

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council  
**FROM:** Barry K. Hogan, Deputy City Manager *JKH*  
**DATE:** October 4, 2007 (CC Meeting of 10/17/07)  
**SUBJECT:** Consider Revision of City Council Policy 10 Regarding Fee Waivers for Moorpark Based Non-Profits for A Single Annual Event

**DISCUSSION**

The Finance, Administration & Public Safety Committee (Mayor Hunter and Councilmember Millhouse) at its October 3, 2007 meeting discussed how Temporary Use Permits for Moorpark based non-profits work. Staff explained how the current process works after which the Committee requested staff to bring forward its recommendation to the full Council at its next meeting.

Current City Council Policy, adopted as part of Resolution No. 2007-2636, City Council Policy No. 10 states:

**SECTION 10. POLICY 10 - TEMPORARY USE PERMIT FEE  
WAIVERS**

1. Once each calendar year, a City of Moorpark organization having non-profit status may apply for and be granted a temporary use permit fee waiver for one event.
2. The Community Development Director shall waive a Temporary Use Permit Fee pursuant to this Policy after an eligible organization has submitted: a) a completed temporary use permit application; b) a request for fee waiver; and c) proof of non-profit status.
3. Examples for which Temporary Use Permits are issued are special events such as Christmas tree sales, promotional parking lot sales, church carnivals, Country Days and sidewalk sales.

4. The Temporary Use Permit shall be issued for a single event of less than thirty (30) consecutive days in duration.

The cost for the processing of a Temporary Use Permit (TUP) for a Christmas tree lot sale, carnival, or parking lot sale is \$360 for the TUP and generally \$35 to \$50 for a building permit for the electrical connection and a designated handicap parking space. Under City Council Policy 10, no TUP fee would be charged to a Moorpark based non-profit but there would be a charge for the building permit.

A TUP requires submittal of an application, written permission from the property owner, a site plan showing the location of the event on the property, a count of the number of parking spaces that are going to be designated for the staging the event and not available for patrons, where the electrical source is to be located, where festival lights are to be strung, and where the temporary handicap parking stall would be located. In the case of the temporary handicap stall, the use of blue tape to designate the stall has been acceptable.

### **ANALYSIS**

Section 17.28.140 of the Zoning Ordinance sets forth the regulations for Christmas Tree Sales Lots. It states as follows:

#### **17.28.140 Christmas tree sales.**

The outdoor sale of trees and wreaths for festive or ornamental purposes is permitted during the forty-five (45) day period immediately proceeding December 25th. Such sales activities shall not disrupt normal traffic flows, nor result in the blocking of public rights-of-way, parking lot aisles or required parking spaces. All related structures, facilities and materials shall be removed by December 31st of the same year. Christmas tree sales are allowed one (1) temporary, unlighted identification sign not exceeding twenty (20) square feet in area. (Ord. 297 Exh. A (part), 2003)

The Committee recommended that the Council continue its current policy but adjust the allowable time frame from thirty (30) days to forty-five (45) days to be consistent with the Zoning Ordinance. The Moorpark based non-profit would continue to pay for any required building permit for electrical connections and for the inspection of one temporary handicap parking space. The cost of such permit is no more than \$50.

### **STAFF RECOMMENDATION**

Direct staff to utilize forty-five (45) days as the allowable time frame for Council Policy 10 and direct staff to incorporate the policy change in the City Council Policies Resolution at the time of the next update.