

DATE ISSUED: May 28, 2002

REPORT NO. 02-130

ATTENTION: Honorable Mayor and City Council  
Agenda of June 11, 2002

SUBJECT: Off Leash Areas for Dogs: Locations, Funding, Regulations, Procedures,  
Ordinances and Fees

REFERENCE: Manager's Reports No. 01-085, 01-002, 00-180, 98-235 and 98-141  
Resolutions # R-294435 and R-291472  
Land Use and Housing Committee Actions of May 30, 2001, Item 2  
Memo dated July 12, 2001, "Legality and Liability of Off Leash  
Areas for Dogs in Parks"

#### SUMMARY

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Issue - Shall City Council adopt as resolutions the Manager's Revised Recommendations for locations, construction funding, maintenance and sign funding, regulations, procedures, municipal code amendments and fees for Off Leash Areas for dogs, as described in this report?

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Manager's Recommendation - Adopt as resolutions the Manager's Revised Recommendations as detailed in Attachments 1-8 and as shown in the maps in Attachment 9 of this report.

The subjects covered by these recommendations, and the page numbers on which they can be found, are as follows:

1) Authorize actions to:

A) Initiate One Year Trial Off Leash Areas for dogs in the following existing developed parks:

(1) Doyle Community Park, as detailed in Attachment 1, page 1, and shown in the map in Attachment 9;

(2) Torrey Highlands Maintenance Assessment District Park, as detailed in Attachment 1, page 3, and shown in the map in Attachment 9;

(3) Dusty Rhodes Neighborhood Park, as detailed in Attachment 1, page 5, and shown in the map in Attachment 9;

(4) Kearny Mesa Community Park, as detailed in Attachment 1, page 7, and shown in the map in Attachment 9; and

(5) Cabrillo Heights Neighborhood Park, as detailed in Attachment 1, page 10, and shown in the map in Attachment 9.

B) Authorize design and construction of an Off Leash Area at Rancho Bernardo Community Park Expansion, as detailed in Attachment 1, page 12, and shown in the map in Attachment 9.

C) Approve actions for two locations which were designated Off Leash Areas by ordinance in 1972: Fiesta Island and Dog Beach, both as detailed in Attachment 1, page 13.

D) Designate Off Leash Areas (where one year trials have successfully concluded) in: Maddox Neighborhood Park, as detailed in Attachment 1, page 13, and Attachment 8; and Cadman Community Park, as detailed in Attachment 1, page 16; both as shown in the maps in Attachment 9.

E) Direct the City Manager to return to the Land Use and Housing Committee as needed with local community group recommendations on proposals for Nates Point, as detailed in Attachment 1, page 17, and Morley Field, as detailed in Attachment 1, page 18.

2) Direct the City Attorney to prepare amendments to Municipal Code Section 63.0102(b)(2), related to: adding the common term “Off Leash Areas”, as detailed in Attachment 2, page 20; authorizing the Park and Recreation Director to issue Park Use Permits for Off Leash Dog Practice Sessions for Agility Trials, Fly Ball, and/or Frisbee, as detailed in Attachment 2, page 20; and prohibit dog training classes in Off Leash Areas, as detailed in Attachment 2, page 21.

3) Adopt: advisories and rules/regulations for posting at Off Leash Areas, as detailed in Attachment 3, page 22; and procedures for: deciding Off Leash Area status at end of One Year Trial and modifying/revoking Off Leash Area status at any time, as detailed in Attachment 3, page 23; initiating new One Year Trial Off Leash Areas at sites that are already developed and in use as parks, as detailed in Attachment 3, page 23; designating new Off Leash Areas at sites other-than those that are already developed and in use as parks, as detailed in Attachment 3, page 24; and permitting Off Leash Areas for special activities, as detailed in Attachment 3, page 25.

4) Designate Grape Street Park Off Leash Area, as detailed in Attachment 4, page 26, and shown in the map in Attachment 9.

5) Designate Capehart Park Off Leash Area, as detailed in Attachment 5, page 28, and shown in the map in Attachment 9.

6) In response to Land Use and Housing Committee's May 30, 2001 action to "Add Kate Sessions Park to the list for consideration at the City Council," the Manager recommends that City Council consider public input and take one of the following actions regarding Kate O. Sessions Park:

A) Remove the park from consideration as an Off Leash Area; or

B) Initiate One Year Trial Off Leash Area, as detailed in Attachment 6, page 29, and shown in the map in Attachment 9.

7) Accept City Manager's status reports on referrals from the Land Use and Housing Committee on May 30, 2001 about enforcement, as detailed in Attachment 7, page 31, and public noticing, as detailed in Attachment 7, page 32.

Other Recommendations -

1) The Land Use and Housing Committee's May 30, 2001 actions are listed with the relevant issues in the Attachments.

2) The City Council-approved, volunteer, advisory Ad Hoc Off Leash Dog Committee's recommendations are listed with the relevant issues in the Attachments.

3) To ensure that City Council receives recommendations from as many interested parties as possible, notification of the subject matter of this Council Meeting was distributed to the following on May 21-29, 2002. The notice provided the internet address to obtain this Manager's Report on or after May 23, 2002. The report was available May 29, 2002.

A) Owners and residents of property located within 300 feet of the following parks: Doyle, Torrey Highlands, Dusty Rhodes, Kearny Mesa, Cabrillo Heights, Rancho Bernardo, Maddox, Cadman, Grape Street, Capehart and Kate Sessions.

B) Chairs of the following Recreation Councils: Doyle, Carmel Valley, Dusty Rhodes, Robb Field, Ocean Beach, Kearny Mesa, Serra Mesa, Rancho Bernardo, Mira Mesa, Cadman, Balboa Park/Morley Field, Santa Clara and La Jolla.

C) Chairs of the following Community Planning Groups: University, Carmel Valley and its Maintenance Assessment District Committee, Ocean Beach, Kearny Mesa, Linda Vista, Serra Mesa, Rancho Bernardo, Mira Mesa, Clairemont, Greater Golden Hill and Pacific Beach.

D) Chairs of the Park and Recreation Board and the following Board Committees: Mission Bay Park, Balboa Park, Coastal Area, Northern Area and Central Area.

E) Dog trainers listed in the yellow pages.

F) Other interested persons on a mailing list.

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Fiscal Impact - The fiscal impact of each recommendation is listed with the relevant issues in the Attachments.

Overview of Recommended Construction Funding

University Park Service District Fees (Fund # 11480)	\$ 11,315
Kearny Mesa Vista Park Service District Fees (Fund # 11430)	1,107
West Mira Mesa Park Service District Fees (Fund # 11210)	1,400
Pacific Beach Park Service District Fees (Fund # 11510)	1,591
Mira Mesa Recreation Council (Fund # 10365)	5,000
Mira Mesa Dog (Fund # 10365)	1,290
FY02 General Fund/Park and Rec. Dept. Matching Funds (Fund # 10365)	6,290
Donation from Mission Bay Park Endowment Fund (Fund # 10365)	5,350
FY03 General Fund/Park and Rec. Dept. Matching Funds (Fund # 10365)	5,350
FY02 Environmental Growth Fund/Balboa Park (Fund # 105051)	8,200
Balboa Park/Mission Bay Park Deferred Maintenance (Fund # 63023)	4,610
Carmel Valley Facilities Benefit Assessment (Fund # 79002)	14,500
Mira Mesa Facilities Benefit Assessment (Fund # 79006)	30,000
California Park Bond Per Capita Fund/Rancho Bernardo Community Park Acquisition and Development (Fund # 38129)	270,000
(Unfunded) Future Donations	24,230
FY03 or Future General Fund/Park and Rec. Dept. Matching Funds	<u>24,227</u>
	\$414,460

Note: Fund # 10365 is the funding source to match donations, not grants. Alternative #2 at the end of this report would allow City Council to explore whether to allow Fund # 10365 to match fund sources other than donations.

Overview of Recommended Maintenance and Sign Funding

Included in the FY03 Proposed Budget for the Park and Recreation Dept. are “New Facility” requests for Off Leash Areas totaling \$118,255 for five sites. These were placed in the budget as place-holder requests pending development of the recommendations in this report. This report’s proposed use of the requested funds supercedes the use identified in the FY03 Proposed Budget. Maintenance is an annual expense. Signs are also an annual expense, due to a high level of anticipated vandalism.

FY03 Proposed Budget Document, Park and Recreation Dept., from the \$118,255 “New Facilities” request for Off Leash Areas (Fund # 100)	\$118,255
Carmel Valley Maintenance Assessment District for Torrey Highlands MAD Park (Fund # 70220)	6,375
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## BACKGROUND

The referenced documents provide the history through the May 30, 2001 Land Use and Housing Committee meeting. The attachments to this report provide detailed recommendations for City Council action, as well as support information, for each issue.

There are two main challenges to providing Off Leash Areas for dogs: a) selecting sites that users will find desirable and that other members of the community will find acceptable; and b) identifying funds to construct and maintain the basic facilities. This report recommends locations where, it is hoped, the first challenge will be met. This report also identifies funding for maintenance of the sites if they are authorized. However, some of the sites are still considerably under-funded for construction. Park Service District Fees and Facilities Benefit Assessments are recommended for use where available, as are grants, site-specific sources, donations and Park and Recreation Dept. Matching Funds. It is hoped that City Council authorization of the under-funded sites will serve as a catalyst to fund raising. No authorized site will begin legal off leash use until the basic construction identified in this report is completed.

For construction of Off Leash Areas in existing, developed parks: a) Manager recommends use of the General Fund only to the extent that General Funds are provided as match for donations, and only for population-based parks (i.e. not above-population based parks, which are neither built nor maintained from the City's budget); and b) Cost estimates are based on bids for actual site conditions rather than on standard per-unit costs. However, these bids fall within a reasonable range of about: \$10-12/linear foot for 4-foot high galvanized chain link fence; \$350-600 per double-gated entry; \$440-750 per maintenance gate for mowers; \$15/ linear foot for mow curb; \$1,000 per accessible bench/pad; and \$200 per rule/regulation sign. Actual costs may differ from estimates.

For maintenance of Off Leash Areas: a) Manager recommends use of the General Fund only for population-based parks; b) Maintenance is based on an estimate of \$2,125/acre/year for each of the following tasks (i.e. \$8,500/acre if all four tasks are required for a specific site): picking up dog excrement not removed by area users; more frequent removal of heavier contents of trash cans; fence repair; and weed whip of grass which will otherwise grow to unsightly heights along base of fences installed on turf without mow curb; and c) annual maintenance and sign funding are already included in the Proposed FY 2003 Budget for Park and Recreation Dept. New Facilities for Off Leash Areas, including for those sites which still require construction funding.

The recommendations in this report create a new distinction whereby City Council either "initiates a One Year Trial Off Leash Area" or "designates an Off Leash Area" by City Council resolution. Either status is only revocable by another action of City Council.

## ALTERNATIVES

1. Consider public input and take actions which differ from the Manager's Revised

Recommendations in terms of Off Leash Area locations, funding, regulations, procedures, ordinances and fees.

2. Direct the City Manager to return to the Rules Committee with a recommendation about whether to allow Fund # 10365, Park and Recreation Dept. Matching Funds, to match fund sources other than donations.

Respectfully submitted,

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Terri Williams  
Assistant to the City Manager

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Approved: Bruce A. Herring  
Deputy City Manager

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Due to the size of the attachments, there is a limited distribution. Copies are available for review in the Office of the City Clerk.

Attachments: [1-7. Details Associated With Each Manager's Revised Recommendation](#)  
[8. Agreement Between City and Mira Mesa Recreation Council](#)  
[9. Maps of Parks and Locations Being Discussed as Off Leash Areas](#)  
[Map of Cadman Community Park](#)  
[Map of Capehart Park](#)  
[Map of Cabrillo Heights Neighborhood Park](#)  
[Map of Kearny Mesa Community Park](#)  
[Map of Doyle Community Park](#)  
[Map of Dusty Rhodes Neighborhood Park](#)  
[Map of Grape Street Park](#)  
[Map of Kate Sessions Neighborhood Park](#)  
[Map of Maddox Neighborhood Park](#)  
[Map of Rancho Bernardo Community Park](#)  
[Map of Torrey Highlands Maintenance Assessment District Park](#)