

SECTION 22B ENTERTAINMENT EVENTS

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2201B Intent

This section is intended to provide for the orderly control of Entertainment Events. It establishes permit requirements and regulations for the review of Entertainment Events.

Two types of Entertainment Event permits are established herein based upon the scale and duration of the requested event permit. Minor Entertainment Events shall be subject to administrative review and approval. Major Entertainment Events shall be reviewed and approved by the Board of County Commissioners following a public meeting on the requested permit.

Events which have received a permit or approval by another governmental entity or County department, including but not limited to Douglas County Parks, Trails, and Building Grounds, Douglas County Division of Open Space and Natural Resources, or special districts, and which are contained entirely on the property owned or leased by the approving entity do not require a permit under this section.

2202B Approval Standards

Entertainment Event permits shall be approved based upon a finding that:

- 2202B.01 The proposed use is compatible with the intent of the zone district in which the event is proposed.
- 2202B.02 The proposed use will not have a substantial adverse affect on adjacent uses, buildings, structures, or the natural environment.
- 2202B.03 The proposed use will not have a substantial adverse affect on public services or facilities.
- 2202B.04 The nature of the proposed use will not be detrimental to the health, safety, or welfare of the community.
- 2202B.05 The proposed use complies with the general requirements listed in Section 2203B, herein.
- 2202B.06 The site is suitable for the proposed use, considering flood hazard, drainage, and topography.

2203B General Requirements *(Amended 8/28/18)*

- 2203B.01 Entertainment Events shall be permitted in the Sedalia Community, Sedalia Downtown, and Sedalia Mixed Industrial Zone Districts by right, as well as on conforming parcels in the Agricultural One and Large Rural Residential Zone Districts, subject to the processes established herein.

- 2203B.02 Entertainment Event permits shall be subject to Section 1703A, Maximum Permissible Noise Levels, of the Douglas County Zoning Resolution unless otherwise specifically modified or excluded from these requirements through approval of an Entertainment Event permit. Any Entertainment Event requesting modification or exclusion from Section 1703A shall be processed as a Major Entertainment Event.
- 2203B.03 Applicants proposing multiple Entertainment Events at a single location throughout the year, or for multiple years, may apply for a single permit for all proposed Entertainment Events. Any request for multiple Entertainment Events at a single location shall be processed as a Major Entertainment Event.
- If requested by the applicant, the Board may approve multiple-year Major Entertainment Event permits limited to a maximum of five years, if no significant changes to the scope and duration of the events are planned to occur over the requested permit duration. Multiple-year permits may be subject to periodic inspections by the County and other agencies. Proof of permits and approvals from applicable agencies and County departments shall also be submitted prior to the start of each year's event.
- 2203B.04 The applicant shall provide evidence that adequate provisions have been made for access, on-site parking, and management of sewage, potable water, and refuse.
- 2203B.05 The applicant shall provide evidence that the Entertainment Event will not cause undue traffic congestion or accident potential. A traffic control plan may be required.
- 2203B.06 The applicant shall provide evidence that all other required permits have been obtained. Other permits may include building permits, fire district approval, GESD permits, health department permits, or a liquor license. The permit holder shall be responsible for all sales tax, state, and federal taxes, licenses, etc., required by other agencies.
- 2203B.07 A \$250 cleanup fee shall be submitted to Planning Services prior to permit issuance, unless waived by the Director. The cleanup fee is refundable. The permit holder shall be responsible for providing notice to Planning Services within 48 hours of the permit expiration that the use has ceased. The site shall be inspected to ensure site cleanup prior to refunding the fee.
- 2203B.08 A banner sign shall be permitted for a period not to exceed two weeks. Alternatively, one temporary 32 square foot sign is permitted. Sign permits shall be required in accordance with Section 29 – Sign Standards of this Resolution.

2203B.09 Lighting shall comply with Section 30, Lighting Standards.

2203B.10 Entertainment Event permits shall be valid for the property and permittee identified on the permit and may not be transferred upon sale of the property, or otherwise assigned to another person or business. The new landowner or lessee shall apply for a new permit.

2204B Permitting Procedure – Minor Entertainment Events

2204B.01 Following a presubmittal meeting with Planning Services, the applicant shall submit the information required in 2206B herein to Planning Services at least 30 days prior to the event. *(Amended 08/28/18)*

2204B.02 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff will send referral response requests to other agencies, for review and comment on the application. Such agencies may include but are not limited to Engineering Services, the Douglas County Sheriff's Office, the affected fire district, the health department, and homeowners associations. The applicant will be asked to address all comments received. *(Amended 8/28/18)*

2204B.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. *(Amended 4/13/2021)*

2204B.04 Minor Entertainment Event Permits shall be approved, approved with conditions, referred to the Board of County Commissioners for final action at a public meeting, or denied by the Director. The Director shall evaluate the Entertainment Event request, applicant responses, and public comment. The Director's action shall be based on the evidence presented and compliance with the adopted County standards, regulations, policies, and guidelines.

2204B.05 Appeals to an administrative determination shall be processed in accordance with Section 26A of this Resolution.

2204B.06 If the conditions or restrictions imposed by this Section 22B, or by the Entertainment Event Permit have not been complied with, the Director may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The

Director’s action may be appealed to the Board of Adjustment pursuant to Section 26A of this Resolution.

2205B Permitting Procedure – Major Entertainment Events

2205B.01 Following a presubmittal meeting with Planning Services, the applicant shall submit the information required in 2206B herein to Planning Services at least 45 days prior to the event. *(Amended 08/28/18)*

2205B.02 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff will send referral response requests to other agencies for review and comment on the application. Such agencies may include but are not limited to Engineering Services, the Douglas County Sheriff’s Office, the affected fire district, the health department, and homeowners associations. The applicant will be asked to address all comments received. *(Amended 8/28/18)*

2205B.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. *(Amended 4/13/2021)*

2205B.04 At least 14 days prior to the public meeting, the applicant shall mail, by first-class, a written notice of the public meeting to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor’s Office. The notice shall read:

NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF COUNTY COMMISSIONERS

A public meeting will be held on (date), at (time), in the Commissioners’ Hearing Room, 100 Third Street, Castle Rock, CO, to consider an entertainment event proposed at (address or nearest intersection). For more information call Douglas County Planning at 303-660-7460.

File No./Name: _____

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this ____ day of _____, 20____, and addressed as follows:

(list of addresses)

(signature of person completing the mailing)

In the event the applicant fails to mail a notice to an abutting landowner, the landowner that did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning prior to the meeting.

2205B.05 Major Entertainment Event Permits shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the Entertainment Event request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations and policies; and other guidelines.

2205B.06 If the conditions or restrictions imposed by this Section 22B, or by the Entertainment Event Permit have not been complied with, the Director may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The Director's action may be appealed to the Board of Adjustment pursuant to Section 26A of this Resolution.

2206B Submittal Requirements

The following information shall be submitted to Planning Services, unless waived by the Director:

- 2206B.01 Completed land-use application form.
- 2206B.02 Proof of ownership, or written confirmation from the property owner(s) agreeing to the use of their property or right-of-way for the Entertainment Event, or a copy of the lease agreement.
- 2206B.03 A notarized letter of authorization from the landowner permitting a representative to process the application.
- 2206B.04 A written description of the event, including:
- Description of proposed activities

- Description of the proposed event's compatibility with the intent of the zone district
- Description of the proposed event's expected impacts to the subject land and surrounding properties, and how adverse impacts on surrounding properties will be mitigated
- Expected daily and total attendance
- Event schedule (including setup) and daily hours of operation
- Number of employees
- Description of water requirements, including the source of water
- Description of sanitation requirements, including the number and location of temporary toilets

2206B.05 A site plan depicting:

- Parcel boundary or lease area
- Driveway access
- Zoning and current use of the parcel and adjacent parcels
- Location and dimension of existing and proposed structures
- Setback from the property line
- Location and surface material of proposed off-street parking areas
- Food service and vendor information
- Method of trash disposal and location of bins

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