

**PARD Board Briefing on the Updates to the
Proposed Commercial Use Permit Program
November 30, 2010**

Summary

The Parks and Recreation Department presented to the general public in October 2010, a proposed permit program to address the increased presence of commercial activities, namely boot camps and fitness groups, in public parks. The recent proliferation of these groups and their associated impact on the general public's access and use, park wear and tear and state law that prohibits the commercial use of public parkland without compensation, prompted the department to initiate a comprehensive review and draft a policy proposal. A public stakeholders meeting was held October 4, 2010 and attended by over 100 citizens to present this proposal and solicit public input.

In response to the comments received at the stakeholders meeting, a task force of PARD staff, local trainers, fitness advocates, urban planners and the general public was created to assist the department better assess the operational realities and needs of the public and our fitness partners. After four sessions over a five week period, a revised permit fee and use policy has been drafted to manage our parks in partnership with fitness groups and establish a fee that is equitable, continues to encourage fitness programs and protects the public's existing use rights. Please find below a summary of the proposed program points.

Original and Updated Program Comparison

| Program Point | Original PARD Proposal | Updated Task Force Recommendation |
|--|--|---|
| Approved Permitted Uses | Fitness Groups, Dog Trainers, Yoga Instruction, other professional services | Fitness Groups, Dog Trainers, Yoga Instruction, Stand Up Paddle Boards, Disc-Golf Concessions, and other professional fitness services |
| Approved Locations | 25 five specific urban and neighborhood area parks | 25 specific inner city and urban area parks, including Auditorium Shores |
| Fee to City for Permit | Fee per Trainer, Instructor: Neighborhood Parks \$500 for 6 months, District Parks \$1,500 for 6 months | Fee per Trainer, Instructor: \$50 Base Permit Fee for each 6 Months Clients: 0-3, No Monthly Use Fee Clients: 4 and more, Monthly Use Fee of .45/Person/Day Capped at \$1,500 per trainer, each 6 months |
| Fee for Temporary Water Concessions (Stand Up Paddle Boards) and Disc Golf Concessions | District Parks \$1,500 for 6 months | Fee per Temporary Concession For Stand Up Paddle Boards: Limited to 6 permits for each 6 month period For Both SUP and Disc Golf: \$50 Base Permit Fee for Each Instructor 9% of Gross Revenue reported monthly. Capped at \$1,500 per trainer for each 6 months |

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|------------------------|---|--|
| Fitness Zones | Defined for each park | Deleted, approved list of parks identifies areas not allowed for commercial use, i.e. off-lease area at Auditorium Shores, public walkways and pre-defined use areas. Also identifies equipment trainers may use and items that are prohibited. |
| Permit Credential | ID Card with Photo for each permit holder | ID Card with Photo for each permit holder |
| Reporting Requirements | None | <p>Boot Camps and Fitness Trainers: Each Trainer to remit payment and file use report by the 10th of the following month. No of Attendees X .45=Monthly Fee Stand Up Paddle Boards and Disc Golf to remit sales report and commission by the 10th of the following month.</p> |

The Parks Department anticipates that after these major program points have been reviewed and approved internally, we will return to the PARD Board and City Council in January 2011 for review and approval.

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