



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 478-5799 <http://mynevadacounty.com>

Brian Foss, Planning Director

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

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