



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use & Development Committee Members

FROM: Jorge M. Gonzalez, City Manager *JMG for sub*

DATE: May 16, 2012

SUBJECT **Follow-up Discussion Of Controlled, Limited And Attentive Off-Leash Hours At Pine Tree Park**

INTRODUCTION

Commissioner Jonah Wolfson and the City Commission referred a Discussion of a Controlled, Limited, and Attentive Off-Leash Hours At Pine Tree Park to the Land Use & Development Committee at the September 14, 2011 Commission meeting. The Administration prepared an item for discussion that was included in the October 26, 2011 Land Use & Development Committee's meeting agenda. (Please see Attachment A - copy of October 26, 2011 Committee agenda and the item submitted).

BACKGROUND

A discussion regarding controlled, limited, and attentive off-leash hours at Pinetree Park was held at the October 26, 2011 Land Use & Development Committee meeting. The Administration introduced the item; provided a comprehensive history of the Pine Tree Park; the evolution of the park, including its development and use; the development of the current dog park; and an overview of recent conditions, uses and experiences with dogs and dog owners in Pine Tree Park. Additionally, information related to the park's other amenities, including a recently constructed community garden and a planned kayak launch was presented.

During the discussion, the Committee members mentioned the off-leash area at South Point Park as an example of a current program. Several members of the public spoke, expressing support for creating off-leash hours outside the existing dog park located in Pine Tree; others supported enforcement of the current leash laws prohibiting dogs to run off-leash and felt the existing dog park should be utilized; and yet others supported the expansion of the current dog park and additional maintenance to the dog park that would better serve and address the needs of the resident dog owners and their pets.

Commissioner Wolfson expressed concern with any off-leash enforcement until the matter was more thoroughly vetted. Commissioner Libbin discussed the possibility of bringing the matter to the full Commission, and indicated his preference to keep the existing rules regarding leashes. Commissioner Gongora suggested a widely publicized public workshop on the subject, and requested the Administration to provide more information on the potential for expanding the enclosed bark-park area.

At the conclusion of the discussion, the Committee approved a motion that directed the Administration to set up a public workshop to provide more information and options to expand the enclosed bark park area and/or locate a designated off-leash area during certain areas, and directed Code Compliance to abate full enforcement of the regulations by only issuing warnings, not code violations.

ANALYSIS

As directed, the Administration held a public workshop entitled "Discussion Regarding Dog Park and Proposed Off-Leash Program at Pinetree Park." The purpose of the workshop was to obtain community input on proposals related to the to the existing enclosed dog park area, and/or whether to locate a designated, unenclosed off-leash dog area during certain times at Pinetree Park. The workshop was held on January 30, 2012, beginning at 6:00 P.M. in the third floor conference room of the City Building located at 1755 Meridian Avenue (Please see Attachment B - The flyer noticing the meeting). The meeting notice was:

- Inserted on the Mayor and City Commission's calendars on January 19, 2012;
- Sent to the Alton, Aqua, Allison Island, La G/PT, La Gorce Island, Nautilus, Orchard Park, Middle No Bay Rd, Upper NO Bay Rd, Lakeview, Bayshore, SOFNA and FPNA HOAs. With a reminder sent the day of the meeting;
- Posted at all city dog parks and all our parks facilities;
- Shared through a press release that was sent to all our Parks and Recreation Media Contacts (estimated at more than 800) and to the P&R 715 Constant Contact subscribers; and
- Included in the January 20th "News From Miami Beach" E-Briefs electronic email blast – sent to 3,838 subscribers.

Reminders were sent on Twitter (10,005 followers) and Facebook (4,761). Parks and Recreation Administration also sent the community workshop information to the Parks & Recreational Facilities Board and the Scott Rakow Youth Advisory Board.

An estimated 50 persons were in attendance at the meeting (Please see Attachment C – for a copy of the sign in sheets). Also in attendance were City Commissioners Jerry Libbin, Edward Tobin and Deede Weithorn; Assistant City Manager Hilda Fernandez; and Kevin Smith, Julio Magrisso and Rhonda Gracie of the Parks and Recreation Department.

The Administration presented an overview of the intent of the workshop, explaining that it was being held as a result of the Land Use & Development Committee's actions following a discussion of a controlled, limited and attentive off-leash hours at Pinetree Park at the Committee meeting held on October 26, 2011. It was explained that the Committee directed the administration to set a public workshop, and bring more information on options to expand the enclosed bark park area and/or locate a designated off-leash area during certain times, and directed Code Compliance to abate full enforcement of the regulations by only issuing warnings, not code violations. The administration stated the options for consideration, discussion and feedback were the following:

- Redesign and expand the current dog park to better meet the needs of the dog owners and their dogs;
- Establish an unenclosed dog off-leash area in Pinetree Park, similar to the one in South Pointe Park, with specified hours of use, adjacent to the dog park;
- Keep the dog park status quo, with regular enforcement to ensure compliance with the leash and clean-up laws; or
- Look at other suggestions from the workshop attendees.

The Administration presented an aerial photograph of Pinetree Park and a conceptual design of an expanded area of the existing dog park. The designed expansion, as shown, could be accomplished as a fenced expansion of the adjacent unfenced off-leash site that is within the surrounding pathway, which forms a natural border (Please see Attachment D – Conceptual Design of an Expanded area of the Existing Dog Park).

Following the overview, the floor was opened to the workshop attendees to provide comments and input. There were strong opinions in favor of the establishment of the unenclosed off-leash area; for expanding the existing fenced in dog park with improvements to sod conditions and a re-orientation of the dog runs; and for the fenced dog park remaining as it is, with enhanced enforcement by Code Compliance and the Police Department. At the conclusion of a very extensive discussion, and in an effort to obtain some consensus and direction, the Administration requested a vote, by show of hands, to document the preference of the options, as presented. A total of thirty-three (33) persons voted as follows:

- Leave status quo 6 / 18.2%
- Establish off-leash hours in an unenclosed area of Pinetree Park 8 / 24.2%
- Expand, renovate and re-design the existing enclosed dog park with additional fencing 19 / 57.6% **

It should be noted that the dog owners requested that the current dog park be expanded even more than was shown in the concept drawing presented to them. This would permit longer linear areas that will enable dogs to run further in an open, straighter line, thus getting more exercise.

CONCLUSION

Based on the comments, input and highest ranked recommendation of the residents attending the community workshop, should the Committee wish to pursue this option, then it is recommended that this project be considered during the Capital Budget process.

Attachment(s)

CC: Hilda M. Fernandez, Assistant City Manager
Kevin Smith, Director of Parks and Recreation



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use & Development Committee Members

FROM: Jorge M. Gonzalez, City Manager

DATE: October 26, 2011

SUBJECT **Discussion Of Controlled, Limited And Attentive Off-Leash Hours At Pine Tree Park**

INTRODUCTION

The above item was referred by Commissioner Jonah Wolfson and the City Commission to the Land Use & Development Committee at the September 14, 2011 Commission meeting.

In the past several years the residents of Miami Beach have increasingly requested the construction of dog parks within their neighborhoods. To date there are a total of five (5) fenced dog parks and one unfenced off-leash area within the City's parks. These include Belle Isle, Flamingo, North Shore Open Space Park (under construction), Pinetree, South Pointe (un-fenced) and Washington Avenue (two sites). Additionally, at the September 14, 2011 Commission meeting the Administration was directed to install a temporary fenced dog park on the Par 3 Golf Course, which is in process. These dog parks are heavily utilized and appreciated by our residents and their dogs. The increased number of the City's dog parks can be attributed to the a number of discussions that have been held in the community and more specifically at past Neighborhoods/Community Affairs Committee and Land Use & Development Committee meetings.

As stated above the only unenclosed off-leash area currently available within the City of Miami Beach is at South Pointe Park. The unenclosed off-leash area is approximately 17,566 S.F. The process implemented to establish this unenclosed off-leash area was extended and required several community meetings, Commission Committee meetings and ultimately action by the City Commission and the Miami-Dade County Board of Commissioners to amend their respective codes.

BACKGROUND

To better make an informed decision concerning the issue of controlled, limited and attentive off-leash hours at Pine Tree Park it is important the history and background of this park in general and the efforts made by the City and the community to incorporate dog uses in the park be presented.

Pine Tree Park, located at 45th Street and Pine Tree Drive, is a 6.55 acres passive open green space parcel that was jointly purchased by the City of Miami Beach and Dade County in 1973 for \$2.25 million, with the condition that the land be used for principally passive recreational purposes. It generally serves residents within walking distance as well Beach residents who drive to the park and day guests from throughout the county. It is one of only two undeveloped natural passive parks with our system, the other being North Shore Open Space Park. The primary uses are walking, open space play, running dogs in the park, socializing with park patrons, bird watching and communing with nature.

Pine Tree Park has remained predominately a passive green space that underwent a renovation completed in 2001 at a cost of \$84,115 from the \$92 million General Obligation Bond Series 2000 Fund No.374. Improvements included a fenced dog park of approximately 24,344 S.F. located in the southern section of the park; eradication of exotic plant material; new landscaping; site furnishings (drinking

fountain, benches, trash receptacles, and bicycle racks); enhancements/embellishments to the bollards in the front of the park and fencing on the south side of the park.

The most recent improvement to the Pine Tree Park was a community garden which was added in October of 2010 at a cost of \$40,700, funded from the City's 2009/10 Capital Projects Program. Please see the attached layout of the Pine Tree park including the current locations of the dog park and community garden.

A major point of contention concerning the use of Pine Tree Park has been and continues to be its use as a bark park. Residents have expressed very strong opinions both in favor of and opposition to the use of the park for such activity. The following are relevant actions taken related to the off-leash issue.

- Fall of 2001 the 24, 344 S.F. Pine Tree Bark Park was opened to the public.
- January 14, 2004 - Commission Referral to Neighborhoods/Community Affairs Committee – Discussion Concerning potential Enhancements To The Pine Tree Bark Park

Based on the response and heavy utilization of the dog park by our residents and their pets a group of residents requested it be expanded in size and amenities be added to make it even more attractive and user friendly. This was supported by one of the residents going to the point of generously offering a donation of \$25,000 to expand and enhance the dog park facility. This matter was referred to Neighborhoods/Community Affairs Committee as a discussion item at the January 14, 2004 Commission meeting.

- February 17, 2004 – Neighborhoods/Community Affairs Committee Discussion Concerning potential Enhancements To The Pine Tree Bark Park

A discussion concerning the potential enhancements to the Pine Tree Dog Park was held at the February 17, 2004, Neighborhoods/Community Affairs Committee meeting. At this meeting the proposed expansion of the fenced in dog park was discussed as well as some interior amenities including a water fountain. It was also stated that future plans, based on available funding, would further develop the park for everyone. There were also questions raised on the need for additional parking if the dog park were expanded. At the conclusion of the discussion the Administration was instructed to take the concept to a publically noticed meeting to advise the residents of the proposal and obtain their input prior to proceeding further.

- April 19, 2004 - Publicly noticed community meeting to present and discuss potential enhancements to the Pine Tree Bark Park

As directed, a publically noticed community meeting was held on Monday, April 19, 2004 at the Nautilus Middle School to present the conceptual plan for potential enhancements to the dog park facility located in Pine Tree Park.

There were approximately 30 residents from the Orchard Park and Pine Tree neighborhoods present and participating in the discussion. Based on the residents' comments there was a very clear consensus that the dog park should not be enhanced or expanded in any manner. It was further evident the residents were frustrated by the dog owners violating the City laws and additional enforcement was desired.

- April 29, 2004 – Neighborhoods/Community Affairs Committee – Report of April 19, 2004 community meeting and affirmation of support for the residents' position for no further enhancements to the bark park.

The results of the April 19, 2004 community meeting were reported to the Neighborhood/Community Affairs Committee on Thursday, April 29, 2004. It was recommended by the Administration that in accordance with the residents' expressed desires, no further actions related to implementing the conceptual enhancements to the Pine Tree dog park facility be taken. The Committee members supported the recommendation. This recommendation was presented and accepted by the full Commission at the May 5, 2004 meeting.

- April 25, 2007 – Neighborhoods/Community Affairs Committee – Discussion Regarding Lighting In Pine Tree Park

In February of 2007, the Administration received a petition from the Pinetree Park Responsible Dog Owners requesting lights be added to the park to extend the use of the park into the evening. The Administration also received emails in opposition of the lighting program.

The request to add lights in Pine Tree Park was referred to the April 25, 2007 Neighborhoods/Community Affairs Committee for consideration. For informational purposes the Administration did obtain a rough estimate to put lighting in Pine Tree Park. Based on an ambient style lighting system, not sports lighting, the very rough estimate as a turnkey operation for Pine Tree would have been between \$500,000 and \$575,000. Following a discussion that included residents from the neighborhood and dog owners from the community presenting their points on the issue the committee members held their discussion. At its conclusion the committee members determined there was no agreement between the neighborhood and the dog owners using Pine Tree Park therefore the Committee moved to take no action until there was more of a consensus. This action was reported to the full Commission at the June 6, 2007 Commission meeting.

ANALYSIS

Since the renovated Pine Tree Park reopened in 2001 it has been utilized and enjoyed by countless visitors. The single most challenging issue has been and continues to be the conflicts between park patrons and owners who permit their dogs to run off leash outside the fenced bark park.

Discussion Points for Consideration

- Is there community support for this activity?
- Can this activity be conducted in a safe and secure manner as not to interfere with the use and enjoyment of the park, community garden and other recreational amenities by the general public?
- What hours could the area would be open to the public for off-leash use that does not conflict with the other recreational amenities by the general public? (Currently the hours at the South Pointe Park unenclosed off-leash area are Sunrise – 9 A.M. daily and 5 P.M. – 7 P.M. Monday – Friday only)
- Based on the current city code an amendment to **Chapter 10, Section 10-11. Running at large prohibited** may be required to permit the Pine Tree Park site to be designated as an unenclosed off-leash area.
- Any other points germane to this issue for discussion.

CONCLUSION

The Administration requests the Land Use & Development Committee please discuss this matter and provide further direction.

Attachment(s)

CC: Hilda M. Fernandez, Assistant City Manager
Kevin Smith, Director of Parks and Recreation

JMG/HMF/KS

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PUBLIC WORKSHOP

DISCUSSION REGARDING DOG PARK AND PROPOSED OFF-LEASH PROGRAM AT PINETREE PARK

A public workshop will be hosted by the City of Miami Beach to obtain community input on proposals relating to the existing enclosed bark area, and/or whether to locate a designated unenclosed off-leash dog area during certain times at Pinetree Park.

January 30, 2012
6:00 p.m. – 7:30 p.m.

1755 Meridian Avenue
(New offices behind the City Hall parking garage)
3rd Floor Training Room

For additional information, please contact the City of Miami Beach
Parks & Recreation Department office at 305-673-7000 ext. 6579



MIAMIBEACH

ATTACHMENT B

LUDC#47



City of Miami Beach Public Workshop
Discussion Regarding Dog Park and Proposed Off-Leash Program At Pinetree Park
January 30, 2012 / 6:00 P.M.
1755 Meridian Avenue - 3rd. Floor Training Room

LUDC#48

<u>Print Name</u>	<u>Address</u>	<u>E-mail Address</u>	<u>Phone #</u>
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2. Terry Bogart	4250 Pine Tree Dr.	tbogart2003@yahoo.com	305-672-8819
3. Roman Bogart	4250 Pine Tree Dr.	RJBOGART@ATT.NET	305-672-8819
4. Jose Albert (cor)	505 17 th	JoseAlbert@miamibeachfl.gov	6854
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6. Richard Spero	212 Collins Ave	lookingglass6@yahoo.com	305 454 7794
7. TRISH BUSH	4321 ALTON Rd	PLB324@YAHOO.COM	
8. MICHAEL J RITUS	4175 ALTON ROAD	MRITUS@MSN.COM	3055324175
9. Jill Baker	3433 Alton Road		305-538-5265

ATTACHMENT C



**City of Miami Beach Public Workshop
Discussion Regarding Dog Park and Proposed Off-Leash Program At Pinetree Park
January 30, 2012 / 6:00 P.M.
1755 Meridian Avenue - 3rd. Floor Training Room**

Print Name Address E-mail Address Phone #

LUDC#49

- 10. Joel Deybach 4141 N Meridian Ave Miami Beach
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- 12. YVONNE STEELE, 570 W. 46 ST., MB. Bubbly Scotty 305-532 @ Yahoo.com 3666
- 13. Sgt. Tim Rau MBPD TIMOTHY.RAU@MIAMI.BEACH.FL.GOV
- 14. Josh Goldstein 9 Island Ave joshkgold@yahoo.com
- 15. W. Kaye 4142 N Jefferson Lewis Rydell W (et) BellSouth net
- 16. Hank Bush 4321 Alton Rd. plb324@yahoo.com 305 776-1777
305-773-1403
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- 18. Adolfo Lengyel 2601 Flamingo Dr LENGYELMB@GMAIL.COM



City of Miami Beach Public Workshop
Discussion Regarding Dog Park and Proposed Off-Leash Program At Pinetree Park
January 30, 2012 / 6:00 P.M.
1755 Meridian Avenue - 3rd. Floor Training Room

LUDC#50

Print Name	Address	E-mail Address	Phone #
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Jonathan Groff			
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Barett Grabarnick	5700 Collins Ave	BarettGrabarnick@aol	
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**City of Miami Beach Public Workshop
Discussion Regarding Dog Park and Proposed Off-Leash Program At Pinetree Park
January 30, 2012 / 6:00 P.M.
1755 Meridian Avenue - 3rd. Floor Training Room**

Print Name Address E-mail Address Phone #

LUDC#51

Jill Turner	4225 Prairie Ave MB	bike2onl@att.net	305-318-1884
Henry Lowenstein	617 W. 46 St.	henrylow@bellsouth.net	786-493
Rena Turoff	4500 Pine Tree DR	rturoff@aol.com	305 4957 535-8099
Diane Gamber	4474 Sheridan Ave	dgamber@bellsouth.net	305-674-1438
Cesar deFuentes	4142 N. Jefferson Ave	KCRESGO@atlanticbb.net	305-532-5423
Katie Crespin	4460 Pine Tree Dr	marcylow@bellsouth.net	305-531-9428
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Jason E Rodriguez	4581 Adams Ave	JER1331@aol.com	305 674 6885
Michelle Thomas	400 Alton	MichelleDThomasPhD@gmail.com	
Stacey Kruger	400 Alton Rd	SJKruger007@gmail.com	



**City of Miami Beach Public Workshop
 Discussion Regarding Dog Park and Proposed Off-Leash Program At Pinetree Park
 January 30, 2012 / 6:00 P.M.
 1755 Meridian Avenue - 3rd. Floor Training Room**

Print Name

Address

E-mail Address

Phone #

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LUDC#52

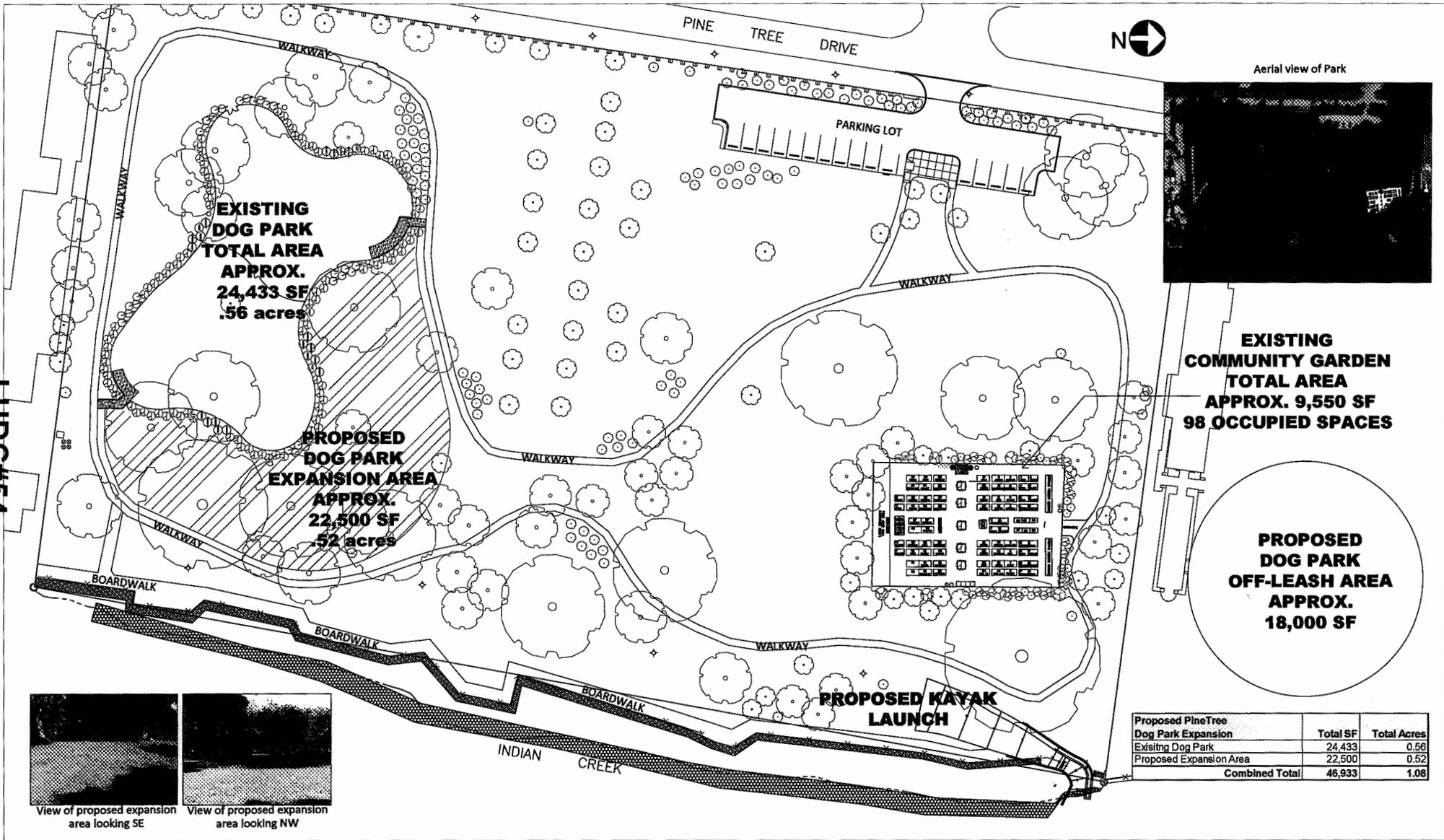


**City of Miami Beach Public Workshop
Discussion Regarding Dog Park and Proposed Off-Leash Program At Pinetree Park
January 30, 2012 / 6:00 P.M.
1755 Meridian Avenue - 3rd. Floor Training Room**

<u>Print Name</u>	<u>Address</u>	<u>E-mail Address</u>	<u>Phone #</u>
19. Connie Cooper Smith	9431 Atton Rd	connie@whitecm.com	305 532 4711
20. T. FROWD	4481 PRAIRIE AVE	ARTBRIT@AOL.COM	305 534 0195
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23.			
24.			
25.			
26.			
27.			

LUDC#53

LUDC#54



**EXISTING
DOG PARK
TOTAL AREA
APPROX.
24,433 SF
.56 acres**

**PROPOSED
DOG PARK
EXPANSION AREA
APPROX.
22,500 SF
.52 acres**

**EXISTING
COMMUNITY GARDEN
TOTAL AREA
APPROX. 9,550 SF
98 OCCUPIED SPACES**

**PROPOSED
DOG PARK
OFF-LEASH AREA
APPROX.
18,000 SF**

Proposed PineTree Dog Park Expansion	Total SF	Total Acres
Existing Dog Park	24,433	0.56
Proposed Expansion Area	22,500	0.52
Combined Total	46,933	1.08



View of proposed expansion area looking SE



View of proposed expansion area looking NW

PINE TREE PARK

4401 PINETREE DRIVE, MIAMI BEACH, FL 33140

SITE PLAN



CITY OF MIAMI BEACH
FLORIDA
PARKS AND RECREATION DEPARTMENT

DATE: 1-29-02	DRAWN: RG
REVISED:	CHECKED: RG
SCALE: 1"=40'	NO.:

LA-1



LUDC#55