



City of Carpinteria

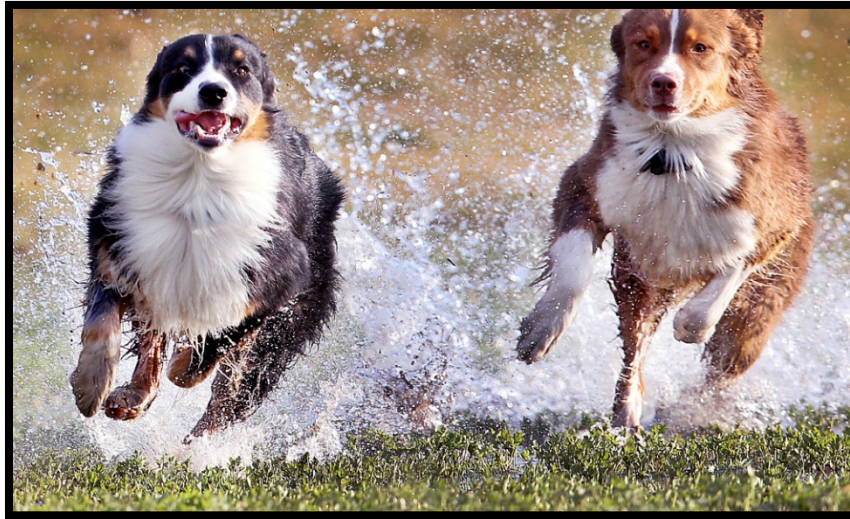
Dog Park Feasibility Study

March 11, 2019



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I. Introduction

This study was directed to be prepared by the Carpinteria City Council on September 10, 2018. Prior to that date, the City of Carpinteria received a request by a group of citizens who expressed an interest in the City accommodating more privileges for dog owners. The group has since formed as the Carpinteria Dog Owners Group (CDOG) and has attained 501(C)(3) status as a non-profit corporation. Specifically, the group asked the City to investigate relaxing its leash laws in specific areas and to look into a dedicated dog park.

Some Cities have adopted regulations that allow for off leash privileges in areas of existing parks (shared use parks). Shared use parks are parks that have a fenced area that off leash dogs are allowed. In some cases, the off leash area is not fenced. Some Cities have developed dedicated dog parks. Dog parks are now found in nearly every state.

A dedicated dog park is a designated public area where no other park use is accommodated. Since the 1970's, many dog parks have been established across the United States. They are becoming increasingly popular due to pet owners demand and local agencies willing to relax long established leash laws regulations. In most cities and other urban areas, dog owners are required to keep their dog on-leash when the animals leave their own premises.

In urban environments dogs are generally confined to a small kennel, portions of the home, or small sections of the yard. Typically, dogs are taken on daily walks, but because of strict leash laws, they cannot run free or easily socialize with other dogs. In nature dogs were pack animals and the need for domesticated breeds to interact with other members of its species remains a part of their nature (Society for the Prevention of Cruelty to Animals, 2006). A dog socializes through posturing and behavior and a leash may inhibit communication with other dogs. A leash restricts a dog's natural movements and a leashed dog can become territorial and protective. In order to prevent unwanted barking, jumping, or nipping, some dog owners avoid contact with other people who are walking dogs.

Some dog owners defy local ordinances and permit their dogs to run off-leash in vacant lots, beaches or parks. These individuals risk receiving fines and other retribution. Dog owners are financially liable if their dog causes an incident such as biting an individual or causes a bicyclist fall and injury; there is also the possibility their pet could be hit by a car.

Locally, Carpinteria valley is thought to have about 1,800 dogs with about one half of those residing inside Carpinteria City limits. Currently, the City has 631 licensed dogs on record. Every owner of a dog four months of age or older, kept or controlled in the City limits, must obtain a dog license and pay all required fees. In order to obtain a dog license proof of a current rabies certificate is required.



In a designated off leash area, providing a safe environment for both dogs and humans presents certain challenges. Legal liabilities, design considerations, behavioral characteristics of dogs, and environmental and health issues relating to dogs and humans must all be considered.

Dog parks are provided in our local area. Off leash areas are provided in Toro Canyon Park, The Douglas Family Preserve and Arroyo Burro Beach Park to name a few.

Dog parks also provide an important recreational outlet for humans too by bringing together dog lovers of all ages, health, social, and economic status. With dogs as social ice breakers encouraging conversations among users. These parks serve well to help build community as people get to know each other and share information about responsible pet ownership. Dog parks enable people with disabilities and senior citizens

who cannot always walk their dogs a safe alternative. By spending quality time with their pet at the dog park, owners strengthen bonds with their pet.

However, there are some dog training professionals who are critical of dog parks such as Ed Frawley. Mr. Frawley is a dog trainer and producer of over 120 dog training videos and DVDs, who has written an article entitled “Dog Parks Why They are a Bad Idea” written in 2005. He feels that dog parks are “well intended, but a bad idea” because most patrons do not understand the pack social structure. He states that many dog park patrons are irresponsible because they spend too much time socializing with the other humans rather than paying attention to their pet. He is concerned because patrons bring aggressive dogs into the park and patrons often ignore the posted rules such as permitting small dogs into the large dog section. If a dog is taken to a dog park, Frawley gives the reader sensible dog park advice such as “go to the park at off-peak hours to learn when the quiet times are”.

Another individual who is wary on the idea of dog parks is Cesar Millan, author of Cesar’s Way and star of the National Geographic Channel’s Dog Whisper. He has written a book dealing with dog psychology, dog dynamics, dog aggression, and how to raise a balanced and healthy dog. Like Frawley, Millan is not fully supportive of dog parks because he believes that many dog owners do not understand “the power of the pack”. He thinks that a dog park should be a place to help increase or maintain a dog’s social skills and a place where a dog can spend time with other dogs. He does not think that a dog park should be a substitute for exercise and walking.

Ohlone Dog Park (also known as the Martha Scott Benedict Memorial Park), in Berkeley, California, is recognized as the first dog park in the world; it was established by the city of Berkeley as an experimental project in 1979. The park’s steward, the nonprofit Ohlone Dog Park Association (ohlonedogpark.org), has an ongoing partnership with the city to ensure the quality and historical significance of the facility.

As with The Martha Scott Benedict Memorial Park, many dog parks are supervised by an association of dog owners whose members can exert peer pressure to enforce the rules of the dog park. In many cases, the dog park group monitors the park’s use, cleans up, raises funds for amenities, and serves as communications liaison with the city, neighborhood, and dog owners. In some cases, the core dog owner’s group may



raise the funds necessary to build the park including fences and other amenities, supply dog waste bags, post signs, etc. However, funding may come from a corporate sponsorship or from the City. Some dog parks charge a usage or permit fee.

Agencies that have installed dog parks have considered several primary concerns; safety to humans and other dogs, noise generated from a concentration of barking dogs, sanitation problems from the build-up of feces, disturbance of wildlife or native plants and how to handle ongoing maintenance.

II. Types of Dog Parks

A. Shared Use Parks

One option is to allow for off leash areas within an existing City park or parks. The off leash area and other uses may overlap in the same area or may occur in separate areas of the park, but the uses are usually separated by a physical barrier such as a fence. It is also possible to assign special times allowing dogs off leash during a specific period of the day or week.

The City of Encinitas, CA, has three neighborhood parks that allow dogs off leash that also have children's playgrounds or other uses within the park. These uses are not separated by a fence, as the City did not want the children fenced in and did not want the dog area fenced off. Instead, Encinitas park uses are separated by time. Dogs are allowed off leash during certain hours and days of the week when children are less likely to be present. For example, every other weekday and one weekend day is available for off leash use and, on those days, the off leash time is restricted to early morning and late afternoon into evening hours. Scheduling off leash hours for early and late in the day allows people to exercise their dogs before and after work. The mid-day hours are reserved for other recreation uses.

Three Carpinteria parks were evaluated as a part of this study as possible shared use parks. These are El Carro Park, Monte Vista Park and Memorial Park.

1. Evaluation of Shared Use Park Sites

Shared use park sites under consideration for the purposes of this study include El Carro Park, Memorial Park and Monte Vista Park. All of these city parks are in the vicinity of residential areas with Memorial Park and Monte Vista Park having the most multifamily housing nearby. All three sites have existing play structures and picnic areas. All the parks are already intensively used by the neighborhoods.

a. El Carro Park

El Carro Park is the largest and probably the most intensively used local park by organized sports including AYSO Soccer and Carpinteria Valley Little league. Because it is foreseeable that dogs in dog parks might become over-excited and aggressive it is plausible that the placement of dog parks near playgrounds, sports fields and picnic

areas could pose a high risk to the children in the playgrounds and less agile pedestrians.



The area preferred in El Carro park is in the northern field shown outlined in red. This 2.15 acre portion of the park is over 100 yards away from a children's play structure and picnic facilities. It is adjacent to a youth services facility (Girl's Incorporated), a private elementary school (Howard School), and 13 residences to the south and west. Use of this area would need to be time limited in a way similar to Encinitas parks and coordinated with sports use of the field.

In order to prepare this park for off leash purposes, fencing and regulatory signage would be required. When in operation, periodic code enforcement presence would be required. CDOG oversight would also be highly recommended.

b. Monte Vista Park



Monte Vista Park is located in the eastern part of the City. It is smaller than El Carro Park. It does not typically have league sports but is often used for team practice. The preferred area is within 100 feet of a children's play structure, but the designated area could be reduced in size to increase the buffer area. The park is surrounded by multifamily housing and agriculture. In order to prepare this park for off leash purposes, fencing and regulatory signage would be required. When in operation, periodic code enforcement presence would be required. CDOG oversight would also be highly recommended.

c. Memorial Park

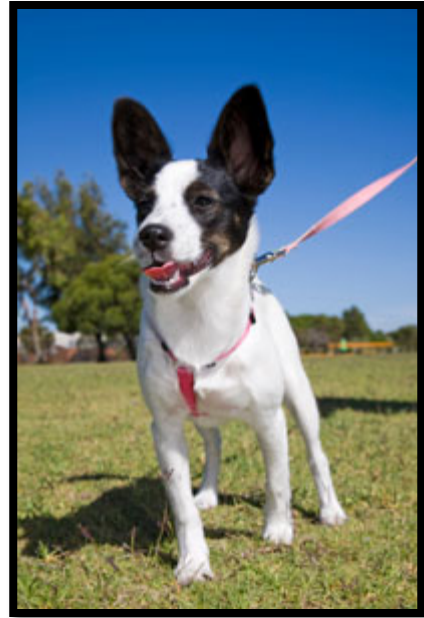


Memorial Park
Off leash area time control use
Area shown = 0.35 acres

Memorial Park is much smaller than the other previous mentioned parks. It is surrounded by multifamily housing and the park is intensively used. No organized sports formally use the park, but pick up games and team practices are common. Memorial Park has a high use by small children in the play area. The play structure is about 150 feet way from the area highlighted. The new play structure there is very popular. In order to prepare this park for off leash purposes, fencing and regulatory signage would be required. When in operation, periodic code enforcement presence would be required. CDOG oversight would also be highly recommended.

B. Dedicated Dog Parks

A dedicated dog park is one that is exclusively managed to allow off leash dogs. In a park of this type, other amenities such as a children's play area or organized sports are not accommodated. In the circumstance the City would like to pursue a dedicated dog park, several sites could be considered. No site will be perfect, but size, sensitive adjacent uses, and acquisition and development costs need to be considered.



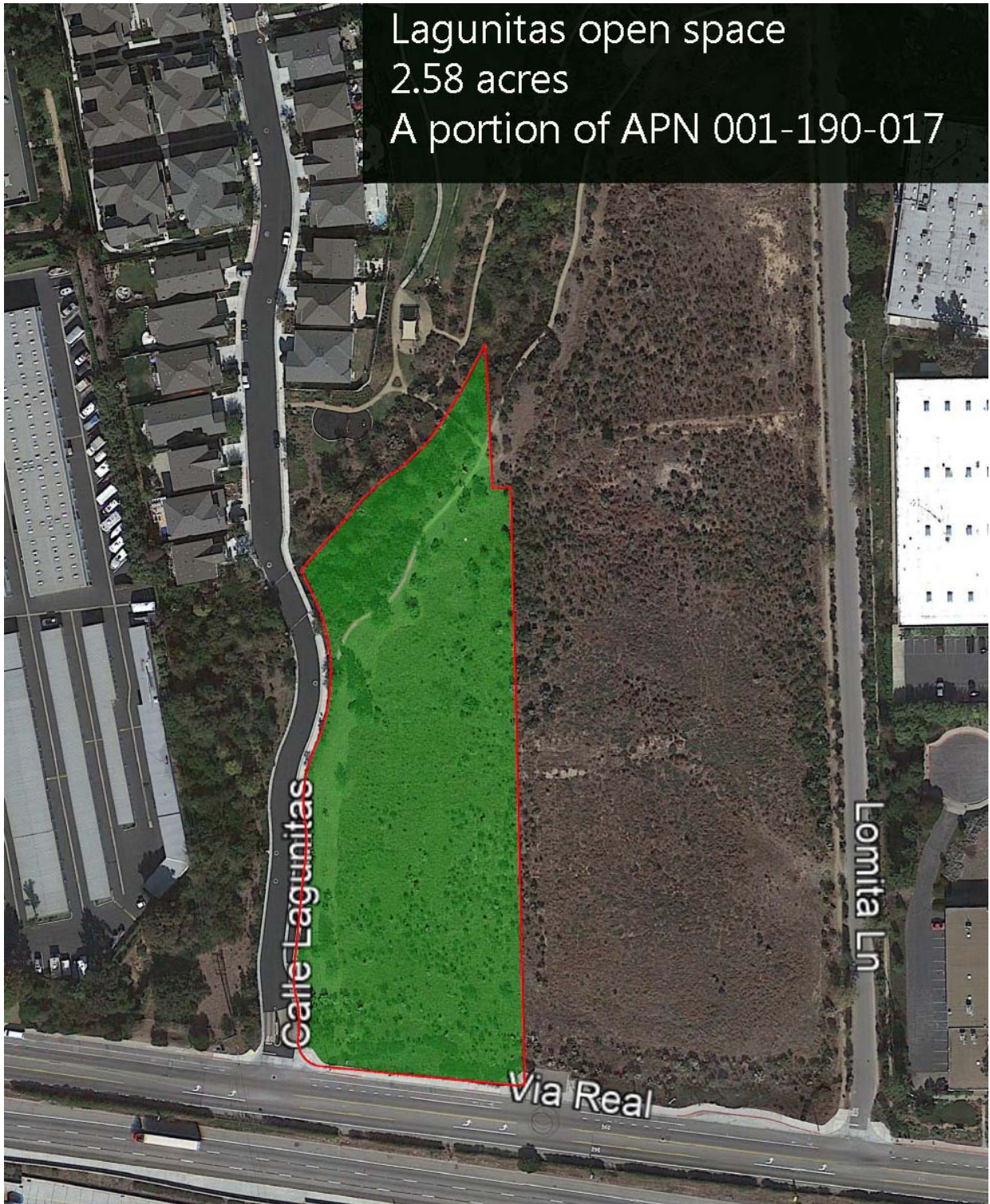
2. Evaluation of Dedicated Dog Park Sites

a. Lagunitas Vacant Land

One site that is available with very little cost is located at 6380 Via Real in the eastern part of the City. It is 2.58 acres in size and is presently unimproved open space with no amenities. The site has many compatible characteristics for a dog park as it does not have existing park uses, is isolated from sensitive neighboring uses and is large enough to install a quality dog park project.

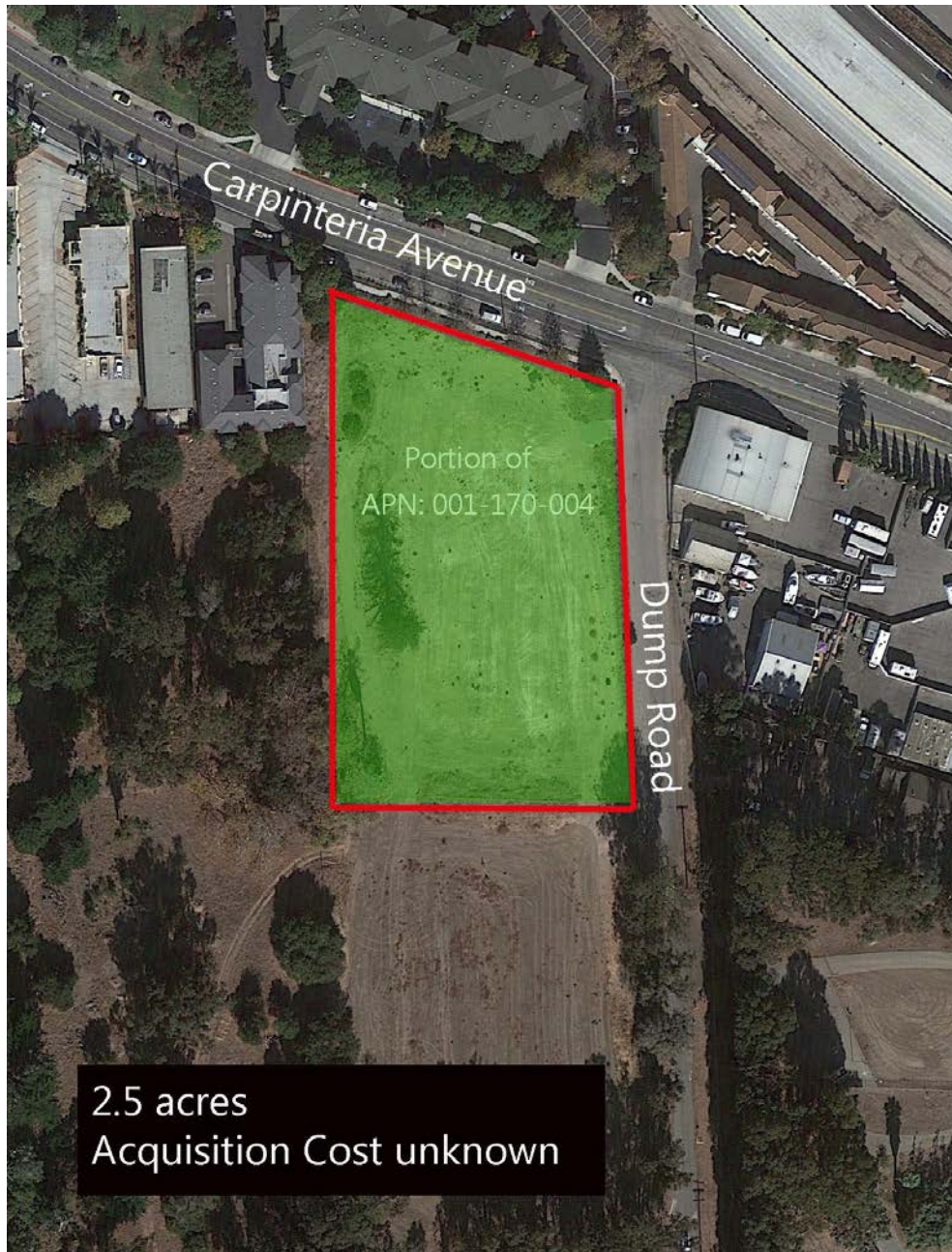
Lagunitas Open Space is available to the City with no cost to purchase the land. As a condition of City ownership, it must only be used for park and open space purposes. It is large enough to design a competent dog park design with small and large dog areas. The site has adequate space for needed parking.

Lagunitas open space
2.58 acres
A portion of APN 001-190-017



b. Dump Road Parcels

Dump Road open space is privately owned. It has adequate space to design a nice dog park with adequate parking. The site has been used as a lay down yard recently for emergency public utility use so it is devoid of any natural features. It is zoned for industrial uses. Its price and availability are not known.



Another parcel of land near Dump Road is APN 001-170-003. It is about 8.8 acres of land that is zoned for recreation and open space. This parcel has no established access from a public street. The parcel has been used for tree plantings and consequently has a nice coastal forest. The parcel abuts up to twenty single family homes that may be sensitive to a dog park use of the site. Site acquisition costs and availability are unknown.



c. Carpinteria Creek Park

A parcel of land situated near the Carpinteria Creek Park may be suitable for a off leash area. While the County of Santa Barbara currently owns the land and it is a construction zone for the Casitas Pass Interchange, it is expected to be transferred to the City once construction is complete. The Site features mature native oak trees and proximity to Carpinteria Creek. These attributes may also pose challenges as they are considered sensitive habitat areas. Other challenges include provisions for parking and for restrooms. The site is comparatively small and its topography and closeness to the freeway are considered challenges.



III. Carpinteria Municipal Code

Public safety is the most important factor in considering an off leash dog park. Should the City of Carpinteria pursue accommodating any off leash privileges, the Carpinteria Municipal Code will need to be amended. Staff has reviewed the regulations of many communities and suggests that amendments will need to be based upon the whether the City pursues a shared use park, a dedicated dog park, or both.

Currently the Carpinteria Municipal Code reads as follows:

CMC 6.04.230 - Dog leash required when.

- It is unlawful for any person to suffer or permit any dog owned, harbored, or controlled by him to be on any public street, alley, lane, park or place of whatever nature open to and used by the public in the city or on any private property without permission of the owner or person in charge thereof, unless such dog is securely leashed and the leash is held continuously in the hand of a responsible person capable of controlling such dog or unless the dog is securely confined in a vehicle.

The CMC could be amended to include a provision to allow off leash areas by amending the code to read as follows;

This section prohibiting off-leash dogs in public parks shall not apply to dogs that are off-leash within designated off-leash dog areas established by Resolution of the City Council. The City shall post appropriate signs and notices designating off-leash dog areas and indicating the rules and regulations applicable to such designated off-leash dog areas. Failure to comply with the posted rules and regulations shall constitute a violation of Section 6.04.230 of the City of Carpinteria Municipal Code.

Rules can be established and include many or all of the following items taken from rules of existing dog parks.

1. All dogs must be on leash entering and exiting the fenced area. Dog owners or handlers must have a leash in hand at all times for each dog under their control. Leashes may not exceed 6 feet in length.
2. Dogs must be under the voice control of their caretaker.
3. All dogs must remain within the fenced area when off leash.
4. Owners must be in control of their dogs at all times. Dogs with a history of dangerous behavior are not allowed.
5. Cleaning up after your dog is required.
6. Dogs must have current licenses and vaccinations; licenses must be on the dog's collar; collar must be on the dog.

7. No more than three dogs per owner/handler.
8. Children under the age of 14 must be closely supervised by an adult.
9. Consumption of food and the use of glass containers are not allowed in the off-leash area. No food, beverages, glass, sharp objects or weapons are permitted inside the park.
10. Dogs in heat are not allowed.
11. No puppies less than 4 months of age are allowed.
12. Owners must provide their own drinking bowls.
13. Leaving dogs unsupervised is prohibited.
14. Training classes are not allowed unless permitted in writing by the City.
15. Dog bites should be reported immediately to the City of Carpinteria.
16. Every person bringing a dog to the park must possess a driver's license or government-issued identification card.
17. No dog shall be left unattended by its owner or allowed out of sight.
18. No dogs allowed if previously adjudicated to be dangerous.
19. No dogs allowed that previously have bitten or injured a person or another animal or is showing aggression towards people or other animals.
20. No dogs allowed that are known to initiate fights with other dogs.
21. All violations will be investigated and one of the possible penalties is revocation of privilege.
22. Owners are legally responsible for their dogs and any injuries caused by them.

IV. Dog Park Maintenance

Maintenance of dog park facilities will be an important consideration. Maintenance will be required to keep fences in order, fill holes dug by dogs, maintain the landscaping and parking areas and dog waste must be managed. As dog parks have become more common, agencies have realized the maintenance is critical to user satisfaction. Most common complaints include no vegetation, excessive dog waste, overstimulated dogs running amok, dog fights, and even dog deaths.

The cost of maintenance of a dog park must be accommodated to make the project successful. Routine patrol, code enforcement and maintenance activity will be required. It is important the City have a record of dog park inspections and rule enforcement activity.

A. Dog Waste

“There are over 20 different bacteria, viruses and parasites in dog feces that can infect other dogs,” said Michael Lappin, the Kenneth W. Smith Professor of Infectious Disease at Colorado State University.

In 2012, Lappin led one of the first studies to discover whether dog park visitation is associated with an increased prevalence of parasites. Lab results showed dogs that visit dog parks were more likely to test positive for two common parasites (giardia and cryptosporidium) than non-dog park-attending dogs. The strains of these parasites were those that infect dogs and not typically people.

But if the dogs are healthy and are on parasite-preventative products, the Centers for Disease Control and Prevention says dog parks pose a minimal risk. People who become sick from these agents are usually the very young or very old and those who are immune-compromised.

If dog waste is not properly handled, then environmental contamination could occur. When rain occurs, dog park runoff can contribute to high bacteriologic counts and contribute to creek and beach closures.

A dog park properly operated will have strict compliance of dog waste pick up, provide dog waste disposal containers and a record of enforcement.

V. Design Elements and Infrastructure of a Dog Park.

Designating an area as a dog park requires consideration of design. Signage must be present to clearly inform all visitors of dog park rules. Double gates for safety; visually shielded from dogs that are already in the park. Two or three entrances are preferable. A well designed dog park will have fencing and decisions on how high and what type are important. The park should be as large as possible, at least an acre. It is preferably not a square piece of land, but one that is oddly shaped. The park should have hills, structures and trees to block dogs from racing towards each other.

Keeping large dogs and small dogs separated is considered by many experts to be critical. Park features such as a potable water fountain, shade, accessible parking, large and small dog areas, seating, dog waste bag dispensers, durable and appropriate



landscaping, trash cans, restrooms and other amenities are considered important. Should the City decide to proceed with any form of a dog park project, it is recommended a licensed landscape architect be retained to provide plans and design details.

VI. City Liability

In consideration of pursuing a dog park project, the City must consider exposure to liability. Generally, some immunities exist that protect government entities from some claims. For example,

California Government Code §831.7.5. provides some immunity and states as follows

- (a) A public entity that owns or operates a dog park shall not be held liable for injury or death of a person or pet resulting solely from the actions of a dog in the dog park.

California Government Code Section §830.6 provides, “Neither a public entity nor a public employee is liable ... for an injury caused by the plan or design of a construction of, or an improvement to, public property where such plan or design has been approved in advance of the construction or improvement by the legislative body ... or employee exercising discretionary authority to give such approval or where such plan or design is prepared in conformity with standards previously approved.

However, failure to enforce its own rules and regulations may result in governmental liability. Dog parks frequently are governed by special rules that are either posted or part of the local municipal code. If an irresponsible dog owner has a habit of breaking those rules, and the local animal control officers do nothing despite being informed, a person who sustains personal injuries or injuries to his or her dog may prevail against the municipality.

VII. CJPIA Guidance

The City of Carpinteria is a member of the California JPIA. The CJPIA works with the members to reduce the frequency and severity of claims. Through risk analysis and continued education, the Authority helps its members identify exposures and prevent losses. Each member agency is assigned a professional Risk Manager to serve its specific needs and to help the agency determine its risk management strategy. The assigned risk manager for the City of Carpinteria was queried about possible dog park ideas including off leash areas and a dedicated dog park. Some concern was expressed about time control off leash privileges in existing parks as they may be an unconventional approach and mixed uses in parks can lead to increases in liability exposure. The idea of a dedicated dog park was considered a preferred approach and a record of rule enforcement by the City considered to be a good management practice.

VIII. Conclusions

Dog parks enable owners to spend quality time with their dogs. These areas promote social interactions among dogs and generally offer a safe setting for regular exercise in a controlled environment under the supervision of their owners. Over the last decades,

dog parks became very popular in urban areas and are one of the fastest growing segments of city parks.

Shared use parks are a viable concept if properly designed and programmed to avoid conflicts of use with existing park activities. A record of rule enforcement is recommended.

A dedicated dog park facility is a more conventional approach but must also be properly designed, maintained and supervised to be successful.

A nongovernment partner supporting or operating the off leash dog park is considered a big plus to the success of an off leash dog park.