



City of Costa Mesa

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 22-973

Meeting Date: 12/8/2022

TITLE:

DISCUSSION ON PARK RESERVATION PERMITS

DEPARTMENT: PARKS & COMMUNITY SERVICES

PRESENTED BY: JASON MINTER

CONTACT INFORMATION: (714) 754 - 5009

RECOMMENDATION:

It is the recommendation of the Parks and Community Services Director that the Commission review the Costa Mesa Municipal Code section regarding Park Use and Permits.

BACKGROUND:

Earlier in 2022, members of the Parks and Community Services Commission requested that staff bring forward for review the City's Policy and Municipal Code section regarding the requirement for park permits. Included in the Municipal Code is Title 12: PARKS AND RECREATION, which includes a variety of Parks related ordinances. Chapter 1 includes definitions, while Chapter 2 includes three (3) articles, including General Park Usage, Skate Parks and Model Aircraft. General Park Usage, in Article 1, contains 27 ordinances for Park Usage, ranging from rules and policies, to signage, to conduct, solicitation, presence in parks after dark, etc.

The section specific to Park Use and Reservations is section 12-53 Permits (Attachment 1), which states the following:

Any lodge, society, social organization, group, sports league or team, social club or any other organization of persons having ten (10) or more members or attendees desiring to use any area of any public park, square, avenue, ground or recreation facility for a parade, picnic, game, or other purpose and where such use will exclude or interfere with use by other members of the public from such area shall obtain a permit from the administrative services director or his designee not less than three (3) business days or more than one (1) year prior to such use. (CMMC 12-53)

The ordinance referenced above was last updated in 2002. However, the language identifying the size of group was originally approved in 1968 (Ordinance 68-10), which set the group number for permits at twenty-five (25) or more. Later, in 1986, this language was amended to ten (10) or more persons (Ordinance 86-19). This amended language from twenty-five (25) to ten (10) was in response to conflicts that had arisen between organizations and individuals desiring to use parks and

playing fields, concerns of residents impacted by noise, and concerns of increased trash and the use of profanity by park users.

ANALYSIS:

At the request of the Commission, staff have provided the Municipal Code section for your review. In addition, the policy information on the City's webpage is also being provided (Attachment 2). There are designated shelter spaces and sports fields that can be requested, depending on the group size, expected use, and availability.

Many cities have ordinances in place that identify the minimum group size that would require a permit. Staff have prepared the following summary of local municipalities and their respective group sizes, if applicable:

City	Group Size	City	Group Size
Anaheim	25	Mission Viejo	No minimum
Brea	No minimum	Newport Beach	No minimum
Cypress	25	Orange	25
Fullerton	25	Rancho Santa Margarita	No minimum
Garden Grove	25	San Clemente	50
La Palma	No minimum	San Juan Capistrano	50
Laguna Hills	50	Santa Ana	No minimum
Laguna Niguel	100	Seal Beach	25
Lake Forest	50*	Stanton	20
Lakewood	No minimum	Tustin	35
Los Alamitos	No minimum	Yorba Linda	25

**Special event permit required*

In preparation for this discussion, staff contacted the Costa Mesa Police Department and requested the number of citations that had been issued for Municipal Code section 12-53 over the past 5 years. According to the Police Department there were zero (0) citations reported over that period of time.

ALTERNATIVES:

There were no alternatives considered at this time.

FISCAL REVIEW:

There is no fiscal impact for this review and discussion.

LEGAL REVIEW:

There is no legal review required with this item.

CONCLUSION:

It is the recommendation of the Parks and Community Services Director that the Commission review the Costa Mesa Municipal Code section regarding Park Use and Permits. This review can and should include public comment. There is no action required at this time, however at the conclusion of the review, should the Commission be interested in making changes to the Municipal Code, that request can be made by the Chairperson to staff to include the topic for a future Commission meeting. At that time, any recommendations made by the Commission would be forwarded to the City Council for consideration. Any changes to the Municipal Code would need to be reviewed and approved by the City Council as a part of a formal hearing process.

Excerpt from the Costa Mesa Municipal Code

12-53. Permits.

(a) Any lodge, society, social organization, group, sports league or team, social club or other organization of persons having ten (10) or more members or attendees desiring to use any area of any public park, square, avenue, grounds or recreation facility for a parade, picnic, game, or other purpose and where such use will exclude or interfere with use by other members of the public from such area shall obtain a permit from the administrative services director or his designee not less than three (3) business days or more than one (1) year prior to such use. The administrative services director and other personnel of the department may take all reasonable measures to apportion the use of any park, square, avenue, grounds and other recreational facilities fairly among individuals and groups desiring to use them. A permit fee may be charged to offset costs. Such fees shall be established by resolution of the city council.

(b) The administrative services director shall issue permits for the exclusive use of any public facility described in subsection (a) during certain times unless one of the following grounds is found to exist:

(1) The proposed use of a specified facility for a certain time is in conflict with a previously issued permit for the same facility.

(2) The proposed use will have a significant adverse impact on or present an imminent threat of damage or injury to the facility or the public health, safety, and welfare.

(3) The proposed use violated the provisions of this article or any other federal, state, county or city statute, ordinance or regulation.

(c) Before making a determination on an application for a permit, the administrative services director shall allow interested persons an opportunity to submit relevant information either orally or in writing, and the director shall give notice of his decision on the application by mail within twenty-four (24) hours of his decision. The decision of the administrative services director shall be made within three (3) business days of the filing of the application, and may be appealed to the parks and recreation commission by any interested person within seven (7) days of the date on which the notice of the decision, addressed to the groups or organizations affected, is deposited in the mail; provided, however, that the decision shall remain in effect while the appeal is pending. (Code 1960, § 10730; Ord. No. 68-10, 3-4-68; Ord. No. 86-19, § 2, 8-4-86; Ord. No. 92-12, § 2, 7-6-92; Ord. No. 99-8, § 18, 6-7-99; Ord. No. 02-10, § 1, 5-20-02)

Please review information below BEFORE making an appointment:

- Park Permits are REQUIRED for any gathering consisting of 10 or more people.
- Park Reservation permits are only given to designated park shelters/picnic areas listed below.
- Reservations can be submitted up to a year in advance and **NO** later than three days before the desired date.
- No reservations will be accepted without payment.
- All rentals that contain an outside vendor will need additional submissions at least **THREE WEEKS** prior to the event date. Items required:
 - Costa Mesa Business License
 - General Liability insurance that lists City of Costa Mesa as an additional insured. Please make sure 'Certificate Holder' states, "The City of Costa Mesa, 77 Fair Dr., CA 92626."
 - \$100.00 deposit per each vendor used
 - Proof of residency is required to receive resident rate. (Government issued I.D.)
 - If your ID does not state a Costa Mesa resident address, one of the additional documents will also be needed:
 - Current lease agreement
 - Current gas, electric, water, or waste management bill
 - Reservations are made on a first come, first paid basis.

Appointment Information

- If you would like to move forward with the park reservation permit process, please [make an appointment](#) under "Park Rental". Please note, making an appointment online does not guarantee the proposed reservation which must be made in person.
- Appointments are in person
- Office hours are Monday - Thursday from 8:00am - 4:30pm and alternating Friday
- If assistance is needed for an appointment, please call (714) 754-5300 or email cmparksupport@costamesaca.gov.

*Park location/date/amount of attendees are subject to change upon staff review and park availability. Events may require additional permits depending on the usage request.