

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT CASE NO. 23-012 AUTHORIZING THE VILLAGE HOLIDAY PARADE AND JINGLE BELL DASH ON SUNDAY, DECEMBER 3, 2023 AND DIRECTING STAFF TO IMPLEMENT RELATED SAFETY MEASURES INCLUDING NO PARKING ZONES AND STREET CLOSURES AND FINDING THE ACTION EXEMPT FROM CEQA

WHEREAS, the City has applied for a Temporary Use Permit for the Holiday Parade and Jingle Bell Dash 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 safety 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, 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; and

WHEREAS, the Holiday Parade and Jingle Dash and the closure of City streets to hold the event provides a public benefit by furthering a sense of community pride; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Arroyo Grande finds, determines, resolves, and recommends:

1. **Recitals.** All recitals above are true and correct and hereby incorporated by reference.
2. **CEQA.** The authorization of the Holiday Parade and Jingle Dash and closure of City streets is categorically exempt from the California Environmental Quality Act ("CEQA") under the Class 4 exemption, which applies to minor public or private alterations in the condition of land, water, and/or vegetation where the project does not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. (State CEQA Guidelines, § 15304.) The class 4 exemption applies to this project because it involves a minor temporary use of land having negligible or no permanent effects on the environment.
3. **Findings.** The City Councils makes, after due study and deliberation, the following Temporary Use Permit findings:
 - a. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a menace to the public

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health, safety or general welfare. The event subject to this approval has occurred safely for decades, and occurred successfully after being cancelled on one occasion in 2020 due to the Coronavirus pandemic. A 2022 community survey by the Arroyo Grande Recreation Department showed overwhelming support for the event to take place on December 3rd at 5:00 pm.

- b. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site. The route has been planned to occur on streets that would avoid detriment to adjacent properties, and nearby property owners have been supportive of the Jingle Bell Dash and Holiday parade since inception, and affected property owners and businesses will be contacted in advance of the event. Signs will be posted at a minimum 72 hours in advance to ensure that property owners are aware that the parade will occur.
- c. 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 temporary use will or could reasonably be expected to generate. The proposed route of the Holiday Parade has been evaluated by city staff as best suited to the Jingle Bell Dash and Holiday Parade. The Jingle Bell Dash involves a road race for community youth, which is best suited to occur on closed city streets. Similarly, the streets proposed for closure are of sufficient size to allow for the Holiday Parade to occur.
- d. Adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the City Council. This use is expected to generate vehicular traffic which will occur outside the parade area, and the City will provide for detours to mitigate traffic impacts to motorists.

4. **Approval.** The City Council hereby approves Temporary Use Permit 23-012, authorizing the use of City property as presented to the City Council on November 28, 2023, with the above findings and subject to the conditions as set forth in Exhibit "A," and the specific road detours as set forth in Exhibit "B," attached hereto and incorporated herein by this reference.

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 28th day of November, 2023.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

BILL ROBESON, INTERIM CITY MANAGER

APPROVED AS TO FORM:

ISAAC ROSEN, CITY ATTORNEY

**EXHIBIT "A"
CONDITIONS OF APPROVAL FOR
TEMPORARY USE PERMIT NO. 23-012**

GENERAL CONDITIONS:

1. This Temporary Use Permit authorizes the Holiday Parade and Jingle Dash and directs staff to implement related safety measures including no parking zones and street closures on Sunday, December 3, 2023.
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 23-012.
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 Recreation Services Director 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 and road closures shall be coordinated by 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.

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**EXHIBIT "B"
ROAD CLOSURE AND DETOUR MAP FOR
TEMPORARY USE PERMIT NO. 23-012**