

OPEN SPACE ELEMENT

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I. INTRODUCTION

California planning law regarding open space is extensive and explicit about what an Open Space Element should do. Article 10.5 of the California Government Code (commencing with Section 65560) states that an open space plan should address the following:

- Preservation of natural resources.
- Preservation of land used for resource production such as agriculture.
- Preservation of open space land used for recreation.
- Avoidance of land that poses a public health and safety hazard.
- Discouragement of premature and unnecessary conversion of open space.
- Definition of an orderly pattern of growth and development that takes into consideration open space requirements.

II. OPEN SPACE LANDS

Open Space Land is any parcel or area of land or water which is essentially unimproved and devoted to an Open Space Use. Open Space Land may include any of the following areas:

- A. Open Space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
- B. Open Space used for the managed production of resources, including but

not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

- C. Open Space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- D. Open Space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.

The Open Space Element is a plan for the comprehensive and long-range preservation and conservation of open space land. Next to the Land Use Element, the Open Space Element is broadest in scope. Because of this breadth, Open Space issues overlap those of several other General Plan Elements. For instance, the Land Use Element's issues pertaining to agricultural land, natural resources, recreation, enjoyment of scenic beauty and (to a certain extent) public grounds are covered by Open Space provisions. "Open Space for the preservation of natural resources", and "open space used for the managed production of resources" encompasses the concerns of the Conservation Element. "Open Space for public health and safety" covers issues similar to those found in the Safety Element. The

Open Space Element must therefore be consistent with all other applicable General Plan Elements.

Public open space areas within the City include primarily the City's parks. The public schools also contain considerable open space areas that are used for outdoor activities by the City's school age children. The agricultural areas surrounding the City within the Sphere of Influence comprise the largest quantity of open space lands.

The agricultural areas should be protected from premature and unnecessary encroachment by development until such time as there is the need to expand the developed area of the City to accommodate new homes or jobs.

Open Space Goal

Preservation of open space in the community should be coordinated with conservation of significant resources of general public interest and benefit.

Objective 1

Open space should be preserved through appropriate land use policies that recognize the valuable natural resources in the City.

Policy 1

- A. Open space lands are a valuable natural resource that enhances Imperial's rural character.
- B. All land use changes should be consistent with the need to preserve Imperial's open space area.

C. Discontinuous land use patterns which encroach into open space areas shall not be approved.

D. In-fill development shall be encouraged to preserve outlying open space areas.

Agricultural Lands

Objective 2

Agriculture is an important aspect of the economy of the City and region. Its continuation within the area should be promoted, encouraged and protected.

Policy 2

A. Agriculture should be encouraged as a part of a rural residential area.

B. Preservation of existing agricultural production shall be maintained as long as it remains economically viable.

C. Appropriate setbacks from existing and planned industrial, commercial and residential land uses shall be established.

D. The City Council shall consider the adoption of a "right-to farm" ordinance to diminish nuisance impacts of urban uses.

- E. Urban growth should be on lands of lower quality soils in order to protect prime agricultural land.
- F. Encourage the usage of Williamson Act contracts on lands currently under agricultural production.

Public and Private Recreation Land

Objective 3

The preservation of open space through public and private recreational land is encouraged as the best means of long-term protection and management.

Policy 3

- A. The City shall encourage public and private recreational uses and areas as a means of preserving large amounts of open space land.
- B. The City shall require provision of adequate open space areas when private development projects are approved.
- C. The City shall maintain and preserve public parks and other public open space areas.

Airport Runway Protection Zones

Objective 4

Maintain the land off the ends of the Imperial County Airport runways as permanent open space areas to the extent feasible.

Policy 4

- A. *Private development within the runway protection zones should include uses such as parking lots and landscaping areas.*
- B. *Permanent structures should be located to minimize exposure of the public to potential aircraft crash hazards.*

Wildlife Habitat

Objective 5

Maintain the agricultural drains within the Sphere of Influence Planning Area as permanent open space for wetland wildlife habitat.

Policy 5

- A. *Prevent premature undergrounding of agricultural drains when development occurs.*
- B. *Preserve agricultural drains as open space to the maximum extent feasible through innovative project*

design.

- C. Coordinate with California Department of Fish and Game to develop mitigation measures when wildlife habitat open space is proposed to be eliminated.