

Chapter 4  
CONTRA COSTA COUNTY'S NEW OPEN SPACE ELEMENT  
ORGANIZATION AND POLICY CHOICES

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Introduction

People need an area in which they can escape the congestion and noise of an urban environment. Open space provides not only places to hike, swim and observe natural habitats but also supports productive agricultural lands, establishes buffer zones between cities and maintains unpolluted watershed areas. The only way for open space to be preserved is for counties to establish long-range planning policies that maintain a balance between developed and undeveloped land.

The expansion along transportation corridors in Contra Costa County is putting pressure on existing open space areas as developers vie for large, relatively inexpensive parcels for housing developments. Contra Costa County has a wealth of undeveloped lands: agricultural and grazing lands, scenic areas and ridgeland, parks and reservoirs, wildlife habitats, geologically unstable areas and watersheds. The County needs an effective and organized Open Space-Conservation Plan to utilize these areas wisely. However, Contra Costa County's Open Space-Conservation Plan of 1973 (CCCPD, 1973) is so outdated and unorganized that it is virtually ignored by planners, developers and consultants. The County is in the initial stages of a comprehensive revision of its entire General Plan.

This paper examines the policies and organization in Marin County's and San Mateo County's Open Space and Conservation elements in order to provide a county, such as Contra Costa County, with an evaluation of different techniques that can be utilized in fulfilling California's Open Space and Conservation elements of the General Plan.

Background

The General Plan, a State-required document, is the centerpiece of a local government's planning program. Government Code Section 65300 requires every city and county to draw up and adopt "a long term, comprehensive general plan for the development of the community." This plan should not only identify the county's environmental, economic and social goals, but should also state the county's policies on the location and characteristics of future development needed to achieve these goals.

The last comprehensive update of the Contra Costa County General Plan--the Land Use and Circulation Plan--was in 1963 (CCCPD, 1963). This plan was made prior to the establishment of the State's General

Plan Requirements which include nine mandatory elements: Land Use, Circulation, Housing, Seismic Safety, Scenic Highway, Safety, Noise, Conservation and Open Space (State, 1971). Contra Costa County's current plan is comprised of the 1963 plan and the nine mandatory elements which were added in 1973. However, this existing plan lacks internal consistency because there was no effort made to integrate the 1963 plan and the mandatory elements. The Open Space and Conservation elements encourage counties to establish goals and policies for the use and preservation of their undeveloped lands. Contra Costa County combined the Open Space and Conservation elements into one document which was adopted in 1973 (CCCPD, 1973). The Open Space-Conservation Plan specifies the County's official policies on Agriculture, Development, Urban Open Space, Bay-Delta Recreation, Geology and Soil for Development, Mineral Resources, Hydrology and Water Quality, Air Quality, Vegetation and Wildlife, Aesthetic Qualities and Historic Features (CCCPD, 1973).

#### Methodology

Use of the State of California General Plan Guidelines facilitated the examination and interpretation of Contra Costa County's Open Space-Conservation Plan of 1973. Interviews with county planners, environmental consultants, parks and recreation planners and field organizers of environmental organizations produced analyses of counties' needs in terms of the open space and conservation elements. Marin County's Environmental Quality Element of 1982 (Marin's version of the open space and conservation elements) (MCPD, 1982) and San Mateo County's Resource Management Plan of 1984 (San Mateo's version) (SMCDEM, 1984) provide examples of effective and coordinated planning efforts. These plans, which take different approaches towards fulfilling the State's requirements, are used as models in the evaluation of the wide range of techniques used in open space and conservation elements.

#### General Plan Requirements

The State's General Plan Guidelines describe in detail the General Plan requirements and how they can be satisfied (State, 1980, p. 92). The Guidelines also include information on the origin, purpose and scope of the nine mandatory elements. The Conservation element functions as a plan for the conservation, development and utilization of natural resources including water, soils, forests, wildlife, minerals, rivers and other natural resources [sec. 65302(d)].

The General Plan Guidelines provide more detailed requirements for the open space element than for the conservation element. As defined by the Guidelines, "open space land" is an essentially unimproved parcel of land or water that is devoted to open space [sec. 65560(a)]. Open space must also be in a local, regional or State open space plan and fall under one of the following categories: preservation of natural resources, managed production of resources, outdoor recreation, and public health and safety [65560(b)]. Every open space plan must contain an "Action Program" consisting of specific programs which the city or county intends to pursue in implementing its open space plan [65564]. Section

65561 declares five objectives of the open space element. First, the preservation of open space land is necessary not only for the good of the economy but also for the assurance of the continued availability of land for agriculture, resource and recreation use. Second, discouraging the premature and unnecessary conversion of open space land to urban uses is a matter of public interest. Noncontiguous development patterns cause unnecessary increases in community service costs. Third, anticipated population increases demand that city, county and State government offices must make definite plans for the preservation of open space land. Fourth, use of statewide coordinated plans for the conservation of open space lands assures that interests of all people are met in growth and development in the State and in the preservation of open space lands. Last, these objectives are necessary for the promotion of the general welfare and for the protection of the public interest in open space land. It is the intent of the Legislature to assure that cities and counties recognize that open space land is a limited and valuable resource which must be conserved [sec. 65562(a)] and to assure that every city and county will prepare and carry out their open space plans [sec. 65562(b)]. A local government's acquisition of open space and its regulatory activities must be consistent with its open space element [sec. 65566 and sec. 65567]. See Table 1 for a brief summary of these requirements.

The open space element and the conservation element overlap in categories that deal with "open space land for the managed production of resources" and "open space for the preservation of natural resources". However, the conservation element emphasizes the conservation and management of economically productive resources (State, 1980, p. 5).

#### Marin Environmental Quality Element

The Marin County Environmental Quality Element divides the county into three planning areas: the City-Centered corridor, the Inland Rural corridor and the Coastal Recreation corridor. The City-Centered corridor is in eastern Marin County and includes most of the County's major urban areas. The Inland corridor is in central Marin and consists primarily of agricultural lands. The Coastal corridor in western Marin is devoted to County, State and National parks and recreation areas and watershed lands.

Within each corridor, the Environmental Quality Element identifies various types of open space uses. In the City-Centered corridor, open space designations of ridgelands serve both as scenery and community separators. Agricultural open space areas are designated for most of the Inland corridor. The Coastal corridor is designated as public open space.

Not only does Marin's Environmental Quality Element establish environmental corridors, but it also creates three conservation zones where special development restrictions prevent environmental deterioration (MCPD, 1982). The County also establishes different types of restrictions and review procedures for each zone: Stream and Creekside Conservation Zone, Coastal Zone and Bayfront Conservation Zone (MCPD, 1982).

Included in the Environmental Quality Element is a brief discussion of the interrelationship between seismic safety, safety, recreation, the built environment and open space.

Marin divides the policy section of the Environmental Quality Element into four groups: County-wide Framework, Stream Conservation Areas (SCAs), Bayfront Conservation Zones (BCZs), and the Built Environment. Each section contains numerous policies, some of which are summarized here. In the countywide Framework section (section IIA), policy A-1 designates categories for permanent preservation of open space: Resource Production, including areas producing agricultural products, timber and fish; Resource Preservation, including areas with water edges, water sheds and wildlife preserves; Safety, including geologic risk areas and flood plains; and Recreation, including public parks and trails.

Policy B-1.1 in the SCA section officially recognizes and protects riparian systems as essential environmental resources because of their values for erosion control and water quality. Policy B-2.1 encourages the retention of natural vegetation on SCAs to reduce soil erosion. When vegetation is removed, the area must be replanted with native plants in order to remove aggressive exotic plants. Policy B-3.3 requires that before any stream alterations are permitted, the minimum water flows necessary to protect fish and water quality should be determined in conjunction with State water agencies and the State Department of Fish and Game. Policy 6.1, a management policy, states that water resources must be managed in a systematic manner which is sensitive to the natural capacities, ecological impacts and equitable consideration of the many water-related needs of the County.

Policy C-1.8, in the BCZ section, states the County's intent to allow the transfer of development potential of diked historic marshlands which are restored to tidal status or enhanced as wetlands habitat to the upland site. Policy C-3.1 deals with the protection of existing agricultural lands in the BCZ. These lands are an important resource for the County. They play an integral role in dairy and other agricultural operations in the County.

Policy C-4.4 recognizes floodplains as having the dual purpose of habitat and floodplain protection. Areas should be evaluated periodically to determine whether increases in the volume and rate of runoff from urbanization or other natural forces warrant further flood mitigation measures. Policy C-5.5 states that public access should be sited and designed to facilitate public use and enjoyment of bayfront lands. Public areas should be clearly marked and continuous ten foot walkways from the nearest roads to the shoreline and along the shoreline should be provided. Policy C-6.1 states the County's intent to protect visual access to the bayfront and scenic vistas of water through its land use and development procedures. In the Built Environment section, policy D-1 establishes criteria for evaluating the design quality of structures in various environmental zones (MCPD, 1982, Table 2.3).

The Implementation section (section III) makes recommendations for each corridor and also discusses implementation measures. In the recommendations for the City-Centered corridor (IIIA), the County recognizes that development pressures are strong and open space in this corridor must continue to be secured (by purchase or other means) by the County Open Space District or by other public agencies.

Government Code	Description
65302(d)	Conservation Element functions as a plan for the conservation, development and utilization of natural resources including water, forests, soils, wildlife, minerals, etc.
65302(e)	An open-space element as provided in Article 10.5 (commencing with Section 65560) of this chapter.
65560	Definition of "local Open Space Plan" Definition of "Open Space Land"
65563	Time restrictions for establishment of plan. (original plan due December 31, 1973)
65564	Required "Action Program" of Open Space Plan.
65561	Objectives of Open Space element.
65562	Intent of Legislature to assure that cities and counties recognize that open space land is a limited and valuable resource which must be conserved.
65566 and 65567	Local governments acquisition of open space and its regulatory activities must be consistent with its adopted open space element.

Table I Definitions of General Plan requirements

The acquisition of remaining open space should be pursued as fast as funds become available. The community separators sub-section identifies specific ridges and upland greenbelts that separate and beautify Marin's communities. The sub-section on water-edge lowlands identifies sections of shoreline that are valuable for recreational purposes or resource protection. The stream and creekside reserves sub-section identifies specific waterways which require strict controls and high environmental standards for protection from encroaching development.

In the recommendations for the Inland Rural corridor (section IIIB), the County states that a combination of agricultural zoning and contracts with landowners will continue to be used to preserve openland in this corridor. Agricultural preserve contracts and zoning to a prevailing density of sixty acres are the primary means used to preserve agricultural activities in the area. Rural lands retained



for agriculture are not expected to pay urban service districts assessments and public investments are scaled accordingly.

The recommendations for the Coastal Recreation corridor (section IIIC) identify specific open space and conservation areas. Zoning and contracts are used to preserve and encourage the retention of dairying and ranching activities.

The Implementation Measures section (section IIID) discusses open space acquisition, regulation and management. Within the acquisition sub-section are means of implementing the recommendations set forth in the plan. Techniques mainly involve the use of governmental fiscal resources, including trade-offs for tax reductions. Regulations are also used to achieve the policies of the plan. The regulation list involves the use of governmental powers, principally police powers like zoning, to achieve public benefits in the private development of land in areas of environmental concern. A discussion of management techniques, transfer of development rights of agricultural lands and protection of SCAs and BCZs. The County also sets forth an early assessment program in which environmental assessment of existing conditions on proposed development sites (biologic, geologic, hazard, and aesthetic) will be completed prior to the preparation of master plans and development plans.

#### San Mateo's Resource Management Plan

San Mateo County's open space plan approaches the fulfillment of the nine mandatory elements differently than Marin County. Conservation, Open Space and Scenic Highways elements in this document and the other six are in a document titled Community Development Plan. The Resource Management Plan does not address issues in the traditional format of nine separate elements. Topics include vegetative, water, fish and wildlife resources, soil resources, mineral resources and parks and recreation resources.

The Plan begins with an overview of the entire document and gives a brief discussion of the political, social, economical and geographic settings of the County. Each chapter follows the same format, beginning with an introduction consisting of the scope and role of the chapter, the State planning law to which the chapter pertains, the relation of the topic to other General Plan documents and in some chapters, a list of terminology used in the chapter. Following the introduction, the next section identifies the existing resources and then the existing plans and regulations pertaining to the chapter topic. A discussion follows on opportunities and constraints on the utilization of the resource, evaluation of existing plans and then a section on alternatives. Following this are San Mateo's official policies on the chapter subject.

Vegetative, water, fish and wildlife resources policies emphasize the protection and regulation of these resources. Policy 1.15 states the County's intent to protect sensitive habitats from reduction in their range or degradation of their environment. Policy 1.17 regulates the location, density and design of development to minimize adverse impacts on vegetative, water, fish and wildlife resources, including measures which cluster structural development. Policy 1.34 encourages all Federal, State, regional, county and city agencies with jurisdiction in San Mateo County to cooperate and coordinate

the management and protection of the resources.

Soil resource policies include those that deal with prevention of soil erosion, soil contamination and soil depletion of valuable resources (Policies 2.8, 2.9, 2.11). Policy 2.15 states the County's intent to limit the density of development to levels which are compatible to soil protective uses and minimally impact the continued availability and productive capacity of valuable soil resources.

Mineral resource policies emphasize the extraction of minerals for commercial use while minimizing environmental impacts. Policy 3.6 states the County's intent to identify and protect significant mineral resource areas from incompatible land uses both within and adjacent to the site and to ensure that mineral resources continue to be available as needed.

The parks and recreation resources policies deal with the regulation and development, acquisition and disposal and maintenance and operation of facilities. Policy 6.10 states the County's intent to acquire and/or develop park and recreation facilities on valuable agricultural soils. When other suitable sites are unavailable, the County may permit the location of facilities on these agricultural soils when efforts are made to lease land not needed for recreational purposes to farm operators. The County encourages all providers of parks and recreation facilities to use land banking as a method of acquiring land for future use (policy 6.2). Policy 6.32 states the County's intent to initiate, promote and support liaison with other governmental agencies and the private sector to develop alternative revenue sources.

#### Discussion

Marin County's Environmental Quality Element (MCPD, 1982) is short, concise and easy to use. All nine elements are in one document making this document an available and accessible reference for planners, citizens and consultants. The Plan presents data and analyses that help local governments analyze problems and issues within the community.

The Plan is well organized. The titles of the "environmental corridors" not only identify the subject of the section, but also give clear definitions of the planning areas. The use of a streamlined format also makes for easy reference. The Plan is consistent. The format of the plan highlights policies and groups them together in logical places with supporting rationale and implementation measures immediately thereafter, where appropriate (MCPD, 1981, pp. 1-3).

San Mateo County's Resource Management Plan (SMCDEM, 1984) is filled with background information for those unfamiliar with the County's planning policies. The political, social, economical and geographical settings provide information to aid those using the Plan in the future. Users will understand from these settings what issues were at stake when the Plan was made and how these issues influenced the Plan.

The document is also well organized and geared for citizen participation. The chapter format not only enables the citizen to use and understand the document but it also helps the planner to

find information quickly and easily. The format presents the data in a logical order. There is little duplication or overlap of information. The chapter design facilitates discussion because information is available to all concerned with county-wide planning.

### Conclusion

This paper presents a number of policies that have worked in Marin and San Mateo Counties. Contra Costa County must determine its goals and objectives and then determine what policies present these goals most effectively. The policies in this paper are meant to help Contra Costa County realize the many options available in constructing its Open Space and Conservation Plan.

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