



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: County Planning Commissioners

FROM: Noel Langle, Planner

DATE: August 24, 2012

RE: September 5, 2012 continued hearing on 12ORD-00000-00002 and -00004; Temporary Uses (Special Events) Ordinance Amendments

At the hearing on August 15, 2012 regarding the Temporary Uses (Special Events) Ordinance Amendments, your Commission heard staff's presentation, took public testimony, and provided comments and recommendations regarding revisions to the amendments. Your Commission also continued the hearing to September 5, 2012 so that staff could develop revised language that responds to those comments and recommendations. The following options are presented for your consideration.

Based on your comments regarding the following, staff will develop revised ordinances and return to your Commission following review by the Montecito Planning Commission of similar ordinances.

Option 1: Retain distinction between commercial and noncommercial events. This option, as outlined in the staff report from your August 15th hearing, would maintain the current distinction between commercial and noncommercial events, but could include revisions to the proposed language such as:

- limiting the number of days an event can span, and specify that the event includes setup, breakdown and cleanup
- including a procedure for revoking a Special Event Use Permit for noncompliance with conditions of approval
- limiting the time that a Conditional Use Permit or Special Event Use Permit is valid; that is, at the time of approval of the permit, the review authority would determine the appropriate time limit using such factors as neighborhood compatibility, site location, suitability of the site for ongoing events, the cost of site improvements required to comply with site design standards.

These revisions could also be included with either Option 2 or Option 3 shown below.

Option 2: Allow fixed number of events based on zoning. This option does not distinguish between commercial and noncommercial events, but would (1) allow a limited number of events based on the zoning of the lot the event is located on, and (2) provide a permit path to allow additional events and/or higher numbers of event attendees. Permits that allow additional events beyond the numbers listed in

the following table could be conditioned to require that events may not occur within a certain number of days of each other to provide a separation period between events.

The following provides an example of what this might look like. This assumes that an event is defined to only include gatherings where the total number of attendees exceeds 75. Gatherings where the total number of attendees is 75 or fewer, since they are not considered events, would not be subject to the operational standards of this amendment, including those discussed below. However, they would still be subject to other County regulations, for example, the nighttime noise restrictions of Chapter 40 of the County Code.

Zoning	Permit	Maximum # Attendees	# Events per Calendar Year	Additional Events or Attendees
Lots other than lots zoned AG-II	Exempt	300	3	Minor Conditional Use Permit
Lots zoned AG-II	Exempt	300	6	Special Event Use Permit

Option 3: Allow fixed number of events based on lot size. Similar to Option 2, this option does not distinguish between commercial and noncommercial events, but would (1) allow a limited number of events based on the size of the lot the event is located on, and (2) provide a permit path to allow additional events and/or higher numbers of event attendees. However, as proposed, lots less than 20,000 square feet could not hold events unless the total number of attendees is 50 or fewer. As included in Option 2, permits that allow additional events beyond the numbers listed in the following table could be conditioned to require that events may not occur within a certain number of days of each other to provide a separation period between events.

The following provides an example of what this might look like. This assumes that an event is defined to only include gatherings where the total number of attendees exceeds 50 on lots of less than 20,000 square feet, or 75 if the lot is 20,000 square feet or greater. As discussed above, gatherings that are not considered events would not be subject to the operational standards of this amendment, but would be subject to other County regulations.

Lot Size	Permit	Maximum # Attendees	# Events per Calendar Year	Additional Events or Attendees
Less than 20,000 sq. ft.	n/a	Greater than 50	None	n/a
20,000 sq. ft. or greater, but less than 5 acres	Exempt	150	3	Minor Conditional Use Permit
5 acres or greater, but less than 40 acres	Exempt	300	3	Special Event Use Permit
40 acres or greater	Exempt	300	6	Special Event Use Permit

Additional operational standards. There was also discussion regarding adding additional operational standards to help ensure that events would not have a negative impact on neighbors, including addressing such potential nuisance factors as event duration and hours of operation, lighting, parking, safety and traffic, and sound. The following are examples of additional operational standards that could be included:

Event duration and hours of operation

1. Events are limited to three consecutive days which includes all site facility set-up, take down and clean-up.
2. All exterior activities associated with the event shall occur between the hours of 7:00 a.m. and 10:00 p.m. All attendees, except for those who will be accommodated overnight on the site, shall vacate the site by 10:30 p.m.

Lighting

1. Any outdoor lighting used during events shall be downcast and shielded so that neither the lamp nor reflector interior surface is visible from any adjoining property under separate ownership.

Parking

1. Parking shall be provided at a ratio of one space per 2.5 event attendees; this parking may be provided either on-site or in approved off-site parking areas with shuttle service provided between the parking area and the event site.
2. Written consent shall be obtained from the owners of all off-site parking areas.
3. A minimum of one parking attendant shall be present at each lot used for parking to assist in parking vehicles. For each off-site parking lot containing 50 or more vehicles, one parking attendant for each 50 vehicles shall be provided.

Safety and traffic

1. Events shall provide a minimum of at least one unobstructed vehicle access, a minimum of 20 feet wide, from a publicly maintained road to the event site.
2. All vehicle access points shall meet current Public Works Department standards for driveway approaches and sight distance.
3. Internal site vehicle circulation shall be provided which meets the County Fire Department or applicable fire district requirements, and shall be signed to direct vehicles to the location of event parking, if parking is allowed on the event site, and any exits.
4. These requirements may be modified provided the applicable agency (Fire Department or applicable fire district, and/or Public Works Department) verifies in writing that the proposed access is adequate for safe ingress and egress of the site during events.
5. For any event where the number of attendees exceeds 150 the applicant shall contact the County Sheriff and the California Highway Patrol to determine if any special road and traffic control measures are required.

Sound

1. Any amplified sound associated with the event may only occur between the hours of 10:00

a.m. to 10:00 p.m. and shall not exceed a maximum sound level of 65 dB when measured at the property lines of an adjacent lot under separate ownership. All loudspeakers shall be oriented away from residences located on adjacent lots under separate ownership to the maximum extent feasible.

Transient Occupancy Tax. At the August 15th hearing there was discussion regarding the circumstances under which the payment of a transient occupancy tax (TOT) would be required and how the County might be able to collect additional TOTs. Clint Donati, representing the County Tax Collector, will attend the September 5th hearing to discuss TOTs.

Complexity of the process. We will continue to work on creating a user's guide that provides a clear, step-by-step outline of what is involved in obtaining permits for special events, required application materials, and resources that are available to the applicant. This will be finalized once the amendments are adopted in order to tailor the guide to the actual standards of the zoning ordinances.

Notification to the County when an exempt event is held. Another issue that was discussed at the August 15th hearing was whether to require a person holding an event that is exempt from a permit to file a notice with the Planning and Development Department when the event is held so that the Department could keep track of how many exempt events are held on a certain piece of property. We are not proposing to include this at this time because (1) the County zoning ordinances do not require this for any other uses that are exempt from permits and (2) it would be difficult to make sure that this was being done consistently. The Department will, however, through the County special events committee, be notified whenever an event is held that requires a permit from another County agency.