes by ordinance, or restricted by easement so that it may not be used for other than park and recreational purposes unless such restriction is removed by City action.
- c. Development of park or facility shall be satisfactory to the City. The City shall approve all plans prior to development.
- d. Usable lands with suitable public access shall be, at the discretion of the Council, credited at its "fair market" value as defined in Section 102.0805 of the Code.
- e. Development of park land, exclusive of recreation buildings, and comfort stations, shall be credited at actual cost but not to exceed the rate of \$17,000/acre.
- f. Recreational facilities such as recreation buildings, swimming pools, tennis courts, and the like, shall be credited at actual cost. The subdivider will keep adequate records of cost and make same available to the City Auditor on request.
- g. All facilities, structures or buildings provided in conjunction with a park must be permanent. For purposes of this provision, "permanent" shall mean an estimated usable life equivalent to that of similar installations in City-owned and developed parks.

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POLICY (Continued)B. Park and recreational facilities developed by a subdivider, owned and operated by a private organization

1. If the subdivider proposes to develop a subdivision or group of subdivisions of a size and population content equivalent to that of one or more complete neighborhood park service areas, and the subdivider provides at his own expense "in house" recreational facilities which are equivalent to the standards of the General Plan for population-based parks; then credit may be allowed for such recreational facilities toward the assessment required, but not to exceed the amount of the assessment.
2. Such developments must satisfy all those criteria listed in "A" above except that:
  - a. Operation and maintenance of the above-described facilities must be provided by the subdivider or delegated to a non-profit corporation or Homeowners' Association. However, such operation and maintenance must meet minimum standards established by the City for operation of City park and recreational facilities.
  - ~~b. Use of the facilities may be restricted to inhabitants of one or more neighborhood park service areas, but use of same may not be denied to any person because of race, religion or creed; and~~
  - ~~a.~~  
b. Title to the property on which recreational facilities are located may be vested in a non-profit corporation or Homeowners' Association, but restrictions must be placed on the land, insuring its continued use for park and recreation purposes.

(Old Policy 600-11 SIGNS, 8/9/60, rescinded 10/5/61, Council Conference.)

Adopted by Resolution No. 201046 10/20/70

Passed and adopted by the Council of The City of San Diego on FEB 24 1972,  
by the following vote:

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1972 FEB 16 RH 10:43  
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By Judith A. DeLan, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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