



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: Nov. 13, 2006 REPORT NO. 06-168

ATTENTION: Natural Resources and Cultural Committee
Agenda of November 15, 2006

SUBJECT: City of San Diego Open Space

REFERENCE: Canyon Lands Report dated March 15, 2006

This is an informational item only. No action is required by the Committee.

BACKGROUND

San Diego Civic Solutions prepared a white paper titled, "Canyonlands, The Creation of a San Diego Regional Canyonlands Park." A main theme of the white paper, among others, was to bring a collective comprehension to canyonlands by appreciating them and identifying solutions to problems that threaten to destroy them. In addition to preservation, San Diego Civic Solutions presented the widely accepted concept of creating scenic routes that connect parks, river corridors, among other similar type nodes via urban canyons/trails for a dynamic park system.

The San Diego Civic Solutions presentation on this subject was made to the Natural Resources and Culture Committee on June 28, 2006. A motion was adopted to refer the canyonland white paper to the Mayor's office to report back with specific concepts and issues that include:

- 1) Preparing a report about canyonlands inventory
- 2) Formulating an action plan to dedicate canyons for protection from development
- 3) Formulation of a comprehensive canyonlands management and maintenance plan
- 4) Include canyonlands concepts in the Natural Resources Element (Conservation Element) of the General Plan update

DISCUSSION

Open space within the City of San Diego is global in how it is owned and managed. The Park and Recreation Department, the lead in presenting today, is only one owner/manager of the entire City's open space system. Private owners as well as other public agencies also own significant portions of open space within the city's jurisdiction.

1. Preparing a report about canyon lands inventory

The City of San Diego's entire park system, the second largest municipal park system in the country, is over 39,000 acres. An approximate total of the entire park system, which is constantly evolving, is as follows:

| | |
|--------------------------|--|
| Developed Regional Parks | 6, 240 + 6,000 (LJ Underwater Park) = 12,240 acres |
| Population Based Parks | 2,670 acres |
| Open Space | 24,200 acres |

As noted above, the P&R Open Space Division manages over 24,000 acres of designated and dedicated open space, which includes open space parks and canyons. Although there is no real definition of a "canyon land" per se, most of the 24,000 acres is canyons with some mesas. There are also a few areas noted as vernal pool sites and mitigation areas within this number. The Maintenance Assessment Districts also include open space lands within some of their boundaries and manage approximately 20% of P&R Department open space. The open space lands under the Citywide Canyon Program total approximately 13% of the City's open space. This program manages all open space that is separate and distinct from the nine open space parks listed below. These nine parks comprise the remaining 67% of the open space total.

- Black Mountain Open Space Park
- Los Peñasquitos Canyon Preserve
- Marian Bear Memorial Park
- Mission Trails Regional Park
- Otay Valley Regional Park
- Rose Canyon Open Space Park
- San Diego River Park
- San Pasqual-Clevenger Canyon Open Space Park
- Tecolote Canyon Natural Park

Of the over 24,000 acres, seven thousand and sixty one (7,061) acres are dedicated. Attachment A shows in a table the Open Space Inventory and which parcels are designated and dedicated. Attachment B shows the same information graphically. As one can see, there are large portions of parks that are designated but not dedicated. For the sake of clarification, dedication and designation definitions are noted below:

Dedicated Park Lands include all real property own in fee by the City that has been formally dedicated in perpetuity pursuant to Section 55 of the City Charter and Council Policy 700-17 for park, recreation, or cemetery purposes, including open space. Dedication can be by ordinance of the City Council or by stature of the State Legislature. As specified by Charter Section 55, lands so dedicated shall not be used for any but park, recreation or cemetery purposes without such changed use or purpose having been first authorized or later ratified by a vote of two-thirds of the qualified electors of the City voting at an election for such purpose.

City Owned Designated Open Space Park Lands are lands that have been acquired in fee title by the City for open space purposes and are managed by the P&R Department, but have not been dedicated under Charter Section 55. Pursuant to Charter Section 55, designated city owned park lands – which include open space that have been “set aside without the formality of an ordinance or stature dedicating such lands for park, recreation, or cemetery purposes may be used for any public purpose deemed necessary by the Council.”

From time to time, the issue of state, federal or other public entities use of dedicated park land arises for uses other than the Charter Section 55 requirements. According to the City Attorney’s Office, these dedicated park lands are not necessarily protected by the Charter and can be taken by eminent domain powers.

2. Formulating an action plan to dedicate canyons for protection from development

Council Policy 700-17, titled “Policy on Dedication and Designation of Park Lands,” dated August 5, 1985, provides guidance to the P&R Department regarding this issue. Below is a summary of the policy respective to open space:

Council Policy 700-17

III. All land acquired for open space park purposes and owned in fee by the City shall be dedicated by ordinance pursuant to Charter Section 55 if it meets the following conditions:

- A. The land either fits the criteria of resource-based parks, in that it is the site of distinctive scenic or natural or cultural features, and is intended for city-wide use; is a complete open space system or sub-system; or at a minimum is a portion of a sub-system to stand on its own. (Isolated properties designated as open space shall be dedicated only upon the city’s obtaining sufficient additional adjacent land to meet this requirement.)
- B. The land does not include areas which are undesirable for park purposes, would be more suitable for other purposes, or which could be traded or sold to obtain more desirable park lands or to fund park improvements. In these cases, to provide flexibility in making revisions which would be beneficial to meeting the City’s open space goals, the land shall not be dedicated.

- C. The deed to the property is free of restrictions which might preclude dedication as park land.

In addition, paragraph VI of the Council Policy requires city staff to annually present to the P&R Board a review of the designated park lands inventory to determine the priority status of lands meeting the requirements for dedication or designation as specified in paragraph III above. Staff is then required to forward the findings from the P&R Board to the City Council for direction.

In comparing the above noted criteria of paragraph III with the list provided as Attachment A (see also Attachment B for graphic); one can see the city has not dedicated likely thousands of acres of open space land that could be. During the FY2005 and FY2006 budget processes, the P&R Department has referred the issue to the City Manager for review, stating that such work would require funding for additional resources/staffing and consultant services (Attachment C). The City Manager's Office declined to fund this program over others as a higher priority, such as, maintaining recreation centers, pool hours, core maintenance and operations staff which support these functions. In addition, the City Manager redirected staff resources to the delivery of the Capital Improvement Program (CIP) for parks and considered the CIP a priority over dedication due to the lack of funding for both in the budget (320 projects/\$387,000,000 in FY2005, 220 projects/\$466,000,000 in FY2006, 219 projects/\$543,000,000 in FY2007). Therefore, dedications have been placed on hold since that time.

Moving forward to dedicate park lands will require resources that are not currently budgeted or a reprioritization of resources. It is advised that the City Council work with the Mayor's Office during the FY2008 budget process to determine how dedications are prioritized with other programs. If it is agreed that dedications will be funded, then P&R will re-institute the dedicated of parkland per Council Policy 700-17.

There has been considerable discussion about using volunteers to dedicate park land. P&R staff would appreciate this support and would be willing to facilitate these efforts. Attachment D provides a flow chart showing the tasks required to dedicate park land. The major resources needed to dedicate parkland are: 1) California licensed land surveyors for potential field survey work and legal description expertise to finalize documents to present to the appropriate boards and councils, and 2) city staff to prioritize the dedications list and route the information to the correct boards, councils, etc. for approval. If California licensed land surveyors are not provided by volunteers, funds will be required to hire for consultant services. Attachment C provided for expertise in-house as well as consultant assistance.

In addition, if volunteers agree to provide California licensed land surveyors services and a program is establish with this expectation, a contingency plan of funding for consultant services is recommended in case volunteers cannot complete the dedications as anticipated. The Field Engineering Division's Land Surveying Section of the Engineering and Capital Projects Department, have been used successfully in the past for

dedications; however, they are a general fund reimbursable department and would need their costs recovered. City staff is also needed to ensure the priority list of what is dedicated is followed; double checks on legal descriptions are done, etc. The flow chart shown in Attachment D does show some redundancy in the review of legal descriptions. These safe guards were put into effect due to past errors on dedications that proved costly to the City, and P&R recommends these safe guards be maintained.

3. Formulation of a comprehensive canyon lands management and maintenance plan

The Open Space system is a valued part of San Diego that cannot be measured on a monetary basis. The recreational opportunities, aesthetics and tranquility of open land greatly add to our quality of life. In 1968, the City of San Diego Planning Department published the report, "Open Space for San Diego," that laid the foundation for open space preservation. In 1973, the City Council adopted "A Plan for the Preservation of Natural Parks for San Diego" as the official Open Space Element. That plan served as a guide for all actions involving open space until February 1979, when the City Council adopted the current Open Space Element of the Progress Guide and General Plan for the City of San Diego.

In 1978, the citizens approved Proposition C, which authorized the sale of \$65 million in general obligation bonds to purchase open space properties for the City. The Auditors Department shows that over 3,000 acres was purchased with these funds. Placing proper standards in place via the General Plan and subsequently establishing a funding stream to implement acquisition, resulted in substantial open space land for the city.

Since the expenditure of the open space bonds, the city has looked to acquire land through two main processes: 1) the Multiple Species Conservation Program (MSCP)/Multi-Habitat Planning Area (MHPA), and 2) through opportunities via development in coordination with the Development Services Department. Occasionally donations, grants or state bonds have also been used to acquire/obtain land. It should be noted that the focus of the MSCP is to provide a comprehensive habitat conservation program that addresses multiple species habitat needs and the preservation of native vegetation communities for the southwestern San Diego County. So, although the MSCP does provide for the linking canyons and corridors, it is biologically based, and is not necessarily for all the purposes noted in the Canyonlands whitepaper, such as recreation.

Acquisitions or private partnerships in providing open space via development have helped provide missing links to canyons and river corridors. The P&R Department in coordination with the Development Services Department and City Planning and Community Investment look to coordinate such efforts by evaluating private project submittals for those opportunities.

The P&R Department's Open Space Division manages the day to day operations of City designated and dedicated open space. Their primary goal is to preserve, protect and enhance the city's open space. With limit resources, they utilize a large volunteer

contingent of friends groups, scouts programs, citizen advisory committees, etc, in managing its open space land. Their main objectives in the preservation and management of the city's open space park land are noted as follows:

- Inventory Management of the park system
- Maintain and enhance existing trails, Master Plan and Develop future Trails
- Resource management
- Maintain a safe environment and patrol schedules, as well as, provide safety hazard removal and homeless abatement.
- Encourage community support, conduct Canyon Leaders Committee meeting, Education Outreach, Friends of Groups, School Club/Program
- Promote volunteer work projects, Coordinate contracted work projects, Trail repair and maintenance
- Eradicate invasive plants, Document invasive plants, Habitat enhancement/restoration, Re-vegetation maintenance and monitoring (Natural Resource Management Plans)

A comprehensive Trails Master Plan is being developed at this time for the entire city. It looks to provide detail routes and links with bike lanes, current and future trails, and connects canyon corridors as noted in the Canyonlands initiative. This draft document is approximately 50% complete at this time.

Natural Resource Management Plans are plans that give on site management guidelines to staff in terms of trail maintenance, trash clean-up, identified mitigation and restoration areas, etc. They also provide guidelines for utility maintenance such as SDG&E easements, sewer access, among others. The Open Space Division has completed three of these documents and four currently are in process. These documents cost approximately \$100,000 to produce (depending on complexity) and the City typically looks for grants to fund this work. The Open Space Division's goal would be to have Natural Resource Management Plans for the entire open space system.

The P&R Department has less than 45 full time equivalent positions that manage the over 24,000 acres of open space. This provides for a ratio of 1 person to 533 acres. Included in the 45 positions is clerical and administrative staff that supports the rangers, and ground maintenance workers in the field.

4. Include canyon lands concepts in the Natural Resources Element (Conservation Element) of the General Plan update

At the heart of the canyon land initiative is the General Plan update. City staff supports many of the concepts presented in the Canyonlands white paper. The current General Plan and the proposed General Plan have a standard of 20 acres per 1,000 residents. In fact, the principals of protecting and linking urban canyons are a major component of the General Plan update via its Recreation and Conservation Elements. Highlighted below

are only a few of the many stated goals and policies written in the General Plan update regarding open space preservation and linkages:

Open Space Lands and Resource-Based Parks – Goals

- ◆ An open space and resource-based park system that provides for the preservation and management of natural resources, enhancement of outdoor recreation opportunities, and protection of the public health and safety.
- ◆ Preservation of the natural terrain and drainage systems of San Diego's open space lands and resource-based parks.
- ◆ A system of pedestrian, bicycle, and equestrian paths linking communities, neighborhoods, parks, and the open space system.

Following the stated goals above are policies and initiatives mentioned to implement the goals. A few of the many noted policies are:

Open Space Lands and Resource-Based Parks - Policies

RE-E.2. Provide for sensitive development of recreation uses within and adjacent to City owned open space lands.

RE-E.4. Balance passive recreation needs of trail use with environmental preservation.

RE-E.5. Utilize open space lands for outdoor recreation purposes, when doing so is compatible with cultural, historic preservation and MSCP conservation goals and surrounding land uses

RE-E.6. Encourage the planning and coordination of river parks to provide public recreational opportunities, protect natural resources and enhance community character.

The recent General Plan update was released in October (2006). Within the entire body of the plan, one can see the measures taken by city staff to ensure the goals and policies for open space protection and proper planning efforts are solidified. The City of San Diego website has the entire General Plan update available for review at www.sandiego.gov.

A major component to the success of open space lands and its connection to the General Plan update is the Parks Master Plan. The General Plan will work in tandem and be vital in spelling out both the vision and standards for park planning and development, followed by the Parks System Master Plan outlining the options, priorities and strategies for achieving these standards. This coordinated approach will ensure that the goal of developing a citywide network of parks and open space will always be present and at the forefront during community planning discussions and long range park planning efforts.

CONCLUSION

In conclusion, City staff agrees with the major components of the San Diego Civic Solutions prepared a white paper titled, "Canyonlands, The Creation of a San Diego Regional Canyonlands Park." As noted above, City staff has set the tone for implementation of the initiatives major goals in the General Plan update as requested in the Canyonlands whitepaper.


In addition, staff agrees dedications are important. Resources for dedications need to be funded in order to fully relieve the backlog that currently exists and to keep pace with new lands requiring dedication. This needs to be determined in the FY2008 budget process.

The Open Space Division maximizes its resources to protect, maintain and preserve the City's open space system. With all park systems, there is room for improvement. Efforts to develop management tools and programs such as the Natural Resource Management Plans and Trails Master Plan will assist in meeting many of the goals stated in the Canyonlands whitepaper. The P&R Department will look to the Parks Master Plan and its subsequent funding strategies to complete some of those missing elements.

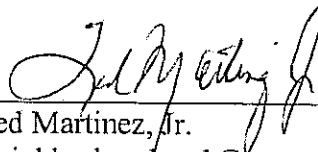
Many cities likely wish they had the problem of managing such a wonderful open space system as the City of San Diego's. The P&R Department thanks San Diego Civic Solutions for their efforts and those of the volunteers that help protect the City's open space land.

Respectfully submitted,

Approved by,



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Attachments:

- A List of Dedicated/Designate Open Space
- B Graphic of Dedicated/Designate Open Space
- C City Manager Referral
- D Dedication Process Flow Chart