TO:     HONORABLE CITY COUNCIL

FROM:   CITY MANAGER                   DEPARTMENT: COMMUNITY SERVICES

DATE:   APRIL 14, 2008                           CMR: 194:08

SUBJECT:  REVISIONS TO THE PARK AND OPEN SPACE CITY RULES AND REGULATIONS

This is an informational report and no Council action is required.

BACKGROUND
An interdepartmental Building Regulations Committee, composed of representatives of the former Parks and Golf Division and the Open Space and Science Division, was created by the City Manager in August 1997. The charge of this committee was to develop regulations for the use of City facilities by the public. These regulations were deemed necessary as facilities were at times being used by some members of the public in ways that interfered with the mission and function of City programs and services, resulting in complaints from the public at large. A set of defined and enforceable regulations has helped City staff respond to complaints and work with facility visitors to encourage appropriate conduct at and use of City facilities.

On September 4, 1997, the City Council amended Palo Alto Municipal Code Section 2.08.050 to enable the City Manager to prescribe and enforce regulations for the entry into, or use by members of the public, of any City real property, building, park, or other facility.

On June 24, 2002, regulations were adopted governing the appropriate use of park and open space facilities. Staff committed to keeping these rules and regulations current and relevant to park use patterns and emerging recreational needs. The rules have been subsequently revised June 28, 2004, January 24, 2005 and February 3, 2006.

DISCUSSION
Staff has made changes to the Park and Open Space Rules and Regulations in order to keep them relevant and reflective of City policies, including changes to reflect the current organizational structure of Community Services Department. Attachment A contains the rules and regulations with the changes and additions highlighted in yellow and underlined.

On February 26, 2008, the Parks and Recreation Commission was asked to review and comment on revisions to the Parks and Open Space Rules and Regulations. The Commission’s suggestions were incorporated in this update of the Rules and Regulations. Of particular interest to the Commission was the management and anchoring of the soccer goals. The Commission also
expressed an interest in better understanding smoking restrictions in open space areas. Staff clarified that the smoking restriction pertains to playgrounds, nature trails or nature areas, and where posted as prohibited. The Commission questioned why the regulations didn’t address noise issues. Staff explained that noise is addressed in Title 22 of the Palo Alto Municipal Code. The Rules and Regulations are intended to complement rather than supplant the Municipal Code.

Closure of Facilities- Authority:
R1-3 (C) was created to assist staff in protecting wet playing fields from being damaged by over use.

Use of Metal Detectors:
R1-9 (A) was created because park visitors with metal detectors were digging and causing damage to park turf. The new rule allows for the appropriate use of metal detectors in certain areas, while protecting park turf.

Athletic Field Use:
R1-12 (F) was created in an effort to protect soccer participants from injury from accidental tip-over of goals. Due to the shortage of field space, the Recreation Division, which manages field use, often utilizes joint turf areas for both soccer and softball. During softball use, the leagues move the goals off the field. Many of the leagues have not adequately secured the goals off the field in a safe manner. An unsecured goal can accidentally tip over and cause injury. The City’s goals have also sustained repeated damage due to the dragging or flipping the goals off the field. The damaged goals pose an obvious risk for soccer participants.

By requiring the leagues to supply their own portable goals (which can be moved far more easily and safely than the City’s heavy-duty goals) and to appropriately remove them at the end of game, a safer experience for soccer and softball participants is ensured.

Bicycles, Skateboards and Roller Skates:
R1-18 was amended so that helmets would be required for people riding devices similar to bicycles. This addition is to address the emergence of new coasting devices that don’t fall within the term “bicycle.”

Commercial Photography and Filming:
R1-21A was amended to include sections A through D in order to better manage commercial photography and minimize its impact on the park resources, wildlife, and visitors.

Animals:
R1-30 (I) was created to protect wildlife and habitat from dogs entering certain aquatic areas. Dog owners may be unaware that their swimming dogs may be harassing wildlife, because they cannot see the wildlife. For example, certain fish spawning areas and red-legged frog breeding habitat could easily go unnoticed. Other damage is caused when dog owners play fetch with their dogs in the water. This activity erodes the shore with multiple entries and exits into the water, churns up the mud, and destroys the flora along the shoreline. In addition, R1-30 was amended to include persons designated by the Community Services Director to have the ability to assist
staff in managing wildlife. This would allow staff to utilize trained volunteers or contractors to manage some wildlife issues.

Parking Restrictions:
R1-36 (L) was created to guide the appropriate use of the camping facilities at Towle Camp. The rule, which was first implemented as a staff directive in 2002, prevents recreational vehicles, trailers, and other self-contained vehicles from parking at Towle Camp. Towle Camp was designed as a tent campground. Recreational vehicles are inconsistent with Towle Camp’s design, and have the potential for bringing in more campers than Towle Camp’s facilities can accommodate. The rule also specifies the maximum number of vehicles per campsite, which is dictated by the capacity of the parking lot.

Operation of Motor Vehicles:
R1-37 (E) was created to include all motorized scooters, bicycles, carts, and Segways or similar electronic devices in the definition of motor vehicles. There has been a rise in new gas- powered and electric play equipment in the parks that didn’t exist when the rule was first implemented.

RESOURCE IMPACT
There is no resource impact associated with the adoption of the revised Park and Open Space Rules and Regulations.

POLICY IMPLICATIONS
These revisions to the existing administrative Parks and Open Space Regulations are consistent with City policy to define and enforce certain standards of behavior in City facilities in order to ensure appropriate use and enjoyment of these facilities for the public at large.

ENVIRONMENTAL REVIEW
These changes in the Parks and Open Space Regulations are not a project as defined by the California Environmental Quality Act (CEQA) and are not subject to CEQA requirements.

ATTACHMENTS
Attachment A: Parks and Open Space Regulations

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