

Agenda Report

TO: CITY COUNCIL
FROM: CITY MANAGER
DATE: NOVEMBER 13, 2000
SUBJECT: FILMING ISSUES RAISED BY COUNCIL

CITY'S MANAGER'S RECOMMENDATION

It is recommended that the City Council adopt the following staff recommendations for language to be included in the Filming Guidelines:

1. Ban helicopters in residential zones, but allow helicopters in commercial zones with signatures from all affected property owner/tenants within a 2000' radius.
2. Adopt the 300 foot notification definition and language reaffirming the police officer's duty to enforce all provisions of the filming permit.
3. Ban for six months any filming company that violates their next film permit(s) after receiving citations on a previous permit.

BACKGROUND

On October 23, 2000, Council approved the amendments to the General Filming Ordinance and Guidelines and Guidelines for Frequently Filmed Areas and approved the Special Filming District Guidelines process.

Council directed staff to address some remaining questions. The remaining issues include helicopters in residential zones, language definitions for the 300 foot notification area and police enforcement duties, and the Planning Commission's recommendations regarding banning film companies who violate their permits. In addition, Council instructed staff to study the issue of requiring deposits in advance for penalties.

Helicopter Filming in Residential Zones

Filming by helicopter can be quite disturbing to a residential neighborhood. Many residents won't sign for any other film shoots after experiencing the noise generated by a helicopter filming. This can affect all non-helicopter filmings in a fairly wide area. As a result, it is not recommended that this type of filming be allowed in residential zones, especially since many of the City's residents are requested to sign numerous permission to film documents each year. For helicopter shoots in a commercial area, it is recommended that signatures be obtained from every affected property owner/tenant with a 2000 foot (about 5 City blocks) radius from the property lines of the filming location.

violations, which filming violations are akin to. The City is required by law to maintain a rational nexus between the violation and the fine amount.

3. **Deposits discourage small-sized film crews from filming in Pasadena.** Due to new advances in digital technology, the City is seeing more mini-crews with video cameras filming in Pasadena. Along with mini-crews, come expectations by studios, networks and agencies of mini-budgets. Any additional checks are particularly conspicuous (even if most likely returned) and need to be amply justified in advance.

4. **Appearance of assuming a film permit will be violated in advance.** This could send a negative message that the City expects violations from the film industry to the point that the City wants them to pay for their violations in advance. Jurisdictions that request advance review fees or charge daily fees substantially higher than Pasadena's found themselves hosting very few film shoots a year in their jurisdiction.

ENVIRONMENTAL DETERMINATION

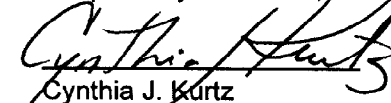
The general exemption found in section 15061 (b) (3) of the California Environmental Quality Act (CEQA) applies to these guidelines.

CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment, the activity is not subject to CEQA.

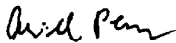
FISCAL IMPACT

Staff believes that improved filming guidelines and clear direction from neighborhoods create a more attractive environment for the film industry and will ultimately result in increased film activity. This would, in turn, result in an increase in revenue to the City. The direct results of this action, however, cannot be calculated at this time.

Respectfully submitted,


Cynthia J. Kurtz
City Manager

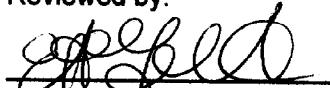
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Attachment A