



CITY COUNCIL AGENDA REPORT

MEETING DATE: October 4, 2004

ITEM NUMBER:

SUBJECT: REQUEST FROM COUNCIL MEMBER COWAN FOR COUNCIL CONSIDERATION – FAIRVIEW PARK

DATE: September 20, 2004

FROM: COUNCIL MEMBER COWAN
STEVEN E. HAYMAN, ASSISTANT CITY MANAGER

PRESENTATION BY: STEVEN E. HAYMAN, ASSISTANT CITY MANAGER
LIBBY COWAN, CITY COUNCIL MEMBER

FOR FURTHER INFORMATION CONTACT: STEVEN E. HAYMAN at (714) 754-5328

RECOMMENDATION

Determine whether to refer the following three (3) matters to the Parks & Recreation Commission for consideration, public input and recommendations relative to Fairview Park: Reconsideration of the installation of a “lower” parking lot, licensing of model glider pilots, and smoking restrictions.

BACKGROUND:

At the request of Council Member Cowan, staff has prepared the following report which identifies the background material available and discusses the procedures in place should the City Council provide direction to proceed.

The original Fairview Park Master Plan, as approved by City Council in March 1998 (Map, Attachment 1), included the installation of a 60 car parking lot on the west side of Placentia Ave., just south of the existing Fairview Flood Control Channel (Text, Attachment 2). This parking lot was located in the northern area of Fairview Park, which is “lower” in elevation than the rest of the park. The proposed lot was to have access directly from Placentia Ave. via a “right turn in/right turn out” driveway located near the flood control channel.

At the November 18, 2002 City Council meeting, a report was presented on the Fairview Park Master Plan Reconfirmation Hearings. This report included a discussion of the lower parking lot, with a recommendation to change the vehicular access point to the existing signalized intersection on Placentia Ave. At that meeting, City Council took action to delete the lower parking lot and vehicular access point from the plan (Attachment 3).

At the City Council meeting of February 18, 2003, Council reviewed a report (Attachment 4) on the final design of Planning Areas A, C, and D within Fairview Park. This report considered, among other things, a recommendation from the Parks and Recreation Commission to “reconsider and reinstate the “lower area” parking lot within the Fairview Park Master Plan”. That recommendation was not approved by City Council (see Minutes, Attachment 5).

In accordance with the currently approved Fairview Park Master Plan (Attachment 6), a “silent flyer” area has been designated to allow for the operation of motorless and electric motor, remotely controlled, model airplanes. A launch and landing area has been identified in the southern part of the park, west of Placentia Ave., and east of the large vernal pool. The second part of this request is to consider a requirement that all operators and airplanes at the site be licensed in order to be allowed to utilize the facility.

Lastly, the City Council is asked to consider smoking restrictions that may be appropriate within the park. Should the City Council be interested in pursuing restrictions up to and including a ban on smoking, it is recommended that this matter be referred to the Parks & Recreation Commission for Public input.

ANALYSIS:

First lets discuss the process in place relative to the lower parking lot area originally identified in the Fairview Park Master Plan. If a reconsideration of this item were authorized by City Council, the following procedure would be followed in accordance with City Council Policy 500-11, titled “Implementation Procedures for the Fairview Park Master Plan” (Attachment 7):

- Obtain specific information on the requested change.
- Submit request in a report to both the Parks and Recreation Commission and Planning Commission, who make a recommendation to City Council.
- City Council reviews the recommendations of the two Commissions, and makes a final determination on the request. If approved, the Fairview Park Master Plan is modified to reflect the change.

If direction is given by City Council to study the second request, staff suggests the following process:

- Meet with representatives of the Harbor Soaring Society, a club that operates at the site, in order to receive input on a proposed licensing process.
- Conduct surveys at the site to interview operators, and to determine the approximate number of “independent” (not in a club) operators utilizing the facility
- Obtain information from other cities/agencies in Southern California that provide similar types of facilities to the public.
- If determined necessary, conduct a community meeting to receive input on the possible licensing of glider operators and airplanes.
- Present findings and a recommendation to the Parks and Recreation Commission meeting, and allow for public input.
- Present staff and Commission recommendations to the City Council for final action and direction.

Similar in fashion as stated above, should the City Council authorize staff to proceed with investigating smoking restrictions in Fairview Park; staff will prepare the item for consideration before the Parks and Recreation Commission.

ALTERNATIVES CONSIDERED:

- Clearly, the City Council may consider all or none of the requests.
- Approve the reconsideration of the lower parking lot, with direction to include specific modifications (i.e., size, number of parking spaces, vehicle access points, etc.) which vary from the originally approved plan in 1998.
- The City Council may provide direction to consider restrictions on smoking ranging from designated areas allowing smoking, to a total ban in all City Parks.

FISCAL REVIEW:

If reconsideration of the “lower” parking lot is approved, staff will prepare reports and exhibits for the Commission and City Council meetings. No additional expenses are anticipated for this reconsideration.

Staff estimates that a minimum of twelve (12) staff hours would be needed to adequately study the licensing request, and to provide this information to the Parks and Recreation Commission and City Council. If a licensing process were established, a fee study would also be conducted to determine the cost of administration of the program. This suggested fee would then be submitted to City Council for their consideration.

Further information would be required, in terms of detailed direction, prior to indicating the cost implications (such as posting, receptacles, and enforcement etc. of smoking restrictions.

LEGAL REVIEW:

A legal review is not required on this item. The City has the ability to impose license, permit, and fee requirements for use of any facilities that it provides to the public. The City Attorney’s Office has also opined that the City has the authority to ban outdoor smoking (Attachment 8).

CONCLUSION:

Council Member Cowan has requested City Council consideration of three items relative to Fairview Park. Staff has attempted to identify the procedures and recommended processes to be utilized in the event the City Council authorizes staff to proceed with any or all of the requests.

STEVEN E. HAYMAN

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DISTRIBUTION: Admin. Svs. Director

- ATTACHMENTS:
- 1 [Map of previous Fairview Park Master Plan showing "lower" parking lot area](#)
 - 2 [Excerpts from Fairview Park Master Plan Document dated March, 1998](#)
 - 3 [Excerpts from Minutes of November 18, 2002 Council Meeting](#)
 - 4 [February 18, 2003 City Council Report](#)
 - 5 [Excerpts from February 18, 2003 City Council Meeting](#)
 - 6 [Map of Currently Approved Fairview Park Master Plan](#)
 - 7 [City Council Policy 500-11](#)
 - 8 [City Attorney's Office Memorandum](#)