



## Legislation Text

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**File #:** 2021-0706, **Version:** 1

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**To:** Sonoma County Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Bradley Dunn, Department Program Manager (707) 565-6196

**Vote Requirement:** Informational Only

**Supervisorial District(s):** Countywide

**Title:**

Special Events Permitting Reform

**Recommended Action:**

Receive an update on special events permitting and provide direction to staff regarding the Special Events Permitting Reform process.

**Executive Summary:**

Permit Sonoma is leading an effort to reform special events permitting. Special events are part of the county's cultural fabric and drive economic activity. Periodic special events and cultural events are events such as parades, concerts, festivals, races, and gatherings which attract, either by direct participation, or as spectators, a large gathering of people; they may occur in the public right of way or on private land. The current policy initiative seeks to improve the ministerial permitting process for special events, cultural events, and road encroachments. A separate policy initiative is in process to address Winery Events permitting.

Permit Sonoma issues ministerial special and cultural events in accordance with permitting standards that protect the public health and safety. A ministerial permit is a permit that is granted upon determination that a proposed project complies with established objective standards. The determinations involve little or no personal judgment, and are issued by authorized staff.

The Special Events Permitting Reform Project will propose ordinance and process improvements under the current framework to:

- A) Make events in the public right-of-way safer;
- B) Improve the community event calendar so event planners can minimize conflicts;
- C) Decrease burdens on applicants, first responders, and staff;
- D) Make events more sustainable with waste-diversion requirements; and
- E) Enhance intergovernmental communication and collaboration.

**Discussion:**

Sonomans and visitors enjoy a variety of events on private land and in the public right-of-way, ranging from parties, parades, to athletic events and other gatherings. Many of these events have become part of our cultural fabric - Penngrove's July Fourth "Biggest Little Parade in Northern California," Russian River Pride Parade, Geyserville Christmas Tractor Parade, Santa Rosa Marathon, and Levi's Gran Fondo.

Sonoma County remains an in-demand destination for special events. Between 2016 and 2019, Sonoma County averaged annually 55 permitted events in the right-of-way, seven of these were athletic events which had 2,500 or more participants. During the same period, the Fire Marshall annually permitted an average of 108 special events on private property. In 2019, the largest event, Levi Leipheimer's King Ridge Grand Fondo, had 5,500 competitors plus spectators and support staff. Data from 2020 and 2021 was impacted by the COVID-19 pandemic and health orders limiting gatherings, making it less predictive for future years without said restrictions.

Events spur tourism and tax revenue. The Sonoma County Economic Development Board found that the 2017 Ironman race generated \$2.8 million of total economic impact for Sonoma County businesses and residents. That estimate included \$1.7 million of direct sales, bringing customers to local businesses, and generating tax revenue.

However, unregulated, uncoordinated, incompatible, and unpermitted events can also create negative impacts, frustrate disaster evacuations, block or slow emergency personnel responses, interfere with crop harvesting, cause traffic conflict and congestion, and disrupt neighborhoods.

The Board of Supervisors (Board) has enacted several measures to regulate and coordinate events and to ensure protection of the public health and safety. In 1985, the Board adopted Chapter 15, Article 6 to regulate events encroaching on the right-of-way. In 1993, the Board passed Ordinance 4643 authorizing regulation of cultural events on property in unincorporated Sonoma County through Chapter 26, Article 22.

Since 1994, the population of Sonoma County has grown by more than 25 percent, adding more than 100,000 residents. The [Sonoma County Travel Behavior Study <https://scta.ca.gov/wp-content/uploads/2020/02/Sonoma\\_TBS\\_2-7-2020\\_web.pdf>](https://scta.ca.gov/wp-content/uploads/2020/02/Sonoma_TBS_2-7-2020_web.pdf) documents that 1.2 million trips are taken, on an average Saturday or Sunday and that weekend trips are longer than weekday trips. The study also demonstrates that more trips originate outside Sonoma County on the weekend that likely bring drivers less familiar with local roads. When the effects of special events compound with normal local serving uses it creates situations with scarce road space, causing the negative impacts detailed above.

The Special Events Permitting Reform Project will propose ordinance and process improvements to:

- A) Make events in the public right-of-way safer;
- B) Improve the community event calendar to minimize conflicts;
- C) Require more sustainable events with waste diversion requirements;
- D) Make events more sustainable with waste-diversion requirements; and
- E) Enhance intergovernmental communication and collaboration.

### **Making Events in the Public Right-of-Way Safer**

Under Chapter 15, Article 6 of the current County Code, Permit Sonoma requires encroachment permits for events in the right-of-way to protect the health and safety of communities that host them. Unregulated and unpermitted special events road closures that intensify use of county roads can create negative impacts on response times for emergency personnel. Permits allow for Permit Sonoma, its law enforcement and first

responder partners, and the Transportation and Public Works Department to coordinate in the regulation of events to ensure protection of public health and safety, while also recovering costs.

The current ordinance has an exemption for bicycling events, no matter the size, that obey the California Vehicle Code (CVC). For such exempt events, notification of law enforcement and other agencies is not required. This exemption prevents the County from knowing about many events in advance and collaborating with law enforcement and first responders to improve public safety.

Without permitting and intergovernmental coordination, first responders often discover events as they are happening. Timber Cover Fire Chief Erich Lynn explains how unpermitted events burden their department: “Within the past month [June 2021] we have had two bike events on both rural county roads and Coast Highway 1 and given 24 hours (or less) notification. We are not a staffed station and normally for events such as this we give our volunteers notice to plan coverage. Events with 50+ cyclists and no time to plan are a recipe for disaster.” Without the cost recovery from permitting, departments must spend resources they cannot recover to protect against emergencies.

At the direction of the Board of Supervisors, potential solutions that Permit Sonoma could explore include:

- A) Require permits for any event that has a timed component or awards a winner;
- B) Limit permit-exempt cycling events to those with fewer than 50 participants, consistent with other permit-exempt right-of-way events;
- C) Require permits for any event that has a fee for participation; and
- D) Some combination of these factors or and others the Board may suggest.

### **Improve Community Event Calendar to Minimize Conflicts**

The [Special Event Calendar <https://sonomacounty.ca.gov/PRMD/Special-Events-Calendar/>](https://sonomacounty.ca.gov/PRMD/Special-Events-Calendar/) provides a centralized repository for special events in unincorporated Sonoma County. An effective calendar would provide planners, first responders, event promoters, and residents with the information they need to minimize conflicts. Permit Sonoma is proposing two main improvements to our Special Events Calendar:

- A) expanding the calendar to include more events in the right-of-way and on private lands; and
- B) allowing date reservations so the calendar provides a longer outlook.

The current Special Events Calendar does not capture unpermitted bicycle events or events that are not yet permitted. Permitting a greater percentage of special events, at an earlier point in time, will make the calendar more useful to event planners, public agencies, residents, and visitors. As mentioned above, bicycling events that are exempt from permitting are left off the calendar, which makes coordination to address any health and safety issues difficult.

In addition to special and cultural events allowed under ministerial permits, the county also permits events pursuant to discretionary use permits. Often the specific dates of these allowed events are not specified in the use permit. To the extent use permit holders are encouraged to and do inform the county of the date and time of such events, they can be included in the calendar. The more comprehensive the calendar is, the more utility it will have as an information and planning tool.

The calendar could help Sonoma County residents and business owners consider special events when planning their own weekend priorities. For example, before planning a pickup party, a winery could check the county's special event calendar to see if a bike race was scheduled that weekend. The winery could voluntarily shift the date or time for their event for an improved experience.

The second proposed change to the calendar process is letting event planners reserve dates further in advance. Currently, an event planner can file a permit up to one year before the event but no more. Letting promoters secure dates for upcoming years could not only help promoters by creating more certainty, it could also help communities prepare for road closers.

Date reservations will help the Special Events Permitting Project make securing a permit quicker and easier for community events with minimal changes from year to year. People across Sonoma County look forward to community events like the Penngrove 4th of July parade. These events are often annual and are essential to the county's cultural fabric. Being able to secure a date and have regular check-ins can help ensure these events continue.

Permit Sonoma will work with the permitting partners to create processes that minimize repetitive work while ensuring essential safety precautions, like accounting for hazards and construction, are completed.

### **Enhance Intergovernmental Communication and Collaboration**

Staff and event applicants have expressed a desire to improve communications. Currently, permittees must coordinate separately with multiple departments, law enforcement, and municipalities within the county to secure permits. Under the current system, staff also conduct similar coordination in an ad hoc manner.

The Special Events Permitting Project will consider implementing a multi-department and agency standing committee that would establish best practice standards and apply them to special event permit application. When assessing a permit, different departments and jurisdictions could provide information to address any health and safety concerns in real-time.

Other jurisdictions, such as San Francisco, Seattle, Washington, Madison Wisconsin, use a similar structure. Staff in San Francisco reported that the centralized committee improved communication and problem-solving among departments and applicants. In a survey sent to all 2019 permit applicants, 100% of respondents said that such a committee would either be helpful or very helpful. Permit Sonoma will explore avenues for effective committee creation, oversight, and operation.

### **Make Events More Sustainable with Waste-Diversion Requirements**

Special events often produce waste like water bottles and single-use disposable food-ware items. Sonoma County has long been an environmental sustainability leader. One goal of the Special Events Permitting Reform Project is to extend that leadership to special events. Permit Sonoma is working with Zero Waste Sonoma, Sonoma County's waste management agency to implement best practices like waste-diversion requirements, requirements for large events to hire a zero-waste greener, creating a how-to guide for running a Zero Waste event, and annual training for event promoters on Zero Waste best practices.

Permit Sonoma is collaborating with Zero Waste Sonoma to establish waste diversion standards. Many special events cross jurisdictional lines, so Zero Waste Sonoma and Permit Sonoma are working with municipalities to align these regulations. Harmonizing regulations will help event promoters comply with new waste-diversion responsibilities.

Permit Sonoma will work with Zero Waste Sonoma to consider whether these goals are best accomplished through a delegation of regulatory authority or direct changes to the ordinance.

Guidance from the Board of Supervisors and Timeline:

Permit Sonoma seeks guidance from the Board on the following:

- A) Which bicycle event thresholds for permits should be implemented?
- B) How long in advance should an applicant be able to reserve dates? Should there be additional requirements to secure multiple years of dates?
- C) Are there other environmental regulations the Board would like Permit Sonoma to consider?
- D) Does the Board have guidance on operation or formation of the Intergovernmental Committee?
- E) Are there additional areas the Board would like Permit Sonoma to consider?

After the Board Workshop, the staff will conduct further community outreach, work with staff on internal process improvements, and return with a draft ordinance. The next steps for the project are:

- A) Additional community engagement - Fall 2021
- B) Identify accompanying internal process improvements - Fall 2021
- C) Draft ordinance - Winter 2022
- D) Planning Commission - Spring 2022
- E) Return to the Board of Supervisors for action - Summer 2022

**Prior Board Actions:**

Not Applicable

**FISCAL SUMMARY**

Not applicable

**Narrative Explanation of Fiscal Impacts:**

Not applicable

**Narrative Explanation of Staffing Impacts (If Required):**

Not applicable

**Attachments:**

Attachment 1: Staff PowerPoint

Attachment 2: Permittees survey results

**Related Items “On File” with the Clerk of the Board:**

None