



## COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

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### SPECIAL EVENT/OUTDOOR SALES PERMIT GUIDELINES/REVIEW PROCESS

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On April 20, 1999, the City Council adopted Ordinance No. 892 regarding Noise. This handout specifically addresses the following section of the Noise Ordinance:

#### **8.06.060 (b) Special Event Permits.**

The Director of Community Development, or his/her designee, shall have authority to issue Special Event Permits for special events which occur no more frequently than twice per calendar year. The nature, time, and notice procedures of such permit process, including criteria for approval, shall be established by the Director of Community Development. Any person dissatisfied with the decision of the Director of Community Development may appeal such decision within ten (10) days of the date of such decision in accordance with Section 16.92.210.

The Noise Ordinance is enforced on a complaint basis. The provision for a Special Event Permit allows for events to exceed noise limits provided that people are noticed, the event is infrequent, and reasonable efforts are made to minimize impacts on surrounding properties. If the Police Department is called to an event that exceeds the noise requirements and the event does not have a permit or is not complying with the conditions of the permit, the event may be shut down.

#### Process:

A decision on a request for a Special Event Permit is made by the Community Development Director, but the decision may be appealed to the Planning Commission. In order to ensure adequate time for the review process, including the possibility of an appeal, the Planning Division recommends that complete applications are submitted a minimum of 60 days prior to the desired date of the event. Applicants submitting with less than 60 days of lead time run the risk of not being able to hold the event if the staff decision is appealed. A minimum of 20 days is required for a staff decision to become effective if a request is not appealed. The applicant should pursue necessary approvals from the City prior to incurring significant costs associated with holding the event.

Decisions are typically made within seven (7) days of receiving a complete application. As part of the review process, the Planning Division will prepare a public notice to be mailed to property owners, residents and businesses within 300 feet of the subject property. The notice will state the decision of the Community Development Director and will serve as the permit unless the

request is appealed. The Planning Division will mail the notices on the decision date, which starts the 10-day appeal period. If the Planning Division does not receive an appeal in writing, the decision will become effective on the 11<sup>th</sup> day. If the decision to approve is appealed, the item will be scheduled for the next available Planning Commission meeting. The Planning Commission meets on the first and third Mondays of every month. The minimum lead-time between an appeal and a Planning Commission meeting is 14 days.

The decision will also be posted at the Civic Center and on the City's web page: [www.menlopark.org](http://www.menlopark.org).

Appeals should be submitted in the form of a letter addressed to the Community Development Director and submitted to the Planning Division.

### Submittal Requirements

In order for an application to be considered complete, the following items need to be submitted to the Planning Division:

1. Application form;
2. Application fee;
3. Site plan;
4. Supplemental material as necessary.

### Criteria

When reviewing applications, the Community Development Director will consider the following factors:

- Day(s) of week;
- Time of day;
- Number of days;
- Music;
- Amplified music;
- Distance from nearest legal residential use;
- Number of people involved;
- History of complaints;
- And similar items.

**Adopted by the City Council: July 13, 1999**