

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

FROM: CHARLENE GALLINA, PLANNING & BUILDING DIRECTOR

DATE: JANUARY 12, 2011

SUBJECT: CMC 2010-02 MUNICIPAL CODE AMENDMENT – SPECIAL EVENT ORDINANCE

1 **REQUEST:**

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3 CMC 2010-02: Consideration of an amendment to Calistoga Municipal Code, initiated
4 by the City of Calistoga, amending Title 5 Business Taxes, Licenses and Regulations,
5 Title 3 Revenue, Finance, and Expenditure, specifically Chapter 3.30 Film Permits for
6 Motion Picture and Television Production and Title 17 Zoning, specifically, Section
7 17.40.050 Action – Administrative Use Permits to establish regulations for authorizing
8 Special Events occurring in the City.
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10 **BACKGROUND:**

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12 Currently, there are various processes established by the City for regulating special
13 events, facility rentals, and other temporary events/activities in Calistoga. Such
14 processes include administrative use permits, filming and photography permits, facility
15 use permits, special event permits, parade permits and encroachment permits.
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17 In order to eliminate confusion to customers and streamline City processes, City
18 Departments have collectively agreed that there should be one comprehensive permit
19 process for regulating all special events and temporary activities. Therefore, staff has
20 developed a Special Event Ordinance for this purpose and is requesting that the
21 Commission discuss and provide a recommendation to the City Council. It should be
22 further noted that during development of this ordinance, staff met with the Calistoga
23 Chamber of Commerce and Napa County Fairground representatives in December to
24 discuss these proposed provisions and permit process and to solicit comments on the
25 draft ordinance. As a result, suggested comments were incorporated into the draft
26 ordinance as presented herein.
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28 At Special Meeting held on December 15, 2010, the Planning & Building Director and
29 the Aquatic and Recreation Manager presented the proposed Special Event Ordinance
30 to the Community Resources Commission. As a result of their discussion, the
31 Commission expressed support of the Ordinance as presented herein and passed a

32 motion to recommend approval of the proposed ordinance to the Planning Commission
33 and City Council.

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35 **DISCUSSION:**

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37 As presented in Attachment 2, the proposed Special Event Ordinance has been
38 developed to provide for rules governing the issuance of permits for Special Events
39 occurring within the City. Its intent is to ensure consistency in review and application of
40 reasonable and consistent criteria for the approval of permits to allow Special Events as
41 long as those activities are consistent with the public health and safety and the
42 protection of property.

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44 Staff is recommending the following components be included in the establishment of
45 this Special Event Ordinance:

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- 47 • Applicable to attendance of any size using City facilities or public property and
48 events attended by 20 or more people held on commercial property outside of
49 Use Permit approval as defined in CMC 17.40 Use Permits or outside of their
50 normal business operation.
- 51 • Exempts the following activities:
 - 52 ○ Governmental agency activities, including the Governmental agencies,
53 including the Napa County Fairgrounds, the Calistoga Joint Unified School
54 District, acting within the scope of their authorized function. (It should be
55 noted that the Napa County Fairgrounds Executive Director has indicated a
56 commitment to closely work with the City in coordinating review of future
57 fairground events and activities to ensure that any adverse impacts to the City
58 and/or surrounding neighborhoods are addressed accordingly and/or
59 mitigated);
 - 60 ○ Assembly organized for the purpose of exercising First Amendment rights and
61 involving a procession of persons walking on sidewalks and obeying all traffic
62 and other laws;
 - 63 ○ A special event held at a private residence; and
 - 64 ○ Special events authorized by Use Permit approval as defined in CMC 17.40.
- 65 • Requires an applicant to submit 45 days prior to the special event a formal
66 application and information for City review and action accompanied by a
67 nonrefundable permit application fee.
- 68 • Requires the administrative processing of a Special Event Permit by City staff.
- 69 • Provides findings for approval or denial.
- 70 • Provides a general listing of conditions including liability and insurance
71 requirements. It should be noted that staff will be developing standard conditions
72 based upon this general list for application to special event permit approvals.
- 73 • Provides appeal provisions on decisions of City staff.

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75 As proposed in Attachment 2, staff is also recommending an amendment to the
76 following Municipal Code provisions to modify and clearly define applicability, coordinate

77 processes, and insure consistency amongst other related regulatory provisions with the
78 proposed special event permit provisions. Such changes have been highlighted in a
79 tracked change format.

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- 81 • Chapter 3.30 Film Permits for Motion Picture and Television Production
- 82 • Chapter 17.40.050 Administrative Use Permits

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84 **ENVIRONMENTAL REVIEW**

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86 This action has been reviewed pursuant to the California Environmental Quality Act
87 (CEQA) and determined that this activity is covered by the general rule that CEQA
88 applies only to projects, which have the potential for causing a significant effect on the
89 environment, and where it can be seen with certainty that there is no possibility that the
90 action being contemplated, the establishment of regulations for authorizing special
91 events occurring in the City, will have any impact on the environment (Section
92 15061(b)(3)).

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94 **RECOMMENDATION**

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96 Staff recommends adoption of Planning Commission Resolution PC 2011-04
97 recommending to the City Council adoption of an Ordinance that amends the Calistoga
98 Municipal Code to establish new and amend existing provisions for authorizing special
99 events occurring in the City.

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101 **SUGGESTED MOTION**

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103 I move that the Planning Commission adopt Resolution PC 2011-04 recommending to
104 the City Council adoption of an Ordinance that amends the Calistoga Municipal Code to
105 establish new and amend existing provisions for authorizing special events occurring in
106 the City.

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108 **ATTACHMENTS:**

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- 110 1. PC Resolution 2011-04
- 111 2. Draft Special Event Ordinance
- 112 3. Draft CMC Revisions – Film Permits for Motion Picture and Television Production
& Administrative Use Permits