

# Article 7.0 Special Events

## 7.1. Purpose

The purpose of this section is to:

- 7.1.1.** Provide for the temporary (see §20.3, *Other Terms Defined*) use of property for special events in all zoning districts,
- 7.1.2.** Provide for the orderly control of special events by establishing appropriate permit requirements and regulations,
- 7.1.3.** Ensure the promoter or sponsor of a special event is aware of any special circumstances that may have an impact on the success of their event, and
- 7.1.4.** Minimize any significant effects of a special event on adjacent and nearby property owners, residents, and businesses or which would impact the prevailing site conditions, traffic and circulation patterns, land use characteristics or the nature of the proposed use.

## 7.2. Definition and Criteria

- 7.2.1.** Special event are the temporary use of land, buildings, or structures for a gathering of any size, at any location, for any purpose, unless excluded in §7.3 below, but are not limited to:
  - A.** Carnivals,
  - B.** Circuses,
  - C.** Concerts,
  - D.** Revivals,
  - E.** Tournaments,
  - F.** Seasonal events (haunted houses),
  - G.** Craft fairs or markets,
  - H.** Festivals (medieval festivals)
  - I.** Fund-raisers,
  - J.** Rodeos.
- 7.2.2.** There shall be no more than three special events allowed on a property in a calendar year.
- 7.2.3.** The combined number of days that special events can occur on a property cannot exceed 30 days in any 12 month period.
- 7.2.4.** There shall be no more than one special event allowed on a property in a calendar month.

## 7.3. Applicability and Exclusions

- 7.3.1.** This section shall apply to all special events, as defined above, conducted on any property in Larimer County, regardless of what zoning district the property is situated in, unless otherwise excluded herein:
- 7.3.2.** This section shall not apply to:
  - A.** Gatherings on property that has received and is subject to an existing land use approval that limits the number, type, and nature of gatherings to be held on the property (i.e., assembly uses);
  - B.** Temporary agritourism enterprises;

- C.** Personal events;
- D.** Special events occurring on any Larimer County road or other county owned properties, parks, or open lands. Any event utilizing a Larimer County road or other county property is required to obtain a special events permit pursuant to Article IV, *Special Events*, Chapter 50, *Roads and Bridges* of the Larimer County Code of Ordinances. Any event occurring on a County park or open lands property shall be regulated by the rules and regulations of the County Parks and Open Lands Department; or
- E.** Gatherings at any regularly established, permanent place of assembly such as:
  - 1.** Place of worship;
  - 2.** Stadium;
  - 3.** Athletic field;
  - 4.** Arena;
  - 5.** Auditorium;
  - 6.** Fairgrounds;
  - 7.** Coliseum;
  - 8.** Picnic or camping area;
  - 9.** Sale or auction of agricultural lands or personal property;
  - 10.** Polling places for special or general elections;
  - 11.** Other similar permanently established place of assembly; or
  - 12.** Temporary uses identified in §3.5, *Temporary Uses and Structures*, provided that:
    - a. Such place is being used for its established and normal use allowed by zoning;
    - b. Attendance does not exceed the maximum seating capacity of the structure or place where the gathering is held; and
    - c. The gathering complies with all other county ordinances, resolutions, and regulations.

## 7.4. Permit Required

A special events permit shall be required for any special event on property where it is anticipated that the overall attendance will exceed 40 persons.

## 7.5. Review Criteria

To approve a special events permit, the Director, or the County Commissioners, must consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

- 7.5.1.** The applicant has demonstrated that the special event can be compatible with existing and allowed used in the surrounding area.
- 7.5.2.** The applicant has demonstrated that the special event complies with all applicable requirements of this Code.
- 7.5.3.** The applicant has demonstrated that the special event will result in no substantial adverse impact on other properties in the vicinity, including environmentally sensitive areas or features or other lands.
- 7.5.4.** The applicant has demonstrated that the special event has addressed the recommendations of the referral agencies.

**7.5.5.** The applicant has demonstrated that the special event will comply with the applicable performance standards as set forth in §7.7, *Performance Standards*.

## 7.6. Process and Submittal Requirements

### 7.6.1. Application Requirements

Application requirements can be found in the LUC Supplemental Materials.

### 7.6.2. Application Review

Upon determining that the special event permit application is complete, the Director will provide mailed notice to potentially affected property owners as required in §6.3.7 and refer the application to other county or non-county departments, agencies, or officials whose consideration is deemed essential to a full and complete assessment. Review of the application will take into consideration:

- A. The adequacy of the site sketch.
- B. The adequacy of the site to accommodate the special event proposed.
- C. The degree to which the special event complies or will be able to comply with the performance standards of §7.7, *Performance Standards*.
- D. The preservation of the health, safety and welfare of the public and surrounding properties and uses.

### 7.6.3. Action on Application

Within 30 days of filing of a complete special event application, the Director will take one of the following actions:

- A. Issue the permit with any conditions deemed necessary to minimize potential adverse impacts and meet the intent and purpose of this section,
- B. Deny the permit if the proposed special event fails to conform to the applicable provisions, requirements, or standards of this section. The Director's decision shall specify the reasons, in writing, for the denial citing specific requirements, provisions and standards in this section or other applicable provisions, laws, rules or regulations that were not met, or
- C. Schedule the application for a hearing before the County Commissioners to determine if the event should be allowed or denied. Notice of said hearing shall be provided as required by §6.3.7, *Scheduling and Notice of Hearings*.

### 7.6.4. Appeals

- A. Any decision by the Director to either grant or deny the special event permit may be appealed to the County Commissioners. Appeals must be received within five calendar days following the date on which the Director issues their decision. The appeal must be in writing and must state specifically why the Director's decision is incorrect or inconsistent with the provisions, intent, or purpose of this section.
- B. The County Commissioners will consider the appeal in an open meeting. The County Commissioners may overturn or modify the Director's decision if they determine the Director's decision is incorrect or inconsistent with the provisions, intent, or purpose of this section.

## 7.7. Performance Standards

Special events may be required by the Director to comply with any or all of the following conditions, except for subsections 7.7.4, 7.7.9, and 7.7.10, which may only be waived with the approval of the County Health Department, the fire district or the Larimer County Sheriff respectively. Which requirements apply to a specific event will be determined based on the location and type of event, and after consultation with the Larimer County Sheriff, Larimer County Department of Health and Environment, applicable fire authority and any other county or non-county department, agency or official whose consideration the Director deems essential to a full and complete assessment. All applicable requirements shall be specified in the conditions of the permit, if approved:

- 7.7.1.** An adequate and safe supply of potable water meeting requirements set forth by the Colorado Department of Health or county department of 7.7.10 shall be provided.
- 7.7.2.** Separate enclosed toilets for males and females, meeting all state and local specifications, as determined by the Larimer County Department of Health and Environment, conveniently located throughout the grounds, sufficient to provide healthful facilities, for the maximum number of persons allowed at any single time, to attend the special event shall be provided.
- 7.7.3.** A sanitary method of disposing of solid or liquid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of persons allowed at any single time to attend the special event.
- 7.7.4.** As determined by the Larimer County Department of Health and Environment, the following may be required:
  - A.** Two certified emergency medical technicians and one emergency ambulance provided for special events with 500 persons. One additional certified medical technician provided for every additional 500 persons. An enclosed structure where treatment may be rendered shall also be provided.
  - B.** A licensed practical nurse or registered nurse, licensed to practice in the state, provided for special events with 1,000 persons. One additional nurse provided for every additional 1,000 persons.
  - C.** A vector control plan indicating how insects, rodents, and other vermin will be controlled by proper sanitary practices, extermination, or other safe and effective control methods. Where necessary, a plan to control animal ectoparasites, and other disease transmitting and nuisance insects must be provided.
- 7.7.5.** If the special event is to occur during hours of darkness, illumination sufficient to light the area of attention (stage, actors, band, etc.) be provided at the rate of at least five foot-candles. Such illumination shall not be allowed to shine or reflect unreasonably beyond the boundaries of the location of the special event.
- 7.7.6.** A parking area sufficient to provide parking space for the maximum number of persons allowed at any single time to attend the special event. In addition, there shall be a traffic circulation system sufficient to allow safe and efficient traffic and pedestrian circulation for the maximum number of persons allowed at any single time to attend the special event. The flow of traffic on roads shall not be blocked or hindered, and no cars, buses or bicycles shall be allowed to park along the side of or in any public road right-of-way, without prior written approval of the County Engineering Department.

- 7.7.7.** Adequate facilities for communication with hospital, police and fire services shall be provided and based in the medical station.
- 7.7.8.** If the assembly is to continue overnight, camping facilities in compliance with all state and local requirements must be provided.
- 7.7.9.** Security which, as determined by the county sheriff, is adequate to control any disturbances which might occur at the special event. An adequate plan of peer group control may be used if approved by the Larimer County Sheriff.
- 7.7.10.** Applicant must provide evidence that the applicable fire protection district has been notified about the special event. Applicant shall comply with all requirements of the fire protection district.
- 7.7.11.** Applicant assurance that sounds from the special event do not carry unreasonably beyond the boundaries of the location of the special event. Sound created by the special event which exceeds any limitations set by the Larimer County Noise Ordinance shall be presumed to be unreasonable.
- 7.7.12.** Applicant must provide for appropriate dust mitigation.
- 7.7.13.** If electrical systems are not self-supporting, electrical systems installation and maintenance must comply with minimum county and state electrical standards.
- 7.7.14.** Management of food service shall conform to the requirements of the county department of health and environment.
- 7.7.15.** Guarantees in the form of an irrevocable letter of credit, bond, or cash retainer in the amount of \$500.00 per acre to cover the cost any required grading, site restoration, dismantling and removal of structures, and clean-up following the special event may be required. Any letter of credit, bond or cash retainer must be irrevocable for a period of 30 days after the completion of the event. The letter of credit, bond or cash retainer will be released by the county as soon as possible after the event, after determination that the site has been adequately cleaned-up and restored from any impacts of the event. If the county has not made a determination on retention or return of the guarantee within 30 days following the event, said guarantee will be returned to the applicant.
- 7.7.16.** Structures and facilities shall be designed and located on the site and the site shall be maintained so as to ensure:
- A.** Trees, underbrush, large rocks, and other natural features are left intact and undisturbed.
  - B.** Natural vegetative cover is retained, protected, and maintained so as to facilitate drainage, prevent erosion, and preserve scenic attributes.
- 7.7.17.** For special events that involve exotic animals, including but not limited to circuses, carnivals, fairs, exhibitions, races, displays, educational seminars or performances, the Director may impose as a condition of permit approval reasonable conditions the Director deems necessary or appropriate to protect the health, safety and welfare of the animals, the permit holder, those persons conducting the special event, the special event attendees, and the general public. This §7.7.17 shall not apply to special events involving only livestock, domestic animals or wildlife sanctuaries licensed by the Colorado Division of Wildlife. The Director may consult the humane society or other animal welfare agencies or organizations in determining necessary and appropriate conditions.

**7.7.18.** A description of the surface material of the parking area and a method-plan for handling traffic in conformance with the Manual on Uniform Traffic Control Devices and the Colorado Supplement.

**7.7.19.** Insurance in an amount determined to be adequate and reasonable in light of the risks and hazards relating to the special event. Applicant may also be required to purchase search and rescue (SAR) cards for some or all persons participating in the special event.

## **7.8. Compliance with Other Regulations**

**7.8.1.** Special events shall occur or operate in compliance with the provision of this section and all applicable provisions and regulations of Larimer County and applicable state and federal statutes and regulations.

**7.8.2.** Issuance of a special event permit shall not relieve the landowner or applicant of the responsibility for securing other permits or approvals required by the Community Development Department, the Larimer County Building Department, Larimer County Department of Health and Environment, the fire district or other department or agency of Larimer County or other public agency.

## **7.9. Site Clean Up and Restoration**

Within 48 hours of cessation of the event, the special event site shall be returned to its previous condition, including removal of all buildings and structures, trash, debris, signage, attention-attracting devices, or other evidence of the special event.

## **7.10. Enforcement**

### **7.10.1. Inspections**

The County or its representatives may enter and inspect the special event site from time to time to ensure compliance with the special event permit conditions and to enforce the provisions of this section.

### **7.10.2. Permit Available**

The special event permit issued by the county must be available for inspection on the special event site at all times during the event.

### **7.10.3. Suspension and Revocation of Permit**

The Director may suspend or revoke a special event permit for violation of any provision of this section or any other applicable law, rule, or regulation, for violation of the permit conditions, or for any misrepresentation by the applicant, his agents or employees or independent contractors under contract with the applicant. The decision of the Director to suspend or revoke a special event permit may be appealed to the County Commissioners. No event shall occur while a suspension or revocation appeal is pending except as authorized by the Director. By signing the application, the applicant agrees that the Larimer County Sheriff may enter the special event site and cause the special event to be stopped upon suspension or revocation of the special event permit.

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**7.10.4. Letter of Credit or Cash**

Upon breach of the terms and conditions for which the letter of credit, cash or other guarantees are provided pursuant to §7.7.15 , the County may undertake to cure such breach, perform such condition, or cause such condition to be performed by another and may use the proceeds of the guarantee to recoup its costs.

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**7.10.5. Additional Remedies**

Failure to comply with this section or with the special event permit conditions is a violation of this land use code for which the county is entitled to pursue and seek the remedies and penalties set out in §1.9, *Enforcement*.