

To: Recreation and Parks Commission
From: City Staff
Subject: Proposed Options for addressing private fitness instructors use of parks and the beach for fitness training for Commission Discussion and Recommendations

INTRODUCTION

Staff recommends that the Commission review and comment upon options for a proposed permit and regulatory system to address the use of city parks and the beach for non-City sponsored fitness instruction by private instructors. The report includes definitions of activities, permitting guidelines, a fee structure, and a range of options for addressing the intensity of use in Palisades Park.

BACKGROUND

For several years, community members have regularly complained to staff about the proliferation of unregulated fitness training, boot camps and sports coaching in the parks and at the beach. Community members have expressed the following concerns:

- businesses are making a profit on City land without compensation to the City;
- the City is at risk for allowing businesses to operate without insurance;
- fitness groups impede pedestrians seeking to use paths;
- fitness groups prevent the public from using park and beach areas and amenities;
- instructors and their clients exercise by attaching exercise bands to park light poles, railings, picnic tables, park benches and trees which can cause damage; and
- fitness trainers, seeking to motivate their clients, yell loudly and disturb nearby residents, especially during early morning hours.

During its [January 19, 2012](#) meeting, the Recreation and Parks Commission reviewed this list of concerns. The Commission recommended that City Council request staff to develop a regulatory system and suggested that staff research legal precedents and how other cities handle the issue and consider a lottery system and time and site limits for various activities.

On [April 10, 2012](#), staff brought these community concerns to the City Council, and asked for direction. Council directed staff to return with options for addressing community concerns related to fitness classes and large equipment in the parks and at the beach.

DISCUSSION

In order to develop options for a permit and regulatory system, City staff reviewed existing City practices for offering fitness instruction for compensation, considered the models and approaches used by other cities and LA County to regulate private instructors in parks, reviewed the City's Municipal Code, surveyed existing classes and training activities in Palisades Park over a one week period, and conducted two community outreach meetings.

Existing City Practices

At present, the City addresses instruction for compensation through two practices (see Attachment A):

- City-Sponsored Community Classes and Camps: instructors or companies are contracted by the City through a Request for Proposal (RFP) process. Instructors offer a range of activities which are advertised through Recscape. The City receives a percentage of contracted instructors' gross sales ranging from 14% - 40%.
- Permits: for camps or classes in surfing, tennis, fitness, basketball and sand volleyball. Requirements vary and may include submittal of an application or response to an RFP. Other requirements include, application fees, use fees, business license, police permit, signed release of liability, and proof of insurance.

Permit fees vary depending on location, hours, residency, activity type, and number of participants, and are based either on an hourly rate (range is \$10 to \$64 per hour) or percentage of gross receipts (range is 15% - 20%).

Other Cities/County Practices

Many nearby municipalities, especially beach cities, heavily regulate or prohibit commercial activity in parks and the beach. Redondo Beach requires all instructors/trainers to contract with the City through city-sponsored classes. Los Angeles County, Culver City, and Los Angeles charge hourly use fees (\$36 to \$200 per hour) and/or a percentage of gross receipts (1% to 15%). Manhattan Beach screens trainers and limits permits by date, time and location. (Attachment B)

Community Outreach

Outreach efforts began with a meeting on June 27, 2012 with trainers having been invited. Outreach included distribution of meeting notices in the parks, a mailing to trainers with Santa Monica business licenses, and a mailing to list of trainers compiled over the years. The meeting was attended by 29 fitness trainers, two clients, one concerned neighbor, police, park rangers, and Public Landscape staff. At the meeting staff presented a list of community concerns, a summary of applicable Municipal Codes, existing City practices for instruction for compensation, and a summary of other municipalities and the County practices. After an initial exchange of information, participants broke into two groups to present ideas and provide feedback (see Attachment C). As a result of the meeting, staff learned that most of the trainers:

- were based in Palisades Park, but some used Clover and Reed Parks and the beach;
- work with a range of clients, from 1-on-1 to groups;
- were very concerned about community complaints;
- welcomed a permit system which would require a City business license, police permit, insurance, and certification;
- preferred use fees based on a percentage of gross receipts versus hourly use fees

- thought that higher use fees for Palisades Park could address crowding; and
- were willing to come together again to develop specific rules to address equipment use and use of park amenities.

A second meeting was held on November 7, 2012 where trainers, clients, and residents were invited to attend with specific outreach to neighbors of Palisades Park. Outreach included a meeting notice sent to those in attendance at the June meeting, distribution of notices in the parks, noticing on the City webpage, and a mailing of 700 notices to residents living near Palisades Park between Adelaide Drive and Idaho Avenue and two blocks east. Comments from twelve residents were received via email in advance of the meeting and the meeting was attended by three Palisades Park neighbors, and 20 trainers and their clients. A discussion was held regarding options for a permit and regulatory system (see Attachment D).

Feedback from residents, were mostly, although not exclusively, in favor of prohibiting all recreational instruction for compensation in Palisades Park but allowing for some recreational instruction in other parks and the beach through a permit system (see Attachment E). If instruction were allowed in Palisades Park, residents would like restrictions established to address time, location, class size, use of amplified sound, noise levels and use of exercise equipment.

The trainers and their clients who attended the meeting were generally supportive of a regulation and permitting system. A use fee of 10% paid quarterly was preferred. For Palisades Park, most believed that private, semi-private and group classes should continue to be allowed in Palisades Park, that only some equipment (large and heavy) should be prohibited, and that classes needed to be able to start at 6:00 a.m.

Palisades Park Use Survey

Staff also conducted a use survey in Palisades Park from October 24, 2012 through October 30, 2012 from the hours of 6:00 a.m. to 7:00 p.m. to assess class locations, type of activity, size of class, and equipment being used. Results showed that over the

seven day period there were (73) group classes (more than two participants) and (74) private/semi private (one to two participants) with the highest concentration of instruction taking place between the blocks of San Vicente Blvd. to Idaho Avenue. 75% of the group classes occurred between 7:00 a.m. and 1:00 p.m. and 82% of the private/semi-private classes occurred during these hours. Most of the group classes had less than ten participants but several had over ten participants. Staff observed that 90% - 95% of the classes whether group or private/semi-private used some type of equipment such as yoga mats, hand weights, bench presses, kettle bells, cones, large ropes, and miscellaneous items such as chalk/white boards, boom boxes and signage promoting the class. Some of the equipment was attached to park amenities.

PERMIT AND REGULATORY FRAMEWORK

Based on all of the information outlined above, staff developed the following options for a permit and regulatory approach for discussion by the Commission:

Municipal Code Changes

- Recreational classes, activities or camps for compensation held in a City park, or at the beach require City authorization.
- “Recreational” shall mean sports, fitness, health, wellbeing or similar activities.
- “Compensation” shall mean payment, or the intent to pay, by any means including suggested donations.

New Permit

- Instructor Permit (Private/Semi-Private and Group): Annual application fee of \$100. Use charge of 10% or 15% of gross receipts payable within 15 days of the end of each month or each quarter. Application form, City business license, police permit, release of liability, proof of insurance naming City as an additional insured, and certification in area of expertise required.

New Rules

- Park amenities may not be used for exercise activity. These include light poles, wooden pergolas, picnic tables, benches, railings, chain link fencing, freestanding signs, bike racks, and BBQ grills.
- Adults may not exercise on playground equipment.
- Permit holders may not request other park users or permittees to move to another location.

Permit Locations

- Private/semi-private (up to 2 participants) instruction may be permitted at the beach and at the following parks: Airport, Barnard Linear Way, Beach Green, Beach Park #1, Clover, Crescent Bay, Douglas, Hotchkiss, Marine, Memorial, Ocean View, Reed, South Beach, Stewart, and Virginia Avenue. Other parks were considered, however they are small neighborhood parks and/or have limited open space areas and therefore are not deemed appropriate for training.
- Group (more than 2 participants) instruction may be permitted at the beach and these parks: Airport, Beach Green, Beach Park #1, Clover, Douglas, Hotchkiss, Marine, Ocean View, Reed, South Beach, Stewart, and Virginia Avenue.

No restrictions for group size, equipment, or time of day

Additional Restrictions for Palisades Park

Palisades Park is the City's only park that is a designated City Landmark. In addition to having many historic structures and amenities in it, it has the heaviest concentration of fitness classes, is heavily used by the public, is quite narrow, and very close to residences. With regards to Palisades Park the City could:

1. Prohibit recreational classes or training for compensation, or
2. Allow recreational classes or training for compensation through a permit system

If allowed, the following additional restrictions should be considered:

- Group Size
Only private, semi-private (up to 2 participants), or group classes allowed, **but limit class size to 10, or no restrictions on group size**
- Equipment
No equipment allowed other than yoga mats, or no restrictions on equipment
- Different Fee/Permit
Charge a higher use fee for Palisades Park permits, and/or
Limit the number of permits issued for use of Palisades Park
- Hours
Restrict training prior to 8:00am or allow training during all hours park is open (5am-midnight)

RECOMMENDATION

Staff asks that the Commission review proposed changes to the Municipal Code, new permit types, locations where permits will be allowed, new rules, and options for special restrictions for Palisades Park and provide specific recommendations.

NEXT STEPS

Staff anticipates returning to the City Council in January 2013 with a report regarding the research conducted, a summary of community input, and Commission and staff recommendations. A refined permit and regulatory framework with options will be presented for Council consideration and direction regarding the preparation of an ordinance to amend the Municipal Code, and other regulatory actions for implementation.

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Attachments:

- A. Existing Santa Monica Practices
- B. Other City/County Practices
- C. Summary of June 27, 2012 Trainer/Instructor Workshop
- D. Summary of November 7, 2012 Community Meeting
- E. Emails from Residents

Attachment A

Existing Santa Monica Practices

Permit Requirements

Application, application fee, Business License and Police Permit, release of liability, proof of insurance naming City as additionally insured may be required. Permit and use fees (see below).

Surf Instruction

Request for Proposal process with a limited number of permits issued. Permit fee of \$150.00 and a minimum of 15% of gross sales submitted to City.

City-Sponsored Classes

Request for Proposal Process with a limited number of contracts entered into. 14% - 40% of registration fees retained by the City.

Tennis Instructors (for use of one court)

1 – 2 clients: \$14.40/hour, \$7.20/ ½ hour

3 – 4 clients: \$24.00/hour, \$12.00/ ½ hour

Group lessons (more than 4) are only allowed if City-sponsored class

Field Permits (for use of field area)

Resident Camps, \$25.00 - \$35.00/hour depending on sport

Non-resident Camps, \$31.00 - \$37.50/hour depending on sport

Memorial Park Fitness Room and Gym (for non-exclusive use)

1 – 2 clients: \$10.00/hour, \$5.00/ ½ hour

more than 2 clients not allowed

Outdoor Basketball Courts and Sand Volleyball Courts (use of one court)

Resident Camps, \$32.00/hour

Non-resident Camps, \$64.00/hour

Attachment B

Other City/County Practices

Culver City

Most trainers participate in City-sponsored classes. Some park “grassy” areas rented at \$36/\$52 (res/non res) per hour. Working on a commercial fee. Proof of insurance and business license required. If activity conflicts with a City-sponsored class, they deny the permit. Mechanical equipment, amplified sound, generators, and lights prohibited. No permits issued for passive parks or parks with vocal neighbors.

Beverly Hills

1-on-1 or 1-on-2 trainers allowed.

Larger groups (more than 2), or anyone w/equipment, prohibited.

West Hollywood

Working to prohibit commercial fitness activity. Currently, if the activity conflicts with a City-sponsored class they prohibit them because the existing contractor provides the same service.

Los Angeles

Boot Camp and Private Workshop fee is \$60.00 per hour. Proof of insurance is required. Although they charge a permit fee, the ordinance hasn't taken effect.

Newport Beach

Business can reserve a park area to conduct training at rate of \$400 per hr./ 2 hr. min. Beach areas cannot be reserved. Citation for operating w/out permit \$100 first time, \$200 2nd time, and \$500 3rd time.

Manhattan Beach

Prohibits personal training in all parks, fields and open space without permit. Permits are issued on a limited basis. Permits are date, time and site specific. Must comply w/rules. \$25 application fee. \$200 Annual Permit Fee. 1% of gross receipts.

Redondo Beach

Only allows City-sponsored classes.

LA County Beaches and Harbors

All commercial activity on the beach and in beach parking lots requires authorization. Camps/Training - \$200 application fee + minimum \$100 location fee (summer only) and 15% of gross receipts. Day Use – flat rate or % of registration fee charge.

Attachment C

Summary of June 27, 2012 Trainer/Instructor Workshop

Participation	Summary of Input
<p>Trainer/Instructor Mtg June 27, 2012 Main Library</p> <p>29 trainers/instructors 2 participants 1 member of the public</p>	<p>Meeting flyers distributed to:</p> <ul style="list-style-type: none"> • 86 “physical training or fitness” businesses with SM business license • 16 trainers/instructors who had contracted CCS prior to the meeting • 60+ flyers distributed by CCS staff and Park Rangers to trainers in various parks and the Beach <p>Permit System</p> <ul style="list-style-type: none"> • A permit system is needed. • Trainers/instructors are concerned about public complaints and willing to address these and make changes. • All trainers/instructors should be included in the system, as most work with a range of clients, from 1-on-1 to groups. • 1-on-1 and 1-and-2 personal trainers should not be exempt. • The permit must be easy to verify; should be accompanied by a head shot and laminated. <p>Proof of Insurance</p> <ul style="list-style-type: none"> • Proof of insurance should be required. • Insurance companies will require trainers/instructors be certified. • A limited number of organizations provide certification. • Insurance and certification will keep out those who are unqualified and might pose a risk to their clients and the public. <p>Permit fee</p> <ul style="list-style-type: none"> • An annual fee based on a percentage of gross was preferred. • A free structure with higher fees for prime locations and prime times could reduce overcrowding and competition. • Lower fees for parks rarely used by trainers/instructors but well-suited for training would encourage trainers/instructors to try those locations. • Hourly or monthly rates and detailed reservations are

	<p>too burdensome and difficult to monitor.</p> <ul style="list-style-type: none">• Some trainers/instructors move around and others use a fixed location.• Some trainers/instructors use parks/beach areas infrequently while others use these often.• The fee structure should reflect different types and levels of use. <p>Rules</p> <ul style="list-style-type: none">• Trainers/instructors welcome rules to limit impact on the public and to ensure participant safety.• As a community, trainers and instructors would come together to develop detailed rules of conduct which could be updated.• Impactful training/instruction could be prohibited in certain neighborhood parks.• Very large equipment could be prohibited, although the exact list would need to be worked out.• Exercising (banding or stepping) on historic amenities (light poles or railings) in Palisades Park could be prohibited.• Stepping on picnic tables and benches could be prohibited.• Trainers/instructors would like an existing amenity or structure to use for banding and push-ups. <p>The Beach</p> <ul style="list-style-type: none">• Large equipment is more appropriate for the Beach.
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Attachment D

Summary of November 7, 2012 Community Meeting

Participation	Summary of Input
<p>Community Meeting Ken Edwards Center</p> <p>20 trainers/instructors and clients 3 neighbors 12 residents adjacent to Palisades Park communicated to CCS via email</p>	<p>Meeting flyers distributed to:</p> <ul style="list-style-type: none"> • 700 residents adjacent to Palisades Park • 30+ trainers/instructors • 60+ flyers distributed by CCS staff and Park Rangers to trainers in various parks and the Beach <p>Permit System</p> <ul style="list-style-type: none"> • Trainers again agreed a permit system is needed. • Trainers/instructors are sensitive to public complaints and willing to address these and make changes. • Residents expressed that all training be prohibited in Palisades Park. <p>Permit Requirements</p> <ul style="list-style-type: none"> • Trainers and residents agreed that proof of insurance should be required. • Trainers said that insurance companies will require trainers/instructors be certified. • Insurance and certification will keep out those who are unqualified and unsafe for clients and the public. Requirements will weed out many of the fly-by-night trainers. • Residents suggested that permits only be issued to Santa Monica residents. • Trainers commented some of them are also residents and that the vast majority of their clients are residents • Provide trainers with copy of Permit and photo ID for easy identification. <p>Fees</p> <ul style="list-style-type: none"> • Trainers expressed concerns that the fees were too high. If fees are too high, trainers may have to raise their fees and possibly lose clients. • If fees increased could possibly have more group vs. private/semi-private to bring in more revenue. • Residents expressed concerns that the fees were too low. • Trainers suggested a 10% of gross revenue fee collected on a quarterly basis. • Application fee was not raised as an issue. • Concerns about people reporting true gross venues. • Require auditing.

	<p>Permit Locations</p> <ul style="list-style-type: none"> • No objection to the parks and beach as listed. <p>Rules</p> <ul style="list-style-type: none"> • No objection to rules as listed. • Trainers agreed that equipment should not be attached to trees and/or any park amenities. • Trainers inquired if the City might be able to install structures appropriate for attaching exercise bands, etc. • No loud music. <p>Palisades Park</p> <p>RESIDENT COMMENTS:</p> <ul style="list-style-type: none"> • No music or amplified sound. Music too loud. • Prohibit all training. • Allow training in commercial areas only. • If trainers are allowed, permit and pay fees must be required. • Must follow street parking regulations. • Other parks in SM are better suited for large classes and equipment. • Boot camps and fitness classes are reasonable use of public space but must be managed. • The park is too narrow, unique and not appropriate for boot camps and fitness classes. • Too much equipment spread throughout the park impacting paths and grassy areas. Trainers should never be allowed to attach to trees or historic amenities. • Signage and heavy equipment creates safety hazards and damages park facilities. Heavy equipment should be eliminated. • The exercise classes are inspiring and should remain as long as they are respectful of the environment. • Only allow trainers south of California and limit class size to 6, days and times, and allow equipment less than 5 lbs. • Limit class size to 10. • Follow the no vending law and prohibit this activity. • Prohibit instruction for-profit in this park. • Palisades Park is a treasure and needs to be treated respectfully and as a source of common pride. • Trainers must be licensed to teach – opens the City up for lawsuits. • Prohibit training before 9:00am. • Concerned that trainers stay in one location and train
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	<p>all day long causing the turf to be worn out. This prohibits the general park users from using those spaces. Limit the time a trainer can stay in one spot.</p> <ul style="list-style-type: none">• Running groups are getting too large and impeding the pathways, bumping into public walking. Not respectful of paths. Wear trails in the grass.• Create zones for trainers and stay south of Wilshire. <p>TRAINER COMMENTS</p> <ul style="list-style-type: none">• Do not prohibit classes and training in Palisades Park• Many clients need to start classes at 6am to allow for exercise before work.• Allow mats and light hand weights.• Whatever can be carried into the park should be allowed.• Don't prohibit all equipment.• Implementing a permit system would organically reduce the number of trainers• Trainers were supportive to prohibiting music• Trainers were supportive of respecting the park amenities and not using them for exercise• Some trainers were supportive of restricting the amount of time someone could use a specific area of the park
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Attachment E

Emails from Residents (November 2012) – Names Redacted Boot Camps/Trainers/Fitness Instructors in Palisades Park

Hi I am sending you my comments about this use of Palisades Park because i am unable to attend but would like to be notified when there is another meeting.

After much thinking about the problems I encounter in Palisades Park, which is in a sense being over run by boot camps and fitness classes, I do not think that this is an appropriate use for this particular park. The physical nature of Palisades Park is long and narrow. It is beautifully landscaped and great care and expense goes into the maintenance of this park. It is unique and gorgeous and is one of the most beautiful spots in all of Southern California. It is appreciated and loved by thousands of people and many tourists. It is used by many who walk and run regularly in the park.

I walk in the Park several times a week in the mornings.
Here is a list of what I see.

1. It is sometimes cluttered with exercise/boot camp classes of between 12-20 people spread out across the middle width of the park.
2. Some of these classes spread their equipment across huge areas in the middle of walking paths.
The equipment sits there even when it is not in use.
3. Some classes use heavy body building equipment. I have seen them drop the heavy weights on the grass as part of their routines.
4. I have walked by a large class where the instructor has a boom box playing disco music which is outrageous.
5. I have seen a class where they spread out a number of large rocks that they hop on and off of, pressing the rocks into the grass.
6. I have seen instructors put elastic bands around tree trunks and the clients pull back on these bands- also outrageous-not good for the trees!

There doesn't seem to be any restrictions on this activity. I don't think this is an appropriate use of this particular public park.

And I don't understand what seems to be preferential treatment of these instructors who are operating for a personal profit on public park land.

Perhaps there is another park, or several different parks that could absorb this use better than Palisades Park.

Thank you for having this hearing.

REGARDING BOOT CAMPS AND FITNESS INSTRUCTION IN PALISADES PARK

How should commercial activity be regulated?

If it's determined that there must be fitness instruction in Palisades Park, then the instructors/classes must pay for permits issued by the city of Santa Monica, that will pay for the cost of maintenance of the park.

Should Palisades Park have special regulations?

Classes should not start before 9am.

(My home is directly in front of the classes and we are constantly woken at 6am by the class participants and instructors.)

The boot camps should be prohibited because of the shouting/noise level of those classes.

Street parking regulations must be followed.

(There is constant illegal parking in front of our home and across the street, where parking is prohibited.)

What about class size?

The classes must be smaller, limited to 10. They appear to be getting larger, recently upwards of 30 people. Consequently, they are getting louder and there is more damage to the lawns.

Should exercise equipment be limited?

Exercise equipment should not be permitted. The mats and other equipment wear down the lawns rapidly and creates obstacles for all other citizens.

Are some parks better for this than other?

Yes, there are parks better suited for large classes and equipment that are not directly in front of peoples residences.

I live on the 400 block of Ocean Avenue less than 100 feet from Palisades Park. Bootcamps and fitness classes are a reasonable use of public space but common sense and courtesy need to be the guidelines for decisions managing boot camps and fitness instruction. Good conduct motivated by personal responsibility for all who use the park is critical. The following comments are regarding Palisades Park only.

The park is over one mile in length and varies in width. The 400 block is one of it's narrowest points and it seems counter-intuitive that between one and three boot camps operate in this cramped area on a daily basis. Fitness instructors demonstrate a territorial attitude and I have witnessed altercations when other park users attempt to navigate through this area. It seems that moving these operations to a larger park area would be an easy fix.

Heavy equipment and signage creates a safety hazard and damage park facilities. Fitness instructors routinely use large and bulky equipment which is frequently unattended and strewn around the work-out area. Additionally, signage is propped on park benches which are also used as staging platforms. Trees and other park fixtures are used as exercise equipment which can cause damage and detracts from the park's natural beauty.

Participants and instructors need to develop a sense of respect for the park surroundings and neighbors who live in close proximity. Palisades Park is a Santa Monica treasure and it needs to be treated respectfully and as a source of community pride.

AS A RESIDENT OF SANTA MONICA ON OCEAN AVE., I AM SHOCKED OF THE LACK OF OVERSIGHT OF THE PARK ON OCEAN AVE.

TO ALLOW GYM CLASSES THAT ARE BEING INSTRUCTED WITH NO LICENSE FROM INSTRUCTORS, LEAVES THE CITY VULNERABLE TO LAW SUITS. NOT ONLY THIS, BUT THE FACT THEY DESTROY THE GRASS WHICH THEN COST THE PARK SYSTEM ADDITIONAL MONEY TO RESEED, AS WELL AS THE COST OF THE EMPLOYEES TO DO THE WORK. MAKE THESE PEOPLE OBTAIN A BUSINESS LICENSE AND PROVIDE LIABILITY INS.

TO THE CITY. IF SOMEONE IS INJURED. WHO YOU THINK THEY WILL SUE! DO YOU THINK THESE INSTRUCTORS DECLARE ANY INCOME TAX!!

IN ADDITION, YOU ALLOW BANDS TO PLAY ON WEEK-ENDS TO PLAY WITH AMPLIFIERS WHICH IS DISTURBING TO THE NEIGHBORS. PARTICULARLY BETWEEN MONTANA & PALISADES AVE. THE POLICE HAVE BEEN CALLED TO SHUT THE AMPLIFIERS OFF WHICH WE UNDERSTAND IS ILLEGAL, AND ALL THEY SEEM TO DO IS WATCH THE PERFORMANCE.

HEAVY EXERCISE EQUIPMENT SHOULD BE ELIMINATED.

CANNOT THESE PEOPLE BE TICKETED AND FINED?

I will be at the meeting. I am 69 years old and have been in the fitness field for 50 years...including years of working in Hawaii with the county and state. I have impeccable credentials and am appalled at the way illegal exercise vendors are using public property. You do not regulate them and are open to huge lawsuits. You should have proof of insurance from each "instructor" as well as proof of certification and CPR training. Each client must sign a form releasing Santa Monica from a lawsuit each time they exercise in the park...or you are accepting responsibility for the instructors. You are the deep pockets and don't kid yourselves, it's just a matter of time before there is a lawsuit.

I've thought of contacting the city lawyers in the past but now is the time. If you allow these vendors you have to allow other vendors or they will sue you for discrimination. All of this is aside from the facts that "business" is taking over our park. The lawns are getting destroyed. The public walkways are overtaken by class participants. The early morning noise drifts across the street to my apartment at 633 Ocean.

Unfortunately I am unable to attend this important meeting. I live at 701 Ocean Avenue overlooking Palisade Park and I also use the park for exercise and training. One of the many reasons I love Santa Monica is because of this park. To me it has a European flavor to it. I love looking out the window and seeing the park used every day. The exercise classes are so inspiring to me that it is the reason I have taken up exercising myself. As a cancer survivor with osteoporosis, I needed inspiration. As a neighbor, overlooking the park, I do not find the noise

intrusive or annoying. I think the park is kept up beautifully and the classes are most respectful of the environment. Please keep the park the way it is. I LOVE IT. Thanks so much.

I'm writing as a new resident of Santa Monica, actually as of one year ago today. I moved here from Chicago where I never saw such abuse and deterioration of any of that city's great parks. I recently received in the mail the notification of the meeting this evening Re: the Boot Camp instruction and Fitness Instruction in Palisades Park...

***First, please know that MANY people in my building on Ocean Avenue and others on the side streets off Ocean - locals I know from Palisades Park - were not aware of this meeting and did not receive notification cards.

I notified as many nearby residents as I could the last few days. Unfortunately, I am unable to attend your meeting. I care greatly about this, and would like you all to please consider and review my comments and suggestions.

***Second, due to privacy - I do NOT want my LAST name used in discussion of this issue please and not on any recorded record.

One of the reasons I chose to move here and bring my work here... one of the reasons that I encourage my family and friends to visit - for spring break, business conferences, etc - is the beauty of the beach and most especially Pacific Palisades Park along Ocean Avenue. In the last year, have seen a great increase of significant wear and tear on the park by Fitness Instruction & Boot Camps north of California on Ocean Avenue. I am stunned and concerned that the city of Santa Monica has allowed one of it's greatest and most unique assets to deteriorate at the rate it has. I am grateful you are meeting regarding this issue.

Below you will find 4 photos I took on just one evening in August - 8/21/12.

Please notice the numerous areas of wear and tear on the grass - the excessive exercise equipment... the weights, fire hoses/ cable ropes that are used for strength training when beaten on the grass... and more....

These photos are from just one class - on just one night.

I challenge any and request all of you to take a walk thru the park today and notice the numerous patches of worn out grass/turf.

When the ground gets worn down - these instructors just move their clients to another green area... the park has as a result declined worse and worse in condition...

I have gotten to know the great park workers/gardeners who put their hearts into maintaining the beauty and keeping everything enjoyable and alive. They take great pride in their work and are paid by the city / taxpayers to sustain the beauty of one of the most pretty parks in America. It's a shame - that due to these fitness groups - that you don't see all the fruits of their labor and our tax dollars at work...and on top of that, so many of us are unable to use the park freely. Not only do these fitness classes interfere with the beauty of the park - as you can see in the photos below - they also majorly interfere with being able to simply walk thru park or sit in the grass - please look at the amount of SPACE they are taking up! Again this is only one class.

I feel strongly that some sort of regulation needs to be enacted:

1 - Location of classes - if they cannot be eliminated from the park - then move them south of California - so that we have part of the park free and open.

2 - Size of classes - the larger the class the more it interferes with being able to enjoy the space... limit the sizes to a half dozen people

3 - Type & Weight of Equipment - eliminate all equipment with the exception of yoga mats, balls, things that weigh less than 5 pounds.

4 - Amount of Equipment: Eliminate the amount of equipment people can bring - the # of pieces - in my photos you don't see the groups that come in the evening with a literal GYM FULL of equipment - numerous heavy weighted plates, bars for the plates, weight lifting benches etc... if you are stunned by the photos below, you should see the other classes

4 - Limit the days and times these classes can convene

5 - I know that some of the trainers charge \$95 an hour - others make the same amount of money or even more due to the number of clients they have - they should pay some fees for using the park to excess and to fund the repairs for the damage they leave behind. If they are making \$ using the park, they should pay some fees for setting up shop and the support the city provides them in doing so. If they don't want to share responsibility, they should take their business elsewhere.

Thank you for your discussion, considerations and actions.

We live at 701 Ocean Avenue, near Montana. The tiny park across the street from us is very heavily used. There is quite a bit of noise from the various exercise/Tai Chi/Boot camps, etc. that take place all in the park across from us. Some of our neighbors here complain of being awakened very early by noises from these classes. On Saturday mornings, there is a lot of noise from the various running clubs that train in the park. Not only is this very noisy, by much dust is stirred up by hundreds of feet running on the gravel/sand. It drifts across the street and it covers the plants in the park with a thick layer of dust. None of this even covers the topic of heavy use/abuse of the grassy areas in the park. None of these clubs/trainers/leaders, etc. pay anything for their commercial use of this park. Trainers and class leaders ARE conducting BUSINESS in a public park....FREE. Yet they are receiving pay for their services. Perhaps something can be worked out to relieve some of these issues. Thank you.....

Hello,

I have been living on 2nd/Montana for 25 years and go for walks regularly on the Palisades Park on the northern stretch (from Montana Avenue to San Vicente). My input is only concerning that stretch.

I have definitely seen an increase of fitness classes for the past 18 months or so, especially from march to november between 5pm and 8pm on week days when I go for walks (although fridays seem to be a slower day for classes);

Although I feel it is nice to see people exercising, I think it reached a point where commercial fitness classes need to be regulated, taking into account:

-equipment or/and repetitive activities damaging the lawn,

-when classes are large or/and their activities are taking a fair amount of park space;

Solutions:

-a permit could be required: I am for a paying permit for all commercial activities and especially for large (more than 7 people) classes.

- Permits could be required only for the 'busy' time mondays to thursdays from 5pm to 8pm (and maybe for the Saturday mornings classes,)

-I think a paying permit for the commercial fitness classes would make sense although I understand that a permit requirement would involve bureaucratic work for the City which could turn not to be profitable.

-If it is determined that certain situations are damageable to the lawn e.g. Equipment/large classes, then it should not be allowed altogether, permit or not.

Hello, I am unable to attend. I am against the business/ recreation activities, permitted or non permitted, in the spirit of the no vending ordinance. Rather, the city/ county should and does provide a simulation of these boot camp activities.

Increasingly, the publican recreational usage has been usurped by the above. The parks should be for rest, relaxation, quiet in short a rejuvenation for the coming work week. Currently there a whistles, shouting from instructors ie, noise issues, and a proliferation or more non permitted surfing instructors, boot camps, vending on the sand or walk way at the beach.

In my opinion, these permitted, beginning with the surf instruction several years ago, has opened a cornucopia of poor stewardship of our beaches and parks.

boot camps and fitness in the park....why do we have this? why are these instructors-for-profit taking over the park? who allowed this and who in santa monica city government benefits? boom=boxes in the park and on the beach? it is an outrage, an abuse, and i suggest that somebody in city hall is trying to stupid-up our town. then we come to the subject of amplified "music" on 3rd street, which gets louder and louder. quite obviously, there are *no* guidelines and *no* policy that regulates these crass indulgences. where will it end? sincerely, a resident for 65 years.

We live on Ocean Ave. at 515 Ocean. We were unable to attend the community meeting on Nov 7 due to illness in family. We do however have some input. Although we understand that we live across from the beautiful Palisades which should be available to all, we also believe that there should be some consideration of the residents affected by these training programs. At this point our LARGEST objection is that there is no time frame for the training groups. We have often been awakened on Sunday at 6 or 7 AM to hearing these training programs. It would seem that to have some limitations on hours would certainly be beneficial to all of us residents of Ocean Ave. Other considerations could be given to locations that impact the least number of residents on the street. However primarily we think a lot of peace can be provided those of us who live here by limiting the hours that training can start.

Thank you for allowing this input

I understand that you are discussing the fitness classes in Palisades Park. I have participated in Angela Parker's Body Inspired Fitness class three mornings a week at 6 am for 2 years. It is an unbelievably important part of my life and one which brings me into Santa Monica from Pacific Palisades for the class and subsequent shopping, coffee meetings, etc., all of which drive revenue for Santa Monica.

I have lived in urban and peri-urban areas all over the country (Seattle, NY, DC) and understand well the implications of merging residential and commercial endeavors.

What I can tell you about Angela's class is that she provides an unbelievable benefit to scores of students, all of whom are incredibly respectful of the neighborhood in terms of both noise and park impact. I have never seen anything that disturbs at a level greater than what I see in my own suburban neighborhood. While I understand that some peripheral noise related to cars may result, I do not believe it is any more significant than if the classes were not there. There are an equal number of individuals participating in fitness not related to classes and enjoying the view each morning. Residents have chosen to live in an area that is a public space, not a suburban cul-de-sac.

Further, in a time of increasing obesity and overall unhealthiness for our country, this opportunity to access affordable health solutions at an hour that works for employed people is difficult to find otherwise. It would be a shame to see such a benefit to the community suffer. Thank you for your time,

I am out of the country and cannot attend the meeting on November 15 to discuss the future of being able to continue my boot camp class in the Palisades Park on the bluffs. If I were in town, I would surely be there to support continuing workouts in the park with my trainer, Angela Parker, of Body Inspired Fitness and other such responsible and considerate groups. I know that our group is always courteous to others who are enjoying the park and those who work there, and we make every effort to give others the space they need, too. We are careful to preserve the nature and beautiful maintenance of the park, too, by bringing mats and taking care if the ground looks over worn after rains. We always abide by the parking signs and meters and gladly pay to enjoy our 3 hours in the park each week.

Working out in that location has drastically improved my physical and mental health. While I live in Pacific Palisades, the park is conveniently located between my four children's schools and it provides me much-needed respite and physical activity in the course of my very busy life. It allows me to get outside in the fresh air several times a week to enjoy the spectacular surroundings and do something good for me so I can better serve others in my life.

Please continue to allow us to use this public park for working out. The energy we bring to the park is exciting for others, too. With all the groups ranging from college running teams, new mom groups, tai chi practice, seniors groups, tourists, business meetings, homeless people, and people simply taking a stroll, that's what makes the park such a fun, energetic, unique place that attracts diversity.

I have been attending Angela Parker's boot camp in Palisades Park for the past six months. Although I've owned a home in Marina del Rey since 1997, I'd never really been to Palisades Park, and I certainly never appreciated it for the gorgeous place it is until attending Angela's boot camp. We exercise under the shade of the ancient trees as the stroller moms jog by, young couples with coffee walk past, dog owners stop to talk to other dog owners... I especially love seeing the elderly group that does tai chi

and plays checkers and chess at the wood tables nearby. It seems like an amazing microcosm of all that Santa Monica is and an example of all the wonderful things the city provides (including an inspiring place to get in shape). Having mostly exercised INSIDE in the past at YAS (yoga and spinning) and Gold Gym's in Venice, it has been a revelation and a celebration to be getting in shape outside as part of a vibrant community alongside the ocean. I would hate to see that opportunity go away, especially if trainers are willing to register and pay for the privilege and respect the rules your board deems appropriate.

In addition, spending three mornings a week at Palisades Park means I'm spending MONEY every day on meters, coffee, shopping at the Promenade and Main Street, going to doctors and dentist appointments in Santa Monica, taking my child to classes there and frequenting the farmer's market -- it's given me a whole new appreciation of a neighborhood that used to feel too far to drive, since I now do this easy 15-20 minute drive 3 mornings a week. I even became a member of Exhale Spa at the Fairmont so I could shower there and take meetings at Fig, which led to me hosting my husband's birthday party at Fig for 16 people who had never been there.

I credit boot camp for helping me rediscover all that Santa Monica has to offer. And Angela makes sure we are always respectful of everyone and everything, stepping aside for stair climbers, not hurting the grass or trees or fence. She is one of the licensed trainers and is willing to pay more to be there.

I hope you will let what I consider to be a renaissance of Palisades Park continue.

Thanks for considering this!

My husband and I work out three times a week in Palisades Park with Angela Parker, owner of Body Inspired Fitness. We are a group that has been working out for many years. We are quiet, respectful, mature people who make no noise and leave not mess. It would be devastating to us to lose our little patch of heaven in Palisades Park.

My husband Jeff and I have been residents of the west side for twenty two years. We are television producers who have contributed millions of dollars to the westside in taxes and charities. We would appreciate having our voices heard.

To day, Saturday there were more boot camps than regular folk. These people who are making money should get an office like ever one else. am on the corner of Ocean and Marguerita and they wake us up in the morning yelling one two three etc. The some times work in our front yard on Marguerita Ave so they don't need to put money in the meters. they are getting out of hand.