Staff has been working on changes with regards to Special Events for the last three years, including tracking the number of events and amount and cost to provide City Services. Staff has worked quickly return to Council with changes to further reduce impacts stemming from the event calendar. We continue to receive event requests and inquiries weekly, if not daily. The following statements are important for Council to consider as they are considering major changes to the Special Events code and policy:

- Levels of Service (LOS) and City Service Fees continue to slightly increase for departments and event applicants due to inflation and increases in fee schedule (cost of providing service), increased mitigation efforts (including required security & safety precautions, transportation planning, sustainability and community engagement/outreach.
- Costs and LOS for public safety has increased substantially over the past 2 years.
 While many events do receive Fee Reductions, most events pay at least a portion of their fees. There are only a handful of events that receive full fee reductions.
 - In FY 17 62% of events applied for fee reductions. The other 38% paid City Service fees.
 - In FY 18 50% of events applied for fee reductions. The other 50% paid City Service fees.
 - In FY 19 it is estimated that 51% of events will apply for fee reduction. The other 49% will pay for City Services.
- While there are a number of new events each year, there are also a fair amount of
 events that either do not return or that withdraw their application based on conflicts
 with the existing event calendar and/or venues/facility availability each year. 2018
 New, Significantly Changed, Cancelled Events & Current Event Calendar
- Park City is facing similar challenges and opportunities that many other resort based communities are. Staff explored multiple like jurisdictions, polices and code changes based on Council direction.
- Staff's recommended changes to programs, policies and code have been written to be consistently applied to any applicant across the board. It is likely that staff would be challenged to provide different standards to different event types or due to an applicant's charitable, non-profit or for-profit status.
- Event applications are currently evaluated based on overall economic, cultural and
 community value as per the goals in the General Plan and as a way to incentivize
 the goals of Special Events. While this is an important criteria to evaluate events, at
 no time can an event prevent or interrupt public transportation or create a diversion
 of so great a number of police, fire or other essential public employees to prevent
 public safety and emergency services to the remainder of the City.
- The balance of the Special Event calendar is delicate and complex. With about 95% of the City's permitted events being organized by local non-profit organizations, many events depend on City Fee Reductions. The other 5% of for profit events (many local businesses) that pay their City Service Fees help offset (maintenance and other) costs to the City.
- Staff believes keeping a balance between for profit and not for profit events is important. The success of an event is in making sure that events are well organized and planned, as in the end, it is not the tax status of an organization that makes a

successful event, it is how the event impacts (both positively and negatively) the community that makes a difference.

Proposed Code Changes

Proposed changes to the municipal code are consistent with Council's direction to decrease negative impacts, balance tourism and local quality of life with regards to Special Events. Council should provide clear direction regarding each of the changes and questions for Council. Recommended changes are as follows:

Further Balancing the Event Calendar

1. Tool 1: Blackout Peak Time Periods

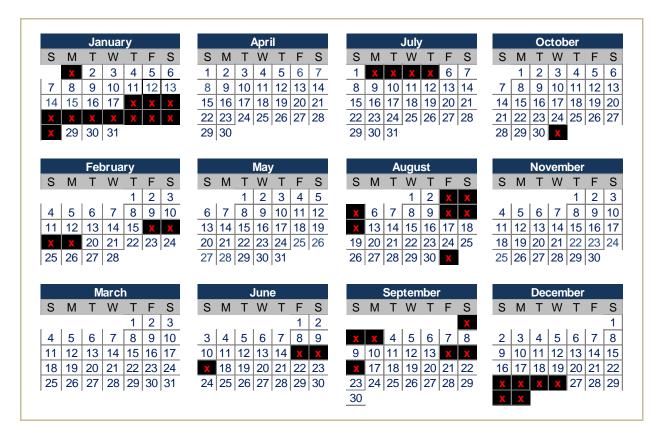
Staff proposes restrictions to black out peak time periods with the intention to restrict <u>any new</u> events, unless they located within a Master Planned Developments (MPD) boundary in the Recreation Commercial (RC) Zone and Residential Development (RD) Zone properties with existing venues/infrastructure for the type of event is, during these time periods below.

- These proposed blackout time periods amount to 42 days where we will not allow any new events unless in the RC and RD zones. This is 12% of the calendar year.
- Events that already occur will be grandfathered into the peak time periods, until they withdraw their application for a time period exceeding one year.
- Applications that staff has already received, First Amendment Events, and a
 potential Olympic bid would also be exempt from these restrictions.
- Staff has intentionally not included time periods that are not defined in the peak. Staff needs more time to evaluate blacking out non-peak time periods.

Peak Time Periods are defined as the following:

- 1. Sundance Film Festival (as per dates in contract varies annually)
 - Historically, during this time period staff has permitted First Amendment Events (Women's March & Respect Rally).
- 2. Presidents Day Weekend
 - o There are not any permitted events currently held over this timeframe.
- 3. Savor the Summit Weekend Friday through Sunday (varies each year)
 - There is an extensive list of Level 1, 2 and 3 events during this time period including Arte Latino, Kids Adventure Games, Tiny Tri, Park City Trail Series, Avalanche Soccer Tournament, and Park Silly Sunday Market etc...
 - Savor the Summit has submitted an application to move their event to the 4th weekend of June (instead of the 3rd weekend of June) in the future.
- 4. July 2, 3, 4 and 5
 - There are several Level 1, 2 and 3 events that are currently scheduled during this time including Firecracker Baseball, Big Stars Bright Nights, Fourth of July Celebration. This time period is one of the peaks of the summer which staff wants to further restrict any additional events during this time period.

- First Full Weekend of August Friday through Sunday (aka Arts Festival Weekend)
 - There are several Level 1, 2 and 3 events that are currently scheduled during this time including Deer Valley Music Festival, Big Stars Bright Nights, Sundance Summer Series, Summer in the City Volleyball Tournament etc. This time period is one of the peaks of the summer which staff wants to further restrict any additional events during this time period.
- 6. Tour of Utah Weekend Friday through Sunday (varies each year)
 - There are several Level 1, 2 and 3 events that are currently scheduled during this time including Big Stars Bright Nights, Deer Valley Music Festival, Deer Valley Summer Concert Series, St. Mary's Procession, Park City Trail Series etc... This time period is one of the peaks of the summer which staff wants to further restrict any additional events during this time period.
 - Tour of Utah has tentatively submitted dates for 2019, which are one week later in the 2019 calendar.
- 7. Labor Day Weekend Friday through Monday (Miners Day Holiday Weekend)
 - There are several Level 1, 2 and 3 events that are currently scheduled during this time including Point 2 Point Mountain Bike Race, Big Stars Bright Nights, Miners Day Celebration, and Deer Valley Summer Series etc.... This time period is one of the peaks of the summer which staff wants to further restrict any additional events during this time period.
- 8. 3rd Weekend in September Friday through Sunday (Autumn Aloft Weekend)
 - There are several Level 1, 2 and 3 events that are currently scheduled during this time including Park City Trail Series, Mountain Lands 25th Anniversary Community Celebration, Park Silly Sunday Market and Tour De Suds etc... This time period is one of the peaks of the summer which staff wants to further restrict any additional events during this time period.
- 9. October 31 (Halloween on Main)
 - Halloween on Main is the only permitted event on October 31. Due to the scope and scale of this event, staff recommends further protecting new events during this time period.
- 10. Winter Holiday (December 23 to 26)
 - o There are not any permitted events currently held over this timeframe.
- 11. Winter Holiday 2 (December 30, 31 and January 1)
 - o There are not any permitted events currently held over this timeframe.



Questions for Council to consider:

- 1. Is Council supportive of the Blackout Peak Time Periods that staff recommends or does Council want to create additional or less peak blackout dates?
 - a. Martin Luther King Holiday Weekend
 - b. Resort Closing Weekend
 - c. Memorial Day Weekend
 - d. Thanksgiving Weekend
 - e. Winter Holiday Weekend 1
 - f. Winter Holiday Weekend 2
 - g. ED Manager doesn't support blacking out Resort Closing, Memorial Day, Thanksgiving or the Winter Holiday weekends.
- 2. Is Council supportive of staff's recommendation regarding restricting any new events during these time periods with the exception of those held at existing event/resort venues (RC & RD zones), or does Council want staff to create even stronger regulations and not allow any additional events period? Doing so would likely have major effects on the resorts.
- 3. The staff recommendation is to not allow Level 1 and Level 2 events unless at existing/resort venues (RC & RD zones) during blackout time periods. Does Council want to allow Level 1 and Level 2 outside of existing venues during peak time periods?
- 4. Does Council support allowing 'substantially changed' events during blackout peak time periods substantially changed events are events that have been occurring on the existing event calendar, but have significant changes to either venue/property use, operations/logistics/date, level of service requirement or

impacts. Substantially changed events are not the same as new events. An example is Big Stars Bright Nights.

- 5. Council could also give direction to extend the restriction of any new events during peak time periods defined (by SEAC via a formal motion) as:
 - The third weekend of June through end of September (peak summer); and
 - The third weekend of December through second weekend of April (peak winter).

Staff would not recommend #5 as we believe extending blackout peak time periods would have major effects to the overall balance of the calendar, pushing any new event to the shoulder season and may have serious implications to Council's ability to facilitate events that bring positive cultural, community and economic value to the community. However, doing so would send a very clear message to the community that would reduce the number of events.

2. Tool 2 - Create a cap of Level 3 Events

Staff proposes a cap of no more than 42 Level 3 events annually. Level 3 events are those that generally have over 1,000 people in attendance and create public impacts, typically, noise, transportation, public safety etc. A cap will provide better balance to the overall event calendar and help control growth of events. It is important to note, a next step will be to create additional event levels, so this may have a short implementation timeframe, but the policy implications will carry forward in the next round of changes. This is discussed further later in this report.

- While this caps the total number of Level 3 events, it does not place a cap on event days. Some Level 3 events have multiple days in a series.
- The proposed cap includes MPD's within Recreation Commercial (RC) and Residential Development (RD) zones (the resorts) and will affect the ability for resorts to host new Level 3 events. While Council has been supportive of events being held in existing venues, staff recommends City Council consider a cap on Level 3 events to reduce the event calendar regardless of venue.
 - Staff does not recommend a cap on Level 1 or Level 2 events.
 - Staff has made recommendations for cap based on current applications that they have received and believe Council will agree.
 - In order for a new Level 3 event applications to be accepted after the cap
 is reached, an existing Level 3 event would have to withdraw or have its
 application prioritized. By having a bi-annual approval cycle (see next
 section), staff will be making recommendations to prioritize and approve
 the event(s) that provide the best balance of social, community and
 economic impacts.
 - If an application for a Level 3 event cannot be accepted, an applicant could consider reducing the scope of activity to become a Level 2 or 1 event.
 - Applications will be evaluated based on the event that can be mitigated as well as provides the most overall economic, community and cultural value as pertains to section 4A of the municipal code.

Level 1	15 (ex. Walk a Mile In Her Shoes, Skate Jam Series, Your Barn Door Is Open, Beethoven Music Fest)	Staff does not recommend cap of Level 1 events
Level 2	34 (ex. Sundance Summer Series, Classic Car Show, Moose Tracks Kids Trail Run, Park City Baseball Tournament, Red, White and Snow, Point 2 Point)	Staff does not recommend cap of Level 2 events
Level 3	38 (ex. Arts Fest, Park Silly Market, Sundance, Savor the Summit, Miners Day, Halloween, 4 th of July, Triple Crown, Arte Latino, Summit Challenge)	42
First Amendment	5 (ex.Respect Rally, March for Our Lives, Cube of Truth, March for Science, St. Mary's Procession)	Cannot cap First Amendment events

Questions for Council to consider:

- 1. Is Council supportive of the proposed Level 3 event cap or does Council want to place more or less restrictive caps on Level 3 events?
- 2. Is Council supportive of not capping Level 1 and Level 2 events, or does Council want to place restrictions on the amount of Level 1 and Level 2 events?
- 3. Is Council supportive of including Recreation Commercial (RC) Zones and Residential Development (RD) Zones in the Level 3 cap? Including RC and RD zones in the cap will have a major effect on the ability for resort properties to conduct Level 3 type events once the cap is reached.

3. Tool 3 - Create a quarterly Special Event Application deadline

Staff proposes changes to the Special Event Application deadlines in order to streamline event evaluation and better balance the calendar. Events will be evaluated together, instead of one-by-one. Currently there is a rolling deadline that allows event applications to be submitted so long as they are:

- 30 days before any Level 1 event
- 60 days before any Level 2 event
- 90 days before any Level 3 event

Special events have been evaluated based on the degree of impact within the existing event calendar, but on an event by event basis. Staff recommends changing event application deadlines for Level 3, Level 4 and Level 5 events to a quarterly annual timeline as follows:

- December 1
 - Recommendation regarding evaluation (approval/denial) will be presented to Council no later than the first Council meeting in April.

- March 1
 - Recommendation regarding evaluation (approval/denial) will be presented to Council no later than the first Council meeting in July.
- June 1
 - Recommendation regarding evaluation (approval/denial) will be presented to Council no later than the first Council meeting in October.
- September 1
 - Recommendation regarding evaluation (approval/denial) will be presented to Council no later than the first Council meeting in February.

Specific changes would include:

- First Amendment events would be exempt from deadlines, though in every effort, Level 3, Level 4 or Level 5 First Amendment events should apply in a timely manner.
- Level 1 event would be exempt from the deadlines as long as they submitted an event application within 30 days prior to the start of their event.
- Level 2 events would be exempt from the deadlines as long as they submitted an event application within 45 days prior to the start of their event.
- Staff needs more time to work on specific dates as outlined above; however, deadlines would likely follow a similar quarterly pattern. There are some concerns about deadlines as relates to staff time specifically as listed for the September 1 deadline.

At the time event applications are due; staff will evaluate each event in comparison to other events and the overall balance of the calendar and will streamline approval process.

- Staff will present all event approval/denial recommendations for Level 3, Level 4 and Level 5 events quarterly. While this will allow Council prioritize the event calendar, it will also create challenges for events who apply outside of this timeframe that Council may want to approve.
- Council will retain authority for final approval of Level 3, Level 4 or Level 5 events including setting event policy, level of service and funding/budgeting for events as pertains to the Fee Reduction policy.
- Staff recommends Council delegate their authority regarding operations/logistics to staff for all events as staff has the expertise/technical detail regarding mitigation and operations that council depends on.
- While these changes will help provide better overall balance to the calendar, the changes will restrict any additional Level 3, Level 4 or Level 5 events to be approved outside of the deadlines as described. This may create unforeseen challenges regarding new event opportunities.

Questions for Council to consider:

- 1. Is Council supportive of changing application deadlines for events as described above and evaluating events on a quarterly process or does Council to keep application process as it is, or further restrict deadlines to twice a year?
- 2. Is Council supportive of delegating their authority regarding operations/logistics to staff for events, while retaining their authority on policy, level of service and

funding/budgeting (as pertains to the Special Event Fee Reduction policy)? Staff would continue to come to council to review Supplemental Plans that are required for events that hold Special Service Contracts.

Staff needs more time to analyze scheduling quiet weekends into the peak event calendar, allowing only Level 1 and Level 2 events during these time periods. Currently staff works to create these quieter weekends within the existing calendar. Additionally, staff needs more time to explore protecting the shoulder seasons. While staff understands that some members of the community want to preserve these times, the business community experiences slower times and does not agree with restricting the calendar to only 'compelling community' events.

Re-Define & Clarify Role of Events

4. Tool 4 - Better define and create a cap regarding levels of events.

Staff proposes changes to re-classify better define and create thresholds or ceilings regarding the size/scale of events. These changes will provide better balance to the overall event calendar and help control growth of events, by better managing public safety and transportation impacts.

- Staff will retain the authority to determine the level of event based on impacts that the event causes. Event level is not determined by the applicant.
- Event caps on Level 3 events, would be transferred to new event level definitions as those are codified.
- Event Levels would also be determined based on the existing event calendar

 for example, staff may make a different determination on the Level of event
 Level based on other events that already exist on the calendar.
- Current Event Level classifications and definitions are in section <u>4A-1-1.6</u> of the Municipal Code.

<u>Conceptual</u> changes to the way levels of events are preliminarily defined below: *Level 1*

- a. Attendance at any one time estimated to not exceed between 50 and 250 people; and/or
- Has minor impact to surrounding areas and can be held within existing venue/use and requires licensing or services beyond normal scope of business; and/or
- c. Has minor transportation needs including minimal removal of parking, rolling road closures, and does not require increased transit; and/or
- d. Does not require Public Safety beyond their normal operations.

Level 2

- Attendance at any one time estimated to not exceed between 150 and 500 people; and/or
- Has minor impact to surrounding areas and can be held within existing venue/use and requires licensing or services beyond normal scope of business; and/or

- c. Has minor transportation needs including minimal removal of parking, but requires a parking plan, temporary to rolling road closures, and does not require increased Park City transit.
- d. Does not require Public Safety beyond their normal operations.

Level 3

- a. Attendance at any one time estimated between 500 and 1,000 people; and/or
- Has moderate impact to surrounding areas and can be held within existing venue/use and requires licensing or services beyond normal scope of business; and/or
- c. Has moderate transportation needs including removal of parking, requires a parking plan, may require offsite parking plan, temporary, rolling or short term road closures, and does not require increased Park City transit.
- d. May require minimal Public Safety beyond their normal operations.

Level 4

- a. Attendance throughout the event time period is estimated between 500 and 5,000 people; and/or
- b. Has moderate to major impact to surrounding areas and cannot be held within existing venue/use and requires licensing or services beyond normal scope of business; and/or
- c. Has moderate to major transportation needs including removal of parking, requires a parking plan, require offsite parking plan, temporary, rolling or long term road closures, and minor to moderate residential transportation mitigation and minor increase in service from Park City transit and may be required to provide additional transit services from a vendor outside of Park City's existing transit.
- d. Requires Public Safety needs beyond their normal operations including moderate to major support in the venue and minor to moderate traffic control. May require minimal Police services from outside the City's jurisdiction.

Level 5

- a. Attendance throughout the event time period is estimated to be above between 5,000 people; and/or
- b. Has moderate to severe impacts to surrounding areas and cannot be held within existing venue/use and requires licensing or services beyond normal scope of business; and/or
- c. Has moderate to severe transportation needs including removal of parking, requires a parking plan, require offsite parking plan, temporary, rolling or long term road closures, moderate to major residential transportation mitigation and does not requires increased Park City transit and increased transportation provider outside of Park City's ability to provide services.
- d. Requires Public Safety needs beyond their normal operations including moderate to severe support in the venue and moderate to severe traffic control. Additionally, these events require Police services from outside of the City's jurisdiction.

Questions for Council to consider:

1. Is Council supportive of re-classifying and better defining event levels or does Council support the current definition of events?

<u>5. Tool 5 - Deregulate Level 1 and Level 2 events in "Developed Recreation Areas"</u>

This is consistent with anticipated LMC change recommendations (Land Management Code) that the Special Events and Planning is working on. This would allow small 'activities' such as music performances and other entertainment on resort properties if impacts can be mitigated and within land use agreements. Neither Planning nor Special event staff would permit/regulate these types of activities. Special Event Staff anticipates continuing to permit/regulate Levels 3, 4 and 5 events in the Developed Recreation Areas, as these types of events normally create significant impacts to the surrounding area and overall transportation system.

Questions for Council to consider:

1. Council should affirm their support of this change; however, Council could change their direction or ask additional questions if they have them.

<u>6. Tool 6 - Grandfather events</u> that are unique to our community and celebrate our culture and heritage – Fourth of July, Miners Day, Halloween, Sundance Film Festival, and Arts Festival.

- Staff recommends "grandfathering" Fourth of July Celebration, Miners Day Celebration, Halloween on Main, Sundance Film Festival and Arts Festival into the event calendar. While the event applicants will continue to complete annual event applications and supplemental plans, these events will have some level of "first right" of being locked in on the calendar and be permitted long term provided they meet conditions of approval of their permit.
- These events are uniquely part of our community, celebrating our culture, history and heritage. Together, with the City, these events typically exemplify mitigation of impacts, while creating great community and economic benefit.
- Staff needs additional time to evaluate funding/budgeting options these events.

Questions for Council to consider:

- 1. Is Council supportive of the Grandfathering the events as stated above or does Council wish to add or subtract additional events to the grandfathered category?
- 2. Fourth of July is organized by the City and does not require a Service Contract. If the answer is yes, we will return with a more specific approach to funding for these events.

Staff needs more time to evaluate to establish objective event criteria defining 'compelling community' and/or 'economically viable' events', as well as more time to establish budget funding for grandfathered events. Does Council staff to continue exploring these options?

Tool 7. Event Funding

Staff recommends an increase to the annual fee reduction threshold for FY 19 to \$300,000, to allow staff time to explore budgeting/funding the proposed grandfathered events as described above (Miners Day, Fourth of July and

Halloween). Additionally, staff recommends creating a cap on the number of times an applicant can request fee reduction as follows:

- An applicant can only apply for a full (100%) Fee Reduction for one year, after that point, the applicant may only apply for a partial fee reduction.
- An applicant can only apply for a partial Fee Reduction (no more than 75%) for up to two years.
- An applicant may not apply for fee reduction after their third request.
- Events are not guaranteed Fee Reduction. Each event must apply annually.
- First Amendment events and events that have a City Services Contracts are exempt from their process as per their individual agreements.
 - Staff is working to establish criteria for when and how someone is eligible for a Special Service Contract.

While the strategies to mitigate and reduce event impacts to the local community and residents and have been well received, they are growing in cost and create additional staffing pressures on both the City and event applicants.

- Every special event has a cost associated with it. Every year the cost of putting on events goes up and adds puts pressure on the City's budget.
- Budget resources are finite and as staff tries to determine where the best place
 to allocate resources it must balance the needs between Community Critical and
 Top Priorities as well as essential services. As special event mitigation and
 security efforts have increased dramatically in recent years, staff is asking
 Council for clear direction on these efforts.

Special City Service Fee Reduction provides an opportunity to event applicants to reduce City fees, while maintaining positive economic, cultural and community benefits – rather through indirect revenues or community place making. Fee Reduction, also provides a series of desired outcomes directly tied to Council's critical priorities – specifically Transportation, Energy (Sustainability), and Social Equity.

- The Fee Reduction Process has increased fiscal responsibility of both departments and applicants. This process continues to facilitate events that achieve City Council goals while incentivizing impact reduction.
- The City's funding does not have requirements regarding marketing outside of our community. Many other sources of funding (Restaurant, Chamber Special Event Grants etc...) require out of area marketing to drive business. If the City reduces their role in Special Event City Fee Reduction, applicants may rely more heavily on other funding that requires marketing to out of area visitors.

Questions for Council:

- 1. What does Council effectuate as their role in providing Special Event Fee Reduction?
- 2. Is Council supportive of a onetime increase to the annual Special Event Fee Reduction Threshold based on cost inflation and increased LOS or does Council want to put these increased costs back on applicants?
- 3. Is Council supportive of the recommended changes to the limit of the amount of times a Special Event can apply for Fee Reduction, or does Council have further thoughts such as exploring an exception process to consider additional fee waivers?

Tool 8. Community Involvement (SEAC & Event Survey)

Staff proposes to postpone SEAC meetings and the community survey on events, and take more time to research and evaluate the possible structure and formation of an event commission. Over the last three years, staff has worked hard to 'take the foot off the gas pedal' with regards to events. SEAC (Special Events Advisory Committee) has helped to take the foot off the gas, by providing valuable event evaluation. SEAC also approved the following statements (these were not unanimously supported, but did pass by a majority vote):

- August 2017 There may be times when the community perceives the comfortable carrying capacity for events is being exceeded.
- April 2018 Do not approve more events in shoulder seasons defined as April 15 to June 15 and October 31 to December 15. Do not approve any more events unless they provide compelling to the community benefit.

Questions for Council to consider:

- 1. Is Council supportive of postponing SEAC meetings until staff has time to implement, effectuate and evaluate changes regarding Special Events? Council could still direct staff to call SEAC meetings at their discretion. The community would also be able to continue to send their comments/suggestions/feedback to seac@parkcity.org or specialevents@parkcity.org. If Council is supportive of this, staff does not intend to complete SEAC vacancies. There are currently two vacancies that need to be filled by July.
- 2. Is Council supportive of postponing or eliminating a statistically relevant survey on events?
- Staff is firmly recommending delaying consideration of any event commission until these immediate changes are implemented and results analyzed. If City Council does not agree, we can bring back alternatives and analysis at a future update.

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