

RESOLUTION NUMBER R-296665

ADOPTED ON JUNE 11, 2002

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO REGARDING OFF-LEASH AREAS AT FIESTA ISLAND, DOG BEACH, NATES POINT AND MORLEY FIELD; APPROVAL OF PROCEDURES CONCERNING OFF-LEASH AREAS.

WHEREAS, on May 30, 1972, the City Council approved by Ordinance No. 10843 the first off-leash areas for dogs in San Diego at Fiesta Island and Dog Beach; and

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

WHEREAS, in 1993, the Director authorized a trial Off-Leash area at Grape Street Park in Balboa Park; on April 12, 1999, City Council approved by Resolution No. R-291472 amended Off-Leash area boundaries and hours at Grape Street Park; and in 2000, the Director authorized continuing the boundaries and hours of the trial off-leash area at Grape Street Park; and

WHEREAS, in 1996, the Director authorized trial off-leash areas at Nates Point and Morley Field behind the tennis courts, both in Balboa Park; and in 2001, the Director authorized trial off-leash areas at Maddox Neighborhood Park and Cadman Community Park; and

WHEREAS, on JUN 11 2002, City Council designated Off-Leash areas at Grape Street Park by Resolution No. R-296666; Maddox Neighborhood Park by Resolution No. R-296663; and at Cadman Community Park, by Resolution No. R-296664

WHEREAS, on JUN 11 2002, City Council established a one year trial Off-Leash area at Doyle Community Park by Resolution No. R-296657; Torrey Highlands Maintenance Assessment District Park, by Resolution No. R-296658; Kearny Mesa Community Park, by Resolution No. R-296660; Cabrillo Heights Neighborhood Park, by Resolution No. R-296661; and at Dusty Rhodes Neighborhood Park, by Resolution no. R-296659;

and

WHEREAS, on JUN 11 2002, City Council authorized contingent development of an Off-Leash area at Rancho Bernardo Community Park, by Resolution No. R-296662 and at Capehart Park, by Resolution No. R-296667; and

WHEREAS, on September 20, 2000, the Committee on Land Use and Housing [LU&H] directed the City Manager to form an Ad Hoc Committee to be formed to begin a process of selecting Off-Leash Areas; and

WHEREAS, on January 9, 2001, by Resolution No. R-294435, the City Council approved the Ad Hoc, Off-Leash Dog Committee; and

WHEREAS, the Ad Hoc Off-Leash Dog Committee recommended amending the "Advisories and Rules and Regulations for Posting at Off-Leash Areas," and adopting the "Criteria for Siting One Year Trial Off Leash Areas for Dogs in Existing Parks," as referenced in City Manager's Report No. 02-130 [Manager's Report]; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Council continues the April 12, 1999, Council action to retain Fiesta Island in Mission Bay Park as a Off-Leash Area, pending future public hearing, at the time funding is available for design and initial development of the Island.

2. That the Council approves and adopts the "Advisories and Rules and Regulations for Posting at Off-Leash Areas," as described in the Manager's Report, with the following amendments:

- a. That number seven of the rules/regulations shall indicate that "Dogs must be under voice, whistle, or hand-signal control."
- b. That Dog Beach and Fiesta Island are excluded from the posted rule/regulation number ten to "Fill any hole your dog digs," and
- c. That Dog Beach, Fiesta Island and Dusty Rhodes Neighborhood Park are excluded from advisory number three, that "Dog training classes are not allowed in Off Leash Areas."

The Council directs the City Manager to implement the new procedure as amended.

3. That the Council directs the City Manager to amend posted advisory/rules/regulation signs at Dog Beach in Ocean Beach and at Fiesta Island in Mission Bay Park, in accordance with the "Advisories and Rules and Regulations for Posting at Off-Leash Areas."

4. That the Council accepts the City Manager's status reports on Nates Point Off-Leash Area and Morley Field Off-Leash Area, as described in the Manager's Report, and directs the City Manager to return the items to the Land Use and Housing Committee, if necessary, with recommendations from local community groups.

5. That the Council directs the City Attorney to prepare for introduction at Council any necessary ordinances amending the San Diego Municipal Code in accordance with actions relating to Off-Leash areas.

6. That the Council directs the City Manager to include in the adopted Park and Recreation Department Fee Schedule, fees for Park Use Permits for Off-Leash Dog Agility Trials/ Flyball/Frisbee Practice Sessions.

7. That the Council approves and adopts the "Procedure for Deciding Off-Leash Area Status at End of One Year Trial and Modifying/Revoking Off-Leash Area Status at Any Time," as described in the Manager's Report, and directs the City Manager to implement the new procedure.

8. That the Council approves and adopts the "Procedure for Considering Initiating New One Year Trial Off-Leash Areas at Sites that are Already Developed and in Use as Parks," as described in the Manager's Report, and directs the City Manager to implement the amended procedure.


9. That the Council approves and adopts the "Procedure for Considering Designating New Off-Leash Areas at Sites Other than Those that are Already Developed and in Use as Parks," as described in the Manager's Report, and directs the City Manager to implement the procedure.

10. That the Council approves and adopts the "Procedure for Permitting Off-Leash Areas for Special Activities," as described in the Manager's Report, and directs the City Manager to implement the procedure.

11. That the Council accepts the City Manger's status reports on Enforcement and on Public Noticing, as described in the Manager's Report.

12. That the Council directs the Land Use and Housing Committee to review, by June 11, 2003, all procedures relating to the designation of new off leash sites and all permitting processes for off leash activity.

APPROVED: CASEY GWINN, City Attorney

By 
Deborah Engel-Brodie
Deputy City Attorney

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