

## EXHIBIT A DISCUSSION

The County's current entitlement process (land use permits) is currently a one-size-fits-all regardless if it is occasional or annual. There are generally four types of uses that include events:

- 1) **“Assemblages of people”**. Requires a use permit/coastal development permit (most zoning districts). This is the catch all for events when an event does not fall into one of the categories below.
- 2) **Golf courses, resorts, and hotels**. It has been a long standing practice that golf courses, resorts, and hotels include events as part of their normal course of business, even if not expressly stated in their permit. The golf course use requires a use permit/coastal development permit as a P/QP use in most zoning districts.
- 3) **Winery related**. The practice is that winery related uses (winery, tasting room, etc.) include events as part of their normal course of business. AWCP has special regulatory policy language based on the number of people. Outside AWCP a winery requires a use permit/coastal development permit. A subset of this type of use that has come up recently is using vineyards for events when they are not attached to the winery. A vineyard by itself is not a venue for events; however, commercial vineyards include marketing activities within the vineyard that constitute an event. Staff has determined that vineyards within farmland and/or grazing zoning districts are allowed to have limited events as commercial agricultural operations. Viticulture and crop farming is an allowed use in certain residential zoning districts. Staff finds that vineyards in a residential district, not in conjunction with a winery or tasting room that has a permit, are typically not of a commercial nature; and therefore, would require a permit.
- 4) **Commercial**. Retail businesses often have sales events to help bring in customers. As such, events are considered part of a commercial operation.

A difficult aspect of the event discussion is that some events started from humble beginnings and have grown into major national events. The difficulty is identifying whether the event was initiated legally and if so defining the scale allowed either when the event began or the scale contemplated in the original approval. A number of large-scale events have occurred historically that have been, for the most part, unregulated and have continued to grow/expand, including but not limited to:

- Big Sur International Marathon
- Concours de Elegance – Car Week
- Major Golf Tournaments: AT&T Pro-Am, US Open, etc.

Successes of these events have led to other operators holding similar or related events. For example, Concours de Elegance expanded into multiple events that make up what is now referred to as car week. There are several different venues associated with car week that started as something small and have grown into very large events.

A Special Events Task Force was historically run by Parks to review certain types of events; however, the Parks Department ran the task force more from an owner/operator perspective than a regulator. Although this process was open to the public, it was not well advertised and not very inviting or informative. It was a good concept, but there were no clear guidelines for what events did or did not get presented and there was no requirement for an operator to attend a task force meeting. The RMA Director/Interim Parks Director identified this as an area to improve

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both in efficiency and effectiveness. One action was to assign RMA/Permit Coordinator, Ms. Freda Escobar, as lead for coordinating the regulatory process (events coordinator). The program being proposed creates a separation between Parks as a land owner/operator (marketing events on County land) and land use regulators.

When challenged, staff is tasked to research the subject event to determine if the event is an allowable use and to establish thresholds. Each case is fact driven depending on zoning regulations in place at the time the event is/was established, if there is a valid entitlement with any limitation, and what the environmental document considered. Factors that staff consider include:

- Permit file (application, adopting resolution, environmental/technical documents, etc)
- Applicable Parcel(s) as identified in the entitlement. Use is limited to parcels included in the permit.
- Basis for analysis (CEQA). The threshold used to evaluate impacts (e.g. traffic) becomes a limiting factor.
- Established restrictions (conditions, mitigation).
  - o If no explicit limit, it is implied as allowed within site limits.
  - o Where there is an explicit limit, expanding beyond that threshold would require amending the existing Permit).
- Site Limitations. Some questions may help define carrying capacity (by design):
  - o Can the event be accommodated using the existing number of parking spaces, or are other parking options necessary (open space/vacant parcels, shuttles, etc)?
  - o In the case of a golf course; is the number of attendees consistent with the maximum number of golfers that can be accommodated?

A number of discretionary permits have been issued with no condition limiting events (number, size, etc). As a result, past practice has been to allow these events to continue and grow. However, each event is required to obtain ministerial permits for structures (e.g. tents over 400 square feet, tents that include electrical/mechanical equipment, stages/platforms over 30-inches tall), food services, and/or alcohol sales, encroachment into public right of way, as applicable. These permits are generally related to public health and safety.

At this time, when a complaint is received, or if somebody comes in to obtain a permit, the site is evaluated using these considerations. If it is determined that it is not a permitted activity, or if the proposed event exceeds the thresholds of the site, then the sponsor is notified that building permits for any temporary structures cannot be issued, and that the event is not allowed in it's proposed configuration. If the event sponsor has provided this information in sufficient time, this determination can be appealed to the Planning Commission.