



Legislation Details (With Board Report)

File #: RES 16-086 **Name:** Special Events
Type: BoS Resolution **Status:** Passed
File created: 11/30/2016 **In control:** Board of Supervisors
On agenda: 12/13/2016 **Final action:** 12/13/2016
Title: REF150053/ REF150054 - EVENTS
 Adopt a Resolution establishing interpretive guidelines for Title 21 of the County Code regarding large-scale special events.
 Proposed CEQA Action: Adoption of interpretive guidelines for existing policy and regulations is not a project per Section 15321 of the CEQA Guidelines.
 Countywide.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A – Discussion, 2. Exhibit B – Resolution, 3. Board Report, 4. Exhibit C – PC Comments and Correspondence, 5. Completed Board Order

Date	Ver.	Action By	Action	Result
12/13/2016	1	Board of Supervisors	approved as amended	Pass

REF150053/ REF150054 - EVENTS
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 Proposed CEQA Action: Adoption of interpretive guidelines for existing policy and regulations is not a project per Section 15321 of the CEQA Guidelines.
 Countywide.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a Resolution (**Exhibit B**) establishing the following interpretive guidelines for Title 21 of the County Code regarding large-scale special events:

- a. Events that are part of certain operations under existing use permits (e.g., hotels, resorts, golf courses, wineries/tasting rooms, and commercial) are allowed pursuant to historical practice.
- b. The RMA Director is authorized to determine those events that are allowed to continue or expand subject to ministerial permits where there is an existing use such as a hotel, resort, golf course, winery, or commercial use, even if not explicit in the permit language. Such uses shall be subject to any limitations identified as existing permit conditions or mitigation measures.
- c. “*Large-scale special events*”, as determined by the RMA Director, must have operational plans for the event considered at a public Events Task Force meeting at least 90 days prior to the event.
- d. The RMA Director is authorized to establish an Events Task Force made up of regulatory staff including, but not limited to, RMA/Planning, Fire, RMA/Building, Environmental Health, RMA/Public Works, Sheriff, and Highway Patrol. The purpose of the Events Taskforce is to review proposed plans and operations for events, hear public concerns, and for regulatory staff to apply conditions addressing possible impacts.

SUMMARY:

Monterey County has a large tourist economy, which makes it a desired location for many events of varying size and complexity. Staff finds that there are generally four different types of events ranging from:

1. Personal event on privately owned property; to
2. Renting property for an event; to
3. Large event where tickets are sold (within site limits); to
4. Regional/international events (exceeding site limits).

In many cases, events in Monterey County began as small activities. The County has been permissive in allowing events to continue and expand with minimal public review. Some of these events have become increasingly popular to where they expand beyond their original footprint and/or attract other associated events.

Concerns have been expressed by both operators and neighboring residents as to how these have been permitted. On the one hand, event organizers tend to claim that their events are either “grandfathered” based on past practices or that permit(s) issued would allow unlimited occupancy because there is no condition limiting the size. On the other hand, neighbors challenge that permits are needed where there is a change in the operation (e.g. exceed threshold capacity).

Events can cause issues such as noise and traffic if not managed properly. Most types of events require a permit of some sort - a Use Permit for an assemblage of people or public/quasi public use, building permit for structures (e.g. tents over 400 sf), permit for alcohol sales, permit for chemical toilets (maximum 10 days per year), encroachment permit, etc. Events can be occasional (one-time) or reoccurring (annual) events.

Within the next year or so, staff intends to develop draft ordinances to distinguish and address these differing events. However, in the meantime, questions have been raised as to whether some of the events should be allowed to continue or even expand. As events have proliferated, staff’s main focus has been protecting life and safety relative to structures (e.g. “tents”) and traffic safety. This report is directed at addressing issues raised relative to items 3 and 4 of this list (large-scale special events and regional/international special events, respectively).

Based on input at a Planning Commission workshop, staff has drafted a plan of action for the Board to consider. Staff requests Board direction on the following:

- Events that are part of certain operations (hotels, resorts, golf courses, wineries, commercial), are allowed based upon historical practice even if not explicit in the permit language.
- The RMA Director is authorized to determine what constitutes a “*large-scale special event*.” “Large-scale special events” generally would be considered as those reaching a threshold such as number of people or where an event operation expands beyond parcels listed in permit.
- The RMA Director is authorized to establish an Events Task force made up of representatives from regulatory agencies, including but not limited to: RMA (building services, planning, encroachment), Environmental Health, Sheriff, Fire, and California Highway Patrol.
 - The role of this task force is to identify what is required to address possible impacts; the respective regulatory agencies, not the task force, will approve or disapprove a permit(s).
 - Events Task Force meetings will be an open, public meeting with an agenda listing events being considered.
 - Task force meetings would be scheduled monthly beginning January 2017.
 - RMA will schedule events for consideration at an Events Task Force meeting.
 - Operators will need to submit plans for tents, traffic circulation, parking, food, alcohol, waste,

etc. for consideration at least 90 days prior to the scheduled event. These plans will be the subject of discussion at the task force meeting.

Staff envisions a process similar to the Development Review Committee that RMA established where we have a roundtable discussion between regulatory agencies and the applicants so everyone is on the same page. Staff finds that this kind of process could be beneficial to both operators and concerned residents. In addition, having this kind of process for events will help coordinate periods where there are multiple events scheduled within the County. For example, such a process could have been helpful for car week when we were balancing fire response in the area.

Staff is requesting these interpretive guidelines as an interim interpretation by the Board of Supervisors to provide guidance in identifying the permitting requirements for individual events until the matter can be resolved in an updated ordinance. This process, presenting the matter to the Planning Commission and Board, was identified by staff to allow the public opportunity to understand and comment on the process that will be used for large-scale special events until an ordinance is adopted.

DISCUSSION:

See **Exhibit A** for a more detailed Discussion.

OTHER AGENCY INVOLVEMENT:

Staff presented this matter to the Planning Commission (PC) on October 26, 2016 to receive input. Generally, the PC supports large-scale special events continuing. Comments to note include:

- If a permit is not explicit to use (relative to events) or thresholds, then what can be reasonably expected by the public?
- Need to define what is “reasonable” based on scale and frequency.
- Threshold would be the degree of impact felt - such as impacts spilling off the property (e.g. traffic, safety, parking, noise)
- Important to define how/when public can engage to discuss how impacts (e.g. traffic) will be addressed.
- PC asked to give a voice to the community - feel responsible to the community that feels the impacts.

A summary of Comments made at the PC Workshop as well as copies of comments submitted to the PC are attached for reference (**Exhibit C**).

FINANCE:

There would be no fiscal impact resulting from adoption of these interpretive guidelines. No additional staff time is required beyond current/past practices. Ministerial permits (structures/tents, food, alcohol, etc) have established fees for processing. Fees, based on adopted fee articles, may be assessed as needed for extra services such as traffic control.

Prepared and approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Exhibit A - Discussion

Exhibit B - Resolution

Exhibit C - PC Comments and Correspondence

cc: RMA Land Use (Planning, Engineering, Environmental Services, Building Services, Code Compliance); Parks (RMA); County Counsel (Land Use, Parks); Environmental Health Bureau; Sheriff; Fire;

California Highway Patrol; Water Resources Agency; MPWMD; Richard Rudisill; Michael Waxer; Rob Carver; Dale Ellis (MC Hospitality); Jennifer Stemler (MCVGA); John Bridges; Joel Panzer; Gwen Amaral; Cheryl Burrell (PBC); Tony Lombardo; Event Organizers (list); STR Distribution List