

ATTACHMENT A

CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

SUBJECT: CREDIT FOR PUBLIC PARK AND RECREATION FACILITIES
PROVIDED BY SUBDIVISIONS

POLICY NO.: 600-11

EFFECTIVE DATE:

BACKGROUND:

Chapter 6, Article 9 of the San Diego Municipal Code, provides for the contribution of land and/or payment of fees for *park and recreational facilities* in subdivisions. Section 69.0205 specifies the following:

“The City shall grant a credit against the required land *dedication* or *Park Impact Fees* to a *subdivider* who provides park and recreational improvements to the dedicated land for the value of the improvements and any equipment provided, where the City Manager finds it is in the public interest to do so.

PURPOSE AND INTENT:

The purpose of this policy is to provide guidelines for the review and evaluation of the amount of credit to be allowed when public *park and recreational facilities* are furnished by a *subdivider*.

DEFINITIONS:

The purpose of this section is to provide clear and concise definitions of words and phrases that have meanings specifically related to this policy. Each word or phrase that is defined herein appears in the text of this policy in italicized letters. Except as otherwise provided, the following words or phrases have the respective meanings:

Dedication has the same meaning as in section 113.0103.

Developer means a person, as defined in section 11.0210, who engages in *development*.

Development of park lands shall mean development according to City standards.

General Development Plan shall mean the master plan for the *park and recreational facilities* to be constructed resulting from the community input process.

Parcel map has the same definition as Government Code section 66426.

Park and recreational facilities means land and facilities owned by the City, open to the public, accessible to persons with disabilities, and designed and built for structured public recreational programs, such as ball games, or unstructured public recreational activities, such as appreciation of open spaces, or a combination thereof.

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Park Impact Fee means a fee calculated in accordance with Chapter 6, Article 9, for the purpose of providing for *park and recreational facilities* adequate to address the impact of new residences.

Subdivider has the same meaning as Government Code section 66423.

Suitable public access shall mean location with street frontage on at least one (1) side, not more than three (3) feet above or below street level.

Tentative Map has the same meaning as Government Code section 66424.5.

Useable acreage 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 Useable acreage also means a graded pad not exceeding 2 % rough grade, unconstrained by environmental restrictions that would prevent its use as a *park and recreation facility*, free of structures and unencumbered by easements.

Vesting Tentative Map has the same meaning as Government Code section 66424.5.

POLICY:

When *park and recreational facilities* are developed by a *subdivider* for the future residents of the subdivision and conveyed to the City for operation by the City within its park system, a credit shall be granted to the *subdivider* provided that City criteria and standards, and processing as outlined below are met.

I. Criteria and Standards

Development of *park and recreational facilities* shall be in conformance with the guidelines and standards of the Progress Guide and General Plan, as well as the most current edition of the City Park and Recreation Department's "Consultant's Guide to Park Design and Development," the City of San Diego Standard Drawings, Standard Specifications for Public Works Construction (Greenbook), California Building Code and all applicable federal, state and local regulations.

The shape and location of the public *park and recreational facilities* shall provide the greatest utility possible to the greatest number of residents of the development for which credit is sought.

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.

The City of San Diego Park and Recreation Department shall have final determination as to whether the public *park and recreational facilities* meet the intent of the aforementioned criteria and standards.

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Credit shall not be given for the following:

Natural open space, nature study areas, open space for buffer areas, steep slopes, golf courses, equestrian and hiking trails, scenic overlooks, water courses, drainage areas, retention basins, water bodies (i.e., lakes, ponds, reservoirs), marinas and boating areas, parking areas, beaches and archaeological areas shall not be eligible for credit.

Irregularly shaped or non-contiguous pieces of property of less than optimal utility or those burdened by easements or topographic considerations that render them unsuitable for park and recreation purposes shall not be eligible for credit. Factors such as size, shape, topography, geology, access and location shall be considered.

II. Processing

If the *subdivider* desires to receive credits by building the required public *park and recreational facilities*, the *subdivider* must submit a written request at the time of filing of the *tentative map*, *vesting tentative map* or *parcel map*.

The *subdivider* shall enter into an agreement acceptable to the City Manager for the acquisition, design and construction of the *park and recreation facilities*. This agreement shall define the method of reimbursement for funds expended and work performed associated with such acquisition, design and construction.

The *subdivider* shall prepare a *General Development Plan*, with input from the community as outlined in Council Policy 600-33, COMMUNITY NOTIFICATION AND INPUT FOR CITY-WIDE PARK DEVELOPMENT PROJECTS. The City of San Diego Park and Recreation Department Project Manager shall facilitate the community input process and approve the *General Development Plan* prior to review and approval by the advisory bodies outlined in Council Policy 600-33.

The *subdivider* shall develop construction documents per the aforementioned criteria and standards that reflect the project budget as agreed to by the City Manager.

The City of San Diego Park and Recreation Department shall review and approve all plans and specifications prior to commencement of construction.

The *subdivider* is responsible for obtaining permits and agency review as necessary to construct the project including, but not limited to, California Environmental Quality Act requirements.

The *subdivider* is responsible for obtaining appropriate inspections during construction.

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The *useable acreage with suitable public access* on which the *park and recreational facilities* are located shall be deeded to the City for park and recreation purposes, and credited in accordance with Chapter 6, Article 9.

III. Credits

Development of *park and recreational facilities* shall be credited at actual cost, but not to exceed the most recent construction costs for similar improvements under City contract. The *subdivider* shall keep adequate records of cost and make same available to the City Auditor on request.

Credit shall only be applied against the park fee obligation generated by those residents with direct access to the said recreational area.

CROSS REFERENCE:

Municipal Code Secs.
Council Policy 600-33
Administrative Regulation

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