

# BOARD OF ADJUSTMENT REPORT



Meeting Date: 9/7/2016  
Item No.: 4

## ACTION

---

**Green Bee Produce ZA Appeal  
9-BA-2016**

**Request to consider the following:**

Applicant appeal of the Zoning Administrator's written decision dated June 30, 2016 regarding special event signage for Green Bee Produce, a temporary mobile farmer's market.

## FARMER'S MARKET OWNER

---

Green Bee Produce

## APPLICANT CONTACT

---

Aaron Shearer  
Green Bee Produce  
425-785-5400

## LOCATION

---

McDowell Mountain Ranch Community Center Parking Lot  
16116 N. McDowell Mountain Ranch Road

## BACKGROUND

---

### History

- In March 2016, the Green Bee Produce Farmer's Market submitted a special event request to hold a farmer's market on various dates, predominantly Sundays beginning in October 2016, located in the parking lot of the McDowell Mountain Ranch Community Center. The farmer's market consists of one vendor with several tent canopies to display and sell produce items. The request was approved in April 2016 and issued a special event permit to allow the markets until the end of April 2017. A condition of the permit limited off site signage to a total of 8 directional signs: 1 directional sign along Paradise Lane, 3 along

McDowell Mountain Ranch Road, 3 along Thompson Peak Parkway and 1 along Bell Road, all located within a one mile radius.

- The event request included a total of 13 signs with proposed locations ranging in distance from on site to up to two miles away from the market. The Special Events Committee (SEC) approved 8 locations, based upon turning radius and located within a one mile distance, but did not approve 5 locations located more than a mile away based upon the long standing interpretation and approach on temporary off premise signage which allows locations deemed necessary for safe traffic flow. Off premise signage may be necessary due to the anticipated event attendance (large volume of vehicles) or event location (hidden, off major streets). The applicant appealed this decision to the Zoning Administrator which upheld the SEC's decision in the letter dated June 30, 2016 (Attachment #1).
- On July 5, 2016 the applicant filed for an appeal of the Zoning Administrator's decision per the provisions of Section 1.805. of the Zoning Ordinance.

### **Zoning/Development Context**

The subject event is a temporary, mobile farmer's market planned to be held beginning in October 2016 on various Sundays from 8am to no later than 2pm in the parking lot of the McDowell Mountain Ranch Community Center located on the northwest corner of McDowell Mountain Ranch Road and Paradise Lane within a residential area.

The zoning for this site is Planned Convenience Center with an Environmentally Sensitive Lands Overlay District (PCoC ESL). This District allows for permitted special events. The zoning to both the north and west is Single Family Residential (R1-5 ESL). The zoning to the east is Single Family Residential (R1-10 ESL & R1-18 ESL). The zoning to the south is Townhouse Residential (R-4 ESL).

### **Zoning Ordinance Requirements**

Section 7.930 of the Zoning Ordinance states that the provisions of Article VIII (Sign Requirements) shall apply to special event signage.

Section 8.537.I.B.5. of the Zoning Ordinance states that temporary off premises directional signs shall be limited in sign area to six square feet for each sign and that the total number and location of such signs shall be approved by the general manager. A general manager position currently doesn't exist in a planning and development capacity and that decision role has been delegated to the Special Events Committee.

Section 7.928. of the Zoning Ordinance allows the decision of any special conditions of the Special Event permit be appealed to the Zoning Administrator. The Zoning Administrator is authorized to enforce and interpret the number and locations of temporary off premises directional signs proposed as part of a Special Event permit application.

Section 1.805. of the Zoning Ordinance allows for an Appeal of the interpretation or decision of the Zoning Administrator to the Board of Adjustment.

### **Code Enforcement Activity**

There has been no recent Code Enforcement activity regarding the proposed special event.

On January 27, 2015, the City received a complaint from a resident related to the Green Bee Farmer's Market off premise signs that were present in the McDowell Mountain Ranch neighborhood over the previous weekend on the event date. Code Enforcement staff went to the site and spoke with the property owner (McDowell Mountain Ranch Community Association) conveying that a Special Event permit was required for any event to occur on site along with approval for any off premise signage. The property owner contacted the Green Bee Farmer's Market owner and relayed the requirements. The Green Bee Farmer's Market owner worked with staff to submit the required documents for the permit approval which was issued on January 30, 2015. The permit conditions allowed for the requested two off-site directional signs along McDowell Mountain Ranch Road.

### **Community Input**

Staff has sent postcards to all property owners within 750 feet of the site and posted a hearing sign on the site. As of the writing of this report, staff has received two phone inquiries regarding the appeal request. One was seeking general information and one resident voiced concerns about the signage. The resident believed there were too many signs in her community, believing that a farmer's market, placed in a local residential setting, caters to the local residents and having multiple signs placed a large distance away, brings additional traffic and attention to her neighborhood, no longer making it a local farmer's market. In addition, she felt they are visually unappealing and obstruct corners where they are placed.

### **Discussion**

A special event is defined as a temporary outdoor use on private property which extends beyond the normal uses and standards allowed by the Zoning Ordinance. In this request, the reoccurring event is held mostly on Sundays and located in the parking lot of the McDowell Mountain Ranch Community Center, surrounded by residential properties. The farmer's market consists of one vendor, several tent canopies, and a variety of produce items for sale.

The owner has requested to be allowed to place several off premises signs on public property within the right of way on planned event dates, in order to promote the market, remind people that it is occurring, and use signs to direct them to the event. Private off-premise signage is not permitted within the city right-of-way.

The Special Events Committee (SEC) gives careful consideration for any proposed event signage, both on site event and off-site directional signs to insure that attendees can locate and be able to identify the event to know when they've arrived. The City's Sign Ordinance is a reflection of the community's desire to ensure thoughtful placement within City boundaries. Unnecessary signage placed to help promote and market the event outside of the area gives a direct advantage to event producers for daily advertising anywhere in the City that all other businesses cannot enjoy. The SEC reviews for consistency in its application to ensure sign placement does not visually impact the physical and natural beauty of the community and stays focused on the need for any off-premise directional signs to allow for safe movement of

vehicles and attendees to enter and exit the event safely. This event has a low volume of anticipated event attendance (few, intermittent vehicles) and is highly visible from the major street (easily located). This is consistent with the application of sign placement associated with other temporary signs.

### **Applicant's Appeal**

The Applicant's Appeal of the Decision to the Zoning Administrator submitted contains two arguments for approval for off premises signage as outlined below:

1. The Special Event Permit provides rights that are not granted to other businesses based upon the temporary nature.
2. The farmer's market is unique and does not compare with any past or present events and should therefore not have created rules or criteria applied to it as the Code is ambiguous in nature and may be interpreted and applied based on each unique situation.

### **Findings**

In a typical request to the Board of Adjustment, the Board must review and determine if the required four (4) findings have been justified to allow a Zoning Variance. In the case of an appeal of the Zoning Administrator decision, such as this one, these findings are not required and the Board of Adjustment will need to:

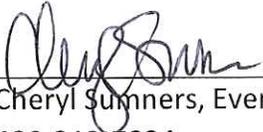
- Determine whether or not it has jurisdiction over this matter;
- Determine whether the Applicant has standing; and, if the Board first finds that it has jurisdiction over the matter and that the applicant has standing, then the Board shall;
- Discuss the merits of the case to determine whether or not the City's application of requirements for special event signage is arbitrary, capricious or an abuse of discretion.

### **Staff Recommendation**

Staff recommends that the Board of Adjustment find that Zoning Administrator decision was not arbitrary, capricious or an abuse of discretion, and concur with the Zoning Administrator that the temporary, reoccurring off premises directional signage be limited to the locations along McDowell Mountain Ranch Road, Bell Road, Thompson Peak Parkway and Paradise Lane.

**APPROVED BY**

---



Cheryl Sumners, Events Manager, Report Author  
480-312-7834, csumners@scottsdaleaz.gov

8-22-16

Date



Brad Carr, AICP, Board of Adjustment Liaison  
480-312-7713, bcarr@scottsdaleaz.gov

8.22.2016

Date



Tim Curtis, AICP, Current Planning Director  
480-312-4210, tcurtis@scottsdaleaz.gov

8/23/2016

Date

**ATTACHMENTS**

---

1. Appeal Decision dated June 30, 2016
2. Map of 8 proposed off premise signage locations – April 6, 2016
3. Event/Market Site Plan
4. Applicant Narrative
5. Applicant Evidence



## Planning and Development Services

### Current Planning

7447 East Indian School Road  
Scottsdale, Arizona 85251

June 30, 2016

Aaron Shearer  
Green Bee Produce  
462 S. Robson  
Mesa, AZ 85210  
admin@greenbeeproduce.com

Re: Appeal of the Signage Conditions of the Green Bee Farmer's Markets Special Event Permits

Dear Aaron,

Thank you for meeting with me May 23, 2016 to explain your market events and related signage needs. The fresh produce market events that you hold weekly appear to be something welcomed and desired by the community, which is fantastic. At issue is the signage request as part of the special event permits approval.

There are two main purposes for the sign code. The first is for general aesthetics of the city, reducing visual clutter to allow the prevalence of the physical and natural beauty of the community. The second is for traffic safety within the city. Reducing the number of signs visible to motorist promotes greater traffic safety in the community and orderly travel on the roadways. Private off-premise signage is not permitted within the city right-of-way.

The Zoning Ordinance, under Section 8.537., refers to Special Event Signage as needing approval by the general manager (or, the Special Event Committee as delegated by the general manager) and focuses on both on-site event signage and off-site event signage related to directional needs as noted below. My understanding is that on-site event signage has been approved, but at is issue is the approved off-site premises directional signage that remains in disagreement.

Sec. 8.537. - Special events and theme amusement parks.

Special events and amusement parks are allowed signs as follows:

I. *General.*

- A. Events/activities which will occur on a designated date or during a limited period of time shall be allowed signage to promote the event/activity. The signage will support, promote and/or advertise the event/activity and may contain the names of a specific agency or business that is sponsoring the event/activity. All signs associated with the event/activity are temporary and must be removed by an the date specified by the general manager.
- B. The organization sponsoring the event/activity shall prepare and submit an application, consisting of a complete list and description of all signs, including directional signs, banners, pennants, flags, balloons, lighting, hot/cold air balloons and other features associated with the event/activity, and proposed times for erecting and removing the signs. The application will be reviewed and approved by the general manager.
  1. Names and logos of sponsoring agency(ies) or business(es) shall be limited to twenty (20) percent of the total area of lettering identifying the activity or event.
  2. All banners, pennants and flags shall be limited to twenty-four (24) square feet and shall be suspended no higher than thirty-six (36) feet above grade, except that all banners, pennants and flags suspended over roadways or driveways shall be no higher than eighteen (18) feet above

grade and maintain a minimum clearance of fourteen (14) feet. Banners are allowed in the Downtown Area only.

3. All signs, banners, pennants and flags spanning private walkways must maintain a minimum clearance of seven (7) feet six (6) inches.
4. Searchlights are prohibited except in those cases where allowed in Section 7-602 of the zoning ordinance.
5. Temporary off premises directional signs shall be limited in sign area to six (6) square feet for each sign. The total number and location of such signs shall be approved by the general manager.

Currently, the farmer's market is approved for a special event permit at the McDowell Mountain Ranch McDowell Center located at 16116 N. McDowell Mountain Ranch Road. Included in that approval are allowances for off-premise directional signage related to the farmer's market. A total of 8 directional signs are allowed for the farmer's market event, which include signs along McDowell Mountain Ranch Road, Bell Road, and Thompson Peak Parkway north of McDowell Mountain Ranch Road all within a mile radius of the farmer's market. Your request sought 13 total off-premise directional signs to be located within a 2.5 mile radius of the farmer's market.

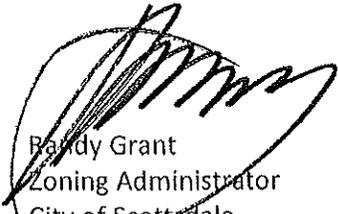
The City of Scottsdale Sign Ordinance, Section 8.102.III., has specific criteria for allowance of signs within the right-of-way or on public property. Those signs relate to signs for traffic management and signs erected by a governmental entity for a governmental purpose. The city has been allowing off-premises traffic directional signage in association with a special event permit, and after careful consideration by the Special Events Committee, when that signage has been shown to align with the traffic directional needs, not advertising needs, of the specific special event, as outlined in Section 8.537.I.B.5. of the Sign Ordinance. The number and location of that signage has followed a policy of reviewing the proposed event against several criteria, including the attendance of the event and traffic safety management needs.

There is careful consideration given for any proposed event signage, both on-site and off-site directional signage, to ensure attendees can locate the event and know when they have arrived. The City understands that event signage is temporary and only erected on event dates. The City needs to ensure that unnecessary signage isn't being placed to help promote and market the event outside of the area and that off-site signage is limited to the directional signage that attendees may need to locate the event. Otherwise, this gives a direct advantage to event producers for daily advertising signage anywhere in the city that all other businesses cannot employ. Special event directional signage is intended to assist motorists going to an event find the event and enter and exit safely. It is not intended to advertise the event to motorists up to 2 miles away.

This event is in the same location each week. People who have previously attended the market and those who live in the community can reasonably get to the market without the need for any directional signage. Additionally, if the address of the market event is promoted, people can look on their smart phones or GPS devices to locate the market and find directions as well. I realize there were several letters that commented to the fact that while they knew where the market was, they enjoyed and used the signage as reminders that the market was happening that day. That is not a purpose for permitted directional signage. The City expects that the event producer is helping to promote their market in many ways other than off-site signage (social media, email, printed material, newsletters, community marketing, etc.). Those looking for the market would encounter directional signs within a half mile of the event, which should aid in those seeking assistance for the market location.

The City's Sign Ordinance is a reflection of the community's desire to ensure thoughtful sign placement within its boundaries. The multitude of sign locations can visually detract from the physical and natural beauty of the community and what may be viewed acceptable by some are nuisances to others. Directional signage focuses on traffic safety, which is taken into consideration when reviewing the sign request. It does not incorporate off-site promotion and marketing of the event.

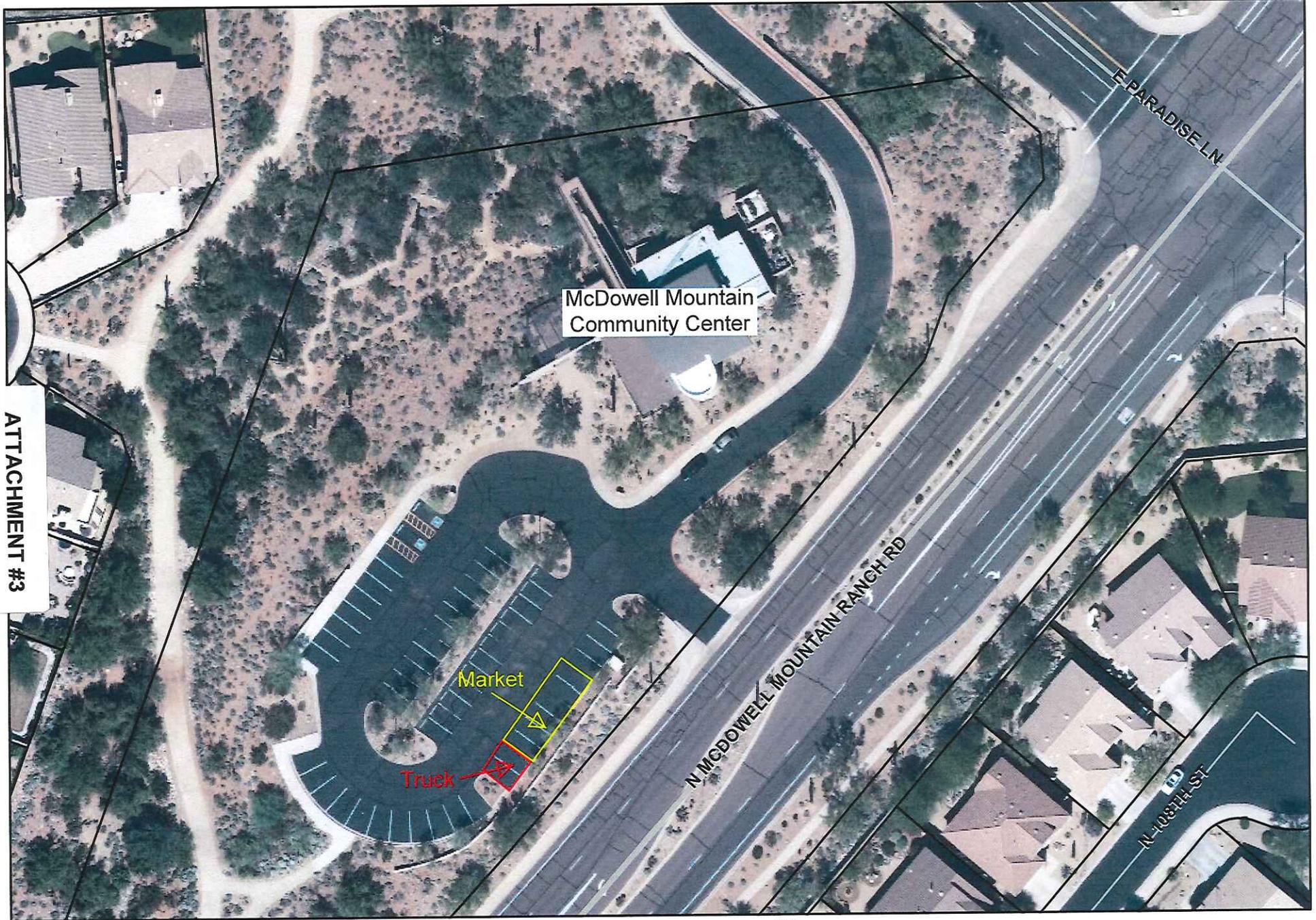
I am unable to provide additional off-premise directional signage approval for the location beyond what was has already been approved by the Special Event Committee for the reasons noted above.



Randy Grant  
Zoning Administrator  
City of Scottsdale  
480-312-2664



# Green Bee Produce Farmer's Market



ATTACHMENT #3

McDowell Mountain  
Community Center

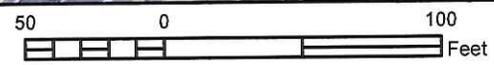
Market

Truck

E PARADISE LN

N MCDOWELL MOUNTAIN RANCH RD

N 40TH ST



# NARRATIVE

July 5, 2016

**Applicant:** Green Bee Produce

**Special Event permit #** 67-SE-2016 / 222970

**REQUEST:** Board of Adjustments Hearing per Section 1.805- appealing Zoning Administrators Decision on Special Event Permit restrictions

Green Bee Produce is a mobile farmers market that hosts farmer's markets on private property in Scottsdale. On April 29, 2016 Green Bee was issued a special event permit (253-PA-2016) with restrictions. Green Bee had requested 5 off site directional signs, which was denied by the Special Events Board. Per section 7.928, Green Bee filled a notice of appeal with the Zoning Administrator. The meeting with the Zoning Administrator was held on May 23, 2016. Per Section 7.928, the Zoning Administrator is required to give a written decision no later than 5 days after the appeal meeting. Despite this specific Code Requirement, and despite 6 written requests over a period of 32 days, finally on June 30<sup>th</sup> the Zoning Administrator, through Brad Carr (Scottsdale's Senior Planner), issued a decision denying Green Bee's request. Per section 1.805, Green Bee is appealing the Zoning Administrators decision to the Board of Adjustments.

Green Bee will prove at the Board of Adjustments hearing that the Zoning Administrators decision to deny Green Bee's request for 5 off site directional signs is unconstitutional, bias, and an abuse of discretion.

Due to the past issue with the Planning Department deciding (without notice to either party) not to present the BOA with all the supporting documents Green Bee had provided at the review meeting, and instead picking and choosing only the documents they wanted the BOA to see (eliminate the most important documents of Green Bee's case.....) Green Bee has decided to present our supporting information directly to the BOA at the appeal hearing.

Since Scottsdale Senior Planner, Brad Carr, was involved in issuing the Zoning Administrators appeal decision on June 30<sup>th</sup>, and Mr. Carr is also responsible for making the recommendation to the BOA, there is no point in Green Bee partaking in any pre application / review / informational meetings. Senior Planner, Brad Carr, has already made his decision based off the opinion of the Zoning Administrator, so we already know what the recommendation will state. Therefore, Green Bee waives the right to any pre-hearings or review processes and demands that the City issue their Recommendation based on the knowledge and opinions they have already made.

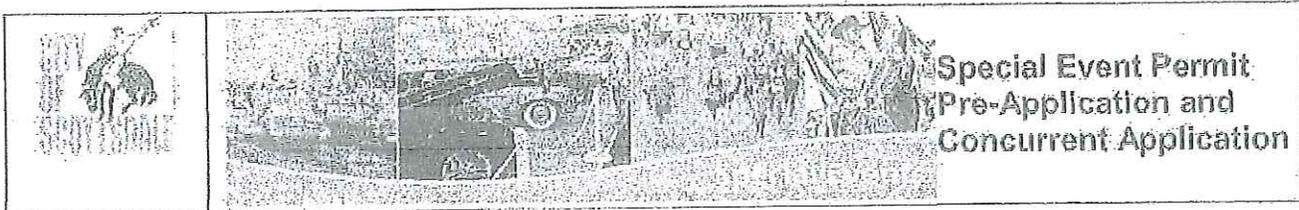
Furthermore, due to the excessive length of time the Zoning Administrator took to issue a decision (over a month) and the fact that the Planning Department collaborated with the Zoning Administrator to issue his decision, (so there is no extra time needed to conduct the timely pre hearing reviews) there is no reason why Green Bee's appeal can't be scheduled for the next BOA meeting in August 2016. According to section 1.803, as long as the application and request is filed at least 15 days prior to the next BOA meeting, the case may be scheduled to be heard at the next meeting. There is plenty enough time to accommodate that request and still adhere to the legal terms outlined in the Scottsdale City Code.

Thank you,

Green Bee Produce  
admin@greenbeeproduce.com

**ATTACHMENT #4**

**9-BA-2016**  
**7/5/16**



67-SE-2016

253 - PA - 2016

**Purpose:** Thank you for choosing Scottsdale as the location for your event. The purpose of the Pre-Application submittal and Special Events Committee meeting, is for the applicant and City Staff to discuss the proposed special event request and the information that is necessary for City Staff to process an application that complies with all rules, regulations and best practices for a safe event.

**Submittal:** You may submit your application online or in person at the One-Stop-Shop located at 7447 East Indian School Road. Please note that there is an \$87 nonrefundable submittal fee for the application. All checks shall be payable to "City of Scottsdale"; checks and credit cards are also accepted.

**Scheduling:** After this packet has been accepted at the One-Stop-Shop, a staff member will contact the Applicant within five (5) Staff Working Days to schedule a meeting with the Special Event Committee. Generally, a meeting is scheduled within five (5) to fifteen (15) Staff Working Days from the date of the submittal. Meetings are held Wednesdays beginning at 9 am at Current Planning, 7447 E. Indian School Rd. The committee is comprised of representatives of various city departments with differing areas of expertise. The meeting is informal and you can ask questions, solicit suggestions, and even modify your event plans. Once an application is approved, the Special Event Permit fee is \$105 for events on private property and \$159 for events on public property. The permit fee is separate from your \$87 submittal fee.

**Public Information:** Please note the information you provide becomes public information.

Contact Information	
Applicant Name: (person's Name)	Aaron Shearer
Mobile Phone:	4257855400
E-mail:	admin@greenbeeproduce.com
Organization or Business Name	Green Bee Produce
Holding Event:	
On-Site Person Responsible for Event Operations:	Aaron
Mobile Phone:	4257855400

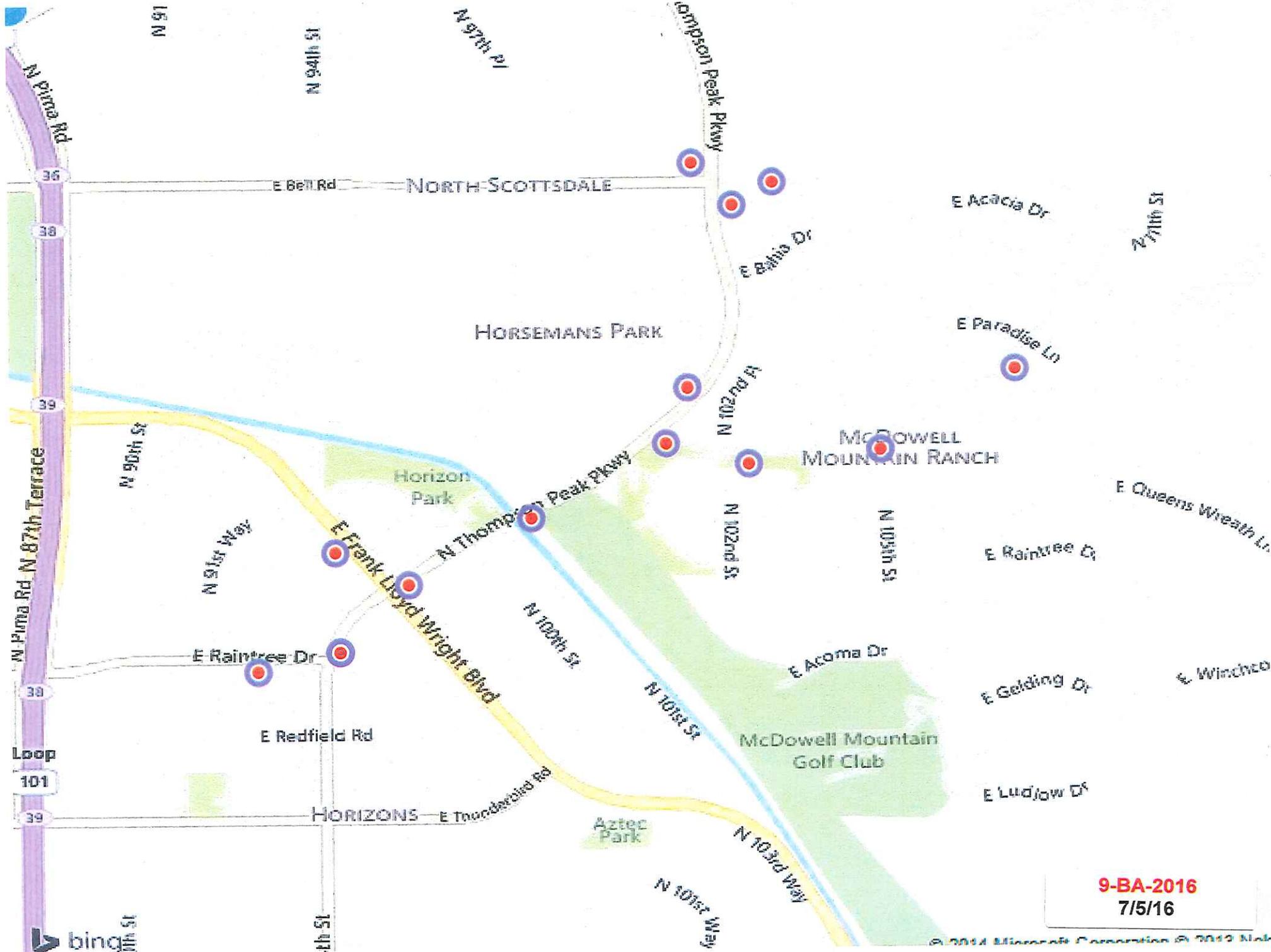
Tourism and Events  
7506 E. Indian School Rd, Scottsdale, AZ 85251  
480-312-7177

2/11/2016

9-BA-2016  
7/5/16

ATTACHMENT #5

EVENT INFORMATION						
<input checked="" type="checkbox"/> Event Name: Green Bee Produce Farmers Market						
<input checked="" type="checkbox"/> Will the event occur on City of Scottsdale property or in a public street (right-of-way) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
<input checked="" type="checkbox"/> Event Address: 16116 McDowell Mountain Ranch Road						
<input checked="" type="checkbox"/> Event Website (required if available): www.greenbeeproduce.com						
<input checked="" type="checkbox"/> Event Description (or attach narrative): Farmers Market						
Event Includes Outdoor Music? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
Event Details Dates and Times						
	Date	Event Start Time	Event End Time	Event Set Up Start Time	Event Clean Up Complete Time	Estimate Attendance per Day
Monday						
Tuesday		Every Sunday	tentative dates			
Wednesday		10/16, 16, 23, 30	2/5, 12, 19, 26	6/2, 11, 18, 25		
Thursday		1/6, 13, 20	3/5, 12, 19, 26	5/2, 9, 16, 23, 30		
Friday		12/4, 11, 18	4/2, 9, 23, 30			
Saturday		1/8, 15, 22, 29	5/7, 21			
Sunday		9am	1pm	7am	2pm	unknown
Total Anticipated Attendance:						
SPECIAL EVENT SITE PLAN						
<input checked="" type="checkbox"/> Site Plan: A detailed site plan is required--applications will not be processed without it. Attach separate document(s). Site plans should clearly show the location of the event, areas used for parking, fencing, entry/exit points, tents/canopies (include dimensions), stages (include dimensions), generators, bars, tables/chairs, portable restrooms, signs, etc. A route map is required for distance events such as walks, runs, rides, and parades. Useful mapping resources include (print and draw on map): <u>Maricopa County Assessor</u> & City of Scottsdale <u>Digital Map Center</u>						



**9-BA-2016**  
**7/5/16**

Aaron,

This is to notify you that you may resume your farmers markets in our parking lots as you previously have done when your matters with the City of Scottsdale have been resolved.

Thank you

Michael Woolington, CAAM®

General Manager

McDowell Mountain Ranch Community Association

AAM, LLC

Ph: 480-473-0877

Fax: 480-473-3172

(602) 957-9191 (main line)

**LIABILITY WAIVER**

All special events taking place on City property require the event holder to carry liability insurance for their own protection as well as insurance protection for the City of Scottsdale. Required coverage and limits will be at the discretion of the Risk Management Division depending on the size and scope of the event. Prior to the issuance of your Special Event Permit, the event producer must submit a Certificate of Insurance with the insurance limits and coverage's shown in the table below are in full force and effect and must name the City of Scottsdale as an Additional Insured. For athletic events (Walking, Running, Swimming, Biking) which include a liability waiver that participants are required to sign, the event sponsor must include in the waiver either the City of Scottsdale by name or by reference as premises owner or property owner. For questions, contact Risk Management at 480-312-2490.

Commercial General Liability (required from all event producers)	\$1,000,000	Each Occurrence
	\$2,000,000	Products -- Completed Operations
	\$2,000,000	General Aggregate.
Liquor Liability	\$1,000,000	Each Common Cause and Aggregate
OR (depending on event)	\$5,000,000	Each Common Cause and Aggregate

Check one:

- None of my event takes place on city property (city facility, street, sidewalk, right-of-way, etc.).
- All or a portion of my event takes place on city property and I will provide the required insurance.

**LIABILITY WAIVER REQUIREMENT:** For events (particularly athletic events such as walking, running, swimming and biking) which include a liability waiver to participate, the liability waiver shall waive liability for the City of Scottsdale by name. The City may require liability waivers for events when the nature of the event subjects individual participants to unusual personal risk.

LEASING and TRAFFIC

Applicant is responsible for ensuring adequate parking for attendees and for minimizing any negative impacts to adjacent areas. Applicant is responsible for obtaining authorized approval for any private parking areas; a copy of the approval must be included with this application. For events using volunteers for traffic control (e.g., course marshals), event volunteers cannot direct traffic in the street. They may provide guidance from the sidewalk, other pedestrian area, or on a closed street.

The event will include the following (check all that apply):

- Existing public parking (city parking lot, city parking garage, on-street parking)
- On-site parking (may require property owner and/or landlord approval)
- Off-site parking (approval from property manager/owner required)
- Shuttle service from off-site parking areas (attach shuttle plan)
- Valet service (provide a valet parking plan from the valet company)

Valet company: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

Contact Tax & License at (480) 312-2400 to obtain a VALET PARKING LICENSE APPLICATION if event valet is proposed on public property.

STREET CLOSURE

Applicant is responsible for hiring a barricade company for any street, alley, lane, or public sidewalk closure. The City of Scottsdale does not provide barricades. Show proposed closures on the Special Event site plan. Any street closures and barricade set-up/removal shall match the approved barricade plan on file. Oversight of barricade set-up is the responsibility of event applicant. Discrepancies or safety issues may result in the delay or cancellation of the event.

The event will include the following (check all that apply):

- Sidewalk closure  Street  Alley  Lane closure(s)

Barricade company: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

**PUBLIC SAFETY**

Applicant is responsible for providing a safe and secure event. This includes the event venue, event parking areas, and adjacent areas affected by the event. Applicant must ensure adequate personnel are present to provide general security, maintain order, contain liquor to licensed premises, protect money, provide medical assistance, etc. Depending on the nature of the event, private security personnel and/or off-duty police officers may be required. To hire Scottsdale PD off-duty officers, call 480-312-4385. Any privately hired security must be licensed in the State of Arizona. The Scottsdale Fire Department recommends an emergency medical standby when daily attendance exceeds 5,000 people. Occupancy loads must adhere to that which is set by the Fire Department.

The event will include the following (check all that apply):

**Security Personnel**

- In-house staff and/or volunteers
- Hired security personnel

Company name: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

- Hired off-duty police officers. Estimated number: \_\_\_\_\_

Scottsdale PD off-duty officers

Other agency name: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Medical Standby**

- Standby emergency medical staff (paramedics/EMTs)

Company name: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

TENTS AND CANOPIES

A tent permit issued by the Scottsdale Fire Department is required for any tent 400 square feet or larger (20 feet x 20 feet or larger). Tents shall be shown on the Special Event site plan. For additional information, call 480-312-1843. Tent permit applications must be received by the Scottsdale Fire Department at least 10 days prior to the event.

There will be tents 400 square feet or larger.

Supplier: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

GENERATORS

A commercial minimum electrical permit issued by Permit Services is required for any generator 20kw or larger. Location of the generator shall be shown on the Special Event site plan.

There will be a generator 20kw or larger.

Licensed contractor: \_\_\_\_\_

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

SIGNS AND BANNERS

Signs and banners are regulated by the Zoning Ordinance and will be reviewed as part of the application request. Approved signs and banners may only be posted on the day of the event. Fence wrap graphics must face the interior of the event venue.

The event will include the following (check all that apply):

Directional signs (show locations on Special Event site plan and/or area map)

Signs or banners visible from outside the venue (show locations on Special Event site plan)

Describe (include dimensions and wording): Directional Farmers Market

VENDORS

If vendors (food, retail sales, display/information, games, etc.) will be present at your event, you must supply a list of vendors with this application and also contact the City of Scottsdale Tax and License Department at 480-312-7625.

The event will include the following categories of vendors (check all that apply):

Food  Retail  Display/Info  Games  Other:

Tourism and Events

7506 E. Indian School Rd. Scottsdale, AZ 85251

**ENTERTAINMENT**

Applicant is required to have an event staff member responsible for monitoring sound levels when sound/music/noise may be audible beyond the event venue. Noise complaints can result in calls for service from the Scottsdale Police Department. A police officer or Code Enforcement inspector may require the volume to be reduced or ceased based on complaints or unreasonable sound levels.

The event will include the following (check all that apply):

- Live Band and/or DJ      Name of bands/performers: \_\_\_\_\_  
 Pre-recorded Music

Date	Live Band		DJ		Pre-Recorded Music	
	Start Time	End Time	Start Time	End Time	Start Time	End Time
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						

- PA System  
 Fireworks/Pyrotechnics  
 Sound/music/noise may be audible beyond the event venue; therefore, an event staff member will be assigned to monitor the sound level during the event to ensure sound does not unreasonably disturb the surrounding area.

Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

### LIQUOR

If liquor is present at your event, state law requires liquor to be contained within the event venue. A liquor license is required if the event is open to the public, or if there is a fee for admission, food or drink. Anyone serving liquor must be familiar with state liquor laws. See the Arizona Department of Liquor Licenses and Control [website](#) for additional information. Use adequate fencing and security personnel to prevent alcohol from being removed from your liquor licensed premises.

Check only one:

- Liquor will not be present at the event.
- The event is adjacent to an existing liquor establishment (restaurant or bar) and the establishment will temporarily extend their liquor-licensed premises to include an area which does not have a liquor license. The liquor establishment must complete the Arizona Department of Liquor Licenses & Control (DLLC) Extension of Premises form ([click here](#)) and you must include this completed form (signed and notarized) with your event application. Once approved by the city, you must take the form to Arizona DLLC at 800 W. Washington, 5<sup>th</sup> Floor, for issuance of the actual extension permit. For additional information, call 602-542-5141.
- Liquor will be present and I am making arrangements with a charitable, civic, fraternal, political party/campaign committee, or religious organization for Special Event Liquor License (SELL). The [SELL form](#) available from Tax and License at 480-312-2400 (or [click here](#)). The SELL approval process is handled through Tax and License and SELL applications should be submitted at least 21 days prior to the event.

Organization name: \_\_\_\_\_

### EVENT NOTIFICATION

Notification is required to inform nearby or affected businesses, property owners and HOA's within 300 feet at least two weeks prior to the event. Notification is required for events with off-site parking, outdoor amplified sound, street closures, fireworks, or other notable impact to adjacent areas. Notification letters must include a detailed description of the event including setup and tear-down times, starting and ending times for outdoor music, estimated attendance, and the event organizer's name and mobile phone number for contact before, during and after the event for all street closures.

If applicable, event notification will be made by (check all that apply):

- Mail     Email     Door hangers     Flyers     In person     Other \_\_\_\_\_

Please note that approval/sign off may be required if your event includes a street closure, sound amplification or other impacts to the surrounding neighbors or businesses.

APPENDIX

Applicant is responsible for (a) having a sufficient number of containers to handle all trash generated by the event; (b) removing trash during and after the event; (c) completely cleaning the site and adjacent/affected areas after the event; and (d) providing a sufficient number of restroom facilities (including ADA accessible facilities). If any portion of the event takes place on city property and city personnel need to perform additional cleaning due to your event, you will be billed by the City of Scottsdale for this service.

To arrange for garbage dumpster by the City of Scottsdale, contact Solid Waste at 480-312-5600.

The event will include the following (check all that apply):

- Garbage dumpsters (show on Special Event site plan)

Sanitation company: \_\_\_\_\_  
Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

- Portable restroom facilities (show on Special Event site plan)

Restroom company: \_\_\_\_\_  
Contact person: \_\_\_\_\_ Phone number: \_\_\_\_\_

**WARRANTY:** Applicant warrants that the information provided in this application is true and accurate to the best of Applicant's knowledge and belief.

**INDEMNIFICATION:** To the fullest extent allowed by law, the Applicant agrees to defend, indemnify and hold harmless the City, its officers, officials, representatives, agents, employees and volunteers from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to, attorney fees, court costs, the cost of appellate proceedings, and all claim adjusting and handling expenses, arising from or related to any acts or omissions of the permit holder or its agents, contractors and subcontractors related to the Special Event.

**SPECIAL EVENT PERMIT CONDITIONS:** Other conditions may be imposed.

- State law requires that liquor must be contained within the area permitted by your State license.
- City law prohibits discharges of anything but storm water into the City's rights-of-way, storm drain system and natural washes.
- Street closures, barricades and event layout shall be as shown on the approved site and barricade plan.
- If the City performs any cleanup due to your event, you will be billed and required to pay for the cleaning.
- If there is damage to City property due to your event, you will be billed and required to pay for its repair.
- You are required to provide a safe and secure environment at your event. Private security must be licensed in the State of Arizona.
- A City Police Officer or Code Enforcement Inspector may require the music volume to be reduced or ceased.
- You must comply with the maximum occupancy load set by the Fire Department.
- You must allow for immediate fire lane and other security access at your event.

The Applicant's signature below authorizes a City representative to inspect a special event on City or private property at any time, including setup.

**AUTHORITY:** For special events on private property, the Applicant warrants:

1. I am the property owner or the authorized agent of the property owner for this application, excluding City property. If the property has more than one owner, then I am the agent for all owners, and the word "owner" refers to them all.
2. I have written authority from the property owner regarding any and all Special Event regulatory and related matters involving all property identified in this application, excluding City property.

\_\_\_\_\_  
Signature of Applicant must be the same person listed on page 1.

3/30/2016

\_\_\_\_\_  
Date

Aaron Shearer / member

\_\_\_\_\_  
Printed Name and Title of Applicant