



**Council Meeting: July 23, 2013**

**SUBJECT: Discussion and Possible Action Regarding Feasibility of Establishing Additional Dog Parks and Off-Leash Alternatives in Sunnyvale's Park System (Study Issue) and Budget Modification No. 2**

**REPORT IN BRIEF**

This study issue evaluated the general need, feasibility and costs associated with constructing additional dog parks and off-leash alternatives within the City of Sunnyvale's open space system. (Attachment A – *2013 Council Study Issue DPW 13-14 Feasibility of Establishing Additional Dog Parks and Alternatives in Sunnyvale's Park System.*) Parks and other open space areas were reviewed for suitability as locations for dog parks, including preferred features. Three sites including Lakewood, Fair Oaks and Serra Parks were identified and studied further. Should Council authorize the construction of additional dog parks or off-leash areas, this report identifies several feasible sites for consideration and associated funding. In addition, Las Palmas Dog Park was studied to determine if it contained those features and amenities ranked as most preferred by the public survey.

Staff recommends Alternatives Number 1: Approve Budget Modification No. 2 and appropriate \$100,000 from the Park Dedication Fund in FY 2013/14 for the purpose of making improvements to Las Palmas Dog Park, including the addition of natural grass and a separate area for small dogs, amenities ranked as most preferred; and Number 2: Approve inclusion of new dog parks at Lakewood and Fair Oaks Parks as part of the scopes of work for the approved major renovation capital projects at each site in the Park Dedication Fund 20-year plan. It is not recommended to approve a dog park at Serra Park at this time because the major renovation for that park is not scheduled to occur until 2023/24.

The Parks and Recreation Commission reviewed a draft of this report at their July 10, 2013 meeting and voted to recommend that Council approve the staff recommendation of Alternatives 1 and 2 (Attachment E – Excerpt of Draft Parks and Recreation Commission Meeting Minutes of July 10, 2013.)

The Commission heard significant public comment in support of off-leash alternatives, including allowing dogs to be off-leash at designated locations and times in Sunnyvale's Park system, with particular interest in Panama Park. Further, public comment reflected the need for a separate area for small dogs

and concerns about lack of off-leash alternatives while Las Palmas Dog Park undergoes improvements. Comments indicated an interest in changing the Municipal Code to accommodate off-leash alternatives, including allowing dogs to run off-leash in areas with owner-supplied portable, temporary fencing.

### **BACKGROUND**

Dog owners have historically expressed an interest in being able to exercise their dogs off-leash in public parks and open space areas. In response to that need, many cities have built enclosed dog parks with restricted access as a separate amenity in existing parks or as a stand-alone facility. In 1990, Council authorized a legislative study entitled *Consideration of Dog Runs* and a follow-up study in 1991, *Feasibility of Constructing a Pilot Dog Park*. These studies resulted in the construction of the City's only dog park located at Las Palmas Park. The amenity has been in continuous operation and well-used since its opening in 1992. Las Palmas Dog Park provides a fenced, one-half acre site for use by all dogs and their owners (Attachment B – Las Palmas Park Site Map). The dog park amenities include: double-gated entry, decomposed granite surfacing, benches, shade trees, trash receptacles and potable water. The park is currently being maintained based on Council-approved budget service levels.

A second dog park, one quarter acre in size, has been approved as a feature of Seven Seas Park that is scheduled to open in summer 2014. This study issue was initiated by community members for several reasons, including: a) the need for additional dog parks and/or off-leash alternatives in Sunnyvale's Park System, and b) safety concerns about dog owners allowing their dogs to run off-leash in areas where leashes are required. The need for a separate area for small dogs at the existing Las Palmas Dog Park and in the design of new dog parks was made apparent by dog owners.

There are currently 50 sites of open space maintained by the Public Works and Environmental Services Departments in the City of Sunnyvale representing 816 acres. Dogs are allowed on-leash at 42 sites comprising 433 acres. Dogs are not allowed on-leash or off-leash at Baylands Park, the golf courses or Cupertino School District sites. Dogs are currently allowed off-leash at one site, Las Palmas Dog Park.

Sunnyvale Municipal Code requires that dogs are kept on-leash, not to exceed six feet in length, on public streets, sidewalks, parks, school grounds, and other public places. The Municipal Code also requires that the dog owner is responsible for any damage caused by their dog, even if on leash.

## **EXISTING POLICY**

### **General Plan**

**Goal LT-8: Adequate and Balanced Open Space:** Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the city to finance, construct, maintain and operate these facilities now and in the future.

### **Sunnyvale Municipal Code 6.16.010. (a) Leash required.**

It is unlawful for any person owning or having control of any dog to allow or permit such dog, whether licensed or not, to be upon a public street, sidewalk, park, school ground, other public place or upon any unenclosed lot or land unless such dog is kept by means of a leash not to exceed six feet in length.

### **Sunnyvale Municipal Code 9.62.070. (d) Conduct – Prohibited acts.**

No person having the control or care of any dog shall suffer or permit such dog to enter or remain in a park unless it be led by leash of suitable strength not more than six feet in length; and the owner and the attendant shall be responsible for any damage caused, in any event, by such dogs, even if on leash.

## **DISCUSSION**

### **Additional Dog Parks**

A variety of factors were considered to determine need for additional dog parks and/or off-leash alternatives in Sunnyvale. Staff reviewed City population growth, estimated dog population, number of licensed dogs, dog parks and off-leash areas in comparable agencies. Staff conducted extensive public outreach, including public meetings and surveys (both online and hard copies) in order to solicit feedback on the issue of dog parks and off-leash alternatives. A total of 800 surveys were received, with 726 surveys submitted online and 74 received as hard copies. Over 90 percent (90.7%) of respondents indicated support for additional dog parks in Sunnyvale with permanently fenced, off-leash areas for dogs. (Attachment C – Public Outreach and Comments Summary).

According to the National Recreation and Park Association, the national average for cities is one dog park per population of 48,000. Sunnyvale has a current population of 145,973 and would require three dog parks to meet the national average. Based on the National Council on Pet Population Study & Policy calculations, the dog population in Sunnyvale is estimated at over 30,000 dogs.

For benchmark information on dog parks and off-leash options, staff conducted a survey of 30 agencies within Santa Clara, San Mateo and Alameda Counties. Results indicated that most cities have established at least one dog park in their respective communities. Amenities vary from site to site; the majority of dog parks surveyed have separate areas for large and small dogs. Most are free for community members; a few have parking fees. The Silicon Valley Humane

Society dog park is fee-based, with an application process to join. Some of the larger county parks and park districts offer considerable acreage for dog parks, and may not be considered comparable to Sunnyvale's park system. For more information about dog parks in neighboring communities, see Attachment D – Dog Parks & Off-Leash Alternatives in Municipalities in Alameda, San Mateo and Santa Clara Counties.

The Study called for staff to identify a select group of feasible sites for further consideration. Criteria in identifying potential dog park sites included: geographic spacing throughout Sunnyvale, park acreage, accessibility, current and future uses of the City-owned property, regulatory restrictions (if applicable), and cost considerations. Staff identified several parks that best met the criteria including: Lakewood Park (located north of 101 and south of Highway 237), Fair Oaks Park (located north of Central Expressway and south of 101), and Serra Park (located on Hollenbeck Avenue between Fremont Avenue and Homestead Road). Dog parks could be built that are similar in size and amenities to Las Palmas Dog Park, within the scopes of work for approved major park renovations, at sites that are part of the Park Dedication Fund (PDF) 20-year plan. Between 85% and 89% (depending upon the particular park) of survey respondents were in favor of dog parks at all four of these sites. In addition, dog parks could be considered during the public input and conceptual design phase for all major park renovation projects in the PDF 20-year plan.

### **Las Palmas Dog Park**

An extensive public survey was conducted as part of this study and survey respondents heavily favored improving the facility to provide separate areas for small and large dogs and the addition of natural grass as the main surfacing throughout the dog park. The initial renovation and ongoing maintenance is dependent upon a capital investment of \$100,000 and additional annual operating costs of \$6,000, required primarily to irrigate, maintain, renovate and replace the natural grass as needed.

A petition signed by 135 community members was presented to Council at the February 12, 2013 meeting requesting two proposals for Las Palmas Park. One proposal was to allow small dogs to play and socialize off-leash in Las Palmas Park's north-west grass area. The second proposal was to install a fence and an additional gate, inside the existing dog park, to allow a separate area for small dogs, and install artificial turf on the dirt area. They requested this alternative due to the lack of space for small dogs to safely and legally exercise and socialize off-leash. Improvements to Las Palmas Dog Park will address the request for a separate area for small dogs and for natural turf.

### **Baylands Park and Sunnyvale Landfill Site**

Sunnyvale has maintained and operated Baylands Park, a 177-acre facility, since 1994, through a lease agreement with the County of Santa Clara. The current lease is for a 25-year term with a possible 10-year extension that would

terminate the agreement in 2044. Although not required by the County or any regulatory agency, the City has never allowed dogs in the park due to the desire to protect native wildlife. Examples of sensitive fauna that use this location as part of their habitat are burrowing owls and salt marsh harvest mice that are listed as “species of special concern” by the California Department of Fish and Game. Positive aspects of locating a dog park at this facility include the size of the park and distance from residential areas. Detracting factors are: sensitive wildlife, County-owned land, and distance from residential areas.

The Sunnyvale Landfill is currently in its post-closure monitoring and maintenance phase, and is required to comply with many federal, state and local regulations. The landfill is currently designated as a public facility and is maintained mostly as open space for passive and active recreation such as hiking, jogging, bicycling and bird watching. Dogs are currently allowed on-leash in certain areas of the landfill including the West Hill.

### **Off-Leash Alternatives**

Many dog owners allow their dogs to be off-leash in Sunnyvale Parks, in violation of Sunnyvale’s Municipal Code. The Department of Public Safety, Animal Control Division, responds to off-leash violations on a regular basis by providing education, warnings and issuing citations. In response to limited dog parks, and the cost of citations, some dog owners have requested a change to the municipal code that would allow them to have their dogs off-leash in parks outside of a traditional, fenced dog park. Some cities have provided unfenced, off-leash areas at designated sites at certain times, with established rules and criteria. Survey results indicated 51% in support for designated off-leash areas without fencing for dogs in Sunnyvale and another 20.3% were in favor but only with restricted times.

There are no cities in Santa Clara County that currently provide unfenced, off-leash areas for dogs in public open space. The City of Mt. View does issue permits for dog training that allow qualifying applicants to have their dogs off-leash in unfenced areas of a park with certain restrictions. There are two cities in San Mateo County, Foster City and San Carlos, that currently provide unfenced, off-leash areas for dogs at designated times. The City of Foster City may be cited as an example of a municipality with a successful off-leash program. In addition to an established fenced Boat Dog Park, dogs are allowed off-leash at designated areas within five parks at specified times. Foster City also established an 11-person citizen advisory committee to address issues related to off-leash dogs in the parks.

Off-leash, unfenced options would require a change to the municipal code. If Council were to approve the change to municipal code, then established operating program criteria would need to be established and approved by the Director of Public Works. Criteria considerations, based on other municipalities with off-leash programs, could include establishing resident liaisons between dog owners and the City helping to ensure that rules and regulations were being followed. Rules could include requiring dogs to be licensed and vaccinated, with display tags for both. Enforcement of new regulations by

Sunnyvale's Department of Public Safety Animal Control Unit would be challenging given limited staff resources.

### **Temporary, Portable Fencing for Off-Leash Dogs**

Another alternative is to allow off-leash dogs in designated areas with owner-supplied, portable fencing. This alternative would allow small dogs, specifically, to run off-leash within the confines of temporary, portable fencing. Many of the community members that advocated this as an option later petitioned Council with the proposal for a separate small dog area at Las Palmas Park, (refer to "Las Palmas Dog Park" section of the discussion). If Council should consider this temporary fencing option, criteria would need to be clearly established, including: permit process, fencing material, equipment storage, designated area and time, number and size of dogs, and cleanliness. Responsible parties would need to be identified in the event of damage to City property and/or responding to complaints from other park users. A change to the municipal code would also be needed. Survey responses reflected 66% in support of this option.

### **Risk and Liability**

Existing law makes the owner of any dog civilly liable for the damages suffered by any person who is bitten by the dog while in a public place. Existing law also governs the tort liability and immunity of claims and actions against a public entity including a city. The "Dog Park Immunity Act" (Assembly Bill 265) is currently pending in the California legislature and would grant immunity to a local public entity that operates a fenced dog park for any damages that result solely from the actions of a dog in the dog park. According to the author, liability costs constitute one of the largest barriers to small cities and counties from being able to afford a dog park. Although a local public entity is arguably already immune from liability under the California Government Claims Act, many local governments believe this bill would provide greater certainty and permit them to provide an important community service without exposing taxpayers to the cost of litigation.

A permanently fenced dog park with double-gated entry mitigates issues between park users and off-leash dogs. The City has a better opportunity to implement and enforce risk control measures at a fenced dog park. As an example, the City of San Mateo established a pilot off-leash, unfenced program in 2010. According to the April 6, 2011 Administrative Report to San Mateo's Parks and Recreation Commission, there were several incidents. For example, "In early 2011, a senior citizen was knocked over one morning during the off-leash period by an overzealous dog while she was walking through the park." In response to reported incidents, San Mateo has installed fences in previously unfenced, off-leash areas. Burlingame has done this as well. The Golden Gate National Recreation Area is also reviewing its off-leash pet management policies in response to documented incidents. (Refer to the full report at <http://www.nps.gov/goga/parkmgmt/dog-management.htm>)

From a risk management and liability perspective, unfenced, off-leash options pose substantial risks. Dog behavior is unpredictable; some dogs are aggressive or anti-social and may seriously harm other dogs and park users. Not all dog owners behave in a responsible manner, including cleaning up after their dogs. Many community members voiced concerns with dogs running off-leash and posing a threat to them while walking, skating, bicycling, playing sports, having a picnic, or other activities. Users of a fenced dog park understand that there are inherent dangers, and they assume some risk when they enter those areas with their dogs. A park user visiting the park without a dog would not anticipate encountering an unleashed dog in the park. Such a park user would not have assumed any risk from unleashed dogs when visiting a park. From an enforcement perspective, the Department of Public Safety, Animal Control Division, currently deals with ongoing problems with irresponsible dog owners in violation of Sunnyvale Municipal code and unsafe dog behavior.

### **California Environmental Quality Act (CEQA)**

Should Council authorize the construction of additional dog parks in Sunnyvale's existing park system, the projects are categorically exempt pursuant to CEQA guideline sections 15301 (minor alteration of existing public or private structures), 15302 (replacement or reconstruction of existing structures located on the same site as the replacement structure), and 15304 (minor alteration to the condition of land which do not involve removal of trees).

### **FISCAL IMPACT**

The total estimated cost to renovate Las Palmas Dog Park in FY 2013/14 is \$100,000, which includes the installation of natural grass and the addition of a separate area for small dogs. The ongoing maintenance of the natural grass, including water, mowing, renovation and materials, is estimated to cost \$6,000 per year and would be funded by the General Fund. If the renovation project is approved, these ongoing maintenance costs will be incorporated into the Neighborhood Parks and Open Space Management Program's operating budget starting in FY 2014/15.

Costs for major renovation projects at Lakewood and Fair Oaks Parks are currently included in the Park Dedication Fund's 20-year financial plan. The scope of these renovation projects has not yet been fully determined; however, sufficient funding is currently available in each project to incorporate the design and construction costs associated with a new dog park at each site. The Lakewood Park Renovation and Enhancement Project design is planned for FY 2013/14 and construction is planned for FY 2014/15. The Fair Oaks Park Renovation and Enhancement Project design is planned for FY 2015/16 and construction is planned for FY 2016/17. While neither of these projects anticipates additional operating costs resulting from the renovations, if there are additional operating costs associated with the new dog park elements of these renovation projects, they will be considered during the regular review of the operating budget.

Budget Modification No. 2 has been prepared to appropriate \$100,000 from the Park Dedication Fund Capital Project Reserve to a new project, Las Palmas Dog Park Renovation. There is capacity within this reserve to appropriate these additional funds without impacting the other projects currently programmed over the 20-year planning period.

**BUDGET MODIFICATION NO. 2  
FISCAL YEAR 2013/14**

	<u>Current</u>	<u>Increase (Decrease)</u>	<u>Revised</u>
<b>Park Dedication Fund</b>			
<u>Expenditures:</u>			
New Project – Las Palmas Dog Park Renovation	\$0	\$100,000	\$100,000
<u>Reserves:</u>			
Capital Projects Reserve	\$4,375,745	(\$100,000)	\$4,275,745

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

Public meetings were conducted by City staff at six different park sites at two different times each with 121 total attendees who completed a survey and provided input after hearing a staff presentation about the study issue. Meetings were advertised on the City's Web site, *Sunnyvale Sun* newspaper and KSUN. Meeting notices were sent to residents and businesses within 1,000 feet of potential existing and potential dog park sites, including: Lakewood, Fair Oaks, Las Palmas, and Serra. Sunnyvale neighborhood associations, and interested parties, such as, the *Friends of Parks and Recreation*, were sent email announcements. Flyers were posted at all Sunnyvale parks, including Las Palmas Park and Dog Park.

A Web page, *DogParks.inSunnvale.com*, was created to inform the public about the study and public meetings, to encourage participation in an on-line survey, and to provide staff contact information. 726 people responded to the on-line survey and 74 people completed a hard copy survey that gave community members an opportunity to state their opinions on dog parks, off-leash

alternatives, and related issues. This informal survey was not intended to be statistically controlled or sampled and it should be noted that 79.5% of the respondents were dog owners.

The Parks and Recreation Commission reviewed a draft of this report at their July 10, 2013 meeting and voted to recommend that Council approve the staff recommendation of Alternatives 1 and 2 (Attachment E – Excerpt of Draft Parks and Recreation Commission Meeting Minutes of July 10, 2013.)

### **ALTERNATIVES**

1. Approve Budget Modification No. 2 to appropriate \$100,000 from the Park Dedication Fund in FY 2013/14 for the purpose of making improvements to Las Palmas Dog Park, including the addition of natural grass and a separate area for small dogs.
2. Approve inclusion of new dog parks at Lakewood and Fair Oaks Parks as part of the scopes of work for the approved major renovation capital projects at each site in the Park Dedication Fund 20 year plan.
3. Direct staff to prepare an amendment to the Municipal Code to allow dogs off-leash at designated locations and times in Sunnyvale's Park System and establish rules for such under the authority of the Director of Public Works.
4. Provide other direction to staff as Council deems appropriate.

### **RECOMMENDATION**

Staff recommends Alternatives Number 1: Approve Budget Modification No. 2 to appropriate \$100,000 from the Park Dedication Fund in FY 2013/14 for the purpose of making improvements to Las Palmas Dog Park, including the addition of natural grass and a separate area for small dogs, and Number 2: Approve inclusion of new dog parks at Lakewood and Fair Oaks Parks as part of the scopes of work for the approved major renovation capital projects at each site in the Park Dedication Fund 20-year plan.

The first alternative addresses the need for improvements of the City's only existing dog park, including the addition of a separate area for small dogs and the addition of natural grass surfacing based on survey results. The second alternative responds to the need for additional dog parks throughout Sunnyvale. Survey respondents overwhelmingly supported additional dog parks in general and, specifically at Lakewood, Fair Oaks and Serra Parks. It is not recommended to approve a dog park at Serra Park at this time because the major renovation for that park is not scheduled to occur until FY 2023/24.

New dog parks would provide legal options for dog owners to allow their dogs off-leash without the City incurring additional liability. Staff does not support off-leash, unfenced alternatives, for a variety of reasons including increased risk and liability, safety concerns for both dogs and people, and difficulty in enforcement. Over 150 survey respondents provided comments that voiced those concerns and others including off-leash dogs in unfenced areas of a park potentially discouraging more vulnerable groups of people, including children and the elderly, from using the park.

Reviewed by:

Kent Steffens, Director, Public Works

Prepared by: Patricia Lord, Senior Management Analyst and Scott Morton, Superintendent of Parks, Golf and Trees

Reviewed by:

Grace Leung, Director, Finance

Approved by:

Gary M. Luebbers  
City Manager

**Attachments**

- A. 2013 Council Study Issue DPW 13-14 *Feasibility of Establishing Additional Dog Parks and Alternatives in Sunnyvale's Park System*
- B. Las Palmas Park – Site Map
- C. Public Outreach and Comments Summary
- D. Survey of Dog Parks & Off-Leash Alternatives in Municipalities in Santa Clara, San Mateo and Alameda Counties
- E. Excerpt of Draft Parks and Recreation Commission Meeting Minutes of July 10, 2013

## ATTACHMENT A

2013 Council Study Issue

## DPW 13-14 Feasibility of Establishing Additional Dog Parks and Alternatives in Sunnyvale's Park System.

**Lead Department** Public Works

**History**                    **1 year ago** None            **2 years ago** None

### 1. What are the key elements of the issue? What precipitated it?

At the December 4, 2012 council meeting, Vice Mayor Whittum proposed a study to examine the general need, feasibility and costs associated with constructing additional dog parks within the City of Sunnyvale's open space system. Dog owners have historically expressed an interest in being able to exercise their pets off-leash in public parks. In response to that need many cities have built enclosed dog parks with restricted access as a separate amenity in existing parks or as a stand-alone facility. There are approximately 750 acres of open space maintained by the Parks Division and dogs are not allowed in the majority of that space including at Baylands Park, Schools and Golf Courses. Dogs are allowed on-leash at approximately 25 sites comprised of 200 acres and including parks, JWC Greenbelt, Community Center and other special use areas.

In 1990 Council authorized a legislative study issue entitled "Consideration of Dog Runs" and in 1991 a follow-up study entitled "Feasibility of Constructing a Pilot Dog Park." These studies resulted in the construction of the City's only dog park located at Las Palmas Park. The amenity is approximately 0.5 acre in size and has been in continuous operation and well-used since its opening in 1992. Since then there has been no organized or significant interest for another dog park until 2011 during public input meetings to discuss the conceptual design for Seven Seas Park. Neighbors of the planned park requested that an off-leash "dog run" area be included in the design for the new park. Current preliminary designs include a dog run area approximately a quarter of an acre in size.

This study would review parks and other City-owned property and identify a select group of sites for further study. Community outreach would be conducted to engage park users, park neighbors, community residents and other stakeholders to accurately if more dog parks are needed in Sunnyvale and if there are other issues that should be considered as part of the study. Three to five sites would be studied to determine the feasibility of all aspects of constructing dog parks.

### 2. How does this relate to the General Plan or existing City Policy?

General Plan Goal LT-8 "Adequate and Balanced Open Space". Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the city to finance, construct, maintain and operate these facilities now and in the future.

### 3. Origin of issue

**Council Member(s)** Whittum, Spitaleri

### 4. Staff effort required to conduct study Major

#### **Briefly explain the level of staff effort required**

Staff from the departments of Public Works and Library and Community Services would need to collaborate to determine the feasibility of constructing additional dog parks and how they would affect the current uses of open space.

5. Multiple Year Project? Yes Planned Completion Year

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
Does this issue require review by a Board/Commission? Yes
If so, which? Parks and Recreation Commission
Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 0

Explanation

The study could be performed within existing staff resources.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

Capital costs to construct additional dog parks vary greatly depending upon the number, size and design. Operating costs may increase depending upon the amenities any new dog parks would replace within an existing facility.

9. Staff Recommendation

Staff Recommendation Support

If 'Support', 'Drop' or 'Defer', explain

The feasibility of additional off-leash dog areas should be carefully studied to ensure the needs of dog owners are balanced with the interests of neighbors and other park users. The study would engage all interested stakeholders to identify issues related to the construction of additional dog parks.

Reviewed by

Kent Steffens 12-14-12
Department Director Date

Approved by

[Signature] 12-14-12
City Manager Date

# Las Palmas Park



Sunnyvale  
Tennis  
Center

Dog  
Park

Russet Drive

**DOG PARKS AND OFF-LEASH AREAS IN MUNICIPALITIES IN  
ALAMEDA, SAN MATEO AND SANTA CLARA COUNTIES**

City	Population	Dog Park(s)	Off-leash unfenced area(s) allowed	Separate area for small and large dogs	Owner-provided temporary fencing allowed	Fee(s) if applicable	Special Features	Notes
Sunnyvale	145,973	Las Palmas	no	no	no	no	Fenced; water; double-gated entry; benches,	Opened in 1992; half acre
<b>SANTA CLARA COUNTY CITIES</b>								
Campbell	39,664	Los Gatos Creek County	no	yes	no	\$5 parking	Irrigated lawn w/ decomposed granite pathways; public art; pet-friendly water fountains; logs & boulders for dog play	.5 acre
Cupertino	58,747	Mary Avenue (proposed)	no - On 7/21/09 Council reviewed results of 2327 surveys with 63% opposing trial off-leash unfenced program	yes @ proposed site	no	no	Proposed amenities may include installation of benches, trash receptacles, dispensers for waste mitts and a drinking fountain.	.44 acre site
Gilroy	49,391	Las Animas Veterans Dog Park	no	Separate area for small and large dogs	no	no	Fenced; water; double-gated entry; benches	Dog park located within 23-acre park
Los Gatos	29,651	Los Gatos Creek County, located in Campbell	no - on 6/18/12 Town of Los Gatos voted no to off-leash pilot program	yes	no	\$5 parking	Refer to Campbell's dog park	Town contributed resources to Santa Clara County Parks for fenced dog park

**DOG PARKS AND OFF-LEASH AREAS IN MUNICIPALITIES IN  
ALAMEDA, SAN MATEO AND SANTA CLARA COUNTIES**

City	Population	Dog Park(s)	Off-leash unfenced area(s) allowed	Separate area for small and large dogs	Owner-provided temporary fencing allowed	Fee(s) if applicable	Special Features	Notes
Milpitas	67,476	Ed Levin County Park	no	yes	no	\$ parking	Benches, picnic tables, water, bags, restroom	County Park
Morgan Hill	38,309	Morgan Hill Dog Park	no	yes	no		Natural turf; hilly terrain, benches, gravel path	
Mt. View	74,723	Shoreline Dog Park; dogs are not allowed at Shoreline Park	Yes, with dog training permit in certain areas of Cuesta, Rengstorff & Whisman	Yes	no	no	Double gated entry; water; picnic tables, shaded areas, bulletin board	2/3 acre park
Palo Alto	64,943	Mitchell; Greer and Hoover Parks	no		no	no	varies by site	varies by site
San Jose	958,789	Nine dog parks: Butcher, Delmas, Fontana, Miyuki, Olinder, Raleigh Linear, Ryland, Saratoga Creek & Watson	no	yes	no	no	varies by site	varies by site
Santa Clara	118,169	Reed & Lafayette	no	yes	no	no	Natural turf; hilly terrain, benches, gravel path	1.5 acres; Closed Thursdays for maintenance
<b>SAN MATEO COUNTY CITIES</b>								
Brisbane	4,328	Brisbane Dog Park	no	no	no	no	Wooden play structure for dogs; water station, picnic table w/ shade, chairs, lighting, bags	1/4 acre; adjacent to City Hall
Belmont	26,031	Cipriani Dog Park	no	yes	no	no	Lighting, water, bags, benches, picnic tables	3/4 acre

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ALAMEDA, SAN MATEO AND SANTA CLARA COUNTIES**

City	Population	Dog Park(s)	Off-leash unfenced area(s) allowed	Separate area for small and large dogs	Owner-provided temporary fencing allowed	Fee(s) if applicable	Special Features	Notes
Burlingame	29,009	Bayside Dog Park	No- on 3/120/12 Council voted to end pilot, unleashed program at Cuernavaca and Washington Parks	yes	no	no	Bayside fully gated	3/4 acre
Daly City	101,920	Mission Hills; Palisades Park	no	yes	no	no	bags; adjacent picnic area	
Foster City	30,790	Boat Dog Park	Yes, at five park sites in designated areas/times	yes at Boat Dog Park	no	no	Lighting, water station, bags, restroom. DG surface, shade structures, tables, benches,	1/2 acre
Menlo Park	32,319	Nealon Park M-F 8 AM - 10AM; Willow Oaks Park 7AM-9AM and 4 PM to Dusk	no	no	no	no	Partially fenced; shared use of sports field	Organized group of dog owners @ Nealon Park
Redwood City	77,712	Shores Dog Park	no	yes	no	no	Water, located near lagoons, wildlife preserve & walking trails	.6 acres. Partnership w/ "Shore Dogs" organization
San Bruno	41,842	Commodore Park	no	yes	no	no	water, bag stations, benches, picnic tables, restroom and adjacent playground	1/2 acre

**DOG PARKS AND OFF-LEASH AREAS IN MUNICIPALITIES IN  
ALAMEDA, SAN MATEO AND SANTA CLARA COUNTIES**

City	Population	Dog Park(s)	Off-leash unfenced area(s) allowed	Separate area for small and large dogs	Owner-provided temporary fencing allowed	Fee(s) if applicable	Special Features	Notes
San Carlos	28,615	Heather Dog Exercise Area	Yes - pilot program at Burton & Highlands Park was authorized by Parks & Rec. Director and Muni Code 12.12.270 D	no	no	no	Heather 1.5 acres: Pooper Scooper Dispenser, Hiking Trail, Open Space,	Unfenced, off-leash program hours vary by season w/ sports and camps
San Mateo	97,966	Seal Point	no - discontinued off-leash, unfenced program at Beresford, Central Park and Bayside Parks	yes	no	no	Located on Shoreline: water, bags, restroom, bench, shade structure, dirt surface	3 acres at Seal Point
<b>ALAMEDA COUNTY CITIES</b>								
Alameda	74,081	Main Street Dog Park; Washington Dog Park	no	Yes	no	no	Separate area for small dogs at Washington Dog Park	1.3 acres at Main Street; 5.7 acres at Washington
Berkeley	114,046	Cesar Chavez Park (unfenced) & Ohlone Park (fenced)	yes at Cesar Chavez in designated areas;		no	no	Cesar Chavez site built on former landfill; views of bay	17-acres at Cesar Chavez Park;
Dublin	46,743	Dougherty Hills Dog Park; Bray Commons Park includes an enclosed .25 acre area for small dogs weighing less than 20 lbs.	no	yes at Dougherty Hills Dog Park;	no	no	Doggie drinking fountain, bench seating,	Public Art called "Animal Series"

**DOG PARKS AND OFF-LEASH AREAS IN MUNICIPALITIES IN  
ALAMEDA, SAN MATEO AND SANTA CLARA COUNTIES**

City	Population	Dog Park(s)	Off-leash unfenced area(s) allowed	Separate area for small and large dogs	Owner-provided temporary fencing allowed	Fee(s) if applicable	Special Features	Notes
Fremont	215,711	Central Park Dog Park	no	yes	no	no	Artificial turf; two double gated entrances; drinking fountains for dogs and owners; shade structures	1.2 acres for large dogs; .02 acre for small dogs
Hayward	145,839	4 fenced dog parks: Castro Valley, San Leandro, San Lorenzo & Hayward	no	yes	no	no	Hayward Area Recreation & Park District	HARD - independent special use district
Livermore	81,678	Five fenced dog parks; one unfenced dog area at Robertson Park	yes, at Robertson Park in designated meadow area	yes, at Marlin Pound park	no	no	Livermore Area Recreation & Park District; not City of Livermore	LARPD an independent special district
Oakland	392,932	Five fenced dog play areas	no	yes	no	no	Open dusk to dawn. City of Oakland offers: Dog Play Parties, Dog Birthday Parties, Puppy Play Class, Senior Dog Fitness Class, Pool Party & Canine Activity Fair	Community Maintenance Dog Play areas. Users are responsible for keeping ground clean, week removal and graffiti removal within the runs.
Pleasanton	70,643	Muirwood Community Park	no	yes	no	no	Play surface is bark	100 yards x 10 yards

**DOG PARKS AND OFF-LEASH AREAS IN MUNICIPALITIES IN  
ALAMEDA, SAN MATEO AND SANTA CLARA COUNTIES**

City	Population	Dog Park(s)	Off-leash unfenced area(s) allowed	Separate area for small and large dogs	Owner-provided temporary fencing allowed	Fee(s) if applicable	Special Features	Notes
San Leandro	85,490	San Leandro Dog Park	no	yes	no	no	shade structures with picnic benches; water faucets; benches and garbage cans. Restrooms adjacent to parking lot.	58,000 sq/ feet
Union City	69,850	Drigon Dog Park	no	yes	no	no	Fake fire hydrants, doggie watering stations, scooper dispensers, dog bone shaped walkway, dog jumps, dog tunnels and a dog climbing platform	Friends of Drigon Park

**Commissioner Alexander motioned and Commissioner Pasqua seconded to approve the draft minutes of May 8, 2013. Motion carries (3-0) Commissioner Kenton abstained as he was not present at the meeting.**

1.B. Approval of Draft Minutes of June 12, 2013 Special Meeting.

Vice Chair Pochowski requested the minutes be changed to reflect Ralph Kenton was "appointed" instead of "elected."

**Commissioner Kenton motioned and Commissioner Pasqua seconded to approve the draft minutes of June 12, 2013 with changes. Motion carries (3-0) Commissioner Pochowski abstained as he was not present at the special meeting.**

### **PUBLIC COMMENTS**

Garth Williams, a member of the Board of Directors of Friends of Stevens Creek Trail, provided their annual report to the Sunnyvale Parks and Recreation Commission. A feasibility study about connecting the Stevens Creek Trail through Sunnyvale will likely come to this Commission as a draft. The mission of the Friends of Stevens Creek Trail is to promote community pride, involvement, completion, enhancement and enjoyment of the Stevens Creek Trail. Mr. Williams provided examples of their work.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

#### **2. Discussion and Possible Action Regarding Feasibility of Establishing Additional Dog Parks and Off-Leash Alternatives in Sunnyvale's Park System (Study Issue) and Budget Modification No. 2**

Senior Management Analyst Patricia Lord presented the staff report. The study addressed four areas: 1- additional sites and locations, 2 - amenities, 3 - unfenced and off-leash options, and 4 - portable fencing options.

Parks Manager James Stark and Ms Lord addressed questions from Commissioners. The park renovation budget and maintenance of dog parks were discussed. Director of Public Works, Kent Steffens, indicated the dog park amenities could be included within the park renovation budget without impacting other park features. The community survey for the study issue and off-leash trends were discussed. Panama Park was evaluated for off-leash dogs, however staff does not recommend changing the municipal code for off-leash hours at any parks due to risk and safety concerns.

Vice Chair Pochowski opened public comment at 7:30 p.m.

Mark Pruitt represented an informal group of 130 dog owners who use Panama Park and who have met as a group to discuss off-leash options. His group supports an

experimental off-leash option at Panama Park in addition to increasing dog park locations. He referenced New York Cities' off-leash program, which is revenue positive, because it requires purchase of a dog tag. His group would support the same approach.

Dawn Peralta expressed that she is happy that Sunnyvale is considering modifying the Las Palmas dog park to include area for small dogs. She is a member of a group of approximately 35-40 small dog owners who let their dogs play off-leash within temporary fencing, provided by the group at Las Palmas Park. They would like consideration of an off-leash option within a temporary fencing area until there is a specific small dog area in the dog park. She described the fencing used as 4' tall and overlapping so dogs cannot escape. She explained that many of the people in the group no longer go to that park, because they were ticketed when letting their dog off-leash.

Soren Witzman commented on the proposed schedule for the renovation of the dog park. He expressed that one year is a long time to wait for small dogs to have an option in Las Palmas Park and felt it could be easier to review the code and allow off-leash options now. He mentioned that the report doesn't site incidences that have occurred with small dogs, and he believes homeowners have proven responsible. He supports allowing small dogs off-leash, and suggested if there is an incident the dog license, if instituted, could be revoked.

Alan Moo requested the commission recommend a dog park at Serra Park. The area along the condominiums, near the school, is largely unused and there would be minimal cost to add fencing for a dog park. He cited the report that Serra Park is not a recommended site because the renovation is not schedule until 2023/24. He is aware of many dog owners in that area and explained that two substantial upgrades were made to playgrounds recently, so he thinks a dog park could be add as easily without much delay.

David Decker lives near Panama Park and supports off-leash options. He has noticed there are many hours when no people use the park. He explained how the dog benefits by being off-leash and believes dogs get frustrated while on a leash. He provided a copy of a New York City 20 year study which experimented with off-leash policies and resulted in a dramatic reduction in dog bites. He challenges the liability issues. He supports the idea to post times that dogs would be allowed off-leash in the park. He stated that off-leash dog owners are currently ticketed at Panama Park.

Monica Schwenke expressed support of the work done on the report. She felt the Las Palmas dog park is underutilized by small dogs because they are bullied by other dogs. She had questions about the timeframe and renovation schedule. She suggested a fence be put down the middle of the dog park in the meantime. Parks Manager Stark clarified that the dog park would be closed for six months while renovated. Ms Schwenke suggested the City consider an alternate location for displaced dogs and owners during construction. She suggested that if off-leash was an option, a "good

canine citizen" test could be implemented to obtain a dog license. It also creates dog training opportunities. She was happy about the progress and the potential for three dog parks in the future.

Susan Smith supports an interim solution for small dogs. She is a member of the group of small dog owners at Las Palmas Park. She is open to the idea of community liaisons to help monitor off-leash options. She feels the group has demonstrated they could self-supervise and would be willing to meet city requirements. The group has a facebook page and members are connected via email. They would be open to having a representative leading the group and would like their temporary fencing to be sanctioned.

Jim Tang had questions about the turf, and stated that the grass at Las Palmas has not grown well. Parks Manager Stark stated the artificial turf is significantly more expensive, and there are new varieties of turf grass that will hold up better than the current version. The City may recommend that the dog park is closed once a week to let the grass grow. Mr. Stark also stated the public showed greater interest in natural grass over artificial turf. Mr. Tang requested consideration regarding the size of the small dog area, stating the space should be proportional to the dog's size. He made several suggestions to raise money if the budget was an issue.

Ray Gehring is a member of the group supporting off-leash options at Panama Park. He mentioned there are a variety of dogs, and dog sizes at the park and the dogs all get along. He explained that when large dogs have space, and are not confined, they get along better with other dogs. Panama Park provides enough space for large dogs to get their exercise. He explained how large dogs can make a neighborhood safer.

Vice Chair Pochowski closed the public hearing at 8:02 p.m.

The commissioners considered the report. Commissioner Pasqua noted there is a significant movement for off-leash options and it is a potential revenue source. He noted there was no opposition to off-leash alternatives. Commissioners agreed enforcing off-leash regulations and licensing would present a challenge, and discussed the hygiene of the parks. Ms Lord explained the design of a traditional dog park with a double gated entry, to mitigate issues as a dog enters. Mr. Stark described Panama Park which is fenced on three sides.

**Commissioner Pasqua motioned to approve Alternative 1 - Approve Budget Modification No. 2 to appropriate \$100,000 from the Park Dedication Fund in FY 2013/14 for the purpose of making improvements to Las Palmas Dog Park, including the addition of natural grass and a separate area for small dogs; Alternative 2 – Approve inclusion of new dog parks at Lakewood and Fair Oaks Parks as part of the scopes of work for the approved major renovation capital projects at each site in the Park Dedication Fund 20 year plan; and Alternative 3 – Direct staff to prepare an amendment to the Municipal Code to allow dogs off-**

**leash at designated locations and times in Sunnyvale's Park System and establish rules for such under the authority of the Director of Public Works.**

**The motion died for a lack of a second.**

**Vice Chair Pochowski motioned and Commissioner Kenton seconded to approve Alternative 1 - Approve Budget Modification No. 2 to appropriate \$100,000 from the Park Dedication Fund in FY 2013/14 for the purpose of making improvements to Las Palmas Dog Park, including the addition of natural grass and a separate area for small dogs; and Alternative 2 - Approve inclusion of new dog parks at Lakewood and Fair Oaks Parks as part of the scopes of work for the approved major renovation capital projects at each site in the Park Dedication Fund 20 year plan; with the addition to expedite renovation of Las Palmas to create an area for small dogs.**

**Motion failed (2-2) Commissioner Alexander and Pasqua dissented.**

Commissioner Alexander had concerns that expediting the work would cause a hardship on dog owners. The dog park would be closed in the interim with no alternative for up to 6 months.

**Commissioner Alexander motioned, and Vice Chair Pochowski seconded to approve Alternative 1 - Approve Budget Modification No. 2 to appropriate \$100,000 from the Park Dedication Fund in FY 2013/14 for the purpose of making improvements to Las Palmas Dog Park, including the addition of natural grass and a separate area for small dogs; and Alternative 2 - Approve inclusion of new dog parks at Lakewood and Fair Oaks Parks as part of the scopes of work for the approved major renovation capital projects at each site in the Park Dedication Fund 20 year plan.**

**Motioned carried (3-1) Commissioner Pasqua dissented.**

Commissioner Pasqua was interested in the off-leash alternative and felt there was a large section of the community requesting off-leash options.

**Commissioner Pasqua motioned to approve Alternative 3 - Direct staff to prepare an amendment to the Municipal Code to allow dogs off-leash at designated locations and times in Sunnyvale's Park System and establish rules for such under the authority of the Director of Public Works.**

**The motion died for a lack of a second.**

### **3. Report out on June 12, 2013 Parks and Recreation Facilities Tour**