



## MEMORANDUM

**TO: CITY COUNCIL**

**FROM: TERESA McCLISH, COMMUNITY DEVELOPMENT DIRECTOR**

**BY: SAM ANDERSON, PLANNING TECHNICIAN**

**SUBJECT: CONSIDERATION OF TEMPORARY USE PERMIT 16-010; AUTHORIZING CLOSURE OF CITY STREETS AND USE OF CITY PROPERTY FOR THE 79<sup>TH</sup> ANNUAL ARROYO GRANDE VALLEY HARVEST FESTIVAL, FRIDAY AND SATURDAY, SEPTEMBER 23-24, 2016; APPLICANT – ANNE MCCRACKEN**

**DATE: AUGUST 23, 2016**

### **RECOMMENDATION:**

It is recommended that the City Council adopt a Resolution approving Temporary Use Permit 16-010, authorizing closure of City streets and use of City property for the 79<sup>th</sup> Annual Arroyo Grande Valley Harvest Festival.

### **IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

Application fees for this event have been waived pursuant to Resolution 3760, which established policies to waive permit application fees for certain annual temporary events meeting the following criteria:

- The applicant is a local non-profit organization;
- The group/organization donates at least 50% of its budget to support programs/activities within the City of Arroyo Grande or the Five Cities Area;
- Proceeds from the event or activity will be used for a specific City of Arroyo Grande or Five Cities area public project, program or cause;
- The event or activity is organized and operated by non-paid volunteers; and
- The event or activity is open to the public.

A waiver of fees and costs reduces City revenue by approximately \$6,780. Historically, the City has waived fees and costs for this event because the City has served as co-sponsor of the event.

### **BACKGROUND:**

The first Harvest Festival was organized by the Woman's Club in 1937. It was a two-day celebration held in an elementary school building. Food, craft booths and entertainment were included. The event was held in the classrooms and a children's pet parade took place on the Saturday of the Festival. The Woman's Club ran the Festival until 1946 when they asked for community supporters to take over the event. The

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Arroyo Grande Harvest Festival Committee has been in charge ever since and its goal has been to make the event grow and add more attractions each year.

**ANALYSIS OF ISSUES:**

The 79<sup>th</sup> Annual Arroyo Grande Valley Harvest Festival is scheduled for Friday September 23, 2016 from 4:00 pm until 9:00 pm and Saturday, September 24, 2016 from 10:00 am until 5:00 pm. Setup will begin on Thursday, September 22, 2016 at 5:00 p.m. and cleanup will end early Sunday morning, September 25, 2016. Activities at the Festival will include entertainment, food, games and crafts booths, contests and a parade.

Festival Areas

The Festival organizers request the closure of the following streets or use of the following areas for the Festival:

- Heritage Square Park;
- Short Street from Nelson Street to the Swinging Bridge;
- Nelson Street from Mason Street to Bridge Street;
- Bridge Street from the Lucia Mar Unified School District Parking lot to Branch Street;
- Kiwanis Park;
- Olohan Alley from Bridge Street to Mason Street;
- Short Street from East Branch Street to Centennial Park; and
- City Hall parking lot at 300 East Branch Street.

The area devoted to the Festival remains unchanged from last year.

Parade

The parade route will run from the intersection of West Branch Street and Traffic Way, travel east through the Village core, turn south on South Mason Street, and end at Poole Street, with parade dispersal to occur on South Mason Street between Poole and Allen Streets.

The parade staging areas will include:

- West Branch Street from the Shell Station to Rodeo Drive;
- Old Ranch Road from West Branch Street to the east end of the five acre City owned dirt lot at the northeast corner of the intersection of Old Ranch Road and West Branch street, including use of the lot; and
- West Branch Street between Old Ranch Road and the South County Regional Center.

Road closures needed for the parade route, staging areas and detour routes include:

- West and East Branch Streets from Rodeo Drive to Highway 227 (Bus Barn);
- Old Ranch Road from West Branch Street to the end of the City owned property;
- Wesley Street between Larchmont and West Branch Street;

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- Traffic Way to Station Way; and
- North and South Mason Street from Tally Ho Road to Poole Street.

These road closures are requested from 9:00 am until noon on Saturday, September 24, 2016 with no-parking enforcement beginning at 8:00 am, with the exception of the staging area, for which an 8:00 am closure with no-parking enforcement beginning at 7:00 am is requested. The detour route around the City via East Cherry Avenue, West Branch Street and Huasna Road remains unchanged from previous years.

During the 2011 Harvest Festival parade, an additional detour route was established by opening the gate at the top of Miller Way, between Miller Way and Emerald Bay Drive. This detour was established for use by affected residents of the Miller Way, Miller Court, Le Point Street and W. Le Point Street area only and residents in those areas were notified of the additional detour. No issues have been identified as a result of the gate opening and it has been included as part of this year's event.

**ALTERNATIVES:**

The following alternatives are provided for the Council's consideration:

- Adopt the attached Resolution approving Temporary Use Permit 16-010 including road closures and detours for the parade route;
- Modify and adopt the attached Resolution approving Temporary Use Permit 16-010 including road closures and detours for the parade route;
- Do not adopt the attached Resolution; or
- Provide direction to staff.

**ADVANTAGES:**

The Festival, now in its 79<sup>th</sup> year, is a tradition in the community. The Festival celebrates the community's heritage, builds a sense of community, brings families and friends together, provides fundraising opportunities for local community organizations, and provides quality family oriented entertainment.

**DISADVANTAGES:**

The closure of streets will have an impact on parking and traffic congestion.

**ENVIRONMENTAL REVIEW:**

In compliance with the California Environmental Quality Act (CEQA), it has been determined that this project is Categorical Exempt per Section 15304(e) of the CEQA Guidelines regarding minor temporary uses of land. If the Council does not feel that this determination is appropriate, project approval shall not be considered.

**PUBLIC NOTIFICATION AND COMMENTS:**

The event organizers are required to place an advertisement in the September 11, 2016 edition of *The Tribune* advising residents of street closures. The event organizers are required to mail or hand deliver a notification of street closures to every property located

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within the area where street closures will occur. The event organizers are also required to mail or hand deliver a notification of the opening of the gate between Emerald Bay Drive and Miller Way to every property accessed from Miller Way, Miller Court, the 200 and 100 blocks of Le Point Street, and W. Le Point Street.

The Agenda was posted in accordance with Government Code Section 54954.2.

**ATTACHMENTS:**

1. Road closure and detour map

## RESOLUTION NO.

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT 16-010, AUTHORIZING CLOSURE OF CITY STREETS AND USE OF CITY PROPERTY FOR THE 79<sup>th</sup> ANNUAL ARROYO GRANDE VALLEY HARVEST FESTIVAL, FRIDAY AND SATURDAY, SEPTEMBER 23-24, 2016

**WHEREAS**, organizers of the annual Arroyo Grande Valley Harvest Festival have requested closure of City streets and use of City property; and

**WHEREAS**, the Arroyo Grande City Code (AGMC) provides for the issuance of Temporary Use Permits for events such as the Arroyo Grande Harvest Festival and AGMC Section 10.16.050 authorizes the City Council to restrict parking on any street, and California Vehicle Code Section 21101(e) authorize the closure of streets for parades and local special events; and

**WHEREAS**, organizers of the annual Arroyo Grande Valley Harvest Festival will be responsible for the removal of all garbage and debris generated by the event.

**WHEREAS**, the City Council finds, after due study and deliberation, that the following circumstances exist:

#### **Temporary Use Permit Findings:**

1. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
2. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site.
3. The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate.
4. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Arroyo Grande does hereby approve Temporary Use Permit 16-010 authorizing the following actions and use of the following described City property for the Harvest Festival:

**Harvest Festival – Friday & Saturday, September 23 & 24, 2016**

1. “No-parking/tow away” restrictions and use of the City parking area behind the former City Hall from the entrance of Mason Street and extending to the area of the Gazebo and Short Street for use between the hours of 5:00 p.m. on Thursday, September 22, 2016 until 8:00 a.m. Sunday, September 25, 2016.
2. The use of the Heritage Square Park for various displays, activities, and contests from 8:00 a.m. to 6:00 p.m. on Saturday, September 24, 2016.
3. “No-parking/tow away” restrictions and the use and closure of Short Street from Nelson to the Swinging Bridge from 8:00 a.m. to 6:00 p.m. on Saturday, September 24, 2016.
4. “No-parking/tow away” restrictions and the use and closure of Nelson Street from Mason Street to Bridge Street from 8:00 a.m. to 6:00 p.m. on Saturday, September 24, 2016.
5. “No-parking/tow away” restrictions and the use and closure of Mason Street from Le Point Street to Poole Street from 8:00 a.m. to 12:00 p.m. on Saturday, September 24, 2016.
6. “No-parking/tow away” restrictions of Poole Street from Mason Street to Traffic Way from 8:00 a.m. to 12:00 p.m. on Saturday, September 24, 2016.
7. “No-parking/tow away” restrictions and the use and closure of Bridge Street from Traffic Way to Branch Street from 8:00 a.m. to 6:00 p.m. on Saturday, September 24, 2016.
8. “No-parking/tow away” restrictions and use and closure of Kiwanis Park, Olohan Alley from Bridge Street to Short Street, and the City Hall parking lot of 300 East Branch Street from 8:00 a.m. to 9:00 p.m. on Friday, September 23, 2016 and from 8:00 a.m. to 6:00 p.m. on Saturday, September 24, 2016.
9. The use of the City’s electrical service as needed for the lighting of booths, sound system, and contests.
10. That the City Council authorizes “no-parking/tow away” restrictions and closure of a portion of West Branch Street from U.S. Highway 101 to Stanley Avenue on Saturday, September 24, 2016 from 10:00 a.m. to 12:00 p.m.

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11. That the Arroyo Grande Police Department will control traffic around the parade route, and police officers will be stationed to give instructions to motorists on detouring the parade route.
12. That three parking spaces on Mason Street at the corner of Nelson Street, adjacent to Nelson Green be reserved for vehicles associated with the petting zoo.
13. That the gate between Emerald Bay Drive and Miller Way will be opened at 8 a.m. until 12:00 p.m. on Saturday, September 24, 2016 for increased resident access.

**BE IT FURTHER RESOLVED**, that the following streets shall be closed for the Harvest Festival Parade on Saturday, September 24, 2016, from 8:00 a.m. to noon, with “no-parking/tow away” restrictions starting at 7:00 am:

- West and East Branch Street from Rodeo Drive to Mason Street;
- Old Ranch Road from West Branch Street to the end of the City owned property;
- Wesley Street between Larchmont and West Branch Street;
- Traffic Way from Fair Oaks Avenue to Station Way;
- North Mason Street from East Branch Street to Tally Ho Road; and
- South Mason Street from East Branch Street to Poole Street.

In addition, E. Branch will be closed from Mason to Highway 227 (Bus Barn) from 8 a.m. to 12 noon, however, parking will be allowed.

**BE IT FURTHER RESOLVED**, that the Harvest Festival Committee will adhere to certain requirements and conditions imposed by the City regarding cleanup and traffic control and all other applicable conditions of the Temporary Use Permit with the above findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference.

On motion by Council Member \_\_\_\_\_ seconded by Council Member \_\_\_\_\_ and by the following roll call vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

The foregoing Resolution was passed and adopted this 23<sup>rd</sup> day of August 2016.

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**JIM HILL, MAYOR**

**ATTEST:**

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**KELLY WETMORE, CITY CLERK**

**APPROVED AS TO CONTENT:**

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**GEOFF ENGLISH, ACTING CITY MANAGER**

**APPROVED AS TO FORM:**

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**HEATHER WHITHAM, CITY ATTORNEY**



**EXHIBIT "A"  
CONDITIONS OF APPROVAL  
TEMPORARY USE PERMIT 16-010  
79<sup>th</sup> ANNUAL HARVEST FESTIVAL  
FRIDAY AND SATURDAY, SEPTEMBER 23 AND 24, 2016**

**GENERAL CONDITIONS:**

1. The Harvest Festival Committee shall ascertain and comply with all State, County and City requirements as are applicable to this project.
2. The event shall occur in substantial conformance with the application and plans on file in the Community Development Department.
3. The event organizers shall comply with all of the Conditions of Approval for Temporary Use Permit 16-010.
4. To the full extent permitted by law, the Harvest Festival Committee shall indemnify, defend and hold harmless the City, its agents, officers, and employees from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, this Temporary Use Permit except liability arising out of the proven sole negligence of the City.

**PUBLIC WORKS DEPARTMENT CONDITIONS:**

5. The Harvest Festival Committee is to contact the Public Works Department no later than September 17, 2016 regarding the number and location of trash receptacles to be placed in the downtown area.
6. The Harvest Festival Committee is responsible for disposal of its garbage into large trash containers. The Harvest Festival Committee is responsible for providing adequate dumpsters to accommodate all garbage and recycling in addition to required trash containers.
7. The Harvest Festival Committee is responsible for providing trashcan liners for all trash containers.
8. The Harvest Festival Committee is responsible for providing additional restroom supplies for the festival. Should the City provide these supplies, the Harvest Festival Committee will reimburse the City for the cost of these supplies and related staff time.

9. Supplemental restroom facilities shall be provided by the Harvest Festival Committee.
10. The Public Works Department will provide and place all delineators, signs and barricades for road closures, "no-parking/tow away" and detour routes. The Harvest Festival Committee shall pay for all water barricades.
11. The Harvest Festival Committee shall place an advertisement in the September 10, 2016 edition of *The Tribune* advising residents of street closures and "no-parking/tow away" restrictions.
12. At least two (2) weeks in advance of the event, the Harvest Festival Committee shall mail or hand deliver a notification of street closures to every property located within the area where street closures will occur.
13. At least two weeks in advance of the event, the Harvest Festival Committee shall mail or hand deliver a notification of the opening of the Emerald Bay Drive gate to every property accessed from Miller Way, Miller Court, the 200 and 100 block of Le Point Street, and W. Le Point Street.
14. The Harvest Festival Committee shall provide a \$1,000,000 commercial general liability insurance policy naming the City as additional insured subject to approval by the City Attorney. Proof of insurance shall be submitted to the Director of Legislative and Information Services ten (10) days before the event.

**BUILDING AND LIFE SAFETY DIVISION CONDITIONS:**

15. A handicapped accessible toilet shall be included where other portable toilets are located.
16. All electrical must be inspected by the Building and Life Safety Division prior to the event opening.
17. All tape used for marking the booth locations shall be removed by the Harvest Festival Committee immediately following the event.
18. The project shall comply with the most recent edition of the Codes as adopted by the City of Arroyo Grande. Specifically, all temporary-wiring provisions of the California Electrical Code must be met.

**FIVE CITIES FIRE AUTHORITY CONDITIONS:**

19. Emergency access must be maintained to the satisfaction of the Fire Chief.

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20. All food booths (cooking) must comply with the Five Cities Fire Authority guidelines, must have County Health Department approval, and must ensure total compliance of booth operators. The Five Cities Fire Authority will not allow non-compliant booths to operate.
21. The use of generators must be reviewed and approved by the Fire Chief.
22. A detailed chart or map will be provided to the Fire Chief for approval prior to the event, showing placement of all booths, to include actual dimensions of access pathways for fire apparatus and emergency vehicles.
23. Per the approval of the Fire Chief, there will be medical service dedicated to the event.
24. All fire lanes must be posted and enforced in accordance with Police Department and Five Cities Fire Authority guidelines. Fire lanes and access must be approved by the Fire Chief.
25. The Harvest Festival Committee shall identify an individual to act as liaison with the Five Cities Fire Authority for the purpose of maintaining life and safety.
26. Prior to opening the event, the fire access road shall be posted. The Harvest Festival Committee shall provide continuous enforcement of the fire access road during the event.
27. The Harvest Festival Committee will coordinate and be responsible for costs associated with San Luis Ambulance to provide standby personnel and equipment for Bike Medic and golf cart transport for the entire duration of the Festival.

