



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
March 19, 2008**

TO: Mayor and City Council
FROM: Albert Lopez, Deputy Community Development Director
SUBJECT: Open Space Analysis
DATE: March 6, 2008

RECOMMENDATION:

Accept report and include as an addendum to the City Parks Master Plan.

BACKGROUND

In light of recent development proposals affecting Open Space, the City Council directed staff to prepare an analysis of existing Open Space in the City of Martinez, including inventorying the various types of Open Space that exist throughout the City.

The map presented as part of this report is the result of that analysis, and presented herein are the four categories of Open Space used by staff to describe these areas. Also below is an explanation of the four categories within the context of the development process, as some of them are the result of housing development, and some have been created from their outset as recreation and/or Open Space areas.

It is the intent of this map to show that with a few exceptions, most of the Open Space in Martinez is precluded from future development based on its OS Open Space zoning, or a property right interest such as through a public agency or Home Owners Association (HOA).

First are some basic facts:

- Open Space can be publicly or privately owned
- Open Space protected from future development is not always zoned OS "Open Space".
- Three different tools; zoning, land ownership (City, EBRPD or HOA) and dedication of scenic easement to City (e.g. Phillip's property) are used to distinguish "Open Space" from other land uses.

THE CREATION OF OPEN SPACE

There are two basic ways open space is created:

1. Open spaces created **independently** of City's granting of development entitlements. Such designation can be permanent, or not.
 - a. "Permanent" open spaces created independently of the development process are usually acquired by public agencies or non-profit entities to eliminate the potential of future development; with the goal of securing "existing conditions" for perpetuity. Examples include the City Parks and EBRPD's holdings in the Franklin Hills, and the US Park Service's Mt. Wanda unit of the John Muir Historic Site. These areas are usually zoned OS-Open Space, or RF- Recreational Facility but not always. **[On the map these areas are shown as dark green (City parks), light green , or are designated by green "cross hatch" if held by other Agencies]**
 - b. Occasionally, private lands are designated as "Open Space" to document the current and intended land use of a parcel, where future and ultimate land uses are not necessarily determined by such a designation. The "Pine Meadows Golf Course" on Center Avenue may be the only intentional example of such lands in Martinez, where the "Open Space" zoning district was imposed over 30 years ago to limit current land use (and thus its tax burden), but the private property interest has never been ceded to the City to preclude other land uses in the future, should the City approve a different designation. **[On the map these areas are shown with a dark green outline around clear white "field"]**
2. Open space created as an **integral** part of City's granting of development entitlements. Such open spaces are often conditions of approval or are provided as mitigation and are normally intended to be permanent.
 - a. Includes cases where both zoning and property interest protects the open space (such as in Tevan Estates or along Morello Dive/Chilpancingo in Hidden Lakes). Creating Open Space in this manner was common in the 1970's when these areas were created. **[On the map these areas are shown in light green with a dark green outline]**
 - b. Includes instances where the zoning district was not changed from the underlying "Residential" designation, but the land is now either owned by a HOA or the future use is limited by a scenic easement that has been granted to the City. **[On the map these areas are also shown as a light green field .**
 - c. Includes 4 Lots in Tract 4744 (one of which is Freitas property) and approximately 4 more in Tract 4774, zoned OS Open Space but without a property interest such as a scenic easement. Through the recent General Plan Amendment process it has been shown that this was an "error" and the record shows it was the City's intent to have these "Open Space" lands to be permanent. **[On the map these parcels are outlined in dark green around clear white "field"]**

This map was drafted at the request of the City Council during a work session with the Parks and Recreation Commission on the recently completed Parks Master Plan and indicates that the City of Martinez has, thru a variety of land use controls over 2000 acres of open space including 700 acres of designated parks. If desired, this map could become an addendum to the Parks Master Plan.

FISCAL IMPACT:

None

ACTION:

Informational item only, direct staff on including map as an addendum to the City Parks Master Plan.

ATTACHMENTS:

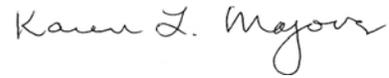
Open Space Analysis Map – 11”x17”

APPROVED BY:



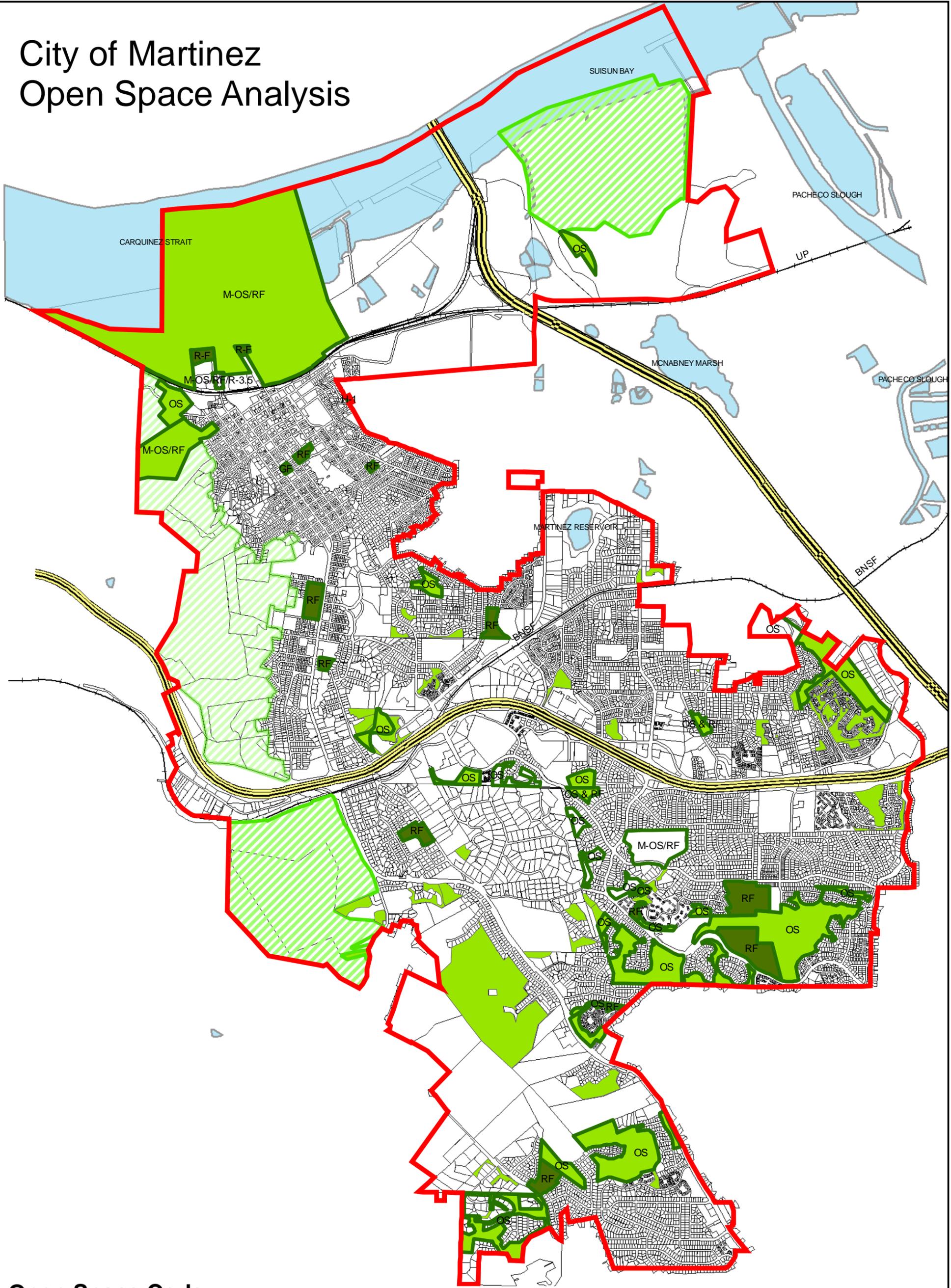
City Manager

APPROVED BY:



Assistant City Manager Community & Economic Development

City of Martinez Open Space Analysis



Open Space Code

-  RF Zoning District - City Parks and Private Rec Areas
-  OS Zoning District - Passive Open Space
-  City, HOA and/or scenic easement ownership
-  Passive Open Space