



## Item No. 12 Town of Atherton

### CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
GEORGE RODERICKS, CITY MANAGER

**FROM:** ROBERT OVADIA, PUBLIC WORKS DIRECTOR

**DATE:** NOVEMBER 20, 2019

**SUBJECT:** RECEIVE A REPORT, DISCUSS AND PROVIDE DIRECTION REGARDING A PARK AND RECREATION COMMITTEE RECOMMENDATION TO CONSIDER CREATION OF AN OFF-LEASH DOG AREA IN HOLBROOK PALMER PARK; AND CONFIRM OR REMOVE THE INCLUSION OF AN OFF-LEASH DOG AREA IN THE PARK MASTER PLAN

#### **RECOMMENDATION**

Receive a report, discuss and provide direction regarding a Park and Recreation Committee recommendation to consider creation of an off-leash dog area in Holbrook-Palmer Park; and confirm or remove the inclusion of an off-leash dog area in the Park Master Plan.

#### **BACKGROUND**

The Town's Animal Control Services are provided via a multi-agency agreement with the County of San Mateo that addresses all statutory requirements for animal control services. The County contracts directly with the Peninsula Humane Society (PHS) and PHS provides the required services to the member agencies via the multi-agency agreement. The Town's current Animal Control Ordinance, Atherton Municipal Code Chapter 6.04, is adapted from a model Countywide Ordinance, originally adopted in 1987, and modified, in part, in 1990, 2002, 2005, and 2016. The section related to Prohibited Conduct, Section 6.04.060, was last amended in 1990 with the sole amendments specifically related to Canine Feces. Section 6.04.060(A), related to the Town's leash law, has not been amended and remains as adopted prior to 1987, prohibiting the following (*emphasis added*):

*"A. To be upon any public street, sidewalk, **park**, school ground, any public property, or upon any unenclosed premises in this jurisdiction unless the animal is properly licensed, if such licensing is necessary hereunder, and **under the control of the owner** by being saddled, harnessed, haltered, or **leashed** by a substantial chain, lead rope or leash, which chain, lead rope or leash **shall be continuously held by some competent person capable of controlling such animal;**"*

**Off Leash Dog Area in Holbrook Palmer Park**

**November 20, 2019**

**Page 2 of 5**

The Holbrook Palmer Park Master Plan, amongst several other recommendations, included sighting of two off-leash dog areas, one for small dogs and another for larger dogs. The areas as laid out in the Master Plan would be located between the rear parking area and the tennis courts, away from the Playschool, be separately fenced and total approximately 21,000 square feet. The estimated cost for the development of the dog areas was listed in the Master Plan at \$247,463. The identified area(s) are shown on the attached exhibits.

The City Council, upon adopting the Park Master Plan, prioritized the projects in the Plan. Initially, the off-leash dog area was presented to the Council as a priority within a 5-year plan. However, upon discussion, the City Council removed the off-leash dog area from the list of recommended priorities. While the City Council removed the off-leash dog area from the 5-year plan of prioritized projects, the City Council did not remove it from Plan itself and it remains a project contemplated within the Park Master Plan for some future date.

Because the off-leash dog area was not a part of the 5-year plan of prioritized projects, staff has not allocated any resources toward review or consideration of the project.

**ANALYSIS**

At the October 2, 2019 Park and Recreation Committee meeting the Committee considered a proposal developed by Committee Member David for an off-leash dog area of approximately 21,000 square feet at Holbrook Palmer Park. Specifically, the proposal included the following:

- Circumference of off-leash area to be protected by approximately 800 linear feet of picket-type see-through fencing approximately 5' high
- Dog park surface to be made of decomposed granite for dog health, durability and minimal upkeep that is environmentally friendly
- 2 self-closing double gates with staging area placed mid-center facing the parking lot and again on opposite side along existing park walkway
- 2-3 sets of aluminum benches/side tables (easiest to clean/maintain)
- 1 High-Low Water Fountain with a running water supply (prevents spread of disease and mosquitos)
- 2 Pet waste stations (including poop bags and garbage receptacles)
- Keyless on-line access service (example: "August"): for keyless dog area access using a cellular phone
- Signage including name, hours of operation, local contact information, information on how to obtain dog park access, and rules/regulations
- Donor Wall to include donors, donor levels by brick size, dog's name, family name, and paw print

The estimated costs outlined in the proposal were outlined as follows:

5' wooden fence/approx. \$20/linear ft, 800 linear ft	\$16,000
2,100 sq ft of ground cover – decomposed granite, approx. \$20/sq ft	\$42,000
2-3 aluminum benches/tables @ \$300/ea	\$1,800

**Off Leash Dog Area in Holbrook Palmer Park**

**November 20, 2019**

**Page 3 of 5**

Signage 2-3 signs (info/contact/rules/name)	\$3,000
2 Pet Waste Stations @\$280/unit	\$560
Donor Wall	TBD
Enclosed off-leash keyless access control (August)	TBD
Ongoing Maintenance	TBD
Bid Package Preparation (in-house)	\$2,000
Bid Package Consultant	\$10,000
<b>Total Cost Estimate</b>	<b>\$65,000 - \$100,000</b>

The preceding data was gathered by a member of the Committee. Because the Council has not placed the off-leash dog area within the 5-year prioritized project list, staff has not directed resources toward development of plans or project data, community surveys, or public engagement.

With respect to the above estimate versus the estimate provided in the Master Plan, the Committee was advised that the Master Plan included an access pathway separating the dog areas and estimated a future demand of 10 additional parking spaces to support the use. It was noted that although the estimated costs outlined in the proposal is significantly less than the Master Plan's Estimate of \$247,463, it may not include escalators associated with public contract code requirements and may not include all required elements for construction such as site preparation, grading, base materials, providing potable water, and addressing stormwater treatment needs<sup>1</sup>.

The Committee was further advised that the Council's near-term focus regarding the Capital Improvement Program is heavily geared towards the completion of the Town Center and Library project. In adopting the current Capital Improvement Program, the Council recognized the need to plan for improvements to Holbrook Palmer Park as the Town Center Project is completed. The 5-year Capital Plan includes the desire to fund Park Circulation and Pedestrian Circulation improvements in FY2021-22 in the amount of \$515,000.

Following discussion, a motion was made to support the establishment of an off-leash dog area and present it to Council. The Park and Recreation Committee held a special meeting on October 29 to conduct a park walk to look for alternative locations. At that meeting there were four potential locations identified (see attached exhibit(s)).

On November 6, 2019 the Park and Recreation Committee discussed the four alternative locations for the off-leash dog area within Holbrook-Palmer Park. The Park and Recreation Committee made a motion to recommend Location 3, on the south side of the North Lawn be considered for an off-leash area. This location would be less than the 21,000 square feet location in Committee Member David's proposal.

The attached exhibits show the areas identified in the Holbrook Palmer Park Master Plan for off-leash dog areas, Committee Member David's location identified in her proposal, and the alternative

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<sup>1</sup> The Municipal Regional Stormwater Permit, issued by the San Francisco Bay Regional Water Quality Control Board, requires projects that create and/or replace 10,000 square feet or more of impervious area to treat stormwater run-off (Provision C.3).

**Off Leash Dog Area in Holbrook Palmer Park**

**November 20, 2019**

**Page 4 of 5**

locations identified by the Committee. The location identified in the Master Plan was in consideration of the relocation of the Playschool.

In addition to construction and implementation costs, the costs of maintenance would need to be considered. Staff time for cleanup, to open and close the area (if fenced), supply doggie bags and load and unload trash. Also, cleaning of the area from contaminants and maintaining the grass, mulch or decomposed granite should be considered. Electrical and water needs would need to be considered as well as the effects on parking, enforcement and dispute resolution. Public input is recommended before fencing any areas and a determination would be needed as to if small and large dogs should be separated.

To discuss and study the above, other jurisdictions have recommended the formation of a Dog Park Task Force to work through the issues and make recommendations about current or future dog areas.

As mentioned, while the off-leash area is part of the current Park Master Plan, it is not a part of the Council's identified 5-year priorities for the Park. Therefore, staff did not wish to move further ahead without specific direction from the Council to expend staff time and resources to do so.

The City Council can provide specific direction on the project including its priority development; direct that any further work on an off-leash dog area be postponed until a date certain (such as after the Town Center is complete); or, opt to remove the off-leash dog area from the Park Master Plan entirely.

**POLICY FOCUS**

The City Council's policy discussion should revolve around the current Park Master Plan priorities; the desire to further study and/or implement an off-leash dog area at Holbrook Palmer Park and the timing of such work; and whether or not to continue inclusion of the off-leash dog area in the Park Master Plan.

**FISCAL IMPACT**

The Holbrook Park Master Plan estimated the cost to implement an off-leash area to be \$247,463 in 2014. Additional costs would be associated with public outreach and planning efforts. If the Council is open to accepting a donation of an off-leash dog area, the Council should include consideration of the costs associated with maintenance which could be substantial and on-going.

**PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

**Off Leash Dog Area in Holbrook Palmer Park**

**November 20, 2019**

**Page 5 of 5**

**COMMISSION/COMMITTEE FEEDBACK/REFERRAL**

This item   X   has or        has not been before a Town Committee or Commission.

- Audit/Finance Committee (meets every other month)
- Bicycle/Pedestrian Committee (meets as needed)
- Civic Center Advisory Committee (meets as needed)
- Environmental Programs Committee (meets every other month)
- X   Park and Recreation Committee (meets each month)
- Planning Commission (meets each month)
- Rail Committee (meets every other month)
- Transportation Committee (meets every other month)
- Tree Committee (meets each month)

**ATTACHMENTS**

1. Holbrook-Palmer Park Mater Plan Exhibit showing proposed off-leash areas
2. Committee Member David's initial proposed off-leash dog area
3. Potential off-leash dog areas suggested and considered by the Park and Recreation Committee

# ATTACHMENT 1

Exhibit 1: Holbrook-Palmer Park Mater Plan Exhibit showing proposed off-leash areas



Exhibit 2: Committee Member David's initial proposed off-leash dog area



