

RESOLUTION NUMBER R- 291472

ADOPTED ON APR 12 1999

RESOLUTION RETAINING CERTAIN LEASH-FREE AREAS  
FOR DOGS IN PARKS AND ESTABLISHING A PROCESS  
FOR DESIGNATING FUTURE LEASH-FREE AREAS.

WHEREAS, San Diego Municipal Code section 63.0102 authorizes the Park and Recreation Director [Director] to designate dog exercise and training [Leash-Free] areas in City-owned parks; and

WHEREAS, the Leash-Free Area Designation Process Ad Hoc Committee [Ad Hoc Committee], authorized by the Land Use and Housing Committee [LU&H] on July 1, 1998, and formed by the Director, recommends adoption of the Leash-Free Area Designation Process for Parks [Designation Process], with modifications, as described in Manager's Report No. 98-235 [Manager's Report]; and

WHEREAS, the Ad Hoc Committee's recommended Designation Process is the result of months of research, discussion, and compromise with the goal of achieving consensus; and

WHEREAS, the most prevalent periods of Leash-Free activity at Grape Street Park are between 6:00 a.m. and 9:00 a.m., and between 4:00 p.m. and 7:00 p.m., when people walk their dogs before and after work; and

WHEREAS, the boundary for the Leash-Free area at Grape Street Park is intended to minimize dog excursions into adjacent private properties, and was described in a petition signed by three hundred and twenty-five (325) people; and

WHEREAS, on January 20, 1999, the Manager's Report was approved by LU&H with modifications; and

WHEREAS, the Ad Hoc Committee deserves commendation for its hard work and willingness to forge a consensus on numerous aspects of this difficult topic; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the following existing twenty-four (24) hour Leash-Free areas for dogs shall remain Leash-Free, and that regulation signs, as described in the Manager's Report, shall be posted at these sites:

1. Dog Beach in Ocean Beach;
2. Fiesta Island in Mission Bay Park, pending future public hearings at the time funding is available for design and initial development of the Island;
3. Morley Field, behind the tennis courts, in Balboa Park; and
4. Nates Point, on the west side of Balboa Park.

BE IT FURTHER RESOLVED, that Grape Street Park shall remain Leash-Free subject to the following regulatory changes:

1. Leash-Free use is authorized on a one-year trial basis for the hours of 9:00 a.m. to 11:00 a.m., and 4:00 p.m. to 9:00 p.m. on weekends and holidays; and from 7:30 a.m. to 10:00 a.m., and 4:00 p.m. to 9:00 p.m. on weekdays. Sixty (60) day advance notice of this change from the currently effective twenty-four (24) hour Leash-Free use shall be posted at the park;
2. The Leash-Free area shall begin beyond the flower bed, fifty-one (51) feet inside of the park, where a sign shall be posted to that effect;

3. The posted rules will include the standard rules as described in the Manager's Report as well as the following: (1) persons using the Leash-Free area may have a maximum of two dogs off-leash at the same time, and must retain voice command of the dog(s) at all times; and (2) all dogs using the Leash-Free area must have current vaccinations;
4. At the end of the trial year, the Leash-Free designation will be evaluated by the Director, consistent with the Designation Process approved by this Resolution.

BE IT FURTHER RESOLVED, that the Designation Process as described in the Manager's Report is approved with the following amendments recommended by LU&H:


1. Amend "Overview of the Designation Process" on page 5, paragraph 2, by adding the following sentences at the end of the paragraph: "A User Group must post a notice of their proposal for a Leash-Free area in the affected park. A User Group must also notify the Council member in whose District the proposed Leash-Free area is located."
2. Amend "Cover Letter" on page 6, paragraph 1, by including the following: (i) At the end of subparagraph (b), add "'Established athletic fields' are defined as any area where the Department issues permits for organized sports play, whether or not the area is fenced."; and (ii) Add subparagraph (f) to read as follows: "The area immediately surrounding the picnic table or barbeque areas of a park."
3. Amend "Cover Letter" on page 7, paragraph 3, by adding the following sentence at the end of the paragraph: "The posted sign(s) shall describe the boundaries of the Leash-Free area."

BE IT FURTHER RESOLVED, that during the planning phase for new parks, the Director shall solicit community input on whether to include a Leash-Free area, subject to the regulations described in the Manager's Report.

BE IT FURTHER RESOLVED, that staff is requested to do the following:

1. Move forward with the process on a trial basis for one year and then be evaluated by the local planning groups and others, and heard at the LU&H Committee;
2. If the process is not working, bring back any changes that have to be made;
3. Include in the policy that the regular and permit users of the park will be notified of the proposed change;
4. Defer the "standing advisory group" for a year; and
5. Bring back the portion of the Mission Bay Master Plan that pertains to reducing the size of what is available and accessible to leash-free dog walking on Fiesta Island because this issue was not considered when Council heard the Mission Bay Master Plan Update.

APPROVED: CASEY GWINN, City Attorney

By   
Lori W. Girard  
Deputy City Attorney

LWG:cdk  
02/18/99  
04/16/99 REV. 1  
Or.Dept:Pk.&Rec.  
R-99-861