

STAFF REPORT
City of Lancaster

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MVB

Date: August 12, 2014

To: Mayor Parris and City Council Members

From: Robert C. Neal, Public Works Director

Subject: **Amendment of Title 9 and Title 17 of the Lancaster Municipal Code – Regulation of Carnivals**

Recommendation:

Introduce **Ordinance No. 999**, amending Title 9 of the Lancaster Municipal Code by adopting Chapter 9.46, and amending Sections 17.08.050, 17.10.050, 17.12.070, 17.16.060, and 17.20.340, relating to the regulation of carnivals.

Fiscal Impact:

None.

Background:

The City has received complaints about dust, noise, traffic problems, and other detrimental effects resulting from the operation of carnivals in certain locations in the City. Currently, the City’s municipal code generally permits anybody to conduct a carnival in certain zones, subject to director’s review and approval. However, although operational conditions may be imposed through the director’s review process, these existing regulations have not satisfactorily mitigated the detrimental impact of carnivals.

Discussion:

The proposed ordinance would, in part, amend Title 9 (Public Peace, Morals and Welfare) of the Lancaster Municipal Code by adding Chapter 9.46 (Carnivals and Other Outdoor Entertainment Events). Chapter 9.46 establishes a general prohibition against carnivals and other outdoor entertainment events in the City, while carving out exemptions to the general prohibition for certain events. These exemptions include a carnival that is sponsored, co-sponsored and/or operated, in whole or in part, by the City or any City-affiliated Authority, Foundation or other City-affiliated entity or organization; a carnival that is conducted on property owned by the City or any City-affiliated Authority, Foundation or other City-affiliated entity or organization; a carnival that is conducted on the premises of the Antelope Valley Fairgrounds; and a carnival that is conducted by a public or private elementary or secondary school or community college or a religious institution, when held on the school’s or institution’s premises. Director’s review and approval are still required for any carnival permitted under these exemptions.

Chapter 9.46 would also provide that a person who wished to conduct a carnival that does not fall under one of the exemptions may appeal to Planning Commission for a special exemption.

Chapter 9.46 would further authorize law enforcement personnel to abate an unlawful carnival by any reasonable means, including an order requiring the carnival to be immediately disbanded, and the citation of any person responsible for the unlawful carnival.

The ordinance would also amend sections 17.10.050, 17.12.070, 17.16.060, and 17.20.340 in Title 17 (Zoning) of the LMC. These sections currently identify carnivals as a permissible use in certain zones; the proposed amendments would expressly state that the use is subject to the provisions of Chapter 9.46. The draft ordinance would also amend section 17.08.050 to add carnivals as an accessory use in residential zones, again subject to the provisions of Chapter 9.46.

The Planning Commission held a public hearing on the proposed ordinance on July 21, 2014, and unanimously adopted Resolution No. 14-09, recommending to the City Council that it approve the proposed ordinance.

BSL/jr

Attachments:

Ordinance No. 999

Planning Commission Staff Report from July 21, 2014

Planning Commission Resolution No. 14-09