



## Law and Legislation Committee Report

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Sacramento, CA 95814

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**File #:** 2016-01291

December 13, 2016

**Consent Item 04**

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**Title: Ordinance Amendment: Amending Section 12.72.060 of the Sacramento City Code Relating to Park Use Regulations for Del Paso Regional Park**

**Recommendation:** 1) Review an ordinance prohibiting entry in the Natural Habitat Areas of Del Paso Regional Park; and 2) pass a Motion forwarding the ordinance to City Council for approval.

**Location:** District 2

**Contact:** Shannon Brown, Park Operations Manager, (916) 808-6076, Department of Parks and Recreation

**Presenter:** None.

**Department:** Parks and Recreation

**Attachments:**

1-Description Analysis

2-Del Paso Regional Park Map

3-Proposed Ordinance

## Description/Analysis

**Issue Detail:** Del Paso Regional Park is a 145-acre site that is located between the I-80 and Business 80 freeways and extends east of Business 80 in the Arden-Arcade area at 3565 Auburn Blvd. The park includes the 18-hole and two 9-hole Haggin Oaks golf courses, the softball complex, equestrian center, Discovery Museum and Renfree Field. Arcade Creek runs through the park and the areas along the creek are designated "Natural Habitat Areas".

In 1985, when the Park Master Plan was adopted for the undeveloped portions of this park, the habitat areas in the park, on the west side and east side of Business 80, were approved to be preserved as permanent natural habitat areas. The preservation of this habitat was mitigation for development of the remaining areas in the park. The habitat areas were to be fenced with a post and cable barrier to prevent vehicular and human traffic. There is a bridle path for horses which can also be used by the public as a hiking trail.

Over the past few years there has been an increase in problems caused by people entering the habitat areas. Illegal camping, drug and alcohol use, lewd conduct, and other prohibited activities are occurring because the thick underbrush and tree canopy provides hiding places. These activities harm the native plantings, impact the wildlife in the area, contaminate the creek, increase the danger of wildfires, and create public safety issues. Such activities are causing a large accumulation of trash and debris requiring frequent cleanups, increasing maintenance costs.

The presence of persons engaging in illegal activities creates a public safety problem for use of the equestrian trail by the members of the Sacramento Horsemen Association who operate the equestrian center. The residents living next to the habitat areas have filed complaints with the City regarding the noise, trash and illegal activities, as well as expressed concerns over the damage to the habitat.

While the current Park Use Regulations set out in the Sacramento City Code prohibit these activities, park rangers cannot issue a citation unless they witness the illegal act. The trees and bushes in the habitat areas prevent visual observation during park patrols. Because the plantings in the habitat area cannot be removed or extensively trimmed, the only remedy is to prevent the public from entering the habitat areas unless they are on the bridle trail and using the trail for horseback riding, walking or biking. After the ordinance is enacted, signs will be posted in the habitat areas informing the public that it is illegal to be in the area unless they are using the trail and remain on the trail. The proposed ordinance will provide park rangers with the ability to cite persons who violate the "no trespassing" signs.

**Policy Considerations:** The Del Paso Regional Park Master Plan requires the City to manage the park to preserve the native habitat areas. Under the Master Plan, public use of these areas was to be limited to the equestrian trail. The City can decide to close portions of a park in order to protect natural open space and wildlife habitat. In order to prevent public access into the habitat areas, the Park Use Regulations need to be amended to specify that it is impermissible to enter those areas unless using the trail.

**Economic Impacts:** None.

**Environmental Considerations:** The proposed ordinance will protect the habitat and is consistent with the Environmental Impact Report that was prepared for adoption of the Master Plan. Therefore, adoption of the ordinance is considered an administrative activity that is exempt from environmental review under section 15378 (b)(5) of the CEQA Guidelines.

**Sustainability:** Preservation of the native habitat areas is consistent with the goals, policies, and targets of the City's Sustainability Master Plan, the Parks and Recreation Sustainability Plan, and the 2035 General Plan, as well as the Del Paso Regional Park Master Plan.

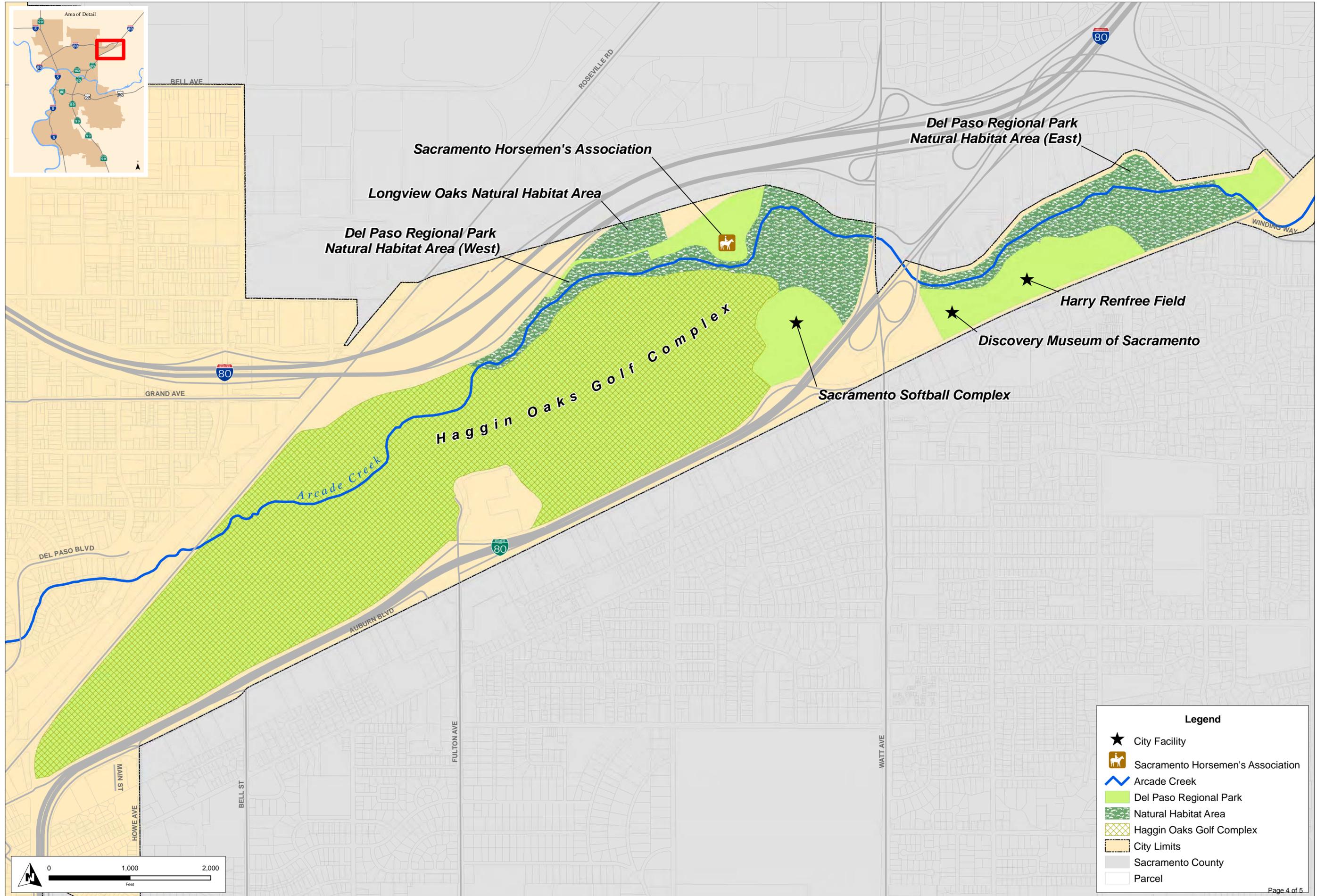
**Commission/Committee Action:** The proposed ordinance was approved by the Parks and Recreation Commission at their meeting held on November 3, 2016.

**Rationale for Recommendation:** The proposed ordinance will help address a public safety problem that exists at Del Paso Regional Park and will help protect the habitat and wildlife in these native preserve areas.

**Financial Considerations:** By preventing the public from entering the habitat areas, the maintenance costs for removal of trash and debris and the burden on park rangers to prevent illegal activities in these areas should be reduced.

**Local Business Enterprise (LBE):** Not applicable.

# City of Sacramento Department of Parks and Recreation Del Paso Regional Park



**Legend**

- ★ City Facility
- Sacramento Horsemen's Association
- Arcade Creek
- Del Paso Regional Park
- Natural Habitat Area
- Haggin Oaks Golf Complex
- City Limits
- Sacramento County
- Parcel



**ORDINANCE NO.**

Adopted by the Sacramento City Council

**AN ORDINANCE AMENDING SECTION 12.72.060  
OF THE SACRAMENTO CITY CODE RELATING TO PARK USE  
REGULATIONS FOR DEL PASO REGIONAL PARK**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

**SECTION 1.**

- A. Subsection AA is added to section 12.72.060 of the Sacramento City Code to read as follows:
- AA. Enter the designated natural habitat areas within Del Paso Regional Park, except for the following activities:
1. Horseback riding on the designated trails;
  2. Walking or using a non-motorized bicycle on the designated trails;  
and
  3. Using the areas for scientific, environmental, educational, or maintenance purposes, if granted permission to do so by the city manager.
- B. Except as amended by subsection A above, all provisions of section 12.72.060 remain unchanged and in full effect.