



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: April 3, 2012  
TO: Mission Bay Park Committee  
FROM: Stacey LoMedico, Park and Recreation Director  
SUBJECT: Request for a Waiver to the Summer Moratorium For the Leisure Olympics Event on July 14, 2012

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SUMMARY

**Issue** - Should the Mission Bay Park Committee recommend approval for the City Manager to grant a waiver to the Summer Moratorium and approve a Reservation of Park Use for a Special Event which is within park capacity, but is requesting the use of alcohol?

The proposed event, Leisure Olympics, has requested a Reservation of Park Space for July 14, 2012 at Crown Point Shores (South). The applicant, FreePB.org, is requesting the use of alcohol in a manner that does not comply with the terms, conditions and criteria set forth in the Modified Special Event Permit (MSEP) and therefore is required to apply for a Citywide Special Event Permit.

**Staff Recommendations** – Recommend approval for the City Manager to grant a waiver to the summer moratorium and issue a Reservation of Park Use for this activity since the activity is for an event that is within the capacity/number of participants for that park area and has no other components that would trigger a Citywide Special Event Permit. .

**Other Recommendations** – None

**Fiscal Impact** –None with this action; \$273for the issuance of a Park Use Permit, as per Department Fee Schedule (not including any applicable fees via the Office of Special Event)

DISCUSSION

The City Council recently adopted changes to SDMC § 63.0103, which became effective in December 2011. A specific change to the SDMC was to codify the City's practice of having a summer moratorium on newly requested "Special Events" in Mission Bay Park.

The SDMC also outlines a specific waiver process in which an applicant can request a "waiver" to this summer moratorium. The SDMC indicates that the applicant shall request a waiver a minimum of 120 days prior to the event. This waiver requires they describe the event/activity and explain why a waiver to the moratorium should be granted. If the waiver is granted, the applicant shall apply for a reservation of space which is effective until the Special Event Permit is granted or denied.

At the February 2012 Mission Bay Park Committee meeting, the committee voted to waive the Summer Moratorium for special events that meet the terms, conditions and criteria established in the MSEP. The MSEP was specifically established to address requests for alcohol use in association with events held in Mission Bay Park where the use of alcohol is prohibited without a Special Event Permit. The Mission Bay Park Committee also recognized that all other requests for a waiver to the Summer Moratorium would be heard on a case-by-case basis.

The applicant, FreePB.org, has been provided information regarding the City's MSEP requirements, however, is requesting the use of alcohol in a manner that does not comply with the terms, conditions and criteria set forth in the MSEP and therefore is required to apply for a Citywide Special Event Permit.

The only factor triggering a special event permit within the summer moratorium timeframe is the use of alcohol, as the activity/event is within the area's park capacity. As such the activity/event will not impede or restrict general public's use because the event is within park use capacity and therefore I am recommending the Mission Bay Park Committee approve the "waiver" to the summer moratorium.

### ALTERNATIVES

Do not recommend approval for the Department to grant a waiver and issue a Reservation of Park Use for this activity.