

Background and Discussion:

The Town's current special event regulations limit the number of special events that can occur on any one property to 3 events not exceeding 3 days in length per year on any one property. The regulations seem to be directed at and work fairly well for churches and charitable events. In reality, there are more frequent, yet intermittent types of activities that occur in Town and are generally consistent with a rural lifestyle and atmosphere and serve the demonstrated needs of the community that are in the realm of recreational/entertainment but need to have a more extended time frame or series of time frames to operate and yet are not truly permanent venues.

These operations include but are not limited to:

- Horse shows and other equestrian events,
- Wedding venues,
- Farmer's markets, craft/art shows and similar activities, and
- Camps and camping.

Under the Town's existing regulations such events are not permitted beyond the current special event regulations. Nonetheless they do continue to occur which ends up putting the Town in the situation of turning a blind eye or moving forward with code enforcement process, which because of the intermittent nature of these type of events (many of which occur on weekends) becomes a time consuming and frustrating experience for both the Town and the operator and can result in a situation wherein the operator determines the code enforcement fines are a cost of "doing business". At the same time the Town and its residents are not getting the benefit of reasonable and necessary improvements to the onsite and offsite impacts of the operation because the operators do not have a mechanism to get approvals for the activities.

Staff is suggesting a seasonal permit be created for the type of activities listed above and perhaps for others as applicable. Such permits would be available for events or series of events that cannot be accommodated by the existing special event process. Some of the possible considerations for issuing the permit could include the following (***any and all of these suggestions are prompts for discussion and need council input and direction in order to draft meaningful regulations—perhaps there are additional considerations to add***):

- Timing and Eligibility: The seasonal permit would be issued annually and would perhaps only be available on properties that are at least say 10 acres in size.
- Attendance: These permits would be applicable to events and activities that had more than say 50 people (between participants and spectators) at the event per day.

- Limited Days of Operation: There would be a limit on the total number of days per year the activity could operate depending on the type of event/activity.
- Process and Approval: The applicant would have to go through the conditional use process with Council approval for the initial application.
- Site Plan: The applicant would have to provide a site plan showing onsite parking, traffic circulation and permanent and temporary structures utilized in the events.
- Other Permits: The applicant would have to demonstrate compliance with the Town's FDA regulations and all permanent and temporary structures utilized in the events would have to have been permitted under the building code. The Town may require the applicant to identify vendors at the event and that the applicant get a BTR to operate.
- Traffic: A traffic study may be required and the applicant would have to provide a stabilized parking surface for vendors, patrons and participants of the event. The number of parking spaces required would be dependent on the anticipated number of people at the event including the participants, spectators, and service personnel. If necessary, the applicant would have to provide traffic control for the event. Any use of adjacent property for parking or traffic circulation would have to be supported by an easement or other temporary agreement for such use and those areas for circulation and parking would have to be included in the site plan.
- Lighting: If the event was going to operate after dusk the applicant would have to demonstrate appropriate lighting to protect the patrons at the event and not have any light spillage on to adjacent properties.
- Setbacks: Appropriate buffering, whether by landscaping or otherwise to minimize impacts on adjacent properties would have to be demonstrated. All event activity other than traffic circulation and parking would have to be conducted at least 50 feet from a property line.
- Insurance and Bonds: The operator would have to provide proof of insurance to the Town. A bond for potential offsite damage to the Town's infrastructure would have to be posted.
- Fees: The Town would process the application using cost recovery so that the applicant would be responsible for the costs involved in the review.
- Annual Renewals: After the initial approval by the Council, subsequent seasonal permits could be issued with Town Manager approval if the site plan and conditions proposed are consistent with the previous Council approval.
- Notice and Scheduling: The operator would have to provide the Town with notice and schedule of events at least say 15 business days before an event occurs.
- Inspections: The site would be subject to inspection for compliance with the terms and conditions of approval at any time. The fire department and sheriff's office would be consulted and offer comments for consideration by the Council as a part of the application and approval process.

As we approach the equestrian season more of these types of activities will become apparent; however, the seasonal permit ordinance and process implementation requires some more review by the Town's attorneys and planners, before it is brought forward to the PZB and then to Council for approval. It is anticipated the consideration of the proposed regulations would be concluded by January of 2024. At that time depending on the Council's determination the operators would have to submit complete applications and go through the full process of approval if such an avenue were approved. If the regulations are rejected and special event approval was not available the operations would have to cease or be subject to code enforcement.