

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT CASE NO. 22-011 AUTHORIZING “HALLOWEEN IN THE VILLAGE” ON MONDAY, OCTOBER 31, 2022 AND DIRECTING STAFF TO IMPLEMENT RELATED SAFETY MEASURES INCLUDING NO PARKING ZONES AND STREET CLOSURES; APPLIED FOR BY KRISTA BANDY

WHEREAS, the applicant applied for a Temporary Use Permit for the Halloween in the Village event (Event) which, amongst other things, helped establish conditions to ensure the safety of the event; and

WHEREAS, the implementation of safety measures including no parking zones and street closures will help to facilitate a safe Halloween for all individuals participating in the event and traveling through the Village area; and

WHEREAS, the Arroyo Grande Municipal Code (AGMC) provides for the issuance of Temporary Use Permits for events such as “Halloween in the Village,” specifically AGMC Section 10.16.050 authorizes the City Council to restrict parking on any street, and California Vehicle Code Section 21101(e) authorizes the closure of streets for parades and local special events.

WHEREAS, the City Council finds, after due study, the following circumstances exist:

FINDINGS FOR APPROVAL – TEMPORARY USE PERMIT

1. The operation of the requested use at the locations proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare due to the use of traffic safety equipment and dedicated local law enforcement personnel.
2. The City streets to be used are adequate in size and shape to accommodate the trick-or-treat event without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the Event.
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 Event will or could reasonably be expected to generate.
4. Adequate temporary parking to accommodate vehicular traffic to be generated by the Event is available throughout the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande does hereby approve Temporary Use Permit 22-011 authorizing the following actions, with the above

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findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference:

1. The establishment of a "No Parking" zone on East and West Branch Streets between Traffic Way and Mason Street between the hours of 2:00PM and 6:00PM;
2. "No Parking" at the corner of Mason Street and Nelson Street (to allow turning movement for commercial trucks) between the hours of 2:00PM and 6:00PM;
3. The closure of West and East Branch Street from Traffic Way to Mason Street between the hours of 2:00PM and 6:00PM;
4. The closure of intersections or major driveways onto East and West Branch Street including Bridge Street, the Car Corral, and Nevada Street between the hours of 2:00PM and 6:00PM;
5. The implementation of a detour which routes automobile and truck traffic onto Traffic Way, Nelson Street and Mason Street and delineating a widened turning lane on East Branch Street at Mason Street for commercial trucks between the hours of 2:00PM and 6:00PM.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Arroyo Grande does hereby approve Temporary Use Permit 22-011 authorizing the following actions for the Halloween in the Village:

On motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

The foregoing Resolution was passed and adopted this 27th day of September, 2022.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

WHITNEY McDONALD, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

**EXHIBIT "A"
CONDITIONS OF APPROVAL FOR
TEMPORARY USE PERMIT NO. 22-011**

GENERAL CONDITIONS:

1. This Temporary Use Permit authorizes "Halloween in the Village" and directs staff to implement related safety measures including no parking zones and street closures on Monday, October 31, 2022.
2. The applicant shall ascertain and comply with all State, County and City requirements as are applicable to this project.
3. The event shall occur in substantial conformance with the application and plans on file in the Community Development Department.
4. The applicant shall comply with all of the Conditions of Approval for Temporary Use Permit 22-011.
5. The applicant shall agree to indemnify and defend at his/her sole expense any action brought against the City, its agents, officers, or employees because of the issuance of said approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.
6. The applicant shall notify all affected businesses and residents of street closures and parking restrictions at least 48 hours prior to the event.
7. The applicant shall clean up all debris associated with the event to the satisfaction of the Public Works Director.
8. Traffic detouring shall be coordinated with the Police Department.
9. The Public Works Department shall be responsible for ordering and directing the setup of all traffic control equipment through a private purveyor.
10. The applicant 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 the insurance shall be submitted to the Director of Legislative and Information Services ten (10) days before the event.
11. The applicant shall reimburse the City for all costs incurred for closure of Branch Street and security provided by the Police Department.