17.61.090 - Filming Permits

A. **Purpose.** This Section establishes procedures for the granting of Filming Permits that:
   1. Establish special regulations for filming in the City; and
   2. May not meet the normal development or use standards of the applicable zoning district, but may be acceptable because of their temporary, short-term nature.

B. **Applicability.** Filming activities shall not be conducted, established, or operated in any manner without the approval and maintenance of a valid Filming Permit in compliance with this Section.

C. **Filming activities.** The following temporary filming activities may be allowed, subject to the issuance of a Filming Permit.
   1. **Allowed.** Property in any zoning district, unless otherwise specified in this Zoning Code, may be used as a filming location for filming, including the filming of motion pictures, professional photography, or videotaping.
   2. **Exemptions.** A Filming Permit shall not be required for filming activities for personal use or entertainment, nor shall any permit be required for filming for use in news gathering, investigative reporting, or for public and municipal access stations.

D. **Application filing, processing procedures, and action.** An application for a Filming Permit shall be filed with the Department and processed in the following manner.
   1. **Application requirements.** An application for a Filming Permit shall be filed with the Film Liaison. The application shall be accompanied by the information identified in the Department's Filming Permit application. The applicant shall be responsible for providing the evidence in support of the findings required by Subsection H. (Findings and decision), below, for Filming Conditional Use Permits.
   2. **Filming Conditional Use Permit procedures.**
      a. The standard notice procedure identified in Chapter 17.76 (Public Hearings) shall be followed, except that the mailed and posted notices shall be within 300 feet of the boundaries of the filming location.
      b. The Film Liaison shall set a date and time on which the application will be considered. The public hearing notices shall be mailed and posted at least 14 days before that date. The hearing notice shall indicate that any interested person may request, in person or in writing, that a hearing be held on that date.
   3. **Applicable review authority.** The Film Liaison shall be the applicable review authority for Short-term Filming Permits.
      a. **Short-term Filming Permits.** A Short-term Filming Permit may be approved by the Film Liaison for commercial motion picture filming, professional photographing, and videotaping at the same location for:

         (1) Six or fewer days per quarter of a calendar year, and up to 24 days of a calendar year, in residential, open space, public, and semi-public zoning districts; or

(2) 15 or fewer days per quarter of a calendar year in all other zoning districts.

b. **Long-term Filming Permits.** A Filming Conditional Use Permit may be approved by the Hearing Officer allowing Long-term Filming Permits for commercial motion picture filming, professional photographing, and videotaping at the same location for:

(1) More than six days per quarter of a calendar year in residential, public, and semi-public zoning districts; or

(2) More than 15 days per quarter of a calendar year in all other zoning districts.

4. **Public hearing requirements.**
   a. **Short-term Filming Permits.** Notice or a public hearing shall not be required for the Film Liaison's decision on a Short-term Filming Permit.
   b. **Long-term Filming Permits.**

(1) A public hearing shall only be required for the Hearing Officer's decision on a Long-term Filming Permit, if a hearing is requested, in compliance with Subparagraph F.3.b., above.

(2) If a hearing is not requested, the decision may be made without a hearing.

(3) The Hearing Officer may hold a hearing at the discretion of the Film Liaison.

(4) If a hearing is held, the Hearing Officer shall conduct the hearing in compliance with Chapter 17.76 (Public Hearings).

5. **Effective dates.**
   a. A Short-term Filming Permit shall be effective immediately for the days approved by the Film Liaison.
   b. A Filming Conditional Use Permit shall be effective in compliance with Section 17.64.020 (Effective Dates).

E. **Standards.**
1. **Adjustment of standards.** The Film Liaison may authorize an adjustment from the specific standards deemed necessary or appropriate consistent with the temporary nature of the filming activity.
2. **Other permits required.** Filming activities may be subject to additional licenses, inspections, or permits required by applicable local, State, or Federal requirements.
3. **Duration of permit.** A Filming Conditional Use Permit shall be effective until the date specified by the Hearing Officer, not to exceed 90 days.

a. The permit may be extended by the Film Liaison one time without notice and hearings, subject to making the same findings required for the original approval of the permit, in compliance with Subsection H. (Findings and decision) below.
b. The Hearing Officer may extend the permit up to an additional 90 days beyond the 180 days.

(1) This extension shall require a noticed public hearing in compliance with Chapter 17.76 (Public Hearings); and

(2) The Hearing Officer shall have to make the same findings required for the original approval of the permit, in compliance with Subsection H. (Findings and decision), below, before granting this extension.

c. The permit shall become void if not used within the approved time period.

F. **Findings and decision.** The Hearing Officer may approve a Filming Conditional Use Permit, with or without a public hearing and with or without conditions, only after first finding that:
1. The proposed filming activity would be located and conducted in a manner conforming with the goals, policies, and objectives of the General Plan and the provisions of this Section; and
2. Approval of the application would not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.

G. **Conditions of approval.**
1. **Filming Conditional Use Permits.** In approving a Filming Conditional Use Permit, the Hearing Officer may impose conditions (e.g., hours of operation, lighting, parking, performance guarantees, property maintenance, signs, time limits, traffic circulation, etc.) deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by Subsection H. (Findings and decision), above, and to preserve the public health, safety, and general welfare.
2. **General filming conditions.**
   a. Filming, including setup and dismantling of film activity, shall not be done before 7:00 a.m. or after 7:00 p.m. The Film Liaison may extend these hours upon a showing of necessity and upon showing the exception would not disturb the public.
   b. Bull horns, explosions, gunfire, public address systems, sirens, or other noise-creating devices shall not be used in violation of the City's Noise Ordinance. Requests for noise-creating devices shall be reviewed by the City's Police and Fire Departments. A noise monitor may be assigned by the Film Liaison.
   c. Filming Permits shall not be issued for sites where outstanding uncorrected violations of this Zoning Code or the City's adopted Uniform Fire Code exist.
3. **Specified Short-term Filming Permit conditions.** The Film Liaison may impose conditions on Short-term Filming Permits for protection of the public, including without limitation the following:

a. Minimum insurance requirements, including the City as additional insured, with proof of insurance, and provisions forbidding cancellation of insurance in the forms and amounts deemed necessary by the Film Liaison;
b. A parking plan for vehicles used in the filming session;
c. Written permission from affected property owner(s) and tenant(s);
d. Attendance during setup and the filming session by uniformed police officers or firefighters at the applicant's sole cost and expense; and
e. The Film Liaison may impose additional conditions on Short-term Filming Permits, deemed reasonable and necessary, to ensure preservation of the public health, safety, and general welfare.

4. **Filming activity guidelines.** The Council may adopt, by resolution, guidelines to be applied in granting Filming Permits and establishing conditions in compliance with this Section.

H. **Condition of site following temporary use.** Each site occupied by a temporary filming activity shall be cleaned of debris, litter, or any other evidence of the filming activity upon completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Zoning Code. The Film Liaison may require appropriate security before initiation of the filming activity to ensure proper cleanup after the use is finished.

I. **Post-approval procedures for Filming Conditional Use Permits.**
1. **Appeals.** Shall be in compliance with Chapter 17.72 (Appeals).
2. **Revocations.** A Filming Conditional Use Permit may be revoked by the Film Liaison effective immediately for violation of the terms of the permit.
3. **Modifications.** The Film Liaison may require changes in the terms or conditions of an approved Filming Conditional Use Permit at any time while it is in effect if needed to ensure that the activity may continue to operate consistent with the required findings identified in Subsection H, above.