

City of Hesperia

STAFF REPORT



DATE: March 7, 2017

TO: Mayor and Council Members

FROM: Nils Bentsen, City Manager

BY: Dave Reno, Principal Planner
Stan Liudahl, AICP, Senior Planner

SUBJECT: Consideration of Development Code Amendment DCA17-00001, amending the special event and temporary use regulations; Applicant: City of Hesperia; Area affected: City-wide

RECOMMENDED ACTION

The Planning Commission recommends that the City Council introduce and place on first reading Ordinance No. 2017-04 approving DCA17-00001, amending the special event and temporary use regulations.

BACKGROUND

Proposal: An amendment to the special event and temporary use ordinance providing regulations specific to major special events as well as to modify the existing special event and temporary use regulations to reflect current practices. The proposed amendment is also part of an overall goal to update the Permits and Procedures (16.12) Chapter of the Development Code, which outlines the process for permitting development projects and land uses in the City.

On February 9, 2017, the Planning Commission unanimously (5-0) forwarded this item to the City Council with a recommendation for approval. The Commission's only concern was the reason that the amendment was initiated. Staff explained that the current special event application procedures didn't afford staff sufficient time to process a recently proposed annual bicycle tour. There were no comments received during the public comment period or public hearing.

ISSUES/ANALYSIS

Land Use: This Development Code Amendment (DCA) has been filed by the City specifically to amend the existing regulations to include new application procedures for major special events (Attachment 2). Currently, the application procedure does not differentiate between large and small special events. A recent bicycle tour requiring multiple street closures and a church procession requiring a partial street closure illustrated the need to amend the application procedures. These events typically require the use of public services or facilities, require additional security for crowd control, or necessitate the presence of fire or police for safety or medical response purposes. In addition, this DCA will amend portions of the special event and temporary use regulations to reflect current practice.

Staff researched six jurisdictions to determine how applications for special events and temporary uses are processed (Attachment 1). Based upon this data, staff recommends that applications for major events be submitted at least 60 days prior to the event. Current practice requires that all special event applications be filed a minimum of two weeks prior to the event. The data also suggests that major events be defined as events which have between 200 and 1,000 attendees. Staff recommends that major events be those events which will have approximately 500 attendees or requires a partial or complete street closure. Additionally, staff recommends that any event which requires police and/or fire staff onsite will also be processed as a major event. The number and duration of events in these six jurisdictions are comparable to the City's regulations, which allow four events per year not to exceed 21 days per quarter. As such, staff does not recommend that the number or duration of special events within Chapter 16.12 be changed.

Environmental: Approval of the Development Code Amendment is exempt from the requirements of the California Environmental Quality Act per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Development Code Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan.

Conclusion: Staff supports the Development Code Amendment, as it will provide application procedures specific to major special events as well as to codify current practices pertaining to special events and temporary uses.

FISCAL IMPACT

None.

ALTERNATIVE(S)

1. The City Council could define major special events as those events with 1,000 persons or greater in attendance instead of 500. Unless the venue is located at a facility with a large number of parking spaces, such as the Civic Plaza Park, the impact of 1,000 attendees will likely have a significant negative impact upon the site of the event and surrounding properties. Many sites, including churches contain approximately 125 parking spaces, which is an approximate number of spaces needed for 500 persons. Any event which requires police and/or fire staff onsite will also be processed as a major event. Therefore, staff does not support this alternative.
2. The City Council may increase or decrease the number of days prior to filing an application to consider a major special event. Current practice requires that special event applications be submitted at least two weeks prior to the event. The bicycle tour and the procession required street closures, which require additional time to process. Consequently, staff recommends that applications for major events be filed at least 60 days prior to the event. Therefore, staff does not support this alternative.
3. Provide alternative direction to staff.

ATTACHMENT(S)

1. Temporary Use Ordinance Comparison Table
2. Ordinance No. 2017-04
3. Exhibit "A" to Ordinance 2017-04