

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Peggy Jensen, Interim Parks Director
Subject: **Executive Summary:** Amendment to the County Ordinance Sections Governing Dog Recreation within San Mateo County Parks and Recreation Areas

RECOMMENDATION:

Introduce, waive the reading of in its entirety, and place on the agenda for adoption an ordinance amending Chapter 3.68 of Title 3 of the San Mateo County Ordinance Code, establishing specified legal opportunities for dog recreation within San Mateo County Parks and Recreation Areas.

BACKGROUND:

In spring of 2016, the San Mateo County Parks and Recreation Commission ("Commission") formed the Dog Management Committee ("Committee"), to advise the Commission on the development of new dog management policies for the Parks Department ("Department"). The Committee included representatives from the Commission, Department, Midcoast Community Council, Pescadero Municipal Advisory Council, North Fair Oaks Community Council, and dog-owner, environmentalist, equestrian, and cyclist communities.

The Committee developed an overarching policy for managing dog access focused on the health, safety, and protection of natural resources and the ability to offer varied visitor experiences. The Committee also developed secondary policies around owner education, conflict avoidance, pre-existing uses and other dog management criteria. The Commission adopted all of these policies at its December 7, 2017, meeting and the policies are included in Exhibit A, attached to the more detailed report. To begin implementing the Committee recommendations, at the December 7, 2017, meeting, the Commission recommended undertaking one or more pilot projects to test the proposed policies, assess impacts, and then refine the policies if necessary.

DISCUSSION:

To implement the Commission's direction, the Department has developed a multi-step process, starting with testing the policies for allowing pre-existing uses, enforcement, leashes, and number of dogs per person.

At the October 4, 2018, Parks Commission meeting, the Department presented an amendment to the county ordinance code to allow leashed dogs in three County parks, Pillar Point Buff, Quarry Park and Mirada East, and along the Bay and Coastal trails, which have segments in various parks. The amendment also included the rules for dog management and a stepped enforcement policy recommended by the Committee. The stepped enforcement policy changes violations of the dog ordinance from a

misdemeanor to an infraction and includes four steps, starting at a \$50 fine and increasing to up to a \$1,000 fine and/or up to a 6-month jail term for a fourth violation within a calendar year.

As requested by the Committee, the Department will assess the impacts of this initial pilot on park natural resources, safety, visitor experience, Ranger workload and other criteria. This assessment will be done over 12 to 18 months and will include recommendations, if necessary, to refine these adopted policies. The Department will report back to the Committee and the Commission on the results of the pilot and share recommendations for piloting additional policies, such as new areas for dog access and offering a wider variety of experiences for dogs and their owners.

At their October 4, 2018, meeting, the Commission recommended three changes to the draft ordinance. The first recommendation was to allow retractable leashes, which the Department has incorporated into the draft presented to your Board.

The second recommendation was to make the first violation of the new ordinance a warning rather than an infraction. The Department's existing tracking systems for violations make this difficult to do, and changes to the system would be both costly and significantly delay implementation of the ordinance. As an alternative, Parks recommends using the first six months of the effective period of the ordinance for visitor education. No fines or infractions would be issued during this period. Beyond the education period, Rangers have the discretion to issue warnings to first time violators.

The Commission's final recommendation was to include a reference to possible future off-leash dog recreation areas in County Parks in the ordinance amendment. The Department advises against making this change until the Department has undertaken and studied the initial pilot project and the impacts of allowing dogs on leash in certain parks, and presented its findings to the Committee, the Commission and your Board.

FISCAL IMPACT:

There is no Net County Cost associated with adoption of the Amendment.