



CITY COUNCIL AGENDA REPORT

MEETING DATE: SEPTEMBER 18, 2007

ITEM NUMBER:

SUBJECT: CARNIVALS IN PARKS

DATE: AUGUST 30, 2007

FROM: ADMINISTRATIVE SERVICES/RECREATION DIVISION

PRESENTATION BY: JANA M. RANSOM, RECREATION MANAGER

FOR FURTHER INFORMATION CONTACT: JANA RANSOM, RECREATION MANAGER, 754-5654

RECOMMENDATION

Provide direction to staff for further action.

BACKGROUND

At the study session of May 8, 2007 City Council requested that staff determine if carnivals are an acceptable use of City parks, and if so, what policy changes/additions need to be made to support this type of use. Council further requested that staff determine park capacity guidelines for each park based upon parking availability, park amenities, park size and park location.

This report will specifically address the issue of carnivals in parks and leaves park capacity guidelines to a second report that will go through the Parks and Recreation Commission for their recommendations prior to coming to the Council for action in the near future. This report also concerns only large scale carnivals and is not intended to address issues related to bounce houses or other "picnic" type of apparatus.

There already exists an established procedure to review special event applications codified in the City's Special Event Ordinance (Attachment 1). The Special Events Committee, made up of staff from all departments, reviews each application to consider impacts on public property and residents. The Finance Director then reviews department concerns and denies or approves applications depending on feedback received.

For the past few years, there has been only one carnival held on City property – that being the carnival associated with the Lions Club Fish Fry event. The carnival has been set up on the outfield of Davis Field. The Fish Fry weekend occurs in early June, after the youth baseball season ends. Most City-run classes and activities usually held at the two community centers on the site are likewise concluded. No new league play is scheduled until September when soccer practices begin. This timing is important because the wear and tear on the outfield requires substantial renovation by parks maintenance staff and the field must subsequently be rested. The Lions Club is billed for any damage, but the field must be closed for three to four weeks at a minimum before any further use occurs. The use window after the Lions Club event and before the next scheduled activity is almost three months.

The Lions Fish Fry has been held at Lions Park for many years, with a short hiatus to Orange Coast Community College. Between the Fish Fry and the carnival, parking and traffic concerns

prompt City staff to close the Neighborhood Community Center, the Downtown Recreation Center and the Downtown Aquatic Center on the weekend the event is held. This action, while discommoding patrons, is less of interference than there would be if programs were held with all of the other activities brought on by the Fish Fry. However, it should be noted that staff at the Neighborhood Community Center turn away several requests for use of that facility on that same weekend – events that would otherwise have brought revenue in to the City.

As with the loss of field time, loss of revenue due to having to close facilities so as to not over tax the facilities or the neighborhood is difficult to assess or recover.

Last year, Lighthouse Church requested a permit to use Davis Field for a carnival in late October. Based upon the repair window and previously permitted activities scheduled to be held at Neighborhood Community Center and Downtown Recreation Center, the request was denied. The event operator requested another date and was again denied for the same reasons.

On the weekends that were requested by Lighthouse Church, rentals had already been permitted for large group events with anticipated attendance of 300 persons or more. Adding a carnival to the event mix at Lions Park would have caused parking and traffic issues for the neighborhood, and would have been a huge imposition on the facility renters. Additionally, Davis Field was scheduled for use by youth soccer groups for the following weeks, as one of only four fields with permanent lights in the City at the time (there are now six lit fields). To close the fields for renovation and repairs after the carnival would have adversely impacted youth sports practice time.

Staff looked into several alternative locations including the Fairgrounds, Orange Coast College, the shopping center area on Harbor where the bowling alley was located, and at the east side of Fairview Park by the Goat Hill train station. Costs were prohibitive at the first two sites, while the owners or previously permitted users rejected the usage of their spaces for the other two sites. The high school and college (Vanguard and OCC) parking lots were also not available due to classes being in session (carnival set up takes a couple of days in advance, begins Thursday or Friday and then requires another one to two days to tear-down).

In reviewing City parks and facilities pursuant to this item, one issue stands out above all others, and that is that there is no City-owned site in Costa Mesa that is designed for use by a carnival. Even on the current site, it is the ballfield where the carnival is located. The resulting wear on the field is far greater than any normal wear and tear would be. The best surface for carnivals is asphalt or concrete, and the City simply does not own such a space.

Assuming that Council is comfortable with using City-owned ballfields and “meadows” for carnivals, Attachment 2 provides an assessment of possible sites for consideration.

In looking at what other cities do, only one, Long Beach, has a set aside special events area, but will also consider requests for carnivals to be held at other locations, public and private. Huntington Beach and Newport Beach both allow carnivals, with Huntington Beach requiring an Amusement License, as well as permit application and review fees. Santa Ana has a number of regulations, as well as fees, that specifically refer to carnivals. Irvine has a municipal code section on regulation of special events. Most carnivals in Santa Ana are held at ballfield complexes. Please see Attachment 3 for some of the language from these cities’ municipal codes.

ALTERNATIVES:

- 1) Council could direct staff to continue permitting carnivals on a case by case basis, using the existing Special Events Ordinance (Municipal Code 11 ½, Chapter 2, Title 9) to assess impact and fees;
- 2) Council could direct staff to designate one or more specific areas in City-owned parks where carnivals will be allowed to be held;
 - a) Council could further designate that these areas be used a maximum number of days in any calendar year;
 - b) Council could further direct staff to hold a lottery in the event that more than one carnival applicant request a park permit for the same park or parks;
 - c) Council could further direct staff to “call for” carnival applicants annually at a specific time of year, i.e. first week of October, to determine the need and begin the permitting process; or
 - d) Council could further allow carnival applicants to apply for a permit 12-18 months in advance and permits would be reviewed on a “first come, first served” basis.
- 3) Council could direct staff to assess staff time spent on reviewing carnival applications and bring forward fee recommendations of warranted;
- 4) Council could establish additional regulations for carnivals (in the Special Events Ordinance, Attachment 3) including:
 - a) minimum parking requirements
 - b) requirement to notify of neighbors
 - c) minimum security requirements and approval of
 - d) facility closure revenue loss assessment
 - e) use of generators, motors that require diesel or gasoline fueling
 - f) higher/more insurance requirements (i.e. worker’s compensation)
 - g) “Downtime” penalty for the number of days a facility is not available for use by the public or for scheduled activities.

FISCAL REVIEW

No fiscal review is needed at this time. This report was circulated to Special Events review committee for comment.

LEGAL REVIEW

None needed at this time.

CONCLUSION

Staff requests that Council provide direction for further action relating to locating carnival events in City parks.

Signatures on Following Page

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Administrative Services Director

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Attachments

- 1 [Special Event Ordinance](#)
- 2 [Assessment of Possible Park Sites for Use by Carnivals](#)
- 3 [Summary of other City's Municipal Codes/policies related to regulation of carnivals](#)