

DATE ISSUED: January 11, 2002

REPORT NO. 02-013

ATTENTION: Land Use and Housing Committee
Agenda of January 16, 2002

SUBJECT: Vacation of Open Space

SUMMARY

Issue – Should Council Policy 600-23 (Open Space Preservation and Maintenance) be amended to establish criteria for vacating City open space?

Manager's Recommendation – Return to LU&H with modifications to Council Policy 600-23 (Open Space Preservation and Maintenance) to establish criteria for vacating open space within 90 days after review by the City's Park and Recreation Board.

Environmental Impact – This action may require environmental review prior to City Council consideration.

Fiscal Impact – None with this action

BACKGROUND

On July 31, 2001, during the City Council Meeting regarding the Headquarter's Point Project in Sorrento Valley, Councilmember Maienschein requested that staff examine the City's policies regarding vacating open space and report back to the Land Use and Housing Committee. Of concern was the lack of clarity surrounding when open space should be considered for vacation.

DISCUSSION

Planning Department staff has reviewed the existing Council Policies on open space. Many of the Council Policies on open space are almost two decades old and revisions are appropriate in light of on-going open space conservation efforts.

Regarding open space vacations, Staff would recommend revisions to Policy 1 (Retention of city-owned Lands) of Council Policy 600-23 (Open Space Preservation and Maintenance). The proposed revisions are attached in strikeout/underline format. The revisions include draft criteria for the vacation of Designated and Non-designated open space. Vacation of Dedicated open space is not proposed. The criteria would provide a benchmark for evaluating proposed open space vacations. Vacations would only be considered where the vacation would not jeopardize the City's Multiple Species Conservation Program (MSCP), would not significantly impact public open space use, visual quality or community character, and where the vacation would generate other open space of equal or greater value. Finally, the vacation must result in an overriding public benefit as reviewed and approved by City Council

CONCLUSION

Upon review of the existing Council Policies regarding open space, Staff would recommend revisions to Policy 1 (Retention of city-owned Lands) of Council Policy 600-23. Vacations, for sale or lease, would be considered if the land was determined to be of marginal value for biological resources or public use. Specific criteria would establish when vacations of open space might be considered.

Respectfully submitted,

S. Gail Goldberg, AICP
Planning Director

Approved: P. Lamont Ewell
Assistant City Manager

GOLDBERG/KG

Attachment: [Strikeout-underline version of Policy 1 of Council Policy \(600-23\)
Council Policy \(600-23\)](#)