



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Alex Teahen, Management Analyst

**Date:** October 11, 2022

**Subject:** Introduction of an Ordinance amending and restating Chapter 5.110 of the Lake Elsinore Municipal Code regarding Motion Pictures, Television and Photographic Production

### **Recommendation**

Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING THE LAKE ELSINORE MUNICIPAL CODE BY AMENDING CHAPTER 5.110 REGULATING MOTION PICTURES, TELEVISION AND PHOTOGRAPHIC PRODUCTION IN THE CITY

### **Background**

On September 25, 2012, the City Council adopted Ordinance No. 1305, establishing Chapter 5.110 of the Lake Elsinore Municipal Code regarding Motion Pictures, Television and Photographic Production. Since the adoption of this ordinance, the City has offered film permits to applicants who meet the defined criteria based on the approval of the Director of the Lake, Parks and Recreation Department, now identified as the Community Services Department. The Community Services Department remains responsible for processing film applications, and on average returns a denial or approval within three business days.

This ordinance has provided administrative rules and regulations for the review and issuance of film permits for an average of 15 films per year, including for numerous television episodes, movies, documentaries, and commercials for Otterbox, Pepsi, Disney, and Red Bull. The City currently charges \$58.78 per a permit application to process.

In December 2021, Mayor Timothy J. Sheridan requested the creation of Film Lake Elsinore, a subcommittee to promote economic development and tourism by enticing film industry professionals to produce projects in the City of Lake Elsinore. Councilmember Steve Manos was appointed to serve on the subcommittee in addition to the Lake Elsinore Valley Chamber of Commerce, and City staff from the City Manager's and Community Services Department.

The subcommittee met monthly January 2022 through May 2022, and identified three goals for this year: to attract more film projects to the City; to showcase the City and its appeal for the film industry; and to aim to become the destination for film and photography in Western Riverside County. Tactics used to accomplish this were to update the City's ordinance to be comparable to

## Ordinance Chapter 5.110 Motion Pictures, Television and Photographic Production

surrounding jurisdictions, to streamline the film permit application and improve usability, and to brand the initiative to raise awareness among the production industry.

To gain a greater understanding of the current expectations of industry leaders, the subcommittee also met with the Riverside County Film Commission (IE Film Services) and with the City of Palm Springs Film Permit Office earlier this year. They recommended several ordinance amendments outlined in the revised ordinance.

### **Discussion**

Suggestions shared by the both the Riverside County Film Commission (IE Film Services) and the City of Palm Springs Film Permit Office included fees for obtaining a permit, length of days required to process an application, definitions included in the current ordinance and notification requirements for surrounding residential areas.

As part of this new initiative, City staff has completed their review of the current ordinance, Lake Elsinore Municipal Code, Chapter 5.110 regarding Motion Pictures, Television and Photographic Production, and is proposing the following revisions:

- Revised section 5.110.020 (Definitions) to include “Studio” and updated the definitions for “Film Permit Officer” and “News Coverage”.
- Revised section 5.110.040 (Permit Exemptions) to include exemptions for charitable films, filming activities conducted at a studio, projects for the City’s benefit, and programs for education, government, and public access programs for cable television systems franchised within the City.
- Revised section 5.110.060 (Applications) to reduce the minimum number of days required to submit an application prior to filming.
- Revised section 5.110.070 (Permit Approval or Denial) to reduce the time allowed to conditionally approve or deny an application, to include a condition for denial for non-payment or demonstrated record of non-payment.
- Revised section 5.110.080 (Fees) to include fees for film permits and to allow fees to be set according to resolution adopted by the City Council.
- Revised section 5.110.100 (Notification) to require written authorization from all property owners on whose property filming will occur at the time of application submittal, to require notification 72 hours in advance to residential areas within 300 feet of the location if filming will occur between the hours of 10:00 p.m. and 6:00 a.m., and to require productions to publicly display their permit and site manager contact information on location.

City staff plans to complete a further review of fees associated with obtaining a film permit and will bring a resolution to the City Council amending film permit fees at a future date. Attached is a clean version and a redline version of the proposed changes to the existing municipal code.

### **Fiscal Impact**

No fiscal impact.

Ordinance Chapter 5.110 Motion Pictures, Television and Photographic Production

**Exhibits**

A – Ordinance

B – Comparison of existing and proposed changes to Chapter 5.110 marked to show revisions