
Chapter 9.71 Temporary Special Event Permit

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9.71.010 – Purpose

This Chapter provides development processes for temporary special events to ensure that basic health, safety, and community welfare standards are met, while approving suitable temporary special events with the minimum necessary conditions or limitations consistent with the temporary nature of the activity. A Temporary Special Event Permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may be considered acceptable because of their temporary nature. These activities are regulated to avoid incompatibility between the proposed activity and surrounding areas.

9.71.020 – Applicability

The provisions of this Chapter are applicable to:

- B.** All uses which are listed in the Permitted Land Use and Permit Requirements Tables for the underlying land use districts that require a Temporary Special Event Permit, including, but not limited to:
 - 1. Church, tent revival meetings
 - 2. Circus and carnivals
 - 3. Fairs, concerts, parades, exhibits, festivals, art shows, car shows, street fairs, or similar events

4. Farmers market
5. Season holiday sales facilities including Christmas Tree lots, pumpkin patch, etc.

9.71.030 – Permit Required

Except as otherwise provided by the Town of Yucca Valley or state law, no person or entity shall operate, maintain, conduct, advertise, or provide admission for any temporary special event within the Town of Yucca Valley without possessing an unexpired, unsuspended and unrevoked permit from the Planning Division for each such temporary special event.

- A. Procedure: Staff Review without Notice
B. Review Authority: Director

9.71.040 – Application Submittal Requirements

- A. Applications for Temporary Special Event Permits shall be filed on a form prescribed by the Director and shall contain such information and reports as may be required by the application submittal package or by other applicable ordinances or by the Town in order for the Director to make the required findings.
- B. The application processing fees shall be set from time to time by resolution of the Council. In addition, the applicant shall reimburse the Town for the actual cost of providing any necessary personnel, including but not limited to, police and fire personnel to the applicant for the purpose of assisting in the event.
- C. To ensure clean up and restoration of the site, an applicant may be required to post a deposit at the time the application is submitted. Upon the completion of the event and inspection of the site by the Town, the deposit may be returned to the application if the cleanup and restoration of the site has been determined by the Town to be sufficient.

9.71.050 – Procedures

D. Upon the receipt of a completed application and all related fees, the following will occur:

1. The processing of a complete Temporary Special Event Permit application will generally vary depending on the complexity. If such activities interfere with traffic or involves potential public safety hazards, an application may take more than ten working days to allow for inter-departmental or agency notification.
2. Each application for a Temporary Special Event Permit shall be analyzed at staff level to assure that the application is consistent with this Chapter and any other applicable Town standards or policies. If such activities interfere with traffic or involve potential public safety hazards the application shall be forwarded to the appropriate agencies for comment.
3. At the completion of the Planning Section's review, a permit may be issued by the Director including a listing of conditions necessary to assure the preservation of public health, safety and welfare.

9.71.060 – Insurance Requirements

- A. Before any permit is issued for a church tent revival meeting, circus, large concert, parade, carnival, fair, exhibit, festival, art show, car show, street fair, farmers, market or similar type of event, , the applicant shall provide the Town with evidence of a policy of liability insurance issued by an admitted insurer in an amount of not less than \$1,000,000. This policy shall meet all requirements of the Town of Yucca Valley, including listing the Town as additionally insured on the endorsement.
- B. The applicant shall enter into a hold harmless and indemnification agreement provided by the Town prior to the issuance of any permit.

9.71.070 – Rules and Regulations

- A. **Change of Date.** Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued provided established limitations are complied with in respect to time and location.
- B. **Conditions of Approvals.** The conditions of approval shall be based upon the following criteria:
 - 1. The health, safety, and welfare of all persons;
 - 2. Avoidance of undue disruption of all vehicle and pedestrian circulation within the affected area;
 - 3. The safety of property within the Town;
 - 4. Compliance with all other applicable agency regulations;
 - 5. If an event is held within a parking area, the event shall not substantially alter the existing circulation pattern of the site or impact traffic movement with adjacent or surrounding public roadways.
 - 6. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of 4 feet to provide for handicap access.
 - 7. Where an activity takes places within an unimproved (dirt) area, some form of dust control will need to be provided as approved by the Town.
 - 8. The event is limited to a duration that is no more than the maximum allowed duration (see Table 3-24), or as determined appropriate by the review authority.
 - 9. The site is physically adequate for the type, density, and intensity of use being proposed, including provision of services (e.g. sanitation and water), public access, and the absence of physical constraints.
 - 10. The design, location, size, and operating characteristics of the proposed use are compatible with the existing land uses on-site and in the vicinity of the subject property.

11. The temporary use or activity will be removed and the site restored as necessary to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by this Title.
12. Adequate temporary parking will be provided in order to accommodate the vehicle traffic generated by the temporary use or special event either on-site or at alternate locations acceptable to the review authority.
13. The applicant provides appropriate sanitary and medical facilities, security and safety measures, and solid waste collection and disposal to the satisfaction of the Director.
14. The use or event will comply with all applicable provision of local, State and Federal laws or regulations.
15. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination on adjacent properties, noise, vibration, smoke, dust, dirt, odors, gases and heat.
16. Temporary Signs. One temporary sign per street frontage is allowed as part of the Special Event Permit. For additional signage, see Section 9.36.100, *Temporary Signs* regarding temporary sign standards.
17. Special Event Monitoring and Security.
 - a. The Director or the Commission, as a condition of approval, may require monitoring of the special event by appropriate Town Departments and/or third parties. Such monitoring shall be at the expense of the applicant, with any associated payment required in full at least 15 days prior the first day of the subject event.
 - b. Facility use deposits will be considered on a case-by-case basis to evaluate potential damage to Town streets, parks, or other public property. The Town shall evaluate the potential for damage and may require a cash bond or other guarantee for removal of the temporary use, cleanup, repair and restoration of the activity site within seven days of the conclusion of the special event. Said guarantee shall be in an amount which is sufficient to cover the estimated costs of administration, steam cleaning, sidewalk repair, storm drain cleanout, and other associated cleanup or repair operations. All facility use deposits shall be at the expense of the applicant, with any associated payment required in full at least 15 days prior the first day of the subject event.
18. Consumption of Alcoholic Beverages at Special Events.
 - a. Verification of permits from the State Department of Alcoholic Beverage Control is required for the temporary service or sale of alcoholic beverages at a special event. Such verification shall be provided by the applicant at least 15 days prior the first day of the subject event.

- b. All other requirements of the Town of Yucca Valley and the State Department of Alcoholic Beverage Control regarding the selling and consumption of alcohol must be met to the satisfaction of the Director.

19. Any other pertinent factors affecting the operation of the temporary special event, at the discretion of the Director, will be addressed to ensure the orderly and efficient operation of the proposed use or event, in compliance with the intent and purpose of this Chapter.

C. Additional Regulations. From time to time, the Director may recommend, as deemed necessary, rules and regulations to implement the provisions of this section. Such rules and regulations shall have the force of law and failure to comply shall be considered a violation of the provisions of this section. The rules and regulations to be adopted shall be implemented with the following intent:

1. Maintain the health and safety of persons and property within the Town.
2. Avoid undue disruption of persons and traffic within the affected areas of Town.

9.71.080 – Appeals

Any person aggrieved or affected by a decision of the Director in denying a Temporary Special Event Permit may appeal to the Commission in writing within ten days after notice of the decision is given.

Any person aggrieved or affected by a decision of the Commission in denying a Temporary Special Event Permit may appeal to the Council in writing within ten calendar days after notice of the decision is given. The decision of the Council shall be final.

9.71.090 – Referral by the Director

If in the judgment of the Director, a proposed temporary special event may have a substantial adverse impact on public health, safety or welfare, the Director may elect not to approve a Temporary Special Event Permit and may refer the application for disposition by the Commission at its next regularly scheduled meeting.

9.71.100 – Permits/Licenses Nontransferable

Any permit issued pursuant to this chapter is not transferable to any other person, organization or place.

9.71.110 – Posting

Every permit required by these regulations shall be conspicuously posted upon the premises of the temporary special event.

9.71.120 – Requests for Law Enforcement Services at Special Events

Any person or entity required to obtain a permit in accordance with the provisions of this chapter may request law enforcement services to preserve the peace at special events. Such application shall be made to the Sheriff's Department and shall be in writing, stating the name and address of the applicant, the

place where the special event is to be held, the estimated number of persons to be present and the purpose of the special event. Upon receipt of said application, the Sheriff's Department shall determine whether law enforcement services are necessary to preserve the peace, and if the Sheriff's Department so determines, and if the services will not reduce the normal and regular on-going service that the Town would otherwise provide, the Sheriff's Department shall contract with the applicant to provide the services at an amount to include all costs.

The Town may require as a Condition of Approval the Applicant to obtain law enforcement services at the event.

9.71.130 – Temporary Special Event Amendment

Refer to Article 5, Chapter 9.83 Permit Amendments.

9.71.140 – Temporary Special Event Revocation

Refer to Article 5, Chapter 9.84 Permit Revocations.