



P19-0781 (ZONING CODE AMENDMENT)

Community & Economic Development Department

Planning Commission

Agenda Item: 5

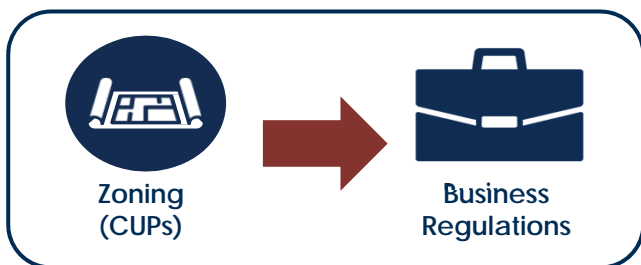
Date: December 12, 2019

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BACKGROUND

Entertainment Permits

November 2019



- Amended Title 5 – Business Taxes, Licenses & Regulations
- Entertainment activities require Police Department permit, renewed annually
- Transitions entertainment activities from Planning matter to Police matter



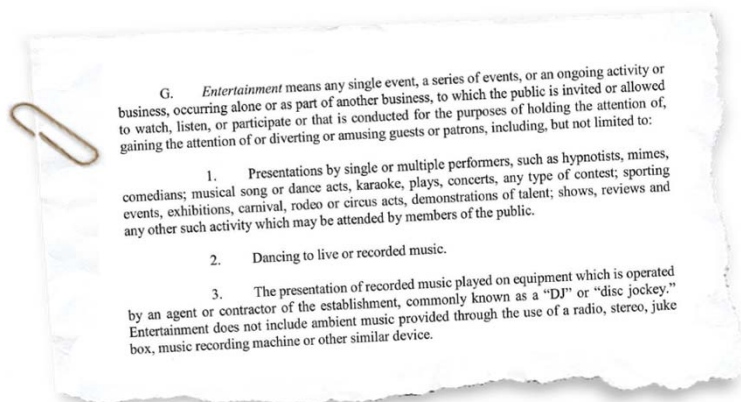
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BACKGROUND

Entertainment Permit Ordinance establishes new definitions and exceptions for activities considered "entertainment":



Exemptions include:

- Publicly sponsored events (e.g., FOL) or events in **public facilities** (e.g., Fox)
- **Recorded music** such as a jukebox (no dancing)
- **Private events** with no admission charge (except banquet halls)
- School or religious **performances**
- **Spoken word** and plays
- Dance or performance **lessons**
- Entertainment covered by **another permit** (Special Event or TUP)

3



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PROPOSED AMENDMENTS

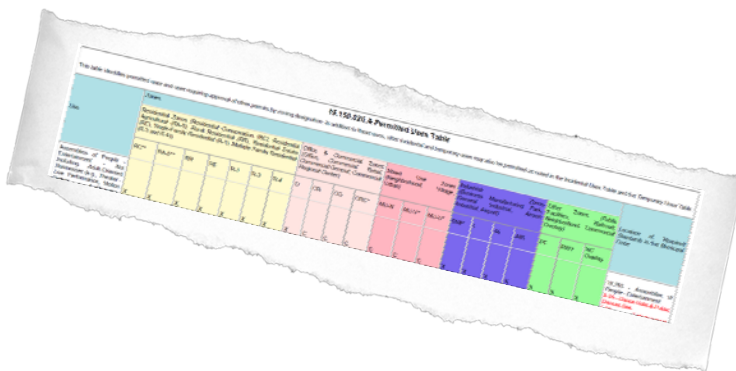
Purpose:

- *Facilitate the implementation of the Entertainment Permit program*
- *Eliminate inconsistencies between the Zoning Code Entertainment Permit regulations*

1. Base Zones Permitted Land Uses –

Chapter 19.150

- a) Permitted Uses Table: Clarify applicability of Assemblies of People—Entertainment land use; refer to 5.80
- b) Incidental Uses Table: Eliminate "Entertainment – Incidental" use; refer to 5.80
- c) Temporary Uses Table: Eliminate "Entertainment (Trial Basis Only)" temporary use



4



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PROPOSED AMENDMENTS

2. Assemblies of People—Entertainment – *Chapter 19.250*

- a) Clarify applicability – does not apply to entertainment activities covered by Entertainment Permit
- b) Remove reference to Incidental Entertainment
- c) Clarify when entertainment activities are subject to Entertainment Permit instead of Zoning regulations



3. Alcohol Sales – *Chapter 19.450*

- a) Adjust criteria for Minor CUP exemption for restaurants with sale of alcohol for on-site consumption



4. General Sign Provisions – *Chapter 19.650*

- a) Clarify applicability of special use changeable copy signs for entertainment uses



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5

PROPOSED AMENDMENTS

5. Temporary Use Permit – *Chapter 19.740*

- a) Eliminates "Entertainment (Trial Basis Only)" as a temporary use

6. Definitions – *Chapter 19.910*

- a) Modifies definitions for "Assemblies of People—Entertainment," "Entertainment" and "Entertainment, incidental" and "Nightclub" for consistency with Chapter 5.80
- b) Eliminates definition for "Entertainment venue, public"



CLEAN UP ITEMS

1. Effective Dates, Time Limits and Extensions – *Chapter 19.690*

- 1. Time limits for project approvals are suspended for the duration of any pending court case involving the project

2. Definitions – *Chapter 19.910*

- 1. Adds definition for "Short-term rentals"



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6

RECOMMENDATIONS

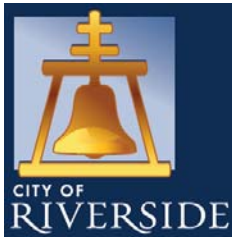
That the City Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Case P19-0781 (Zoning Code Text Amendment) is exempt from the California Environmental Quality Act subject to Section 15061(b)(3), as it can be seen with certainty that the amendment will not have the potential to cause a significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case P19-0781 (Zoning Code Amendment) based on the findings outlined in the staff report and summarized in the attached exhibits.



7

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REQUIRED FINDINGS

(FOR REFERENCE ONLY)

- 1) The proposed Zoning Code Text Amendment is consistent with the goals, policies, and objectives of the General Plan;
- 2) The proposed Zoning Code Text Amendment will not adversely affect surrounding properties; and
- 3) The proposed Zoning Code Text Amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.



9

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