

SECTION 9420. SPECIAL EVENTS.

SECTION 9420.02. INTENT AND PURPOSE.

The intent and purpose of this section is to provide regulations for special events, including temporary outdoor sales activities, retail events, and special activities such as carnivals, fairs, and large (i.e., one hundred fifty (150) or more people) neighborhood block parties. This section is not intended to control or regulate the normal promotional/sale activities conducted within the approved display area of a business establishment as provided for by other applicable provisions of this article.

SECTION 9420.04. REVIEW PROCESS.

- (a) The City Planner has the authority to issue Special Event Permits pursuant to the procedures outlined for Administrative Permits in Section 9814, provided the following criteria are met and the application is consistent with any other applicable regulations in this article:
 - (1) The Special Event shall not exceed thirty (30) days during any twelve (12) month period, unless otherwise permitted in this section;
 - (2) The property owner has authorized the special event in writing;
 - (3) The application is submitted at least thirty (30) days prior to the scheduled activity; and
 - (4) A permit fee established by resolution of the Council shall be paid for each Special Event Permit.
- (b) If an event is of a scale (e.g., large in area or number of persons) or use that may result in extensive potential, even temporary, impacts to the community, the City Planner may use his/her discretion and forward the Special Event Permit application to the Commission for their decision.
- (c) Events involving over five hundred (500) people shall require Commission approval.

SECTION 9420.06. GENERAL REQUIREMENTS.

Except as otherwise specified in the section, the following general operational conditions shall apply to all special events for which a Special Event Permit is required:

- (a) The City Planner shall prescribe the type and form of information required to process the Special Event Permit, in accordance with the provisions for Administrative Permits in Section 9814.
- (b) Activities shall be restricted to that portion of property so designated on the site plan.
- (c) The applicant shall provide documentation to the City Planner of an approved site plan by the City Fire Department and Police Services for meeting public safety requirements when applicable.
- (d) The City Engineer shall review and approve the site plan regarding adequate parking and traffic circulation for both vehicular and pedestrian, including provisions for emergency ingress/egress, when applicable.
- (e) Adequate space shall be provided on walkways for the passage of pedestrian traffic (minimum width of five (5) feet).
- (f) The site plan and all signs shall comply with this article and the specific design standards set forth in this section.

- (g) Any sales activities shall be confined to the sale of the goods or services specified in the Special Event Permit only.
- (h) The Special Event Permit shall specify the event's expiration date and the removal date of all associated materials.
- (i) All signs and other display materials placed in outdoor areas shall be removed within twenty-four (24) hours after the close of business on the last day of the event, unless otherwise specified in the Special Event Permit.
- (j) Sound systems are not permitted unless specifically approved as part of the Special Event Permit.
- (k) Temporary signs associated with special events are permitted as provided in Section 9618.06.
- (l) Additional conditions may be applied as determined by the City Planner (or Commission) as necessary to protect the public's health, safety, and welfare.
- (m) A Special Event Permit does not relieve an applicant from obtaining other permits or permissions as may be required by other county, state, or other agencies.

SECTION 9420.08. SPECIAL CENTERWIDE EVENTS.

Special centerwide events include the temporary outdoor display and sale of merchandise, arts and crafts shows, fairs, entertainment, or similar events within a commercial center. Commercial centers may conduct such events subject to the following requirements:

- (a) Special centerwide events may be held up to three (3) times a year over a maximum of three (3) consecutive days per event. Centers may apply for approval for each event on an individual basis, approval of more than one (1) event on a single application, or approval of an ongoing "special events program" specifying the dates, activities and signage for each event throughout the year. In no case shall the combined total of centerwide events plus individual sales for any business exceed six (6) events during any calendar year.
- (b) Events shall be subject to the approval of a Special Event Permit. Applications shall be submitted to the City Planner by the commercial center owner or manager.
- (c) The application shall include provision for removal of temporary facilities and cleanup and restoration of the activity site within twenty-four (24) hours of the conclusion of the event, unless another time limit is specified in the Special Event Permit. The City may require a cash bond or other guarantee to be posted to ensure cleanup within the specified time limit.
- (d) The application shall be reviewed by the City Fire Department and Police Department, and the event shall comply with fire prevention standards and emergency access requirements as specified by the Battalion Chief and Chief of Police. The City Planner may also submit the application to other agencies for review and approval of an event.

SECTION 9420.10. TEMPORARY OUTDOOR SALES BY INDIVIDUAL BUSINESSES.

Sidewalk or parking lot sales include the temporary outdoor display and sale, by a retail business, of merchandise that is normally displayed indoors at the same location as the outdoor sale. Temporary outdoor display and sales of merchandise may be permitted by the City Planner or his or her designee and are allowed in the C-1, C-2, C-3, C-M, and M-U Zones. Application for a Temporary Outdoor Display

and Sales Permit shall be made on forms prescribed by the Planning Division and shall include a site plan indicating the proposed location of the display area. The following conditions apply to each permit:

- (a) Outdoor sales shall only be permitted as an extension of an existing business and shall be conducted entirely on the site on which the business is located.
- (b) The display area shall not occupy more than ten (10) percent of the number of required parking spaces for the applicant's business.
- (c) The display shall not encroach upon required driveways, or public rights-of-way, impede emergency vehicle access, or prevent access to any other business.
- (d) Sales area shall not block required building exits and shall maintain at least four (4) foot wide aisles.
- (e) No part of the display area shall be located within one hundred (100) feet of an adjoining residentially zoned property.
- (f) No more than four (4) temporary outdoor displays and sales shall be permitted in one (1) calendar year per business unit, and shall not exceed twenty (20) days accumulated total.
- (g) All signage shall be subject to Section 9618.06.
- (h) Temporary structures such as tents or buildings shall be subject to approval of the City Building Division and Fire Department.

SECTION 9420.12. NEW CAR DEALERSHIP SPECIAL EVENTS.

New car dealers desiring to hold special events to promote sales require a Special Event Permit and are subject to the following provisions:

- (a) The cumulative total of all special events shall not exceed sixty (60) days per calendar year per dealership.
- (b) A separate permit shall be obtained for each special event.
- (c) All signage pertaining to the special event must be in accordance with Section 9618.06.

SECTION 9420.14. CHRISTMAS TREE AND PUMPKIN SALES FACILITIES.

The sale of Christmas trees and wreaths, and pumpkins may be permitted by the City Planner in any commercial or manufacturing zone subject to the following regulations:

- (a) **Date of Operation.** Christmas tree and pumpkin sales shall adhere to the following operation dates:
 - (1) Christmas tree sales facilities shall not open for business prior to the day after Thanksgiving and shall close no later than December 31.
 - (2) Pumpkin sales facilities shall not open for business prior to October 1 and shall close no later than November 1.
- (b) **Merchandise to be Sold.** Christmas tree and pumpkin sales are limited to the following:
 - (1) A Christmas tree sales facility shall not engage in the sale of any merchandise not directly associated with Christmas trees and Christmas decorations.

(2) A pumpkin sales facility shall not engage in the sale of any merchandise not directly associated with pumpkins and Halloween decorations.

(c) **Removal of Facility.** Christmas tree and pumpkin sale facilities must meet the following removal regulations:

(1) Christmas tree sales facilities shall be removed and the premises cleared of all debris and restored to the condition prior to the establishment of the facility within three (3) days after the closing date.

(2) Pumpkin sales facilities shall be removed and the premises cleared of all debris and restored to the condition prior to the establishment of the facility within three (3) days after October 31.

SECTION 9420.16. CERTIFIED FARMERS' MARKETS.

Certified farmers' markets may be permitted by the Council in any Commercial or Mixed-Use Zone subject to the provisions of this section.

(a) Admissible vendors and products include the following:

(1) **Agricultural Producers (Farmers and Fisherman).**

(i) **Certifiable Agricultural Products.**

(A) These products include fresh fruits and vegetables, nuts in the shell, honey, eggs, nursery stock, and cut flowers.

(B) Product certification is made by the County Agricultural Commissioner in the county of production.

(C) Certifiable agricultural products can only be sold at the farmer's market by the producer who produced them, the producer's employees, or the producer's immediate family.

(ii) **Non-Certifiable Agricultural Products.**

(A) These products include dried fruits and vegetables, processed nuts, juices, jams, pickled or smoked agricultural products, live animals, livestock, aquaculture, viticulture and vermiculture.

(B) These products may be dried, ground, roasted, juiced, smoked or otherwise altered in a one-stage process by a second party.

(C) Canned foods are permitted if processed in an approved facility.

(D) Products in this category must have been grown, bred, raised, cultivated or collected upon land, which the producer controls.

(2) **Prepared Foods Producers (Non-Agricultural Products).**

(i) Prepared foods producers may sell products which they have cooked, canned, preserved or otherwise treated.

(ii) Canned foods are permitted if processed in an approved facility.

(iii) Prepared food products may not compete with products made by farmers from their own products.

- (3) **Commercial Sellers (Non-Agricultural Products).**
 - (i) Commercial sellers may sell ethnic or specialty hot foods, which they prepare in a licensed kitchen and/or at their respective market spaces.
 - (ii) Commercial sellers may also include anyone selling fresh or canned fish. The sellers are not required to have caught the fish offered for sale.
 - (4) **Arts and Crafts Vendors (Non-Agricultural Products).**
 - (i) Artisans may sell original art, craftwork or handmade items, which they created, constructed or produced themselves.
 - (ii) Products must be of the highest quality, handcrafted, and may not be imported.
 - (iii) The reselling of arts and crafts products is not allowed.
 - (5) **Youth Oriented Vendors (Non-Agricultural Products).**
 - (i) These vendors may sell products and services of interest to young people. Such products or services shall involve active participation from young people.
 - (ii) Vendors in this category may include bounces, petting zoos, magicians, clowns, face painters, and puppet makers.
 - (6) **Non-Profit Organizations and Community Information.** Non-profit organizations and community information groups may distribute literature, and solicit signatures, volunteers and donations.
 - (7) **Performing Artists.**
 - (i) Performing artists may distribute literature and sell products showcasing the talents which they are demonstrating at the farmers' market.
 - (ii) Performing artists in this category may include musicians selling CDs and merchandise, martial artists distributing literature, and dancers selling videos.
 - (8) **Local Businesses.** Local businesses located in the City may be eligible to have a table at the farmers' market for the sole purpose of distributing literature about the service(s) or product(s) they sell.
 - (9) **Sponsors.** Sponsors may only advertise, distribute literature and provide free samples and demonstrations of their products and services for the duration of their sponsorship period.
- (b) The Commission and the Council on appeal shall have the authority to determine the admissibility of vendors and/or services and/or products for the farmers' market as necessary to protect the public's health, safety, and welfare.
 - (c) Certified farmers' markets events are limited to one (1) day per week for a maximum of eight (8) hours per event.
 - (d) Operation of a certified farmers' market shall conform to all the provisions of this section which include, but are not limited to locations, security, water supply, use of tents and canopies, sanitation facilities, medical services, noise, signage, fire protection, traffic control, and permits that may include building, electrical, health and tent.
 - (e) California Certified Farmers' Markets are operated in accordance with regulations established by the California Department of Food and Agriculture and must display a valid health permit.

SECTION 9420.18. SPECIAL OUTDOOR EVENTS – NONRESIDENTIAL ZONE.

Special outdoor events are events of a predominantly noncommercial nature including, but not limited to, pageants, fairs, carnivals, religious or entertainment events, and large community gatherings in outdoor facilities. Special outdoor events are permitted in all nonresidential zones provided the following requirements are met:

(a) **General Requirements.**

- (1) Activities conducted on property owned by or leased to the City and on public road rights-of-way shall require an encroachment permit issued by the City Engineer.
- (2) Events shall not exceed ten (10) consecutive days and shall not occur more than four (4) times in a calendar year.
- (3) Special outdoor events shall require City Planner approval prior to the start of the event. Furthermore, a Special Event Permit shall be required for special outdoor events of one hundred fifty (150) people or more, including spectators and participants.

(b) **Applications.** Applications for Special Event Permits shall be referred by the City Planner to other affected City departments or other public agencies as may be appropriate for review and comment.

Issues including, but not limited to, security, food and water supply, use of tents and canopies, sanitation facilities, medical services, noise, signage, fire protection, and traffic control, shall be satisfactorily addressed by the applicant, as required by the City Planner or other City departments in their administration of other City regulations. Such other regulations may require the applicant to obtain permits such as building, electrical, health, and tent permits from other outside agencies. Required permits by outside agencies are the sole responsibility of the applicant.

(c) **Cash Bond.** A cash bond or other guarantee for removal of the temporary use and cleanup and restoration of the activity site within seven (7) days of the activity conclusion may be required as a condition of the Special Event permit.

(d) **Liability Insurance.** The applicant must provide proof to the City of minimum liability insurance in an amount determined by the City Attorney for the special event prior to approval of the special event.

(e) **Notification.** The City Planner may also require the applicant to provide notification to affected neighboring uses. Reasonable notification requirements shall be determined by the City Planner.

SECTION 9420.20. SPECIAL OUTDOOR EVENTS – RESIDENTIAL ZONES OR LAND USES.

Within residential districts, special outdoor events may include, but are not limited to, pageants, fairs, carnivals, religious, or entertainment events and neighborhood or community gatherings in outdoor facilities where vehicular traffic on any public right-of-way would be impeded by the event.

Special outdoor events are permitted in all residential zones subject to the following requirements:

(a) **General Requirements.**

- (1) Activities conducted on property owned by or leased to the City or on public rights-of-way shall require an encroachment permit issued by the City Engineer.

(2) Events shall not exceed three (3) consecutive days and shall not occur more than four (4) times in a calendar year.

(b) **Applications.** Applications for permits or certificates required by this section shall be referred by the City Planner to other affected City departments or public agencies as may be appropriate for review and comment.

Issues, including but not limited to police and security, food and water supply, use of tents and canopies, sanitation facilities, medical services, noise, signage, fire protection, and traffic control, shall be satisfactorily addressed by the applicant, as required by the City Planner or other City departments in their administration of other City regulations. Such other regulations may require the applicant to obtain permits such as building, electrical, health, tent, encroachment, and other permits. Required permits by outside agencies are the sole responsibility of the applicant.

(c) **Cash Bond.** A cash bond or other guarantee shall be posted with the City for removal of the temporary use and cleanup and restoration of the activity site within seven (7) days of the conclusion of the event.

(d) **Liability Insurance.** The applicant must provide to the City proof of minimum liability insurance in an amount determined by the City Attorney for the special event prior to approval of the event.

(e) **Notification.** The City Planner may also require the applicant to provide notification to affected neighboring uses. Reasonable notification requirements shall be determined by the City Planner.

SECTION 9420.22. GARAGE, YARD, MOVING, AND ESTATE SALES.

Upon the issuance of a permit by the City Planner, garage, yard, moving, or estate sales are allowed in the garage, driveway, and/or front yard or setback areas of a dwelling unit in the R-1, R-2, R-3, or R-3-O zones. Garage, yard, moving, and estate sales include the display of personal household goods for sale.

Garage, yard, moving, and estate sales shall be permitted as temporary accessory uses in residential zones subject to the following regulations:

(a) **Application.** An application to conduct a garage, yard, moving, or estate sale shall be made to the City Planner provided on forms provided by the City Planner available at the City.

(b) **Fee.** Such applicant shall pay a fee as determined by the Council Resolution for each permit at the time of issuance.

(c) **Sale Frequency.**

(1) Garage, yard, or moving sales may be conducted a maximum of two (2) times per calendar year per residence and may not be conducted for more than two (2) consecutive days or three (3) days on extended national holidays. Inclement weather may extend the period of time equal to the days lost.

(2) Estate sales may be conducted a maximum of ten (10) days per calendar year per residence and may not be conducted on more than two (2) consecutive weekends.

(d) **Hours.** The hours of the garage, yard, moving, and estate sales shall be no earlier than 7:00 a.m. and no later than 8:00 p.m.

(e) **Sale Area.**

- (1) Garage, yard, and moving sales areas shall be confined to the garage and the driveway area within the front setback area. Where no driveway exists, one-half (½) of the property width in the front setback area may be used for the sale of merchandise.
 - (2) Estate sales shall only include sale of household goods inside the dwelling unit.
 - (3) No item for sale shall obstruct the public right-of-way.
- (f) **Prohibitions.** It is unlawful for any person to exchange, barter, trade, or sell any of the following at a garage, yard, moving, or estate sale: firearms, ammunition, or explosives; undomesticated animals and livestock; any item of personal property from which the serial number has been removed; or any other item prohibited by City, county, state, or federal law. Additionally, outside consignments and lot purchases and the like shall not be permitted.
- (g) **Estate Sales.** Estate sales shall only be conducted by a duly licensed and bonded liquidation company. The amount of bond shall be as determined by the City Planner. (Amended by Ord. 1248, adopted 7-28-09)