Penn Valley Municipal Advisory Council (PVMAC)
PUBLIC NOTICE – MEETING AGENDA

To receive an email notice when the Agenda is posted: www.mynevadacounty.com/list.aspx
(under Agenda Center select Penn Valley Area Municipal Advisory Council)

Pursuant to Governor Gavin Newsom’s Executive Order pertaining to the convening of public meetings in response to the COVID 19 pandemic, the PVMAC hereby provides notice that it will hold its regular meeting of the PVMAC members virtually per Zoom.

Date: Thursday, July 16, 2020
Time: 6:00 p.m.
Place: Join Zoom Meeting https://zoom.us/j/93452480824
Meeting ID: 934 5248 0824
Or participate by phone during the meeting at 1-669-900-6833, Meeting ID: 934 5248 0824

Members:
Michael Mastrodonato, Member & Chair
Gordon Beatie, Member & Vice Chair
Teresa Dietrich, Member
Ryan Everson, Member
Douglas Moon, Member
Rick Nolle, Member
Nancy Peirce, Member
Rob Tribble, Member
Bob Winters, Member

1. Call to Order, Roll Call and Pledge of Allegiance

2. Consent Agenda (Single Motion Needed)
   All matters listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a member of the PVMAC, audience, or staff requests a specific item to be removed from the Consent Agenda for separate action. Any item removed will be considered after the motion to approve the Consent Agenda.
   a. Approval of Regular Meeting Agenda for July 16, 2020
   b. Approval of Regular Meeting Minutes for May 21, 2020
   c. Approval of Meeting Special Minutes for May 28, 2020
   d. Approval of Meeting Special Minutes for June 25, 2020

3. Approve Letter of Support to Supervisor Hoek regarding proposed amendments to the Outdoor Event Ordinance (Article 2 of Chapter V of the General Code)

4. Next PVMAC MEETING August 20, 2020 6:00 p.m. via Zoom.

5. Adjournment estimated @ 7:30 p.m.
Times stated are approximate and subject to change. Agenda order is tentative and may be changed by PVMAC action without prior notice. Agenda discussions and report items are subject to action being taken on them during the meeting by the PVMAC at its discretion. The meeting is accessible to people with disabilities. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five (5) working days before the meeting to the PVMAC to be considered. Requests for further information should be directed to the Chair of the PVMAC at (530) 265-1480.

AFFIDAVIT OF POSTING

Meeting Notice/Agenda of the PVMAC special meeting, scheduled for June 25, 2020, was posted per Open Meeting Law requirements at the following locations:

Eric W. Rood Administrative Center, 950 Maidu Avenue, Nevada City CA
Penn Valley True Value located at 17387 Penn Valley Drive, Penn Valley CA
Penn Valley Shopping Center located at 17464 Penn Valley Drive, Penn Valley CA
www.mynevadacounty.com

AGENDA POSTED: Monday, June 13, 2020
Penn Valley Municipal Advisory Council (PVMAC)
MEETING MINUTES May 21, 2020

Members Present:
Michael Mastrodonato, Member & Chair
Gordon Beatie, Member & Vice Chair
Teresa Dietrich, Member
Ryan Everson, Member
Douglas Moon, Member
Rick Nolle, Member
Nancy Peirce, Member
Bob Winters, Member

Members Absent:
Rob Tribble, Member

1. Meeting called to order, Roll Call taken and Pledge of Allegiance held

2. Consent Agenda
   a. Approval of Meeting Agenda for May 21, 2020
   b. Approval of Minutes from April 16, 2020
   Consent Agenda approved

3. Public Comment
   None

4. Amendments being considered to the Outdoor Event Ordinance
   Discussion among members regarding reduction in oversight, insurance requirements and security.
   Discussion regarding the increase in number of permits issued and increase in costs. Discussion regarding for profit and not for profit designations.
   Members of the public: Mardie Caldwell, Heather and Shianne Frank. Comments regarding permit process and cost, number of events, insurance, security.
   Motion to establish a subcommittee to provide input to Supervisor Hoek. Subcommittee formed is Doug Moon, Nancy Peirce, Ryan Everson and Teresa Dietrich.

5. Penn Valley Area Plan
   Discussion regarding the Penn Valley Area Plan. It is very in-depth. Discussion regarding equestrian and bike paths.
   Members of the public: Mardie Caldwell and Shianne Frank. Comments regarding community and recreation promotion.

6. Items for the Good of the Order
   Jeffrey Thorsby provided information regarding COVID-19 Testing Sites and Wildfire.
   Doug Moon provided information regarding the Bridgeport Bridge Project.
   Information provided regarding the Park District.
   Teresa Dietrich provided information regarding the Ready Springs School Graduation events.
   Supervisor Hoek thanked participants for their passion and commitment to the PVMAC.

7. Meeting adjourned.
Penn Valley Municipal Advisory Council (PVMAC)
MEETING MINUTES May 28, 2020

Members Present:
  Michael Mastrodonato, Member & Chair
  Gordon Beatie, Member & Vice Chair
  Teresa Dietrich, Member
  Ryan Everson, Member
  Douglas Moon, Member
  Bob Winters, Member
  Rob Tribble, Member

Members Absent:
  Rick Nolle, Member
  Nancy Peirce, Member

1. Called to Order, Roll Call taken and Pledge of Allegiance held
2. Consent Agenda (Single Motion Needed)
   a. Approved Meeting Agenda for May 28, 2020
3. Public Comment
   None
4. Update on the Penn Valley Area Plan, including providing feedback to the
   Planning Department on Chapter 2 Land Use, Chapter 3 Economic
   Development, Chapter 7 Implementation and Appendix A Design Guidelines
   of the Penn Valley Area Plan
   (Tyler Barrington, Principal Planner)

Presentation of the referenced chapters and the update provided by Tyler Barrington, Principal
Planner. Chair Mastrodonato provided time to each PVMAC member and the Public for comments
and questions regarding the Penn Valley Area Plan.

Topics and discussion regarding the updates included the following:

Questions regarding proposed zoning changes and future land uses. Property owners are being
contacted regarding rezones and zoning options.

Suggested corrections regarding wording and typographical errors. Plan is draft. Corrections will be
made to final draft for public review.

Question regarding the definition of a disadvantaged community in the State of California and
those areas in Nevada County.
Discussion regarding expanding camping and recreational vehicle areas. Discussion regarding adding Recreation and Camping areas outside the plan area.
Discussion regarding the importance of travel through the area to the Bridgeport State Park and related economic development and signage. Question regarding the definition of “way finding” signage. Discussion regarding steps local agencies and businesses can take moving forward in economic development and advertising the area. Discussion regarding the lack of signage for points of interest in Nevada County and how it can be improved. The Penn Valley Area Plan discusses signage but highway signage may require an approval process at the County level. Discussion regarding sign design.

Question regarding the definition of a “town center” as used in the Area Plan. The 1995 General Plan designates several terms used in the plan and update.

Question regarding designated areas and opportunity zones and related tax incentives for development within them. There are currently no opportunity zones in Western Nevada County.

Question regarding public services required for development. The plan is created to clarify land use and provide guidelines to help facilitate future development. Comments regarding guidelines for development included in the plan and enforceability. The Planning Commission and Zoning Administrator can address guidelines through conditions of approval. Guidelines are applied on a project basis.

No formal action is required from the PVMAC at this time. Notes will be taken by the Planning Department to revise the plan for public review. Formal action can be taken at a later date during the public comment period. Paper and electronic draft copies will be available to the public.

Links were provided to attend future PVMAC meetings and receive notification when future agendas are posted. There are currently 37 subscribers to the PVMAC agenda alert.

5. Next PVMAC MEETING June 18, 2020 6:00 p.m. via Zoom.

6. Meeting adjourned.
Members Present:
Michael Mastrodonato, Member & Chair
Gordon Beatie, Member & Vice Chair
Ryan Everson, Member
Douglas Moon, Member
Rick Nolle, Member
Nancy Peirce, Member
Bob Winters, Member
Teresa Dietrich, Member

Members Absent:
Rob Tribble, Member

1. Called to Order, Roll Call taken, and Pledge of Allegiance held
Chair Mastrodonato reviewed the protocol for the presentation and discussion

2. Consent Agenda (Single Motion Needed)
a. Approved Meeting Agenda for June 25, 2020

3. Discussion of the Penn Valley Area Plan, including providing feedback to the Planning Department

Principal Planner, Tyler Barrington presented a Power Point of the 2020 Penn Valley Area Plan (PVAP). He reviewed the history of the PVAP and the reasons for drafting a new PVAP including the individual and public meetings held, the outreach to the community and the format of the PVAP. He reviewed the PVAP Guiding Principles, the Plan Organization, the Area Plan Boundaries as expanded from the previous PVAP and the Community Design Districts identified in the PVAP. He reviewed the characteristics of and goals, policies and design guidelines for each identified area. He reviewed the land use chapter goals and shared community input received. He reviewed Economic Development Goals and Implementation Guidelines included in the PVAP. He reviewed the Public Service and Infrastructure and Implementation Guidelines in the PVAP. He reviewed the Recreation and Implementation Guidelines in the PVAP. He reviewed the Historic, Cultural and Natural Resources and Implementation Guidelines in the PVAP. He reviewed the next steps for the PVAP, including public review, Planning Commission and Board of Supervisors review and approval. He requested discussion and recommendation from the PVMAC.

Chair Mastrodonato provided an opportunity for each PVMAC member to provide comments on the presentation and PVAP. Topics included the definition of an Area Plan. Principal Planner Tyler Barrington explained the purpose of the Area Plan as a guiding tool for future land use, not a Capital Improvement Plan. The document is what the community hoped it would be, thank you. Discussion regarding the open space parcels identified and the zoning and condition of those...
parcels. Discussion regarding the definition of achievable housing; work force housing or low-income housing. Discussion regarding the process and quality of the PVAP and the direction it provides. Discussion regarding zoning changes for two parcels owned by the Western Gateway Park District. Discussion regarding the development of the parcel for Dollar General and the application of the design guidelines in that development and future development. Discussion regarding commercial growth access to Highway 20. Question regarding traffic studies and road expansion. The Transportation Commission is currently conducting a review of their traffic plan. Development includes payment for improvements required for traffic and transportation improvement. Discussion regarding CalTrans restrictions on Highway 20. Discussion regarding the opportunity sites and how that designation effects the parcel. Discussion regarding the zoning changes and effects on requests for variance on a parcel. Discussion regarding the bike path and the definition of non-motorized. Future development will include community discussion and needs. How are existing traffic bottlenecks addressed in the PVAP? Is this addressed in future development fees? The Nevada County Transportation Commission and the Department of Public Works make improvements to traffic flow problems utilizing Traffic Mitigation Fees.

Chair Mastrodonato provided an opportunity for each member of the public to provide comments or ask questions. Discussion regarding development near Western Gateway Park. This area is identified for future development. Discussion regarding the Creekside Crossing development and the Village Core. Discussion regarding the process and outreach to the community and the avenue, timing and breadth of public notices. Discussion regarding traffic impact and existing bottlenecks. Discussion regarding traffic impacts from increased tourism and improved pathways from other developed areas. Discussion regarding emergency access and evacuation routes. Discussion regarding maintaining the rural quality of the area in future development. Discussion in support of connecting Lake Wildwood with non-motorized and equestrian path. Discussion regarding development to connect the agricultural industry to the greater community. Support for connection to the greater Nevada County community. Discussion regarding the impacts of Coronavirus and COVID-19. Discussion regarding support for infrastructure development. Discussion regarding Clean Agriculture. Discussion regarding the process for identification and development of low-income housing.

Chair Mastrodonato provided Supervisor Sue Hoek an opportunity to comment. She thanked everyone for attending the meeting and contacting her and the Planning Department. She asked for community members to contact the County with any ideas to improve communication to the community. She thanked the PVMAC members for reviewing the PVAP. She thanked Tyler Barrington for producing such a high-quality document that reflects the desires of the community. She encouraged participants to let their friends know they can attend PVMAC meetings and get information from the County website and county employees. There is still plenty of opportunity to provide public comment on the PVAP. Thank you to Jeffrey Thorsby former Supervisor Hank Weston for their work.

The public has an opportunity to speak regarding the PVAP at the Planning Commission meeting scheduled July 23, 2020 at 1:30 pm. Email Tyler Barrington to receive notice of that meeting. Comments in writing are due July 10, 2020. After the Planning Commission meeting there will be an opportunity to provide comments to the Board of Supervisors. It is expected to be scheduled before the Board of Supervisor in August or September.
Motion and second to send a letter to Supervisor Hoek recommending the Draft Penn Valley Area Plan as written and amended. All Aye vote by Roll Call, Rick Nolle and Rob Tribble absent.

4. Next PVMAC MEETING **July 16, 2020 6:00 p.m.** via Zoom. Chair Mastrodonato listed Agenda posting sites. Several posting locations listed in the meeting Chat. Posting sites will be increased with the next agenda. The subcommittee will work on increasing the posting sites.

5. Adjournment @ 8:30 p.m.
July 16, 2020

Supervisor Susan Hoek, District IV
Board of Supervisors
County of Nevada
950 Maidu Ave, Suite 200
Nevada City, CA 95959-8617

RE: Letter of Support for Proposed Amendments to the Ordinance regarding Outdoor Events

Honorable Supervisor Susan Hoek,

On July 9, 2020 the Event Ordinance Ad Hoc Subcommittee of the Penn Valley Area Municipal Advisory Council (PVMAC) held a meeting with Planning Director, Brian Foss, to discuss the proposed changes to the Outdoor Event Ordinance. The subcommittee presented their discussion and proposed input to the PVMAC at a regularly scheduled meeting of the PVMAC on July 16, 2020. At that meeting the PVMAC voted to provide a Letter of Support for the proposed changes to the Outdoor Event Ordinance with the following recommendations:

1. The Insurance requirements outlined under Section G-V 2.7 Application for Permit – Content (A)(11) Insurance should remain as a requirement for application for commercial outdoor events.

2. The requirement for applicants to host reasonable security as described under Section G-V 2.9 Processing Application; Bonds; Appeals (B) with any such conditions as determined by the Sheriff and/or CDA that include background checks and/or other specific guidelines for outdoor events that include certain thresholds like serving alcohol and high attendance rates, etc.

Thank you for the opportunity to provide comment on this very important matter as it directly relates to the Penn Valley Area and its community.

Regards,

Mike Mastrodonato, Chair
Penn Valley Area Municipal Advisory Council
In attendance:
Brian Foss, Planning Director
Doug Moon, PVMAC member
Nancy Peirce, PVMAC member
Ryan Everson, PVMAC member

Doug Moon’s Concerns (3 issues)
- Moving to the sheriff’s office to the CDA; concern over the enforcement aspect
- Removal of the insurance aspect and the criminal background (not as critical as the insurance component)
- Fee Schedule – seems like a lot of control over the events
- Other Issue: Recommendation to remove individual security?

Brian’s Response
- Shift to CDA is only for the issuing of the permitting process; does not remove the sheriff’s ability to enforce
- Insurance was taken out because the insurance requirements is not consistent for permitting that is done; this would be the only permit that would require insurance; agreement is that the insurance will be left alone and will not remove the insurance provision
- Fees are established to collect a min. fee from each department (about an hour for each department) so the general public is not subsiding time spent. Fees are a part of the County’s general fee scheduled adopted annual. I
- Enforcement: Will be done by Sheriff, as well as code compliance. There is a fine that is established, and future permits can be limited for bad actors. All departments enforce any rules that are applicable.
- Fees are 1247 (1st time) (hour review of 7-8 departments); renewal fee is $600 (not per event but per year)
- Other issue: This is not a part of staff’s recommendations for further changes

Nancy’s Concerns
- Major concern is the impacts to the business community; original ord. devastated the outdoor event business in the community;
  - Spoke with Robin Davies to understand the thought of why to make the changes; she noted that the original Ord. was developed based on 2 bad actors and that the entire community was punished;
- Number of Events Allowed; Could an actual location make money with the number of events; four months and only 8 events is only 2 weekend events a month
• Concern with the initial cost of the permitting; Robin felt that the County is working well with the chambers and to help make this to be a money-making effort; glad to see it moving forward

Brian’s Response
• Heard the same thing from the business community and why we are moving from 4-8. If it works out, maybe there is an opportunity to further increase. It can be reviewed n time.

Ryan’s Concerns
• What the impetus is for the event ord in the first place beside just bad actors;
• Adding CDA as the permitting agency and NCSO as a commenter; concerned about more and more agency a part of the review process and how that may impact businesses. (Interagency confusion)
• Records of the number of events on how many events over the past 6 years;
• Is this ord; coming from one individual or is this a more broad request

Brain’s Response
• No Dep. are being added. Instead, CDA will do the paperwork of the permitting and will be the lead. Same people and the intent is to streamline the process
• Not a good record of how many events were held; instead only 12 applications over the past 5 years: included full 4 events on the most part; do not have good records. CDA will have the information moving forward because of the expertise of CDA on permitting;
  o Note: Permits were issued even if issues were raised; CDA should create more efficiency; could have been 40-45 total events but unknown.
  o Early on, there was some complaints but one after the first year or so
• There were a number of folks who wanted more allowable events;
• The initial ord. did come from bad actors and now that this is no longer, it is opening up an opportunity for change

Recommendation:
Letter of Support
• Put Insurance requirement back in
• Require Security where appropriate and including background checks with specific guidelines as example:
  o Alcohol and with X number of attendees;
NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: April 28, 2020

TO: Board of Supervisors

FROM: Brian Foss, Planning Director

SUBJECT: Ordinance Amending Article 2 of Chapter V of the Nevada County General Code: Outdoor Events

RECOMMENDATION: Introduce/Waive further reading and adopt the Ordinance.

FUNDING: Not applicable.

ATTACHMENTS:

1. Ordinance to amend Article 2 of Chapter V of the General Code: Outdoor Events
2. Draft ordinance with proposed amendments highlighted
3. Background Information: August 6, 2014 Outdoor Event Ordinance Staff Report and Ordinance
4. August 14, 2014 Board of Supervisors Meeting minutes

BACKGROUND: The existing Outdoor Event Ordinance standards contained in Article 2 of Chapter V of the General Code were adopted in 2014 which allowed up to four events per year on private property at locations that were not previously permitted for outdoor events. The ordinance established standards for operating special events on private property and excluded non-profit events from the standards. Numerous public hearings were held and a subcommittee worked to create the ordinance standards. The ordinance was passed at the August 26, 2014 Board of Supervisors hearing. Please see the attached staff report and meeting minutes of that hearing for additional information.

The ordinance has been in place for approximately 5 years. During this time there have been 12 permits issued at 12 locations for events to be held, primarily weddings. There have been no complaints regarding the events that have been permitted under the ordinance. Over the last few years the event community has expressed concerns that the ordinance is too limiting and does not
allow the industry to survive with so few events. The Community Development Agency has met with the Grass Valley Chamber of Commerce on multiple occasions to discuss the concerns and improve the ordinance to meet industry needs.

This issue including the discussions and concerns from the event community was discussed at the January 2020 Board of Supervisors workshop. Potential amendments to the ordinance were discussed including increasing the number of allowed events per year, modifying the issuing agency to the Community Development Agency for permits rather than the Sheriff’s office and providing clarification of toilet facility requirements.

The Nevada County Board of Supervisors has directed the Community Development Agency to amend the County’s Outdoor Event Ordinance (Article 2 of Chapter V of the General Code: Outdoor Events) to allow additional events and provide clarifications to the permit requirements. The draft ordinance proposes to achieve the following:

1. Increase the number of allowed events from four (4) to eight (8) per year.
2. Modify the permit issuing agency to the Community Development Agency from the Nevada County Sheriff’s Office.
3. Provide clarification of sanitation requirements for portable toilets.
4. Remove the requirements for criminal record checks, security posting and proof of insurance.
5. Clarify the appeal and violation procedures.

The changes only modify the existing ordinance and do not substantially change the function or the applicability of the ordinance. No changes have been made to the locations, parcel sizes or locations that the events could occur. No changes are proposed to the site plan requirements, attendance limitations, or any health and safety regulations. All building codes, fire codes, lighting standards and noise standards remain the same and in place. The Community Development Agency will be the issuing Agency, however, the applications for permits will be routed to the Sheriff’s Office for review and comment. The Sheriff’s Office will retain enforcement abilities for any safety violations or public disturbance impacts. The Community Development Agency will take over the authority to issue permits and enforce fines.

The draft ordinance has been discussed with the Grass Valley Chamber of Commerce working group which included members of the wedding industry, agricultural community and other business interests. The working group established by the Grass Valley Chamber of Commerce is in support of the proposed amendments. The draft ordinance was circulated for public review between March 1st and March 31st no comments have been received at the time of this report.

**Summary:** The proposed ordinance amendments would provide additional flexibility and allowances for more events on private property to address the industry’s concerns. The amended ordinance will provide clarifications and streamlining to the existing ordinance and permitting process. Staff recommends adoption of the amended Outdoor Event Ordinance.

This action requires a public hearing and the ordinance will become effective on May 14, 2020.
Approved by:  Brian Foss
Submittal Date:  March 30, 2020
ORDINANCE NO.__________

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER V OF THE NEVADA COUNTY GENERAL CODE REGARDING OUTDOOR EVENTS

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Article 2 of Chapter V of the Nevada County General Code is hereby amended to read as shown in Exhibit A attached hereto and incorporated herein by this reference.

SECTION II:

The County finds that this Article is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemptions apply: Sections 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including by direct referral to the County Counsel as appropriate for judicial enforcement).

SECTION III:

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and adopted this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION IV:

This Ordinance shall take effect and be in full force thirty (30) days from and after introduction and adoption, and it shall become operative on the 28th day of May, 2020, and before the expiration of
fifteen (15) days after its passage it shall be published once, with the names of the Supervisors voting for and against same in the Union, a newspaper of general circulation printed and published in the County of Nevada.
EXHIBIT A
ARTICLE 2. OUTDOOR EVENTS

Sec. G-V 2.1 Findings

A. The County encourages and supports responsible planning, management and operation of Outdoor Events held in the County’s unincorporated area.

B. The Board of Supervisors finds that there have been increased demands upon County resources and infrastructure and increasing concerns related to the operation of Outdoor Events on private property. In order to adequately protect the public health, safety and welfare of event participants, neighboring property owners, other residents and the community at large, and to mitigate the special impacts created by these events, it is necessary to provide greater guidance and oversight regarding Outdoor Events, especially in connection with Commercial Outdoor Events that are conducted “for profit” on property that has not been fully permitted and constructed to accommodate such a use.

C. The intent of this Article is to ensure that the County will have adequate advance notice of Outdoor Events and the ability to plan and allocate County resources and services that may be needed to support such events, to mitigate the special impacts created by Outdoor Events in rural areas, and to ensure that Outdoor Events are planned, managed and operated in a safe and responsible manner.

D. The proximity of neighboring properties, difficult topography and terrains, and limited usable area footprints on small rural properties create physical constraints which interfere with the ability to adequately mitigate noise, parking, light and glare, and other special health and safety impacts associated with Commercial Outdoor events. Therefore, the Board of Supervisors finds and determines that it is not appropriate or feasible to allow Commercial Outdoor Events on small rural parcels of less than five (5) acres.

E. It is the intent of the Board of Supervisors in adopting this Chapter to mitigate the special impacts created by Outdoor Events without infringing upon the rights of speech and assembly as guaranteed under the federal and state constitutions. This Chapter shall be interpreted in light of such constitutional provisions and interpreted consistently therewith. In no event shall the content of such proposed speech be considered a basis for approval or denial of an application or the imposition of conditions on an Outdoor Event Permit.

Sec. G-V 2.2 Definitions

As used herein, the following definitions shall apply:

A. “Camping” means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit overnight use.
B. “Commercial Outdoor Event” means an Outdoor Event at which any fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event.

C. “Community Development Agency” or “CDA” means the Community Development Agency of the County of Nevada, California.

D. “County” means the County of Nevada, California.

E. “Emergency Services and Fire Safety Plan” means a plan submitted by the applicant setting forth its plans for providing emergency services and evacuation, including fire prevention and fire suppression on any property used for an Outdoor Event, and including emergency medical services to attendees, performers, exhibitors, or other persons at the Outdoor Event.

F. “Local Fire Official” shall mean the CALFIRE unit chief or the Fire Chief of any local fire protection district located in whole or in part within the County of Nevada, and all chief officers, engineers and trained, professional prevention staff as may be designated by them to enforce the provisions of this Article.

G. “Noise Mitigation Plan” means a plan submitted by the applicant setting forth its plans for addressing noise impacts on surrounding residences, campgrounds and businesses if the Outdoor Event includes amplified sound.

H. “Outdoor Event” means any outdoor gathering, including but not limited to festivals, concerts, carnivals, fairs, ceremonies, cultural celebrations, block parties, weddings or other outdoor event, activity or entertainment which is held at any place other than a permanent building which has been permitted, designed and constructed or customarily used for the purpose of housing such activities.

I. “Parking and Traffic Circulation Plan” means a plan submitted by the applicant setting forth its plans to address anticipated parking demands and traffic circulation and control, including provisions for emergency vehicle access before, during and after an Outdoor Event, for each day of the event.

J. “Property” means any parcel or group of contiguous parcels of real property that may be separately sold in compliance with the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the California Government Code) which are held in whole or in part by the same owner or owners, as reflected on the latest equalized Assessor’s roll.
K. “Sheriff” means the Nevada County Sheriff or Undersheriff, or any Captain within the Nevada County Sheriff’s Office as may be designated by the Sheriff to review permit applications in accordance with this Article.

L. “Sponsors” and “Promoters” means all persons, business entities or organizations having a direct financial interest in the proceeds to be derived from the outdoor event, whether such proceeds arise from ticket sales, sales of food, goods or services, use or rental of the property or facility (or any portion thereof), sales of film, radio, television or sound recording rights, or otherwise.

Sec. G-V 2.3 Permit Required; Prohibited Activities

A. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on Property with a gross area of more than 5 acres in the unincorporated area of the County of Nevada without first obtaining a permit to do so from the County.

B. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on a Property with a gross area of 5 acres or less in the unincorporated area of the County of Nevada.

Sec. G-V 2.4 Exemptions

A. No permit shall be required for any Commercial Outdoor Event if the event is held at a public or private facility which meets the following requirements:

1. The facility is permitted for large Commercial Outdoor Events in accordance with the County’s Land Use and Development Code; and,

2. The facility is constructed for, and customarily and lawfully used for large Outdoor Events, including open air stadiums, ski resort areas, public parks, fair grounds, etc.; and,

3. The facility has permanently installed water, sanitation, access and parking facilities in accordance with County codes and which are adequate to accommodate the number of people in attendance.

B. No permit shall be required for any Outdoor Event sponsored, promoted and conducted by a tax exempt 501(c)(3) or 501(c)(4) organization or a state registered campaign committee, provided: (a) no financial consideration or other compensation is provided to the property owner for use of the property, (b) all proceeds from the event shall be for the sole benefit of the tax exempt organization or registered campaign committee, and (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with any Outdoor Event held at the event location or
at any Outdoor Event sponsored, promoted or conducted by the organization or committee.

C. No permit shall be required for a private “by-invitation-only” Outdoor Event such as a wedding, memorial service, family reunion, birthday party, or similar private event, if no fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event.

Sec. G-V 2.5 Outdoor Events For Which No Permit is Required

A. For any Outdoor Event which is not required to obtain a permit under this Article:
   1. At least fifteen (15) days prior to the date of the Outdoor Event, the event sponsors and promoters, and/or the property owner are encouraged to provide the Community Development Agency, Sheriff and the local agency responsible for fire protection with the following information:
      a. Written notice of the Outdoor Event, including the date or dates and hours during which the Outdoor Event is to be conducted, an estimate of the maximum number of people who will attend the event, and the name, age, telephone number and mailing address of the primary contact person(s) responsible for managing the event.
   2. All Outdoor Events which are not required to obtain a permit, shall comply with the following health and safety requirements:
      b. All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.
      c. No overnight Camping shall be allowed in residential areas.
      d. Vehicles shall not be parked in any manner that would create a traffic hazard or impede the ingress or egress of emergency response vehicles, as determined by Community Development Agency, the Sheriff or the Local Fire Official. Vehicles may be parked on private property other than the event property with written permission from the property owner.
e. Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for collection of waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

f. In addition to the above, the Outdoor Event host and property owner shall generally conduct the event in a manner that minimizes impacts on the surrounding neighborhood.

g. Failure to comply with above requirements may result in enforcement action as provided in this Article, including summary closure of the event and penalties as provided in Sections G-V 2.12 and G-V 2.13.

Sec. G-V 2.6 Application for Permit - Time Requirement

An application for a Commercial Outdoor Event permit shall be made in writing to the Community Development Agency and shall be accompanied by a non-refundable application fee in an amount approved by resolution of the Board of Supervisors. The application shall be signed by the owner of the property on which the Outdoor Event will occur and all Sponsors and Promoters of the Outdoor Event. The application shall be filed with the Community Development Agency at least sixty (60) days prior to the date upon which the proposed Outdoor Event is to commence. Incomplete applications and those submitted less than sixty (60) days prior to the date of the proposed Outdoor Event may, at the discretion of the Community Development Agency, be summarily denied. One application may be used to request up to eight (8) Outdoor Event permits per Property per calendar year.

Sec. G-V 2.7 Application for Permit - Content

A. The application for a Commercial Outdoor Event shall include the following information:

1. **Identification of Applicants and Owners.** The name(s), age(s), residence(s) and mailing address(es), and twenty-four hour telephone number of each person making the application and the owner(s) of any property on which the proposed Outdoor Event (including vehicle parking) will be held. If the Outdoor Event is to be held for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the
organization and the name and address of the authorized responsible representatives of the organization.

2. **Primary Contact Information.** The name and cellular or other twenty-four hour telephone number for the primary contact person(s) responsible for organizing the Outdoor Event and on-site management on the day(s) of the event.

3. **Description of the Outdoor Event.** A description of the proposed Outdoor Event, including any historical or promotional information, the date or dates of the event and the hours during which the applicant proposed to conduct the event.

4. **Identification of the Premises.** The exact location, legal description, and area of the premises on which the Outdoor Event and all related activities, including parking, will be held.

5. **Prior Experience of Applicants.** For each applicant, a brief explanation of his or her experience planning, managing and/or operating Outdoor Events, with particular emphasis on experience handling events which are of a similar size and nature as the proposed event for which a permit is requested. The Community Development Agency may require applicants to provide a list of references related to the applicant’s prior experience with Outdoor Events.

6. **Statement of Maximum Attendance.** A statement regarding the maximum number of persons to be allowed in attendance at the Outdoor Event on each day. The Community Development Agency may use discretion in determining whether or not the proposed Outdoor Event is likely to attract more than the stated number of attendees and may modify permit conditions accordingly. The maximum number of people in attendance at the event shall not exceed the number approved under the permit.

7. **Provisions for Public Health and Safety.** An Emergency Services and Fire Safety Plan, a Noise Mitigation Plan, a Parking and Traffic Control Plan and detailed statements regarding the applicant’s plans to supply emergency communications, policing and security protection, food and water, sanitation facilities, sound and lighting equipment, medical facilities and medical services, fire protection, vehicle parking, vehicle access and on-site traffic control, garbage, trash and litter cleanup, and proof that the applicant possesses or is able to obtain all licenses and permits required by the County or by state law for the Outdoor Event. Applicants may be required to hire, at the applicant’s expense, security from a licensed, bonded security company and/or law enforcement, medical, fire or other emergency services personnel for the Outdoor Event. If alcohol will be served at the event, the applicant will provide a copy of the appropriate
permit issued by the Department of Alcoholic Beverage Control prior to commencement of the Outdoor Event.

8. **Contingency Plan.** A detailed statement of the applicant’s plans in the event that the number of persons in attendance exceeds the maximum attendance.

9. **Event Site Plan.** An event site plan or diagram showing:
   a. The location of the property on which the proposed Outdoor Event and all related activities will be held.
   b. The location of adjacent roads, lots, and residences, and the location and time that any roads are to be blocked or closed.
   c. The parking and traffic flow and control plan, including all access ways to and from the property and all interior access ways on the property.
   d. The location of all buildings and structures on the property or to be erected thereon, including but not limited to, all bandstands, stages, tents or other facilities for performers, and bleachers, tents, or seats for those attending.
   e. The location, time and type of any entertainment, whether amplification will be used and the location and orientation of loudspeakers.
   f. The location, style, wattage and orientation of all temporary lighting.
   g. The location of all toilets, medical facilities, emergency communications, generators, drinking facilities, fire pits or barbecues, and solid waste receptacles.

10. **Statement of Responsibility.** A statement by the applicant and the property owner agreeing to comply with all federal, state and local laws and Outdoor Event permit conditions, and to assume financial responsibility for all fines, penalties or other monetary sanctions imposed for violations of this Article. If the Outdoor Event is to be held for, on the behalf of, or by an organization, the authorized responsible representatives of the organization shall also sign this statement.

11. **Consent to Enter.** A consent for any peace officer, fire official, health officer, or other County official to enter the Outdoor Event area and the property on which the event will be located at any time, in the course and scope of his or her duties.
12. **Additional Information.** Any additional information related to health and safety which the Community Development Agency determines is reasonably necessary to make a determination as to whether an Outdoor Event permit should be issued.

13. **Notice to Neighbors.** Within five days after an application has been filed with the Community Development Agency, the applicant shall send or personally deliver written notices of the Outdoor Event to all property owners within five hundred (500) feet of the premises on which the event will be held. Notices shall include a brief description of the event, the dates, times, locations and types of activities that will take place during the event, and any additional information required by the Community Development Agency. The applicant shall prepare and submit with the application a copy of the written notice to be mailed to the neighbors, together with the list of properties, property owners and addresses to whom the notice will be sent.

**Sec. G-V 2.8 Regulations for Outdoor Events**

All Commercial Outdoor Events for which a permit is required shall comply with the following minimum conditions:

A. **Hours.** Outdoor Events shall not open prior to 9 a.m. and shall close by 10 p.m.; provided, however, that Outdoor Events in non-residential areas shall close by 11 p.m. on Fridays and Saturdays. Permitted hours of operation may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended hours will not adversely impact owners or users of, or allowed uses on, surrounding properties.

B. **Toilet Facilities.** Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

C. **Solid Waste Disposal.** The applicant and property owner shall provide for the collection of solid waste and litter. Separate containers shall be provided for the collection of recyclable materials. All solid waste, litter and recyclable materials shall be removed from the site within twenty-four (24) hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on-site accumulations which would create a nuisance or pose a health hazard. All solid waste must be deposited at the County transfer station by a County approved garbage hauler.
and all recyclable materials conveyed to an approved recycling center. Event-related litter, posters and other signage and debris shall be removed from surrounding lands and roads within twenty-four (24) hours following the event.

D. **Compliance with County Building Codes and Fire Codes.** All structures, including tents and other temporary structures, and electrical work shall be permitted and installed in compliance with the County Building Code and shall comply with the setback requirements in the County Land Use and Development Code.

E. **Lighting.** All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

F. **Overnight Camping Facilities.** No overnight camping or campfires are allowed in association with Outdoor Events.

G. **Parking and Traffic Circulation.** Outdoor Events shall comply with the approved Parking and Traffic Circulation Plan. Vehicles shall not be parked in any manner that would create a traffic hazard or interfere with the ingress or egress of emergency vehicles as determined by the Community Development Agency, Sheriff or the Local Fire Official.

H. **Noise.** Outdoor Events shall comply with the approved Noise Mitigation Plan. Noise levels generated by Outdoor Events shall not exceed the standards set forth in Table L-II 4.1.7 (Exterior Noise Limits) of the Nevada County Zoning Ordinance applicable to the Land Use Category and Zoning District for the premises on which the outdoor event will be held.

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Zoning Districts</th>
<th>Time Period</th>
<th>Noise Level, dBA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural</td>
<td>AG, TPZ, AE, OS, FR, IDR</td>
<td>Start: 7 am, End: 7 pm</td>
<td>L eq: 55, L max: 75</td>
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<tr>
<td></td>
<td></td>
<td>Start: 7 pm, End: 10 pm</td>
<td>L eq: 50, L max: 65</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td>Residential and Public</td>
<td>RA, R1, R2, R3, P</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Start: 7 pm, End: 10 pm</td>
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<tr>
<td></td>
<td></td>
<td>Start: 10 pm, End: 7 am</td>
<td>L eq: 45, L max: 60</td>
</tr>
<tr>
<td>Commercial and Recreation</td>
<td>C1, CH, CS, C2, C3, OP, REC</td>
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<tr>
<td></td>
<td></td>
<td>Start: 7 pm, End: 7 am</td>
<td>L eq: 65, L max: 75</td>
</tr>
</tbody>
</table>
I. **Days.** Outdoor Events shall have a maximum length of two (2) days, or 48 hours, per event. The maximum length of the event may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended days will not adversely impact owners or users of, or allowed uses on, surrounding properties.

Sec. G-V 2.9 Processing Application; Bonds; Appeals

A. Upon receipt of a complete application and application fee, the Community Development Agency shall distribute copies of the application to all other affected public agencies and County departments, together with a request for their input and comments. If administratively possible, all responses shall be due within eighteen (18) days from the date the application is deemed complete. Thereafter, the Community Development Agency shall promptly issue a permit for an Outdoor Event if the Community Development Agency determines based on the comments received and any other relevant evidence, that the Outdoor Event can be conducted in a manner which will not jeopardize the public’s health, safety and welfare.

B. The Community Development Agency shall impose conditions on the issuance of any permit consistent with the requirements in Section G-V 2.8, together with any such conditions as the Community Development Agency, Sheriff and/or Local Fire Official determines are reasonably necessary to protect the public health, safety and welfare.

C. The Community Development Agency shall notify the applicant in writing of the issuance or denial of a permit. If the Community Development Agency denies an application for a permit, the written notification shall include the basis for the decision. Whenever administratively possible, the Community Development Agency shall make the notification no later than thirty (30) days after the date the application was determined to be complete.

Sec. G-V 2.10 Effective Date of Permit; Separate Permit Required for Each Day; Permit Non-Transferable

A. An Outdoor Event permit shall be valid only for the date or dates stated on the permit. A permit licensing fee in accordance with the fee adopted by Resolution by the Board of Supervisors shall be due prior to issuance of the permit. The Community Development Agency may authorize a maximum of eight (8) separate Outdoor Events per property per 12-month period.

B. The Community Development Agency may renew an Outdoor Event permit for an event that is held on an annual basis without following the procedures of this Article.
if: (a) the permit holder, the location of the Outdoor Event and the owner of the property on which the Outdoor Event will be held remain the same; (b) the Outdoor Event will be substantially the same as it was in prior years; (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with the prior Outdoor Events or the location at which the Outdoor Event is being held; and (d) the permit holder provides a Primary Contact Person, Statement of Responsibility and Consent to Enter in accordance with Section G-V 2.7, in conjunction with a request to renew the permit. A request to renew an Outdoor Event permit shall be made in writing at least thirty (30) days prior to the event and shall be accompanied by a renewal permit fee in an amount approved by resolution of the Board of Supervisors.

C. No Outdoor Event permit shall be transferable to another person or entity, or removable to another location, date or time.

Sec. G-V 2.11 Commencement of Event; Inspection Required; Re-inspection Fee

Prior to commencement of the Outdoor Event, the applicant shall call the Community Development Agency and the Local Fire Official for an inspection of the event site to assure compliance with all permitting conditions. If the Community Development Agency, Sheriff, the Local Fire Official or other County official find that any conditions of the Outdoor Event permit or this Article have not been met, said official shall notify the applicant indicating the correction(s) to be made. If it is determined that additional inspections are required, the applicant shall pay a re-inspection fee in accordance with the County’s adopted fee schedules for each such additional inspection. The Outdoor Event may not commence until the applicant has submitted all required documentation, complied with any pre-conditions and paid all sums as required by this Article.

Sec. G-V 2.12 Revocation of Permits and Denial of Future Permits; Failure to Comply with Permit Conditions; Closure of Events

A. The Community Development Agency shall have the right to modify or revoke any permit or permits for any of the following causes:

1. The applicant fails, neglects or refuses to fulfill any of the requirements and/or conditions imposed upon the granting of an Outdoor Event permit or as otherwise required by this Article.

2. The applicant permits the Outdoor Event to be conducted in a disorderly manner.

3. The Outdoor Event is being held for an unlawful purpose and/or the applicant violates or attempts to violate any Federal or State law or County code.

4. If the Community Development Agency, Sheriff and/or the Local Fire Official determine that due to the scope of the Outdoor Event and the
number of safety personnel required to provide protection and traffic control, it is more likely than not that normal public safety protection elsewhere in the County or the local fire protection district cannot be provided continuously and safely for the duration of the Outdoor Event.

5. Upon request of the applicant, if the applicant demonstrates that the modification will not adversely impact owners or users of, or allowed uses on, surrounding properties, and either:

   a. The applicant demonstrates good cause for the modification; and/or
   b. The modification is necessary due to an unforeseen emergency or act of nature which is outside the applicant’s control.

   B. The Community Development Agency shall have the right to modify, deny or revoke any Outdoor Event permit if it appears, based on competent evidence, that the applicant has made a false, misleading or fraudulent statement of material fact in the permit application, or in any other document required pursuant to this Article. Prior to such denial or revocation, the Community Development Agency shall notify the applicant of the evidence and provide applicant with two (2) business days to rebut said evidence in writing.

   C. A finding that an applicant has materially violated or defaulted in the performance of any of the provisions in this Section G-V 2.12, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future Outdoor Events by that applicant. The finding that a parcel or property has a history of materially violating, or defaulting in the performance of, such provisions, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future events at that location.

   D. Written notice of a permit revocation or a change in permit conditions shall be personally delivered or sent by the Community Development Agency to the applicant and the property owner at their respective addresses given in the application. Such revocation shall become effective immediately after being ordered by the Community Development Agency.

   E. The Community Development Agency, Sheriff or Local Fire Official may suspend operation and close any Outdoor Event prior to the expiration of an Outdoor Event permit when, a shutdown becomes necessary to prevent injury to person or persons and/or damage to property, or the continued operation of the Outdoor Event constitutes an immediate and serious threat to the health or safety of persons or property. For purposes of this section, “an immediate and serious threat to health or safety” includes, but is not limited to, the occurrence of a riot, major disorder or serious breach of the peace; the occurrence of a public disaster, calamity, fire or other emergency; excessive calls for service related to assaults, battery, disorderly conduct and the like; overcrowding or allowing significantly more attendees at the event than approved under the Outdoor Event permit; or other gross or willful violations of federal, state or local law
which create an immediate and serious risk of damage, injury or death to event participants, surrounding properties, or emergency services personnel.

F. The Community Development Agency or Sheriff may immediately terminate, suspend and close any Outdoor Event which fails to obtain or maintain a valid permit in accordance with this Article, or which commences in violation of Section G-V 2.11, above.

Sec. G-V 2.13 Penalties

Violations of this Article shall be enforced in accordance with Section L-II 5.21 Enforcement and Penalty for Violations of Chapter II: Zoning Regulations of the Land Use and Development Code.

Sec. G-V 2.14 Appeal Process

An appeal of the determination of the Community Development Agency shall be conducted in accordance with Section L-II 5.12 Appeals of Chapter II: Zoning Regulations of the Land Use and Development Code. The appeal shall not be valid and shall not be processed unless accompanied by an appeal fee in an amount established by resolution of the Board of Supervisors, which may be amended from time to time.

Sec. G-V 2.15 Other Requirements Not Waived

Nothing in this Article shall be deemed to waive any other local, state or federal requirements which may apply to the Outdoor Event.
Sec. G-V 2.1 Findings

A. The County encourages and supports responsible planning, management and operation of Outdoor Events held in the County’s unincorporated area.

B. The Board of Supervisors finds that there have been increased demands upon County resources and infrastructure and increasing concerns related to the operation of Outdoor Events on private property. In order to adequately protect the public health, safety and welfare of event participants, neighboring property owners, other residents and the community at large, and to mitigate the special impacts created by these events, it is necessary to provide greater guidance and oversight regarding Outdoor Events, especially in connection with Commercial Outdoor Events that are conducted “for profit” on property that has not been fully permitted and constructed to accommodate such a use.

C. The intent of this Article is to ensure that the County will have adequate advance notice of Outdoor Events and the ability to plan and allocate County resources and services that may be needed to support such events, to mitigate the special impacts created by Outdoor Events in rural areas, and to ensure that Outdoor Events are planned, managed and operated in a safe and responsible manner.

D. The proximity of neighboring properties, difficult topography and terrains, and limited usable area footprints on small rural properties create physical constraints which interfere with the ability to adequately mitigate noise, parking, light and glare, and other special health and safety impacts associated with Commercial Outdoor events. Therefore, the Board of Supervisors finds and determines that it is not appropriate or feasible to allow Commercial Outdoor Events on small rural parcels of less than five (5) acres or less.

E. It is the intent of the Board of Supervisors in adopting this Chapter to mitigate the special impacts created by Outdoor Events without infringing upon the rights of speech and assembly as guaranteed under the federal and state constitutions. This Chapter shall be interpreted in light of such constitutional provisions and interpreted consistently therewith. In no event shall the content of such proposed speech be considered a basis for approval or denial of an application or the imposition of conditions on an Outdoor Event Permit.

Sec. G-V 2.2 Definitions

As used herein, the following definitions shall apply:
A. “Camping” means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit overnight use.

B. “Commercial Outdoor Event” means an Outdoor Event at which any fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event.

B.C. “Community Development Agency” or “CDA” means the Community Development Agency of the County of Nevada, California.

C. “County” means the County of Nevada, California.

D. “Emergency Services and Fire Safety Plan” means a plan submitted by the applicant setting forth its plans for providing emergency services and evacuation, including fire prevention and fire suppression on any property used for an Outdoor Event, and including emergency medical services to attendees, performers, exhibitors, or other persons at the Outdoor Event.

E. “Local Fire Official” shall mean the CALFIRE unit chief or the Fire Chief of any local fire protection district located in whole or in part within the County of Nevada, and all chief officers, engineers and trained, professional prevention staff as may be designated by them to enforce the provisions of this Article.

F. “Noise Mitigation Plan” means a plan submitted by the applicant setting forth its plans for addressing noise impacts on surrounding residences, campgrounds and businesses if the Outdoor Event includes amplified sound.

G. “Outdoor Event” means any outdoor gathering, including but not limited to festivals, concerts, carnivals, fairs, ceremonies, cultural celebrations, block parties, weddings or other outdoor event, activity or entertainment which is held at any place other than a permanent building which has been permitted, designed and constructed or customarily used for the purpose of housing such activities.

H. “Parking and Traffic Circulation Plan” means a plan submitted by the applicant setting forth its plans to address anticipated parking demands and traffic circulation and control, including provisions for emergency vehicle access before, during and after an Outdoor Event, for each day of the event.

I. “Property” means any parcel or group of contiguous parcels of real property that may be separately sold in compliance with the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7 of the California Government Code) which are held in whole or in part by the same owner or owners, as reflected on the latest equalized Assessor’s roll.
J.K. “Sheriff” means the Nevada County Sheriff or Undersheriff, or any Captain within the Nevada County Sheriff’s Office as may be designated by the Sheriff to review issue permit applications in accordance with this Article.

K.L. “Sponsors” and “Promoters” means all persons, business entities or organizations having a direct financial interest in the proceeds to be derived from the outdoor event, whether such proceeds arise from ticket sales, sales of food, goods or services, use or rental of the property or facility (or any portion thereof), sales of film, radio, television or sound recording rights, or otherwise.

Sec. G-V 2.3 Permit Required; Prohibited Activities

A. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on Property with a gross area of more than 5 acres in the unincorporated area of the County of Nevada without first obtaining a permit to do so from the County.

B. It shall be unlawful for any person, business entity, or organization of any kind to advertise, maintain, operate, conduct, allow, or sell or furnish tickets or other types of authority for admission to, a Commercial Outdoor Event on a Property with a gross area of 5 acres or less in the unincorporated area of the County of Nevada.

Sec. G-V 2.4 Exemptions

A. No permit shall be required for any Commercial Outdoor Event if the event is held at a public or private facility which meets the following requirements:

1. The facility is permitted for large Commercial Outdoor Events in accordance with the County’s Land Use and Development Code; and,

2. The facility is constructed for, and customarily and lawfully used for large Outdoor Events, including open air stadiums, ski resort areas, public parks, fair grounds, etc.; and,

3. The facility has permanently installed water, sanitation, access and parking facilities in accordance with County codes and which are adequate to accommodate the number of people in attendance.

B. No permit shall be required for any Outdoor Event sponsored, promoted and conducted by a tax exempt 501(c)(3) or 501(c)(4) organization or a state registered campaign committee, provided: (a) no financial consideration or other compensation is provided to the property owner for use of the property, (b) all proceeds from the event
shall be for the sole benefit of the tax exempt organization or registered campaign committee, and (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with any Outdoor Event held at the event location or at any Outdoor Event sponsored, promoted or conducted by the organization or committee.

C. No permit shall be required for a private “by-invitation-only” Outdoor Event such as a wedding, memorial service, family reunion, birthday party, or similar private event, if no fee or other financial consideration is charged to vendors, sponsors, promoters or attendees for participation in and/or admission to the gathering, use or rental of the property or facility (or any portion thereof), or the sale of food, goods or services sold to attendees at or in connection with the event. (Ord. 2383, 8/26/14)

Sec. G-V 2.5 Outdoor Events For Which No Permit is Required

A. For any Outdoor Event which is not required to obtain a permit under this Article:

1. At least fifteen (15) days prior to the date of the Outdoor Event, the event sponsors and promoters, and/or the property owner are encouraged to provide the Community Development Agency, Sheriff and the local agency responsible for fire protection with the following information:

   a. Written notice of the Outdoor Event, including the date or dates and hours during which the Outdoor Event is to be conducted, an estimate of the maximum number of people who will attend the event, and the name, age, telephone number and mailing address of the primary contact person(s) responsible for managing the event.


2. All Outdoor Events which are not required to obtain a permit, shall comply with the following health and safety requirements:


   b. All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

   c. No overnight Camping shall be allowed in residential areas.

   d. Vehicles shall not be parked in any manner that would create a traffic hazard or impede the ingress or egress of emergency response vehicles, as determined by Community Development Agency, the
Sheriff or the Local Fire Official. Vehicles may not be parked on private property other than the event property without written permission from the property owner.

e. Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for collection of waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

f. In addition to the above, the Outdoor Event host and property owner shall generally conduct the event in a manner that minimizes impacts on the surrounding neighborhood.

g. Failure to comply with above requirements may result in enforcement action as provided in this Article, including summary closure of the event and penalties as provided in Sections G-V 2.12 and G-V 2.13.

Sec. G-V 2.6 Application for Permit - Time Requirement

An application for a Commercial Outdoor Event permit shall be made in writing to the Sheriff’s Office-Community Development Agency and shall be accompanied by a non-refundable application fee in an amount approved by resolution of the Board of Supervisors. The application shall be signed by the owner of the property on which the Outdoor Event will occur and all Sponsors and Promoters of the Outdoor Event. The application shall be filed with the Sheriff-Community Development Agency at least sixty (60) days prior to the date upon which the proposed Outdoor Event is to commence. Incomplete applications and those submitted less than sixty (60) days prior to the date of the proposed Outdoor Event may, at the discretion of the Community Development AgencySheriff, be summarily denied. One application may be used to request up to four eight (8) Outdoor Event permits per Property per calendar year.

Sec. G-V 2.7 Application for Permit - Content

A. The application for a Commercial Outdoor Event shall include the following information:

1. Identification of Applicants and Owners. The name(s), age(s), residence(s) and mailing address(es), and twenty-four hour telephone number of each person making the application and the owner(s) of any
property on which the proposed Outdoor Event (including vehicle parking) will be held. If the Outdoor Event is to be held for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and the name and address of the authorized responsible representatives of the organization.

2. **Primary Contact Information.** The name and cellular or other twenty-four hour telephone number for the primary contact person(s) responsible for organizing the Outdoor Event and on-site management on the day(s) of the event.

3. **Description of the Outdoor Event.** A description of the proposed Outdoor Event, including any historical or promotional information, the date or dates of the event and the hours during which the applicant proposed to conduct the event.

4. **Identification of the Premises.** The exact location, legal description, and area of the premises on which the Outdoor Event and all related activities, including parking, will be held.

5. **Prior Experience of Applicants.** For each applicant, a brief explanation of his or her experience planning, managing and/or operating Outdoor Events, with particular emphasis on experience handling events which are of a similar size and nature as the proposed event for which a permit is requested. The Sheriff-Community Development Agency may require applicants to provide a list of references related to the applicant’s prior experience with Outdoor Events.

6. **Statement of Maximum Attendance.** A statement regarding the maximum number of persons to be allowed in attendance at the Outdoor Event on each day. The Community Development Agency Sheriff may use discretion in determining whether or not the proposed Outdoor Event is likely to attract more than the stated number of attendees and may modify permit conditions accordingly. The maximum number of people in attendance at the event shall not exceed the number approved under the permit.

7. **Provisions for Public Health and Safety.** An Emergency Services and Fire Safety Plan, a Noise Mitigation Plan, a Parking and Traffic Control Plan and detailed statements regarding the applicant's plans to supply emergency communications, policing and security protection, food and water, sanitation facilities, sound and lighting equipment, medical facilities and medical services, fire protection, vehicle parking, vehicle access and on-site traffic control, garbage, trash and litter cleanup, and proof that the applicant possesses or is able to obtain all licenses and permits required by the County or by state law for the Outdoor Event. Applicants may be
required to hire, at the applicant’s expense, security from a licensed, bonded security company and/or law enforcement, medical, fire or other emergency services personnel for the Outdoor Event. If alcohol will be served at the event, the applicant will provide a copy of the appropriate permit issued by the Department of Alcoholic Beverage Control prior to commencement of the Outdoor Event.

8. **Contingency Plan.** A detailed statement of the applicant’s plans in the event that the number of persons in attendance exceeds the maximum attendance.

9. **Event Site Plan.** An event site plan or diagram showing:

   a. The location of the property on which the proposed Outdoor Event and all related activities will be held.

   b. The location of adjacent roads, lots, and residences, and the location and time that any roads are to be blocked or closed.

   c. The parking and traffic flow and control plan, including all access ways to and from the property and all interior access ways on the property.

   d. The location of all buildings and structures on the property or to be erected thereon, including but not limited to, all bandstands, stages, tents or other facilities for performers, and bleachers, tents, or seats for those attending.

   e. The location, time and type of any entertainment, whether amplification will be used and the location and orientation of loudspeakers.

   f. The location, style, wattage and orientation of all temporary lighting.

   g. The location of Camping or other overnight areas.

   gh. The location of all toilets, medical facilities, emergency communications, generators, drinking facilities, fire pits or barbecues, and solid waste receptacles.

10. **Statement of Responsibility.** A statement by the applicant and the property owner agreeing to comply with all federal, state and local laws and Outdoor Event permit conditions, and to assume financial responsibility for all fines, penalties or other monetary sanctions imposed for violations of this Article. If the Outdoor Event is to be held for, on the behalf of, or by an
organization, the authorized responsible representatives of the organization shall also sign this statement.

11. **Insurance.** Prior to issuance of a permit for any Outdoor Event, but not less than twenty-one (21) days before the date of the event, the applicant shall provide: (a) a commercial liability insurance policy in the minimum amount of one million dollars ($1,000,000.00) and (b) an executed release and waiver of liability in favor of the County, in the forms and on terms acceptable to the County Risk Manager. The Risk Manager may impose additional insurance requirements depending on the size, nature and risk associated with the proposed Outdoor Event. The insurance shall name the County of Nevada, the Outdoor Event, the event sponsors and promoters, the property owners and their respective officers, agents and employees, as additionally insured parties to the event.

12. **Consent to Enter.** A consent for any peace officer, fire official, health officer, or other County official to enter the Outdoor Event area and the property on which the event will be located at any time, in the course and scope of his or her duties.

13. **Statements of Criminal Record.** A statement by each applicant indicating whether he or she has been convicted within the last five years in any court of competent jurisdiction of:
   a. Any offense requiring registration under Section 290 of the California Penal Code; or
   b. Any violation of Chapter 7.5 (beginning with Section 311) of Title 9, Part 1, of the California Penal Code; or
   c. Any violation of subdivision (a), (b), or (d), of Section 647 of the California Penal Code; or
   d. Any violation of Section 315, 316, or 318 of the California Penal Code; or
   e. Any offense involving the use of force or violence upon the person or another; or
   f. Any offense involving maintenance of a nuisance in connection with the same or similar business operation.

14. **Additional Information.** Any additional information related to health and safety which the Community Development Agency Sheriff determines is reasonably necessary to make a determination as to whether an Outdoor Event permit should be issued.
Notice to Neighbors. Within five days after an application has been filed with the Sheriff/Community Development Agency, the applicant shall send or personally deliver written notices of the Outdoor Event to all property owners within five hundred (500) feet of the premises on which the event will be held. Notices shall include a brief description of the event, the dates, times, locations and types of activities that will take place during the event, and any additional information required by the Community Development Agency/Sheriff or the Planning Director. The applicant shall prepare and submit with the application a copy of the written notice to be mailed to the neighbors, together with the list of properties, property owners and addresses to whom the notice will be sent. (Ord. 2383, 8/26/14)

Sec. G-V 2.8 Regulations for Outdoor Events

All Commercial Outdoor Events for which a permit is required shall comply with the following minimum conditions:

A. Hours. Outdoor Events shall not open prior to 9 a.m. and shall close by 10 p.m.; provided, however, that Outdoor Events in non-residential areas shall close by 11 p.m. on Fridays and Saturdays. Permitted hours of operation may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended hours will not adversely impact owners or users of, or allowed uses on, surrounding properties.

B. Toilet Facilities. Adequate toilet facilities shall be provided. Adequate toilet facilities can include the use of portable toilets with portable hand washing stations. Based upon the number of attendees, the requirement is one portable toilet per 50 persons and shall include a portable hand washing station that is stocked with water, paper towels and hand soap. A waste receptacle shall be located near the hand washing station for waste paper towels. A minimum of one ADA compliant portable toilet is required if portable toilet facilities are used. Permanent public or common use toilets shall comply with the Federal ADA accessibility guidelines. Use of toilet facilities connected to the Nevada County Sanitation District system must be approved in writing in advance of any Outdoor Event.

C. Solid Waste Disposal. The applicant and property owner shall provide for the collection of solid waste and litter. Separate containers shall be provided for the collection of recyclable materials. All solid waste, litter and recyclable materials shall be removed from the site within twenty-four (24) hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on-site accumulations which would create a nuisance or pose a health hazard. All solid waste must be deposited at the County transfer station by a County approved garbage hauler and all recyclable materials conveyed to an approved recycling center. Event-related litter, posters and other signage and debris shall be removed from surrounding lands and roads within twenty-four (24) hours following the event.
D. **Compliance with County Building Codes.** All structures, including tents and other temporary structures, and electrical work shall be permitted and installed in compliance with the County Building Code and shall comply with the setback requirements in the County Land Use and Development Code.

E. **Lighting.** All temporary lighting shall be shielded, directed away from property lines and located as far away from adjacent properties as reasonably possible so as to minimize light and glare impacts to adjacent properties and the surrounding neighborhood.

F. **Overnight Camping Facilities.** No overnight camping or campfires are allowed in association with Outdoor Events. For any Outdoor Event which will last more than one day or at which persons will remain overnight on the premises, applicants shall provide or make available firewood and appropriate overnight areas; provided, however, that the use of campfires and barbecues shall only be allowed on the premises with the prior, written permission of the Local Fire Official.

G. **Parking and Traffic Circulation.** Outdoor Events shall comply with the approved Parking and Traffic Circulation Plan. Vehicles shall not be parked in any manner that would create a traffic hazard or interfere with the ingress or egress of emergency vehicles as determined by the [Community Development Agency](#), Sheriff or the Local Fire Official.

H. **Noise.** Outdoor Events shall comply with the approved Noise Mitigation Plan. Noise levels generated by Outdoor Events shall not exceed the standards set forth in Table L-II 4.1.7 (Exterior Noise Limits) of the Nevada County Zoning Ordinance applicable to the Land Use Category and Zoning District for the premises on which the outdoor event will be held.

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Zoning Districts</th>
<th>Time Period</th>
<th>Noise Level, dBA</th>
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<td>End</td>
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<td>55</td>
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<td></td>
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<td></td>
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<td>Residential and Public</td>
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<td>45</td>
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<tr>
<td>Commercial and Recreation</td>
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</tr>
<tr>
<td></td>
<td>7 pm</td>
<td>7 am</td>
<td>65</td>
</tr>
</tbody>
</table>
I. **Days.** Outdoor Events shall have a maximum length of two (2) days, or 48 hours, per event. The maximum length of the event may be extended if the applicant demonstrates good cause for the extension and demonstrates that the extended days will not adversely impact owners or users of, or allowed uses on, surrounding properties. *(Ord. 2383, 8/26/14)*

**Sec. G-V 2.9 Processing Application; Bonds; Appeals**

A. Upon receipt of a complete application and application fee, the Community Development Agency Sheriff shall promptly distribute copies of the application to all other affected public agencies and County departments, together with a request for their input and comments. If administratively possible, all responses shall be due within eighteen (18) days from the date the application is deemed complete. Thereafter, the Sheriff Community Development Agency shall promptly issue a permit for an Outdoor Event if the Community Development Agency Sheriff determines, based on his or her own investigation, the comments received and any other relevant evidence, that the Outdoor Event can be conducted in a manner which will not jeopardize the public’s health, safety and welfare.

B. The Community Development Agency Sheriff shall impose conditions on the issuance of any permit consistent with the requirements in Section G-V 2.8, together with any such conditions as the Community Development Agency or Sheriff determines are reasonably necessary to protect the public health, safety and welfare. The Sheriff may also require that the applicant post reasonable security in order to guarantee that the conditions of the permits are met. Any security required shall be in a form satisfactory to the Nevada County Counsel or designee and shall be posted before the earlier of: (a) any tickets for admission are offered for sale, or (b) three weeks before the event. The security shall be subject to attachment should the applicant fail to comply with any condition of its permit or any provision in this Article. The costs of any remedial steps undertaken by the County and/or any of its agents, contractors, officers, and/or employees as a result of any violation of this Article, together with any penalties which may occur as a result of such actions, shall be proper charges against the security. The applicant and its surety shall be required to indemnify and to defend the County of Nevada, its agents, officers, and/or employees against any and all loss, injury and damage of any nature whatsoever arising out of, or in any way connected with, the Outdoor Event.

C. The Community Development Agency Sheriff shall notify the applicant in writing of the issuance or denial of a permit. If the Community Development Agency Sheriff denies an application for a permit, the written notification shall include the
basis for the decision. Whenever administratively possible, the Community Development Agency Sheriff shall make the notification no later than thirty (30) days after the date the application was determined to be complete. (Ord. 2383, 8/26/14)

Sec. G-V 2.10 Effective Date of Permit; Separate Permit Required for Each Day; Permit Non-Transferable

A. An Outdoor Event permit shall be valid only for the date or dates stated on the permit. A permit licensing fee in accordance with the fee adopted by Resolution by the Board of Supervisors of one hundred dollars ($100.00) for each day of an approved Outdoor Event shall be due prior to issuance of the permit. The Community Development Agency Sheriff may authorize a maximum of eight (8) four (4) separate Outdoor Events per property per 12-month period.

B. The Community Development Agency Sheriff may renew an Outdoor Event permit for an event that is held on an annual basis without following the procedures of this Article if: (a) the permit holder, the location of the Outdoor Event and the owner of the property on which the Outdoor Event will be held remain the same; (b) the Outdoor Event will be substantially the same as it was in prior years; (c) there is no history of substantiated complaints and/or calls for law enforcement services in connection with the prior Outdoor Events or the location at which the Outdoor Event is being held; and (d) the permit holder provides a Primary Contact Person, Insurance Policy, Statement of Responsibility and Consent to Enter in accordance with Section G-V 2.7, in conjunction with a request to renew the permit. A request to renew an Outdoor Event permit shall be made in writing at least thirty (30) days prior to the event and shall be accompanied by a renewal permit fee in an amount approved by resolution of the Board of Supervisors.

C. No Outdoor Event permit shall be transferable to another person or entity, or removable to another location, date or time. (Ord. 2383, 8/26/14)

Sec. G-V 2.11 Commencement of Event; Inspection Required; Re-inspection Fee

Prior to commencement of the Outdoor Event, the applicant shall call the Community Development Agency Sheriff and the Local Fire Official for an inspection of the event site to assure compliance with all permitting conditions. If the Community Development Agency, Sheriff, the Local Fire Official or other County official find that any conditions of the Outdoor Event permit or this Article have not been met, said official shall notify the applicant indicating the correction(s) to be made. If it is determined that additional inspections are required, the applicant shall pay a re-inspection fee in accordance with the County’s adopted fee schedules for each such additional inspection. The Outdoor Event may not commence until the applicant has submitted all required documentation, complied with any pre-conditions and paid all sums as required by this Article. (Ord. 2383, 8/26/14)

Sec. G-V 2.12 Revocation of Permits and Denial of Future Permits; Failure to Comply with Permit Conditions; Closure of Events
A. The Community Development Agency Sheriff shall have the right to modify or revoke any permit or permits for any of the following causes:

1. The applicant fails, neglects or refuses to fulfill any of the requirements and/or conditions imposed upon the granting of an Outdoor Event permit or as otherwise required by this Article.

2. The applicant permits the Outdoor Event to be conducted in a disorderly manner.

3. The Outdoor Event is being held for an unlawful purpose and/or the applicant violates or attempts to violate any Federal or State law or County code.

4. If the Community Development Agency Sheriff and/or the Local Fire Official determine that due to the scope of the Outdoor Event and the number of safety personnel required to provide protection and traffic control, it is more likely than not that normal public safety protection elsewhere in the County or the local fire protection district cannot be provided continuously and safely for the duration of the Outdoor Event.

5. Upon request of the applicant, if the applicant demonstrates that the modification will not adversely impact owners or users of, or allowed uses on, surrounding properties, and either:

   (a) The applicant demonstrates good cause for the modification; and/or
   (b) The modification is necessary due to an unforeseen emergency or act of nature which is outside the applicant’s control.

B. The Community Development Agency Sheriff shall have the right to modify, deny or revoke any Outdoor Event permit if it appears, based on competent evidence, that the applicant has made a false, misleading or fraudulent statement of material fact in the permit application, or in any other document required pursuant to this Article. Prior to such denial or revocation, the Community Development Agency Sheriff shall notify the applicant of the evidence and provide applicant with two (2) business days to rebut said evidence in writing.

C. A finding that an applicant has materially violated or defaulted in the performance of any of the provisions in this Section G-V 2.12, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future Outdoor Events by that applicant. The finding that a parcel or property has a history of materially violating, or defaulting in the performance of, such provisions, shall constitute just cause for denying or revoking, or for revoking and reinstating upon suitable conditions, any other permits for future events at that location.
D. Written notice of a permit revocation or a change in permit conditions shall be personally delivered or sent by the Community Development Agency Sheriff to the applicant and the property owner at their respective addresses given in the application. Such revocation shall become effective immediately after being ordered by the Community Development Agency Sheriff.

E. The Community Development Agency or Sheriff may suspend operation and close any Outdoor Event prior to the expiration of an Outdoor Event permit when, in his or her opinion, a shutdown becomes necessary to prevent injury to person or persons and/or damage to property, or the continued operation of the Outdoor Event constitutes an immediate and serious threat to the health or safety of persons or property. For purposes of this section, “an immediate and serious threat to health or safety” includes, but is not limited to, the occurrence of a riot, major disorder or serious breach of the peace; the occurrence of a public disaster, calamity, fire or other emergency; excessive calls for service related to assaults, battery, disorderly conduct and the like; overcrowding or allowing significantly more attendees at the event than approved under the Outdoor Event permit; or other gross or willful violations of federal, state or local law which create an immediate and serious risk of damage, injury or death to event participants, surrounding properties, or emergency services personnel.

F. The Community Development Agency or Sheriff may immediately terminate, suspend and close any Outdoor Event which fails to obtain or maintain a valid permit in accordance with this Article, or which commences in violation of Section G-V 2.11, above. (Ord. 2383, 8/26/14)

Sec. G-V 2.13 Penalties

A. Violations of this Article shall be enforced in accordance with Section L-II 5.21 Enforcement and Penalty for Violations of Chapter II: Zoning Regulations of the Land Use and Development Code. a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00), or by imprisonment in the County jail for not more than six months, or by both such fine and imprisonment. For each such violation, a separate offense shall be deemed to have been committed for each day that such violation continues.

B. In addition to the criminal penalties provided for herein, any violation of or failure to comply with any provision of this Article is hereby declared to be a nuisance. Any person who violates or fails to comply with any provision of this Article, shall be liable for a civil penalty, which may be affixed and levied by the Sheriff, of up to five thousand dollars ($5,000.00) per violation for each day that a violation exists. The Sheriff and/or the County may also take any other legal action as may be authorized under State or local law to abate or enforce the provisions of this Article, including but not limited to commencement of a civil action to redress, enjoin or abate any violation of this Article.

Sec. G-V 2.14 Appeal Process
An appeal of the determination of the Community Development Agency shall be conducted in accordance with Section L-II 5.12 Appeals of Chapter II: Zoning Regulations of the Land Use and Development Code. The applicant may appeal the denial of a permit or the imposition of any condition on a permit to the County Executive Officer or designee (“CEO”) by filing a notice of appeal with the Clerk of the Board of Supervisors. This appeal shall be filed by the later of: (a) seven (7) days after issuance of the Sheriff’s decision on the permit, or (b) twenty (20) days prior to the date of the proposed Outdoor Event. The Clerk of the Board of Supervisors shall schedule an appeal hearing with the CEO. The appeal shall not be valid and shall not be processed unless accompanied by an appeal fee in an amount established by resolution of the Board of Supervisors, which may be amended from time to time. Upon scheduling the hearing the Clerk shall promptly notify all affected public agencies and County Departments of the hearing date. At the hearing, the CEO may uphold, modify or overturn the action of the Sheriff if the CEO finds that, in taking such action, the public health, safety and welfare has been adequately protected. (Ord. 2383, 8/26/14)

Sec. G-V 2.15 Other Requirements Not Waived

Nothing in this Article shall be deemed to waive any other local, state or federal requirements which may apply to the Outdoor Event. (Ord. 2383, 8/26/14)
BACKGROUND - CURRENT ORDINANCE

- Outdoor Event Ordinance contained in Title 2 of the General Code
- Adopted in 2014
  - Multiple Board meetings and issues discussed: neighborhood protection, industry concerns
- 5+ years of operating
  - Issued 12 permits total
  - Minimal complaints of impacts on neighborhoods
  - Concern from the event community too limiting
    - Met with Grass Valley Chamber of Commerce (Ag. Community, other stakeholders) to discuss concerns
REQUEST FROM EVENT INDUSTRY, CHAMBERS AND STAKEHOLDERS

• Increase number of allowed events from 4 to 8 per year
  • Clarify offsite parking and sanitation requirements

• Board Workshop - January 2020
  • Board Direction to work with Chamber’s Committee on proposed changes
  • Bring amendments to Board before event season
ORDINANCE AMENDMENTS

• Amendments
  • Increase number of allowed events from 4 to 8 per year
  • Removed Sheriff Office and replaced with CDA as permit issuing agency
    • Sheriff’s Office and Local Fire Departments still have review and enforcement abilities
  • Removed Commercial Insurance Policy and criminal record information
  • Clarified offsite parking provisions and onsite sanitation requirements
  • Prohibited Camping/Fires
  • Permit Fees in Ordinance – removed from ordinance, rely on fee schedule
  • Penalties and Appeal process changed to follow Land Use and Development Code
PROPOSED ORDINANCE

• Did NOT Change:
  • Minimum Parcel Size of 5 acres
  • Allowed Zoning Districts
  • Noise Limits
  • Hours of Operation
  • Event Sizes
  • Health/Safety/Fire Requirements
    • Traffic, Fire Safety, Compliance with Fire and Building Codes
COMMENT PERIOD

• Consulted with Grass Valley Chamber of Commerce Working Group
• Circulated the Draft Ordinance for Public Comment for 30 days
  • Comments from Consolidated Fire Department and Department of Public Works
  • Revisions made based on comments
RECOMMENDATION

• Approve Ordinance to amend Article 2 of Chapter V of the General Code: Outdoor Events