



CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: OCTOBER 19, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: MICHAEL RUSSO
 COMMUNICATIONS DIRECTOR**

**MAUREEN TAMURI AIA, AICP
COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: ADOPTION OF URGENCY ORDINANCE NO. 2020-388U, REVISING
 CALABASAS MUNICIPAL CODE (CMC) CHAPTER 5.04 MOTION
 PICTURE, TELEVISION AND PHOTOGRAPHIC PRODUCTION AND
 INTRODUCTION OF ORDINANCE NO. 2020-389, REVISING CMC
 CHAPTER 5.04 MOTION PICTURE, TELEVISION AND
 PHOTOGRAPHIC PRODUCTION**

MEETING

DATE: OCTOBER 28, 2020

SUMMARY RECOMMENDATION:

That the City Council adopts urgency Ordinance No. 2020-388U, revising CMC Chapter 5.04 Motion Picture, Television and Photographic Production [requires a 4/5 vote] and introduce Ordinance No. 2020-389, also revising CMC Chapter 5.04 Motion Picture, Television, and Photographic Production [requires a majority vote].

BACKGROUND:

At the City Council meeting of October 14, 2020 to introduce Ordinance No. 2020-385, the Council questioned staff on the applicability of the ordinance, specifically what types of filming activities are exempted. Staff agreed that additional clarity would be of benefit, and agreed to further clarify the CMC. The recommended

modifications are proposed under an urgency ordinance, which Council agreed was appropriate in order to dovetail the two revisions to CMC 5.04 at the same Council meeting. Staff requests that the Council review the clarifying language proposed by the City Attorney, and adopts the Ordinance at this meeting.

The proposed revisions add a definition for the term "Reality and Social Media Film Productions" which will require a film permit and compliance with all applicable provisions of the City's film ordinance for any kind of filming for public, commercial distribution through social media channels. The proposed revisions also add a definition and exemption from the film ordinance requirement for "Private Use Video," so private, non-public filming activities, whether commercial or non-commercial, will not require a film permit.

To ensure immediate and continued authority to apply these new definitions, the City Attorney has drafted two related ordinances for the Council's consideration. The first is the proposed Urgency Ordinance, which requires a 4/5 vote and will take immediate effect. Second, to ensure continued authority to apply the new definitions and related requirements without needing to defend the urgency findings indefinitely, staff recommends that the Council simultaneously consider a standard ordinance, adopted after first and second readings, which will take effect 30 days after adoption. This is the City Attorney's recommended standard procedure with respect to urgency ordinances that address long-term issues. The urgency ordinance may be introduced and adopted at a single meeting, and becomes effective immediately if adopted by a 4/5 vote. The non-urgency ordinance may be introduced at the same meeting, and if adopted at the following meeting, would take effect 30 days after adoption, scheduled for the City Council's next regular meeting. The standard ordinance is identical to the urgency ordinance, but does not contain the specific findings of urgency. Upon becoming effective, the standard ordinance will repeal the urgency ordinance. The reason for proceeding by this method would be to ensure that the City can immediately impose these new definitions, and related permit requirements, as appropriate code enforcement cases arise, thereby protecting and preserving the public's peace, health, and safety, while also ensuring that the City need only rely on the urgency findings for a limited period of time.

FISCAL IMPACT:

The code modifications should reduce staff efforts with permit issuance, as well as enforcement of ordinance provisions.

REQUESTED ACTION:

That the City Council:

- 1) Adopts Urgency Ordinance No. 2020-388U, revising CMC 5.04 Motion Picture, Television and Photographic Production; and
- 2) Introduce Ordinance No. 2020-389, also revising CMC Chapter 5.04 Motion Picture, Television, and Photographic Production

ATTACHMENTS:

A - Urgency Ordinance No. 2020-388U

B - Ordinance No. 2020-389