

DogPAC Proposal to the BMRD Board

May 21, 2008 Version

**This is a proposal by the DogPAC steering committee.
It does not necessarily reflect the opinions of all DogPAC members.
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Our Vision

A community in which dog guardians have access to public lands that provide quality and convenient recreation experiences. Dog guardians are responsible and considerate of others; all residents are tolerant of each other and willingly share public spaces. Dogs help connect residents with each other, thereby strengthening community bonds.

Leadership

Not all residents support expanded off-leash access in city parks. In part, this is the inevitable result of our current situation – off-leash access currently is not legal in any park within the city, so creation of legal access reflects a change, one that may affect existing park users. Our strategy, outlined below, is based on current use patterns and therefore minimizes disruption. We also ask dog guardians to be responsible, and we support closure of off-leash access at specific sites if the use is not responsible. We ask other park users to respect their fellow citizens and taxpayers and to share our public spaces.

We ask the Bend Metro Parks and Recreation District (BMRD) board and staff to provide leadership in response to those who oppose this sharing of public lands. A fair and effective solution to the current situation requires that the interests of dog guardians be weighted equally with the interests of those opposed to expanded off-leash access. This solution also recognizes that channeling off-leash use to specific locations and times benefits those seeking to use parks without encountering off-leash dogs.

We believe that leadership is not about implementing “mom and apple pie” programs that everyone supports. It is about resolving situations in which constituents have legitimate, and sometimes competing, perspectives and priorities. This is the current situation regarding off-leash access, and we look to the BMRD board and staff for their leadership on this issue.

Introduction

DogPAC is an organization of dog guardians and other concerned citizens in the region who believe that we need to create a *system* of sites with legal off-leash access. This includes areas that are convenient to most Bend residents and areas to meet specific needs, such as walking/running trails and water for dog drinking/swimming.

For several years, BMPRD has been working to provide areas in Bend for off-leash use by dogs and their guardians, with funding for the Big Sky, Hillside, and High Desert areas authorized back in 2004. We greatly appreciate BMPRD's work on this issue and were happy to see the creation of the Big Sky dog park in 2006. We also believe that BMPRD's existing plans for off-leash areas (new areas at High Desert, Pine Nursery, and Sawyer) represent an "in spirit" improvement. However, we believe that these areas will not be sufficient to address community needs. This belief is based on BMPRD's own research, which indicates that 1) off-leash access is a very large unmet need and 2) "close to home" access is important for park users. The conclusion – a viable solution requires multiple and convenient sites.

In many situations, incrementally increased access would be better than the status quo. However, DogPAC is concerned that incremental access not only will fail to solve the problem, but likely will do more harm than good. If, as planned, Sawyer is the only westside park with off-leash access, it likely will suffer the same over-use problems found at Big Sky. We believe that a time-based approach to access at multiple parks will be the best solution for dog guardians, competing park uses, and those who do not wish to encounter off-leash dogs.

In 2007, Bend Police Chief Andy Jordan convened the Police Canine Committee to address the issue of off-leash dog access. In brief, it was recognized that the current situation (access to a portion of one park outside the city limits) was inadequate and resulted in dog guardians using multiple city parks for off-leash access, despite regulations against that use. The intention was to provide sufficient, and sufficiently convenient, sites so that police and BMPRD staff could direct dog guardians to legal areas and thereby reduce off-leash use of restricted areas. The result would be an improvement for both dog guardians and those not wishing to encounter off-leash dogs (residents who are "off-leash averse").

The Police Canine Committee included Chief Jordan, BMPRD staff, and individual dog owning citizens. There has been agreement and important progress in some respects, including the recent change in city regulations permitting legal off-leash access to unfenced areas. DogPAC also welcomes the time allocated by the BMPRD board and staff and the "in spirit" progress that has been made to date. The current BMPRD proposal is a reflection of that progress. We outline the DogPAC proposal to the BMPRD board in this document.

Concepts and Semantics

Semantics can be important, especially when people have diverse concepts of what off-leash access entails. We view the Big Sky area as a traditional dog park. It is fenced and essentially an exclusive use. This type of off-leash access meets the needs of many dog owners, especially when there are separate areas for small and big dogs. We support the development of additional dog parks.

However, dog parks have their limitations. The cost of fencing and other components limits their development. Their exclusive use nature means they compete with other park uses for land and funding. Importantly, they provide a high-density and "caged" type of experience that many dog owners seek to avoid.

We believe the solution primarily relies on unfenced, shared-use based on existing use patterns. Currently, many parks have shared use that includes de facto off-leash access by dog guardians, as well as use by those without dogs who walk, bike, picnic, or enjoy these spaces in other ways. The solution is not to set aside exclusive areas for off-leash access but to legalize and manage it as shared use where it already occurs. That integrates responsible dog-owning citizens into our parks, and thus the community generally, without displacing other existing uses and while providing predictability for everyone. Dog guardians know they can use certain parks at certain times without being branded as criminals. The off-leash averse know they can use the parks at other times without encountering off-leash dogs.

In short, the system we envision is one that involves good planning and active management, consideration of the interests of dog guardians and the off-leash averse, and shared utilization and enjoyment of the public spaces that we all fund as taxpayers and own as citizens.

References to “Comp Plan” are to the 2005 BMPRD Parks, Recreation, and Green Spaces Comprehensive Plan (available at: http://www.bendparksandrec.org/Planning_Development/Comprehensive_Plan/). “Parks” refer to the 74 parks and related units owned by citizens and managed by BMPRD, including those outside the Bend city limits.

Facts and Reasonable Assumptions

We believe the following to be true:

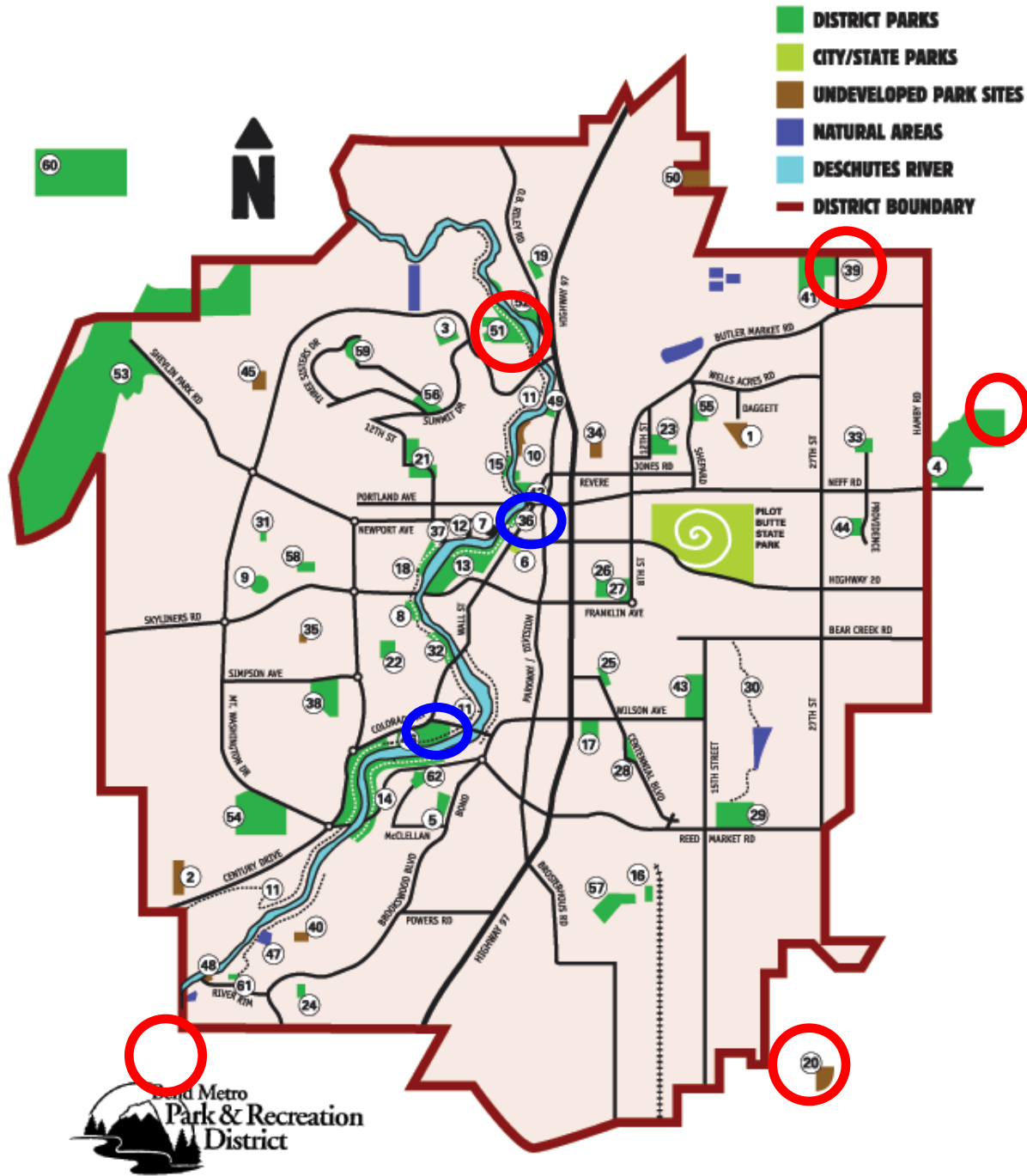
- Dog guardians constitute nearly 50% of the urban population and therefore represent a significant user group (directly quoted from Comp Plan, page 5.15). By comparison, 32% of Bend’s households have children under the age of 18. We support BMPRD’s allocation of land and taxpayer funding for programs that serve youth and other groups within the community. We also believe that land and (to a lesser extent) funding should be allocated to support the park-related interests of dog guardians.
- Of the 27 facilities (from walking trails to swimming pools) evaluated by residents in the 2004 BMPRD Community Interest and Opinion survey, access to dog off-leash areas was the need that was least met for the largest number of households (Comp Plan, figure 5.8, page 5.29, at the 100%, 75+%, and 50+% level of need not met).
- Results from the 2008 follow-up survey indicate that access to off-leash areas remains the least met need. Almost 10,000 households have the need met at the 50% level or less. Allowing for population growth and potential survey errors, these results indicate that establishment of the Big Sky dog park has done little to meet community needs. Put differently, many residents value Big Sky, and we appreciate BMPRD’s work to create it, but it has not solved the problem.

- Off-leash access is a legitimate use of city parks, including each of the three main park types – Neighborhood Parks, Community Parks, and Regional Parks. This legitimacy is reflected in the Comp Plan (pages 7.21, 7.24, and 7.30) and the inclusion of off-leash areas in BMRPD community surveys.
- Off-leash access differs from on-leash access. A fundamental principle in recreation management is that users, not management agencies, define the value of the recreation experience. For many dog guardians, an off-leash experience is fundamentally different from an on-leash experience. This can be seen intuitively from the fact that many residents risk expensive fines by having their dog off-leash when there is no fine for having dogs on-leash.
- Dog guardians value off-leash access for many reasons. One important reason is that “dogs require daily exercise and contact with other dogs in order to remain healthy and well socialized... [A] well socialized dog learns the skills required for getting along with the people and the other dogs [he/she] meets each day” (quoted in San Francisco Society for the Prevention of Cruelty to Animals statement to the Advisory Dogs Off-leash Task Force, see http://www.sfspca.org/advocacy/pdf/pdf_dogleash/parks.pdf and http://www.sfspca.org/advocacy/pdf/pdf_dogrighths/dog_rights.pdf).
- We greatly appreciate recent Parks and Rec efforts to provide off-leash areas at High Desert, Sawyer, Pine Nursery, and in collaboration with the Forest Service near Meadow Camp. These efforts reflect a Parks and Rec willingness to engage in the issue and serve dog-owning constituents. However, these sites generally are not convenient to most residents. Among the constraints that Parks and Rec can affect, distance is the main limiting factor for use of parks (Comp Plan, page 5.6). We believe that off-leash areas at these sites will be too far away to be of value to most residents, so they will not adequately address the unmet need.
- We believe that, in the absence of accessible off-leash areas, many dog guardians will continue to use leash-restricted areas, to the detriment of both dog guardians and the off-leash averse.

In short, there is an unmet need that will not be met until there is legal off-leash access in parks convenient to most residents. This will require access to parks within the community, not just on the borders. The locational issue is illustrated by the following map. Understandably, BMRPD has chosen convenient locations for its administration building (current and future in blue circles). The planned off-leash areas (in red circles) are rather less convenient:

- 3 are outside the district boundary
- 1 is just inside
- 1 is somewhat more convenient

As a result, the new access areas reflect a noticeable increase in number, but a much less substantial increase in accessibility.



Principles and Criteria

Because selection of individual sites follows from underlying principles, we first outline those principles. The principles are in bold type, with associated information in regular font.

Principle 1. We believe that planning should be thorough, but flexible and constituent-focused. BMPRD engages in thorough park planning, and this has resulted in the creation of Big Sky dog park and plans for Hillside and High Desert parks. However, we do not believe that the existing or currently proposed off-leash areas will meet community needs. The problem is partly due to the number of areas, but primarily due to the type and location of areas. As noted in the Comp Plan (page 1.7), it is important for BMPRD to “[b]e flexible in order to effectively accommodate changing conditions that may not have been anticipated at the time the plan was written.” In this context, flexibility means providing off-leash access in locations that are convenient and desirable to Bend’s dog guardians.

Principle 2. We believe that dog guardians have been displaced from parks. Through regulation and policy, dog guardians seeking off-leash access have been displaced from all parks except for one corner of one park located outside city limits. This displacement is ongoing. For example, dog guardians frequently use Riverbend Park due to its convenient river access. That access will be eliminated with the construction of the BMPRD headquarters building – and without an adequate substitute site being developed. City regulations have evolved to allow unfenced off-leash access, so it is now easier for BMPRD to provide access at sites sought by its dog owning constituents.

Principle 3. We believe that dog guardians are equal to other citizens/taxpayers. Park uses often compete; for example, one cannot locate a playground in the middle of a soccer field – and parents would not take their toddlers onto a soccer field in the middle of a game. As a result, spatial and/or temporal sharing of parks is often necessary. We believe that dog guardians should be treated equally with other citizens in the sharing of park resources. We do not wish to displace other users, but existing uses should not automatically preclude establishment of off-leash access. The latter would be equivalent to saying that brewpubs would only be allowed *after* Prohibition in locations where they existed *during* Prohibition. In practical terms, we believe that Site Selection Criterion “b” in the December 18, 2007 staff memo to the BMPRD board should be removed. In short, all citizens – not just dog guardians – need to share and compromise.

Principle 4. We believe that city parks generally are highly modified natural environments and that the same environmental standards should be applied to off-leash areas as to other city park areas. Turf, parking spaces, toilet blocks, playground equipment, river access ramps, and chainlink fences are not native to Central Oregon ecosystems. We accept modification of the natural environment as part of the process by which agencies serve park users. We believe that the principles guiding acceptable levels of modification should be applied equally to all users and activities. In other words, we believe that the same environmental indicators and standards should apply to areas with off-leash access as to sports fields, playgrounds, and other park areas. This implies modification of Site Selection Criterion “c” in the December 18, 2007 staff memo.

Principle 5. We believe that sufficient off-leash access should be provided to ensure that available sites do not become overcrowded. Because half of all Bend households have dogs and off-leash access is the largest unmet facility need in city parks, it will be important to distribute off-leash use across multiple sites. The experience of Big Sky dog park, the 2001 off-leash area at the south end of Drake Park, and the proposed Hillside dog park all confirm the importance of providing off-leash access at multiple sites. BMPRD recognizes this concern, as indicated in their December 18, 2007 recommendations.

Principle 6. We believe that BMPRD should monitor the extent to which the need for off-leash access is satisfied. To their credit, BMPRD conducts periodic community surveys, and we believe that they should use such a survey to periodically monitor the extent to which off-leash access meets community needs. We believe this monitoring should include specific indicators and targets, with an agency commitment to take action if targets are not met. For example, an indicator could be number of district households whose needs for off-leash areas is met at 25% or less. The standard could be 1,000 households. Thus, if survey results indicated that more than 1,000 households had this need met at 25% or less, BMPRD would take further action to meet the need. This approach also is a reminder that it is not the *number* of off-leash areas that matters; rather, it is the extent to which off-leash access meets community needs.

We believe the following criteria should be applied in the creation and management of off-leash access.

Criterion 1. The sites should be valued by dog guardians. Citizens value parks for different reasons. A major reason is accessibility. In the case of off-leash access, dog guardians also value sites that are of sufficient size to, for example, play fetch. Dog guardians also value specific features, such as trails for walking or the river for dog drinking/swimming. This criterion implies that selection of sites for off-leash access should include consultation with dog guardians rather than sole reliance on internal BMPRD evaluation and decisionmaking.

Criterion 2. Competition with other uses/users should be minimized. As noted above, we believe that all citizens should be expected to share public spaces. Nonetheless, we respect other users and seek to minimize the impact of off-leash access on those users.

Criterion 3. Off-leash access should not be allowed where it overlaps with selected uses. Off-leash access should not be allowed in playgrounds. Off-leash access should not be allowed on sports fields during seasons when those fields are being used for their designated purpose.

Criterion 4. Temporal separation is an alternative to spatial separation for areas of value both for off-leash access and competing uses. Temporal separation can be by time of day, season, or other predictable schedule. For example, McKay Park is used heavily during summer afternoons but used lightly in the winter. Off-leash access could be allowed at all times in the winter but only during the morning in summer. Such “timed use” systems have worked well in other communities.

Criterion 5. Identifiable boundaries could be used to designate areas with off-leash access. In shared-use systems with off-leash access allowed only in a specific portion of a park, bollards (e.g., 4"x4" posts) are used to designate areas for off-leash access. Natural boundaries, such as landscape features or shrubbery, also can be effective.

Criterion 6. Dog stations, trash cans, and drinking water should be provided where feasible. Other amenities should be provided based on the principles applied to other uses. For example, if a neighborhood park does not have toilets, these would not be required simply due to availability of off-leash access.

Criterion 7. Parking requirements should apply equally to off-leash areas as to other park areas. On-street parking is the norm for neighborhood parks. The availability of off-leash access in such parks should not by itself require development of off-street parking.

Proposed Strategy

Based on the above principles and criteria, and the experience of systems in other communities, we propose a strategy of shared use with timed access and based on existing patterns of off-leash utilization of parks. Existing patterns reflect the aspects of convenience and quality that are important to dog guardians. A system based on existing patterns also minimizes disruption to current uses that do not involve dogs.

Time periods would be established so that both dog guardians and the off-leash averse have access to reasonably convenient parks at reasonably convenient times. For example, off-leash access might be allowed in McKay Park until 10 am and in Columbia Park after 5 pm, with leash restrictions in place during other periods. As a result, dog owners could access the river either before or after work. Likewise, those not wishing to encounter off-leash dogs could access McKay Park after 10 am and Columbia Park before 5 pm. As another example, off-leash access to Sawyer could be restricted during the periods the field is used by Ultimate frisbee players, but allowed during other periods.

Access times and designated areas for off-leash access within each park would be established by BMPRD, working with DogPAC, other parks users, and residents near each park; neighborhood associations would play a key role.

We support enforcement of dog-related regulations, including those relating to aggressive dogs and waste removal. We also view off-leash access as a trial. The dog guardian community should be given the opportunity to resolve any problems that arise in implementation. However, if issues remain unresolved at individual off-leash sites, we support closure of off-leash access at those sites.

Note that our goal is access, not development. We believe the funding previously allocated to development of the proposed Hillside dog park will be sufficient to make at least a significant start toward implementing this strategy.

We envision that the system may include both unfenced and fenced areas, but budgetary and other considerations mean that most sites will be unfenced. Fencing will be installed primarily for safety reasons (to separate dogs from roads, playgrounds, etc.).

Benefits of this strategy include:

- It treats dog guardians and other park users equally.
- It recognizes that a solution requires convenient access for dog guardians.
- It provides shared use and predictability for both dog guardians and the off-leash averse. Dog guardians will know when they are allowed to take their dog to each area; the off-leash averse will know when off-leash access is not allowed.
- It reduces the time involved in driving to inconvenient areas. It also reduces the financial and environmental costs of transportation. With concerns about global warming and gas above \$4 per gallon, this is an important benefit.
- It helps neighbors connect with each other, thereby strengthening community bonds. Parks become neighborhood meeting places.

We believe the above strategy will lead us to the best solution. **Experience in other communities shows that it can be implemented.** This is a proven approach, not a risky, revolutionary idea.

We are prepared to discuss alternative strategies with Parks and Rec, with the understanding that any successful strategy will require multiple convenient sites.