THE CITY OF SAN DIEGO

MANAGER'S REPORT

DATE ISSUED: September 13, 2000 REPORT NO. 00-180

ATTENTION: Land Use and Housing Committee
Agenda of September 20, 2000

SUBJECT: Process for Designating Additional Off-Leash Areas for Dogs in Existing Developed Parks

REFERENCE: Manager's Report No. 98-141, dated June 24, 1998
Land Use and Housing Committee Consultant Analysis, dated July 1, 1998
Manager's Report No. 98-235, dated December 18, 1998
Resolution No. R-291472, adopted April 12, 1999

SUMMARY

Issue - What process shall City Council approve for identifying fenced exercise and training areas for off-leash dogs in existing developed parks?

Manager's Recommendations -

1. Request the Mayor to appoint one member, and each Councilmember to appoint one member, to an Ad Hoc Task Force for Off-Leash Areas (TFOLA) by October 30, 2000, to make recommendations to the citizen advisory Park and Recreation Board for final decision by the Park and Recreation Director.

2. Request the TFOLA to review the Minneapolis, Minnesota "Advisory Committee Report Establishing an Off-Leash Dog Recreation Area Program," the Alexandria, Virginia "Manager's Report on Park and Recreation Commission's Master Plan for Dog Exercise Areas, Fenced Dog Parks and Proposed Ordinance Changes," (both attached) and other relevant reports, and make recommendations on the following topics: (a) relevant, ranked criteria for use in evaluating sites as fenced, off-leash dog exercise and training areas; (b) proposed off-leash sites that have a high potential for success as

measured by the relevant, ranked criteria; and (c) plans for communication, funding, design, operation, implementation, and post-implementation review and adjustment, as needed, for fenced off-leash dog exercise and training areas in existing developed parks.

3. Rescind the "Leash-free Area Designation Process for Parks," which was approved by City Council on April 12, 1999, after the Park and Recreation Director's official decision on the recommendations of the TFOLA and Park and Recreation Board.

Other Recommendations - None.

Fiscal Impact - None with this action.

BACKGROUND

The subject of this report is designating additional off-leash areas for dogs in existing developed parks. For new parks, the City Council previously provided direction to the Park and Recreation Director to solicit community input during the planning phase on whether or not to include a leash-free area for dogs in the new park subject to posted rules and regulations. This is occurring. Parks where dogs are currently allowed off-leash are as follows: three areas in Balboa Park: Grape Street Park, Nates Point and an area of Morley Field; and two beach areas: Dog Beach and Fiesta Island.

The issue of whether or not to designate additional off-leash areas for dogs in existing, developed public parks has been a topic of discussion for several years. To facilitate a citywide discussion, the Park and Recreation Department requested recommendations from its citizen advisory Recreation Councils and Area Committees about designating off-leash areas for dogs in parks within their advisory jurisdictions. Most of these groups were opposed to designating additional areas for off-leash dogs in existing City parks.

In addition, the Department requested a recommendation from the citizen advisory Park and Recreation Board on the subject of designating additional areas for off-leash dogs in existing parks. On May 21, 1998, the Board: voted 5-1-0 to recommend that City Council vote to expeditiously create one (or one more, in the case of Council Districts that already have leash-free areas) leash-free dog areas in each City Council District, only if that is the consensus wish of the interested organized community groups in the Council District, with said consensus identifying the park or park area to be designated leash-free for a 6-month trial period with strict identification of the distance of the leash-free area from homes and the hours approved for leash-free use, with the Council Office to return to City Council at the end of the trial period with an evaluation of how the trial leash-free dog area in that District worked, and a recommendation to the City Council about whether to continue it permanently.

At the July 1, 1998 meeting of the Land Use and Housing (LU&H) Committee of City Council, the City Manager recommended that in order to meet the need for leash-free areas for dogs within

those communities where there is demand for such areas, without limiting the acceptable venues to only developed parks, which had resulted in emotional debate and polarization of communities, expand the opportunities to achieve community consensus on additional leash-free areas for dogs in the City of San Diego by asking each City Council Office to: (a) coordinate a meeting in each community (as defined by the boundaries of the recognized community planning area) to brainstorm all possible public and private sites in that community suitable as leash-free areas and to recommend one or more sites for leash-free designation, including limitations or regulations on leash-free use, if any; and (b) seek necessary approvals, with the assistance of the City Manager, from public or private property owners for the selected sites for a one-year trial to be evaluated by the community, with a recommendation back to the Council Office on its effectiveness and whether or not to make the leash-free designation permanent.

On July 1, 1998, the LU&H Committee Consultant recommended that the Park and Recreation Department: (a) search for additional off-leash sites by coordinating a well-publicized public meeting, outside the forum of existing community groups, but with all official community groups invited, to brainstorm all possible public and private sites suitable as leash-free areas, and to recommend by consensus one or more sites including limitations or regulations on leash-free use, if any, for leash-free designation, including seeking approval for community use of recommended sites from property owners; and provide a status report on the outcome, including estimated cost, if any, and funding source to LU&H before proceeding with any trial; and (b) work with groups (similar to soccer, little league, swim, or tennis clubs) to further consider responsible ways to successfully operate and maintain leash-free areas, including recommendations about time of day, clean-up, training and the enforcement of rules.

At its July 1, 1998 meeting, LU&H directed the Park and Recreation Department to create an advisory group to develop a specific policy recommendation, and return in 90 days to LU&H. The policy recommendation was to include the estimated cost, if any, and funding source. The policy recommendation was to consider the formation of "user groups" that could petition the City to set up leash-free areas in a specific area. Each user group proposal was to demonstrate support for the proposal by adjacent neighbors, and set forth the conditions under which dogs could be allowed to be leash-free with rules and features such as fences tailored to physical layout of the site. Dogs were to be prohibited from tot lots and established athletic fields. Proposals addressing existing neighborhood and community parks were to show there was no reasonably feasible alternative.

The Park and Recreation Department formed an advisory committee, which met from July to October, 1998. They recommended a "Leash-Free Area Designation Process for Parks" (Process). In three areas of advisory committee impasse, the City Manager made recommendations on the Process. On January 20, 1999, LU&H met on the issue and adopted the Process recommended by the City Manager with four additions and one definition of words. On April 12, 1999, City Council adopted the Process as recommended by LU&H.

The Process is "neighborhood based." This means: (a) the idea to use a park area for off-leash dogs is initiated by users of that park; (b) input that is given the most weight by the Park and Recreation Director in deciding whether or not to grant an off-leash trial in the park is: from neighbors whose houses abut the park or abut a street adjacent to the park and from park users; less weight is given to input from the Recreation Council and other community groups; and less weight still is given to interested parties who live outside the community in which the park is located; and (c) the degree of validity of testimony about impacts on park neighbors and users is given more weight than the numbers of people for or against designation of an area as off-leash.

DISCUSSION

Since April, 1999, the Process has been used to review seven applications from user groups for off-leash areas for dogs in parks: Maddox Park in Mira Mesa, which was approved in August, 2000 for a one-year trial pending some on-site modifications; Sandburg Park in Mira Mesa, the application for which was withdrawn by the user group; Torrey Highlands Park in Carmel Valley, the application for which was not accepted because the site is a scheduled athletic area; a 7-acre, unfenced site in Kate Sessions Park in Pacific Beach, which was denied; and four sites which are in various stages of the Process: Renaissance Park in Carmel Valley; a 3.5-acre, fenced site in Kate Sessions Park in Pacific Beach; Western Hills Park and Cadman Park, both in Clairemont.

In May, 2000, after experiencing difficulties with the full Process during the first application for Kate Sessions Park, the Park and Recreation Director implemented additional procedures which were intended to help the Process work more effectively. Unfortunately, difficulties were experienced with the additional procedures as well, so staff has been working on refining those procedures.

There has been significant public comment that the neighborhood-based "Leash-Free Area Designation Process for Parks" approved by City Council on April 12, 1999, has resulted in severe polarization of communities on the off-leash dog issue. Numerous, and often conflicting, amendments to the Process have been offered by various interested parties. None of these amendments result in taking the issue out of the neighborhoods and having it decided on a broader geographical basis within the context that fenced off-leash areas for dogs and their owners are a valid recreational use.

The Manager recommends taking advantage of the experience of other communities that have more successfully addressed the off-leash issue by appointing a citizen task force to make recommendations on a broader geographic basis than neighborhoods, based on a comparison of one potential site against another using relevant, ranked criteria, and to make recommendations on plans for communications, funding, design, operation, implementation and post-implementation review and adjustment, as needed.

The October, 1998 Minneapolis, Minnesota model is recommended for review by the citizen task force because their history and concerns are similar to San Diego's, and they appear to have developed a successful program in that they are scheduled to open four off-leash areas in late 2000. In addition, they are currently in the process of evaluating another four sites for off-leash use. It is recommended that the TFOLA select its own Chair, be offered meeting space in park and recreation facilities, and be provided with a liaison with the Park and Recreation Department.

The June, 2000 Alexandria, Virginia model is also recommended for review by the citizen task force. This is because Alexandria has extensive experience with off-leash areas, having designated 26 sites for off-leash dog exercise over 20 years ago, and having revisited current user and neighbor demands and concerns recently.

ALTERNATIVES

1. Retain the "Leash-Free Area Designation Process for Parks,"which was approved by City Council on April 12, 1999, and authorize staff to formulate appropriate procedures, as needed, to implement the Process more effectively, including establishing time frames for review and comment.

2. Direct implementation of one of the earlier recommendations described in this report. Upon City Council action on this Alternative, rescind the current Process.

3. Create a Council District-based review and recommendation process whereby each Councilmember appoints two representatives from their District to an advisory committee for that District to recommend high potential sites in the District for off-leash use. The recommendations are then forwarded to the Park and Recreation Director to evaluate the sites for feasibility and cost. The Park and Recreation Director will then consult with the Councilmember and make a final decision. Upon City Council action on this Alternative, rescind the current Process.

4. Appoint an Ad Hoc Task Force for Off-Leash Areas to recommend an alternate Process to be returned to LU&H with the recommendation of the City Manager. After a new Process is approved, rescind the current Process.

5. Discontinue considering off-leash areas for dogs in existing developed parks. Only consider off-leash areas for dogs in new parks, which have not yet been developed, or which will be more than 50% redeveloped. Upon City Council action on this Alternative, rescind the current Process.

Respectfully submitted,

Marcia C. McLatchy Park and Recreation Director	Approved by: George I. Loveland Assistant City Manager

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Attachments:

1. Minneapolis, Minnesota Advisory Committee Report Establishing an Off-Leash Dog Recreation Area Program.

2. Alexandria, Virginia Manager's Report on Park and Recreation Commission's Master Plan for Dog Exercise Areas, Fenced Dog Parks and Proposed Ordinance Change.

Attachments are of such size that they are not distributed with this report. Copies of the attachments are available at the Office of the City Clerk and at Recreation Centers.

Note: Attachments not available in electronic format.