



CITY *of* CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: SEPTEMBER 9, 2024

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MICHAEL KLEIN, COMMUNITY DEVELOPMENT DIRECTOR, AICP
TOM BARTLETT, CITY PLANNER
RACHEL ZADIKOV, ASSISTANT PLANNER

SUBJECT: UPDATE OF THE CITY'S FILM PERMIT PROGRAM

MEETING SEPTEMBER 25, 2024
DATE:

SUMMARY RECOMMENDATION:

Staff recommends that the City Council receive and file this report.

BACKGROUND:

In 1993, the City adopted Ordinance No. 93-58 (Chapter 5.04 of the Municipal Code) to establish procedures for review and issuance of film permits for commercial filming activities in the City. Subsequent ordinances approved between 2004 and 2007 revised and updated the provisions and procedures, and provided additional clarity.

Beginning in 2008, the Communications Department (known at the time as the Media Department) utilized a third-party vendor, Solid Waste Solutions, Inc., to process and issue film permits on behalf of the City. Under the third-party vendor, approximately 30 film permits were processed each year on average. Fee and revenue data is generally unavailable, unfortunately. However, the lone exception is that for FY 2018-19 the revenue from film permits totaled approximately \$27,608, while vendor fees were \$25,113, resulting in a net revenue of \$2,493 to the City.

While film permits were being processed by Solid Waste Solutions, Inc., the City discovered a lack of cross-communication, general oversight, and enforcement of condition compliance by the vendor, which resulted in high-profile land use problems and associated enforcement efforts by Staff. With the goal of improving internal review efficiency, the City ended its contract with the third-party vendor in October of 2019. Subsequently, Community Development Department (CDD) staff began processing film permits in the City, as the CDD had the ability to streamline departmental review, sufficient staffing capacity, and new permitting software to process, issue, and enforce film permits. In addition to ending the contract, Ordinance No. 2020-384 and Ordinance No. 2021-389 were adopted to close loopholes in CMC Chapter 5.04 (refer to Attachment A) and increase enforcement tools related to film permits.

DISCUSSION/ANALYSIS:

In accordance with Section 5.04.040 of the CMC, a film permit is required for producing, taking or making any motion picture, television or still photography production on any public or private property, building, facility or residence in the City of Calabasas, inclusive of student productions that are produced to satisfy a course requirement. However, fees are waived for student productions upon the City receiving proof that the student is currently enrolled pursuant to Section 5.04.090. Additionally, film permits are not required for news media, personal and private use videos and photography, or within a legally established production studio pursuant to Section 5.04.050.

Procedural improvements implemented by CDD include:

- Assurance of disabled access preservation
- Adherence to Fire Department requirements is confirmed
- Conduct inspections and site visits routinely for every permit
- Ensure Building and Safety input prior to permit issuance
- Improved coordination with Public Works and Sheriff's Department, particularly with regard to the street right-of-way usage
- Improved noticing of property owners in proximity
- Additional conditions of approval are imposed and enforced to protect public safety

Summary of Film Permit Activity 2019 - 2024.

For this update, Staff compared film permit data from October 2019 through August 2024 and analyzed the number of film permits submitted, issued, and total revenue from permits fees paid. (Note: the Community Development Department assumed film permit responsibility in November 2019, so the FY 2019-20 data encompasses

only 8 months. Data for FY 2024-25 is provided through August 16, 2024.) The following table summarizes this information:

| Fiscal Year | Timeframe | Applications Submitted | Film Permits Issued | Total Revenue |
|--|------------------------|------------------------|---------------------|-----------------|
| FY 2019-20 | 11/1/2019 - 6/30/2020* | 15 | 10 (5 Student) | \$ 5,528* |
| FY 2020-21 | 7/1/2020 - 6/30/2021 | 13 | 10 (0 Student) | \$ 8,848 |
| FY 2021-22 | 7/1/2021 - 6/30/2022 | 38 | 26 (3 Student) | \$ 42,190 |
| FY 2022-23 | 7/1/2022 - 6/30/2023 | 19 | 14 (3 Student) | \$ 14,100 |
| FY 2023-24 | 7/1/2023 - 6/30/2024 | 19 | 17 (2 Student) | \$ 18,387 |
| FY 2024-25 | 7/1/2024 - 8/16/2024* | 5 | 5 (1 Student) | \$ 6,019* |
| Average Film Permits Issued / Revenue Per Year: | | | 14 | \$15,845 |

** Indicates a portion of the fiscal year*

As demonstrated in the table above, the average revenue per fiscal year is approximately \$15,845, while the average number of film permits issued per year is 14. On the lower end of the range of full fiscal years, the total revenue for FY 2020-21 was \$8,848 with 10 film permits issued in total, with no student film permits issued; and on the higher end of the range, the total revenue for FY 2021-22 was \$42,190 with 26 film permits issued in total, with three being student films. Keep in mind that student film permits do not contribute to the total revenue because permit fees are waived for student film projects.

Comparing CDD Administration to Previous Out-sourced Administration.

The average number of film permits issued by the City each year is about half of the amount of permits that were issued during prior years by Solid Waste Solutions, Inc. We attribute this primarily to the COVID pandemic, but another contributing factor is the film permit ordinance updates enacted in 2020 and 2021 which substantially strengthened the City’s enforcement tools.

With far fewer permits per year, revenue to the City is about 57% of the revenue collected while Solid Waste Solutions, Inc. was processing film permits. However, the net revenue to the City is more than six times than when the film permits were handled by Solid Waste Solutions, Inc. As a result, on average, the revenue is sufficient to cover staff costs associated with processing film permits.

The improved enforcement tools include, but are not limited to: the authority to deny a film permit application in which the proposed filming location has an issued Notice of Violation or administrative citation (Section 5.04.060(D)); authority to deny an application in which the activities would be detrimental to the public’s health, safety, or welfare (Section 5.04.060(B)(5)); and restrictions on overnight uses of a property under a film permit (Section 5.04.080(E)).

Film Permit Review Process.

Staff thoroughly reviews film permit applications to ensure the production will comply with the provisions of Chapter 5.04 and to minimize potential impacts to the community. At minimum, a film permit application is required to include:

- Complete and signed application, with a detailed description of the planned film shoot(s)
- Proof of property owner permission to use of the location(s) for filming
- Certificate of insurance with the City named as an additional insured
- Site map, and parking map.

Additional documentation may be required depending on the complexity of the production. For example, signed neighborhood consent forms are required for filming outside of the City's normal filming hours (7am – 7pm) and/or an encroachment permit would be required for any filming in the public right-of-way. To that end, the amount of time required to issue a film permit depends on the scope of filming; however, a film permit is typically issued in two to five business days.

Fees charged vary depending on the scope of any particular production, and they include: an application fee, permit fee per filming day (depending on the type of production - motion picture or still photography), and staff monitoring hours. A refundable bond is collected as well to ensure clean up and restoration of the film location(s), and the bond is refunded to the applicant upon completion of the production and a post-production inspection by the City.

In addition to the City application requirements provided above, the applicant must obtain a permit from the LA County Fire Department, Public Safety and Film Unit (PSFU) prior to issuance of a film permit from the City. As a part of the review process, staff coordinates review by City departmental staff, such as Public Works, Communications, and Building and Safety, and external agencies, including the Malibu/Lost Hills Sheriff Department and the PSFU. After receiving the permit information from the City, PSFU contacts the applicant to process the fire permit and then provides the information to the City. Review by multiple agencies has proven to be an effective way to verify that all issues are resolved prior to film permit issuance and to maintain and protect the public's health, safety, and welfare.

Staff will continue to process film permits as described above, and provide an annual report to the Council. Staff does not recommend any changes to the program at this time.

REQUESTED ACTION:

Receive and file this report as an update of the City's Film Permit Program.

ATTACHMENTS:

A. CMC Chapter 5.04 – Motion Picture, Television and Photographic Production