CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

SUBJECT:	CREDIT FOR PARK AND RECREATION FACILITIES PROVIDED BY SUBDIVISIONS
POLICY NO.:	600-11
EFFECTIVE DATE:	August 24, 1981

BACKGROUND:

Chapter X, Article 2, Division 8, Sections 102.0406.01 through 102.0406.12 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 102.0406.07 is quoted as follows:

> "Where private usable land is provided for park and recreational purposes, such areas may be credited against the requirement for the payment of fees for park and recreation purposes or contribution of land and payment of fees as provided in Section 102.0406.06 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 guidelines and 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, children's play area equipped with apparatus, and the like.

POLICY:

A. Public 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 subdivision 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 in conformance with the guidelines and standards of the Progress Guide and General Plan and shall be satisfactory to the City. The City Manager 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 102.0406.06 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 most recent construction costs for similar improvements under City contract.

   f. Recreational facilities such as recreation buildings, tennis courts, and the like, shall be credited based on 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 useful life equivalent to that of similar installations in City-owned and developed parks.

B. Public park and recreational facilities developed by a subdivider, owned and operated by a private organization.

   1. If 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. 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.

CROSS REFERENCE:

Municipal Code Secs. 102.0406.01 - 102.0406.12
Council Policy 800-06
Administrative Regulation 1.60
Administrative Regulation 20.15

HISTORY:

"Signs" Adopted 08/09/1960
Rescinded 10/05/1961 at Council Conference
"Credit For Park and Recreation
Facilities Provided by Subdivisions"
Adopted by Resolution R-201046 10/20/1970
Amended by Resolution R-204967 02/24/1972
Amended by Resolution R-214377 10/02/1975
Amended by Resolution R-254869 08/24/1981