

HUERFANO COUNTY LAND USE
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Huerfano County Board of Commissioners Staff Report Temporary Assembly Permit Application #22-61

Hearing Date: February 28; Continued March 14, 2023

Introduction

With this application, Hummingbird Ranch, LLC (Applicant) is requesting a temporary assembly permit to host a single night of camping prior to the Sonic Bloom Festival on the private property known as Hummingbird Ranch, an approximately 360 acre parcel located just north of County Road 650.

Code References

§1.13 of the Land Use Code covers Temporary Assembly Permits

Background

The Applicant, submitted a full application to hold the camping event on June 14, 2023 on 11/18/2022. Camping the night before the festival will help to spread out ingress traffic impacts on Lascar Rd. Permitting camping the night before the festival may also lessen the likelihood of people camping out in unapproved locations prior to festival commencement. Camping will be limited to people who will be staying at the Ranch for the festival and will include both tent and RV camping options. There is no music or other event programming planned for this event, and no food vendors will be operating.

Hummingbird Ranch LLC will contract with Sonic Bloom Festival, LLC to use infrastructure being brought onto the site for the festival, including its system to track the number of campers and systems for supplying potable water.

The event will have a maximum capacity of 2,500 people with a maximum of 2,000 tickets to be sold.

The Applicant's letter of intent outlines plans for waste disposal, medical facilities, lighting, parking, emergency communication, water and sanitation, fire protection, security, sound control, electric systems, site design and management and bonding and insurance.

Location: The property is located at 732 County Road 653, parcel number 13483.

A site map is attached showing boundaries of the property and locations for parking and camping.

Staff Comment:

Section 1.13.04 of the Land Use Code outlines requirements for a Temporary Assembly Permit.

If granted, a bond will have to be filed with the Clerk of the Board. At the time of application an affidavit from the applicant is required that they intend to comply with all bonding requirements and deadlines as applicable. The insurance requirement of **\$500,000** does not have to be met at the time of application, but is a requirement at least **15-days before event**.

The application addresses all of the required topics outlined in Section 1.13.

Noticing: Legal notice shall be published in the newspaper at least seven (7) days prior to public hearing, and applicant shall send notice of public hearing by Certified Mail to registered owners of properties within 1,200 ft of subject property at least ten (10) days in advance of hearing.

Review Agencies notified on January 19, 2023:

- Huerfano County Sheriff's Office
- Local Fire Protection District
- Local County Health Department
- Huerfano County Emergency Management Department
- Colorado Division of Wildlife
- Huerfano County Building Department
- Huerfano County Finance Department
- Huerfano County Public Works Department
- Huerfano County Road and Bridge Department
- Huerfano County Hospital District

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Criteria (1.13.05)

After a public hearing, the Board of County Commissions may act on the application at a regularly scheduled public Board meeting. In acting on the application, the Board of County Commissioners shall consider all evidence whether presented orally or in writing and may act by resolution. If the Board of County Commissioners determines that the application is to be approved subject to the applicant fulfilling conditions placed on said approval, the Board shall so indicate by placing such conditions on the permit and endorsing the permit.

Land Use Department will notify applicant of any comments received from review agencies within 10 days of receipt and the applicant shall have an opportunity to modify the application to address any concerns from review agencies.

Staff Comment:

As of February 24, 2023, comments were received from Parks and Wildlife regarding bear precautions. No other comments were received from review agencies or the public.

In consideration of potential conditions on this permit, the following outlines the parameters proposed by the applicant in their letter of intent. Where relevant, requirements from Section 1.12 of the Land Use Code are cited to clarify County requirements on certain topics where the applicant proposes to meet or exceed County requirements. Lettering of items corresponds with that in the applicant's letter of intent; lettered items not included did not include proposed parameters.

- D. There will be no music or other programming.
- E. Single night of camping from Wednesday, June 14, 2023 at 10:00 AM to Thursday, June 16 at Noon.
- F. Maximum number of persons permitted to assemble at any one time: 2,500
- G. Maximum number of tickets sold: 2,000.
- H. Potable water supply to be provided:
 - a. Code requires "An adequate and safe supply of potable water meeting requirements set forth by the Colorado Department of Health. Where water is not available under pressure and non-water carriage toilets are used, potable water, meeting all federal and state requirements for purity, shall be provided for bathing and drinking at the rate of at least three (3) gallons per person per day. Where water is distributed under pressure and flush toilets are used, the water supply system shall deliver water at normal operating pressures twenty (20) pounds per square inch minimum to all fixtures at the rate of at least thirty (30) gallons per person per day. An alternative water plan may be considered in place of these requirements."
- I.
- J. Solid Waste: multiple stations to be emptied into roll-off dumpsters. Capacity to exceed 2.5 lbs of refuse per person per day.

- a. Port-a-lets: ADA compliant units and a hand wash station for every four toilets. Ports to be serviced regularly.
 - b. Code requires: “Enclosed toilets meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide healthful facilities for the maximum number of people to be assembled as deemed adequate by the local health department. There shall be a minimum of one (1) toilet for every one hundred (100) persons, together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with state and local laws and regulations.”
- K. Medical Facilities: Medical tent with requisite number of EMTs, paramedics and nurses; standby ambulance service and professional tent where treatment can be rendered.
- Code requires:
- a. Two (2) persons trained in emergency medical technology for the first five hundred (500) persons and one for every five hundred (500) persons after that, together with at least one (1) emergency ambulance available for use at all times. An enclosed structure where treatment may be rendered shall also be provided.
 - b. A healthcare professional trained in emergency medicine and a nurse licensed to practice in the State for every one thousand (1,000) persons; provided however, that no nurse shall be required for assemblages of less than one thousand (1,000) persons
- L. Lighting: ambient lighting to illuminate pedestrian walkways; generator-based light towers to illuminate parking and work areas. Dark Sky principles will be followed.
- M. Parking plans and interior circulation to be provided.
- N. Communication: 16-channel radios used by medical and security teams. Cell phone coverage and land line available on site.
- O. Facilities: tent camping, car camping and RV camping will be accommodated. Campgrounds will have portable toilets, hand wash stations and potable water and trash disposal stations.
- P. Fire Protection: Applicant will comply with County restrictions, fire ban or similar order that may be in effect. No campfires or open flames will be allowed.
- a. Private pump truck or trailer that could respond to an incipient fire to be hired.
 - b. Depending on conditions: deploy water truck to wet campgrounds and parking lots to mitigate against vehicle ignition sources.
 - c. Equip security golf carts with extinguishers.
- Q. Security: Battle Tested Security, a Denver-licensed company, will provide security. Number of security guards to be based on attendance. Code requires two (2) security guards for every five hundred (500) persons assembled. At least five (5) guards to be within and among assembled people, or an alternative plan of peer group control.
- R. Sound Control and amplification: No music or other activities are programmed.
- S. Health standards for food concessions and concessionaires: There will be no concessionaries. Campers to provide their own food.
- T. Plans for electrical systems: Lighting to be powered by portable generators.
- U. Impact on trees, underbrush, natural features; facilitate drainage, prevent erosion, preserve scenic attributes, abate dust: County will be applying Magnesium Chloride on roads to abate dust.
- V. Bonding and Insurance: Applicant will contract with Festival to be covered for the night of camping under Festival’s insurance and bond.

Conditions placed on Temporary Assembly Permit 22-17 issued in 2022 for the night preceding the festival:

1. Applicant must submit an emergency evacuation plan to the County Land Use Department.
2. Applicant must meet with the Emergency Manager, Land Use Department, and County Administrator one week prior to the event.
3. \$50,000 bond for the camping event separate and apart from any other event bond for the same property.
4. A minimum of three (3) EMTs
5. A minimum of four (4) security guards.
6. Must mow the designated camping areas within three (3) days of the event to a maximum height of three (3) inches.
7. County Noise Ordinance is applied to the event. The only exemption is for sound checks for stages during daylight hours.

Commission Action Options:

1. **Approval** without any special conditions.
2. **Conditional** Approval with a description of the special conditions.
3. **Denial**, indicating for the record the reason(s) for such action.
4. **Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.

Attachments

1. Application materials
2. Comment from Colorado Parks and Wildlife