

TOWN OF SAN ANSELMO
Staff Report
July 6, 2010

For the Meeting of July 13, 2010

TO: Town Council

FROM: David P. Donery, Community Services Director

SUBJECT: Dog Rules at Robson-Harrington Park

RECOMMENDATION

That Council review and consider approval of the recommendation from the Parks and Recreation Commission to amend the dog-oriented rules at Robson-Harrington Park.

BACKGROUND

Robson- Harrington Park, located at 237 Crescent Road, is a 2.68 acre public park. The land, which includes a historic home, was bequeathed to the Town of San Anselmo in 1968 for use as a public park. The park is primarily utilized by unstructured active and passive users. It is also used for organized recreation programs, picnicking, and community gardening.

The National Recreation and Park Association recommends a minimum standard of four (4) acres of usable playgrounds or parks per 1000 residents, with the commonly accepted standard being 10 acres per 1,000 residents. To meet this minimum standard, San Anselmo would need to have 50 acres of parkland. San Anselmo currently has 8.5 acres. The management of the Towns' parks becomes all the more crucial when park acreage is so limited. It should be noted that San Anselmo manages 101.5 acres of open space. Some of this land has established trails that are used for walking, hiking and running. Open space lands are not commonly used in calculations of usable playgrounds and parks.

The Town Council, by resolution, sets the rules and regulations necessary to regulate the use and occupancy of public parks, playgrounds, tennis courts, and public open space. All Town parks are regulated by a set of standard rules and regulations augmented by a set of rules related to use of each specific park by dogs and their owners. These rules and regulations are periodically reviewed and updated in order to best address current usage patterns. The Parks and Recreation Commission is charged with the duty of making recommendations to the Town Council on all matters related to the use of public recreation facilities.

DISCUSSION

During the winter and spring of 2008 and 2009, the athletic fields at the former Red Hill Middle School property were closed for construction of the Red Hill Community Park Project. These fields had been used as an unimproved, informal dog park for many years prior to the Red Hill Park project. Anticipating the impact on dog-owners once the field was closed for construction, staff worked with the Parks & Recreation Commission to identify several temporary locations to recommend as alternative areas in Town that could be used by dogs and their owners. These included Sorich Ranch Park, Memorial Park, and Robson-Harrington Park. Rules and Regulations governing use at each of these parks allow for designated times when dog are permitted to be off-leash. In April of 2009 the Red Hill Community Park, which includes a 1+ acre dog park, reopened to the public.

In April and May of 2009, several community meetings were held to discuss issues related to the use of the Robson House. During these meetings, several residents expressed their concerns about a perceived increase in the use of the park by dogs and their owners. The concerns involved the issues of safety of young children using the park, the presence of dog waste, and increased wear and tear on the park. Staff noted these concerns and made efforts to better enforce the existing park rules, which are:

- Dogs must be leashed at all times in the area being used during organized children's programs
- Dogs are to be controlled by owners/keepers at all times so as to allow the safe use and enjoyment of others in the park
- Dogs may not interfere with informal recreation activities
- A dog owner, keeper or guardian must clean up their dog's waste

ANALYSIS

In March of 2010, staff received a letter signed by 11 San Anselmo households urging the Parks and Recreation Commission to recommend changes to the rules governing dog use at Robson-Harrington Park.

During their April meeting, the Parks and Recreation Commission reviewed the current rules at the park related to use by dogs and their owners. The Commission took public comment at this meeting, hearing from users advocating for more restrictions on dog use, and from others not wanting change. At the conclusion of discussion, the Commission asked that staff come back with recommendations for rule changes addressing issues related to use of the park by dogs and their owners.

Staff reviewed the comments made by the public along with the subsequent discussion by the Commission and returned to the Commission in May with a set of suggested rule changes for the Commission to review. These recommendations are listed below with changes in bold;

- **Dogs must be leashed at all times, with the exception that dogs can be off leash in the lower lawn area during the following times:**

From 7:00A.M. to 9:00A.M.

From 4:00P.M. to Park Closing (30 minutes after sundown)

- Dogs must be leashed at all times in any area being used during organized children's programs
- Dogs are to be controlled by owners/keepers at all times so as to allow the safe use and enjoyment of others in the park
- Dogs may not interfere with informal recreation activities
- A dog owner, keeper or guardian must clean up their dog's waste

The recommended changes were related to specific areas within the park, and provided specific times when off-leash use would be allowed on the lower lawn area only. Based on public comment, the primary times desired by dog users would be before regular work hours, along with afternoon and evening times. The time restrictions were developed to allow for off-leash use during these times and provide daytime hours for park use free from off-leash dog use. Staff recommended that the community garden and upper lawn areas become on-leash only areas as these areas are primarily used by gardeners, children and families.

During their May meeting, the Parks and Recreation Commission reviewed the recommended rule changes and took public comment, which was once again a balanced mixture of opinions advocating for stricter rules, those who were in favor of the recommendations, and others who wanted no change to the current rules. After a lengthy discussion, the Commission made the decision to take no action. Commissioners agreed that they would take time during the month between the May and June meetings to visit the park on varying days and at different times as to get a better feel for the existing use patterns and return to the June meeting to discuss their findings.

At the June meeting of the Parks and Recreation Commission, Commissioners shared their observations and again took public comment on the dog-oriented rule changes proposed by staff in May. After further discussion, the Commission voted 6 to 2 to recommend the following rule changes (in **BOLD**):

Commission Amended Rules:

- **Dogs must be leashed at all times, with the exception that dogs can be off leash in the lower lawn area during the following times:**

From 8:00A.M. to 7:00P.M. – Weekdays

From 9:00A.M. to 7:00P.M. – Weekends and Holidays

- Dogs must be leashed at all times in any area being used during organized children's programs
- Dogs are to be controlled by owners/keepers at all times so as to allow the safe use and enjoyment of others in the park
- Dogs may not interfere with informal recreation activities
- A dog owner, keeper or guardian must clean up their dog's waste

CONCLUSION

The two dissenting votes represented opinions on each side of the issue with one Commissioner wanting a stricter set of rules, and another wanting no changes to the existing rules.

The Parks and Recreation Commission recommends the amended rules as stated above be approved on a six month trial basis, with a public review to be held in January of 2011.

Respectfully submitted,

David P. Donery
Community Services Director

Attachment 1: Robson Use Letter – Dogs (3/23)
Attachment 2: Additional comments received

We are aware that the Parks and Recreation Department will be revisiting signage and usage at our parks. As neighbors and residents that use Robson Harrington Park, we want to express our support for this review, and our hope that this opportunity will be used to make the park more accessible to all parties.

We hope that the town can complete this review and take action prior to summer. In particular, we would like to submit the following suggestions:

1. Establish policies that respect the surrounding households and welcome all patrons:

A. Reasonable Hours:

When establishing these hours, please take into consideration that this is a residential area. Homes and families surround the park. Just as the town is respectful of noise that comes from rentals in the house, the same consideration should be given to noise created from barking dogs. Patrons and their dogs continue to show up very early in the morning. If off-leash usage is going to continue, we ask that reasonable hours be established.

B. Respectful Usage:

Over the past few years, the park has degraded and the liberal dog use policy has been exploited. It is not customary to allow off-leash dog usage in a residential area. Off-leash dog spaces are most often erected in places where there is space between the park and residences. Robson was never intended for, and is not set up for this purpose.

In recent times, dogs have been allowed to roam in neighbor's yards, bark incessantly, charge people walking by on the street, and most recently charge into a neighbor's home.

2. Develop policies that welcome all patrons to the park:

Currently, the all day usage makes the park an unwelcoming place for children and people who don't want dogs on top of them. Please consider the peak times that children are up and looking for places to play and limit usage during these times. No matter how well intentioned a dog or owner, accidents happen. Most patrons do not want the conflict that comes with asking someone to leash their pet; and are not going to let their children play around animals they do not know. The unfortunate result is a beautiful space that some are hesitant to use.

The town seems to be relying on the fact that patrons will avoid this park so it will not have to confront the off-leash policies. This is not acceptable.

3. Consider the town's limited resources:

We are aware of the resource limitations in San Anselmo. These limitations are impacting the ability to upkeep the park. The dog waste and torn up turf make it difficult to enjoy the grounds. If the town cannot afford to maintain the park and manage the impacts of dog usage, then limiting this usage seems like a practical approach.

4. Enforce policies.

We ask that the town take a more active role in monitoring and enforcing park rules.

We appreciate the current strains the town and the Recreation Department face. We truly hope that our input will be considered. We want this park to be a special place for all patrons.

Cecilie Aldo
53 Sais Ave

Jon & Allison Wilks
70 Tamalpais Ave

Erin & Peter Bergman
88 Tamalpais Ave

Amy & Matt Brasler
28 Agatha Court

E Buelle
99 Tamalpais Ave

Michael Fahey & Val Rogers
12 Raymond

Mary & Matt Francis
1041 San Anselmo Ave

Laurie Hunt & Jay Little
181 Prospect

Rachel Weill & David Levitt
31 Santa Barbara Ave

Michael & Kathryn Schwab
108 Tamalpais Ave

Jay & Linda Weill
2 Raymond Ave

ATTACHMENT 2

The result of the all too long deliberations show that the dog owners won and the quality of the neighborhood lost. Have you driven by between 3:30 and 4:30 weekdays to see the # of poorly parked cars from non local dog owners clogging our small Raymond and Tamalpais aves? Two days ago, I went over and asked a woman to restrain her very loudly barking dog to which she replied, "Oh shut up, this is a public park." There has been some respect for the neighborhood shown by most of the locals but there is no recourse for this type of non local rude neighbor hater/dog lover who believe they and their dog should reign supreme.

What happened to the democratic process? Did we not state our case adequately? Did we not show up at enough meetings? I believe we showed how we felt in a very diplomatic way and asked for your respect. The initially proposed hours of off leash times seemed acceptable to all parties concerned and that is what we all expected to pass as regulation.

This all day thing is not acceptable.

Also, why aren't the police responding to disturbing the peace noise complaints?

Michael Fahey
12 Raymond Ave.

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Another thought I had was to limit the dog type usage to specific hours on specific days. If dog owners don't like it they can take their dog to the dog park. I have noticed a great many people driving to the park with their dog which causes additional traffic and parking problems.

I am one neighbor who does not like living next to a kennel from 3:30 to 4:30 every day. People need to understand that getting their dog pumped up to the point the bark incessantly will annoy the neighbors.

Michael Fahey
12 Raymond Ave.

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I have lived around the corner from the Robson-Harrington house and grounds for 20 years. My children grew up playing in the park, and I taught classes there through the Parks and Rec Dept. It holds a special place in my heart and my neighborhood.

Thank you for holding the meeting regarding the issue of dog usage and the "neighbors" concerns. There has been unease between homeowners and the dog folks since last summer when the police started showing up about once a week. They would arrive after a brief dog barking incident (a two minute barking 'freakout' at a squirrel or over a passing bicycle). The dogs were almost always quiet upon their arrival, and the police would tell people in the park that they were following up on noise complaints. It seemed likely that a log was being compiled and that steps were being attempted to change the status quo. We feared the worst when the meeting was called. The commission listened very compassionately to the extremely passionate dog owners, and fears were calmed.

I am wondering if it's possible that I could be a sub-committee of the dog park sub-committee. I am very interested in being a liaison and organizer for the neighbors and the dog folks for Robson-Harrington. I would be delighted to assist in keeping the park accessible and inviting for all. I have support from many neighbors, and people who use the park with their dogs.

Thank you for everything you're doing.

Brook McCormick
415 559 2441