

Chapter 18.380 SPECIAL EVENTS

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18.380.010 Purpose and intent

The purpose and intent of this Chapter is to provide for the temporary use of land for special events in a manner consistent with its normal use and beneficial to the general welfare of the public. Furthermore, it is the intent of this Chapter to protect nearby property owners, residents and businesses from special events which may be disruptive, obnoxious, unsafe or inappropriate given site conditions, traffic patterns, land use characteristics and the nature of the proposed use. Finally, it is the intent of this Chapter to preserve the public health, safety and convenience. (History: Ord. ZRR-2841 §1, 2009; ZRR-1725; ZRR-1637; ZRR-1477)

18.380.020 Special Event defined

The term “special event” shall mean a temporary, short-term use of property, signage or promotional devices occurring outside of a permanent building and not otherwise included as a permitted or accessory use by these zoning regulations.

The term “special event” shall not include activities specifically regulated by other Sections of the Overland Park Municipal Code such as amusement enterprises (see Chapter 5.08), Christmas tree sales (see Chapter 5.16), garage sales (see Chapter 5.44), transient merchants (see Chapter 5.70), parades (see Chapter 12.16), or off-site promotional signs (see Section 18.370.020). The term “special event” shall also not include people dressed in costumes or uniforms provided no signs or attention attracting devices related to a specific product, service, business or organization are utilized.

For the purposes of these regulations, special events will be categorized into one of the types detailed in Sections 18.380.040 through 18.380.070. Events not meeting any of the type categories are not permitted under the Special Event process. Final determination of the proper categorization shall be made by the Director of Planning and Development Services, or his or her designee.

(History: Ord. ZRR-2841 §2, 2009; ZRR-1890 §1, 94; ZRR-1725; ZRR-1637; ZRR-1477)

18.380.030 Special Event limitations

All special Events are subject to all applicable provision of other Sections of the Overland Park Municipal Code, such as tent permits, temporary food service permits, temporary liquor licenses, noise regulations, and building codes, unless specifically exempted by the

terms of a Special Event Permit. In addition, all signs, structures, and activities associated with a Special Event must be located on private property unless specifically approved otherwise. The numerical limits on Type 2 Special Events that can be staff approved shall also include any Type 3 Special Events held at the same business location.

(History: Ord. ZRR-2841 §3, 2009; ZRR-1890 §1, 94; ZRR-1725; ZRR-1637; ZRR-1477)

18.380.040 Type 1 Special Events

Type 1 Special Events shall be fund-raising or non-commercial events for nonprofit religious, educational, community-service or neighborhood support organizations held on private property owned, leased or utilized by the sponsoring organization as a permanent facility; including events sponsored by and contained within the boundaries of a homes association or neighborhood organization recognized by the City. Type 1 Special Events shall be subject to the requirements listed in this Section.

- A. Churches, temples, synagogues and similar religious institutions may display banners that publicize speakers, services, classes, programs or similar events that are taking place on-site using banners or similar forms of temporary signs without obtaining a permit provided that: (1) not more than three such banners or temporary signs are displayed at any one time; (2) no single banner or temporary sign shall exceed fifty square feet in area; (3) all such banners or temporary signs are located at least ten feet from any property line; and (4) all such banners or temporary signs are securely placed and maintained in a safe and attractive condition.
- B. Events that include exterior activities or structures that go beyond the temporary signage permitted under subsection A above or events or any type located at and sponsored by a non-profit organization that is not a religious institution are required to obtain a Special Event Permit prior to the event. Such permit may be approved administratively by the Planning & Development Services Department provided that; (a) no more than four Special Event Permits are issued per location per calendar year; (b) the Special Event duration does not exceed 10 days; and (c) City staff determines that the impact on adjacent properties is likely to be minimal given the hours of operation, the nature of the activities, the size of anticipated attendance, and the anticipated noise level. Special Events that are not approved administratively may be reviewed and approved by the Governing Body with whatever limits or restrictions they deem appropriate.

(History: Ord. ZRR-2841 §4, 2009; ZRR-2343 §48, 2002; ZRR-1890 §1, 94; ZRR-1725; ZRR-1637; ZRR-1477)

18.380.050 Type 2 Special Events

Type 2 Special Events shall be: (a) promotional activities or devices intended to attract attention to a specific place, business, organization, event or district, such as signs, searchlights, flags or balloons; (b) commercial activities intended to sell, lease, rent or promote specific merchandise, services or product lines, such as a tent sale, trade show, or product demonstration; and/or (c) fund-raising activities on behalf of a nonprofit religious, educational or community service organization sponsored by and at the location of a different organization or business. All Type 2

Special Events shall obtain a Special Event Permit prior to the event taking place. Where Special Event Permits are allowed in residential districts, they shall be limited to promotional activities related to the leasing or sale of residential units in projects containing at least 10 units by either the original developer of the project or a management company that represents the entire project. Type 2 Special Events shall be subject to the requirements listed in this Section.

- A. For Special Events consisting of only a single banner attached to the business façade, the permit may be approved administratively by the Planning & Development Services Department provided that: (a) the City staff has issued no more than four Special Event Permits per business location per calendar year in nonresidential districts or two Special Event Permits per calendar year in residential districts; and (b) the Special Event duration does not exceed 15 days.
- B. For events involving only temporary signs, banners or flags, the permit may be approved administratively by the Planning & Development Services Department provided that: (a) the City staff has issued no more than four Special Event Permits per business location per calendar year in nonresidential districts or two Special Event Permits per business location per calendar year in residential districts; (b) the Special Event duration does not exceed 10 days; and (c) the Special Event is consistent with the aesthetic and operational guidelines adopted by the City.
- C. For events involving temporary outdoor structures, inflatable objects larger than eight cubic feet, air- or mechanically-animated devices, projected images or beams of light, or activities other than those described in subsections A and B above, the permit may be approved administratively by the Planning & Development Services Department provided that: (a) the City staff has issued no more than four Special Event Permits per business location per calendar year in nonresidential districts or two Special Event Permits per calendar year in residential districts; (b) the Special Event duration does not exceed five days; (c) the Special Event is consistent with the aesthetic and operational guidelines adopted by the City; and (d) City staff determines that the impact on adjacent properties and surrounding neighborhood is likely to be minimal given the hours of operation, the nature of the activities, the size of anticipated attendance, and the anticipated noise level.
- D. Events that are not approved administratively may be reviewed and approved by the Governing Body with whatever limits or restrictions they deem appropriate.
(History: Ord. ZRR-2841 §5, 2009; ZRR-1725; ZRR-1637; ZRR-1477)

18.380.060 Type 3 Special Events

Type 3 Special Events shall be public events intended primarily for entertainment or amusement, such as concerts, festivals or sporting events that go beyond a facility's normal operation; or recurring, regularly scheduled events that are intended foster community spirit such as a farmers market. Type 3 Special Events may include a calendar of additional related promotional or entertainment activities provided such Special Events do not span a time period of more than one year. All Type 3 Special Events shall obtain a Special Event Permit prior to the event taking

place. Special Events of this type require approval by the City Council, provided however that the Director of Planning and Development Services, or his or her designee, may approve a Special Event Permit for one-day events where the small size of the Special Event, the capacity of the Special Event location, and any prior history of the Special Event make problems with noise, traffic or crowd control unlikely.

(History: Ord. ZRR-2841 §6, 2009; ZRR-2269 §1, 2000; ZRR-1803 §1, 93; ZRR-1725; ZRR-1637; ZRR-1477)

18.380.070 Type 4 Special Events

Type 4 Special Events shall include the use of a tent, recreational vehicle or other temporary structure for the purpose of providing temporary shelter for a non-commercial event not generally open to the public. Restrictions are as follows:

- A. The short-term use of tents or other temporary structures to accommodate a private party in a residential zoning district. No Special Event Permit is required.
- B. The short-term use of tents or other temporary structures to accommodate a private, by-invitation-only event in a nonresidential zoning district. A Special Event Permit is required and may be approved by the City staff for a period of not more than three days.
- C. The use of temporary structures by a public or nonprofit agency in response to a natural or man-made disaster. A Special Event Permit is required and may be approved by the City staff for a period of not more than 10 days. Longer durations may be approved by the City Council.

(History: Ord. ZRR-2841 §7, 2009)

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