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## **Arapahoe County denies Temporary Use Permit for Riot Fest Corp./ Soda Jerk Presents for September three-day music festival in Byers *Appeal can be made to County's Board of Adjustment***

**LITTLETON, CO** --- On Friday, Arapahoe County issued a denial letter to Riot Fest Corp./Soda Jerk Presents on an application for a Temporary Use Permit for a three-day music festival to be held Sept. 19-21 at May Farms in Byers.

The Arapahoe County Zoning Administrator notified Riot Fest Corp./Soda Jerk Presents of the decision Friday. The decision to deny is based upon traffic impacts and public safety concerns that would adversely impact surrounding property owners.

Due to the overwhelming public interest in this event, a copy of the denial letter is posted on the Arapahoe County website at [www.arapahoegov.com](http://www.arapahoegov.com).

A Temporary Use Permit is an application for a one-time event, determined through an administrative process as outlined in Section 12-600 in the County's Land Development Code. Applicants must provide evidence that the use shall not adversely affect surrounding property owners and that off-street parking spaces are adequate and will not adversely impact surrounding areas.

The decision on whether to issue the permit was made by the County's Zoning Administrator after receiving comments from the public and referral agencies. On July 1, the Arapahoe County Commissioners held a public meeting in Byers to allow the applicant, Riot Fest Corp./Soda Jerk Presents, the opportunity to present its proposal; and for the public to provide comments on the Temporary Use Permit and the application by Gary and Stacie May to amend the Use by Special Review for May Farms.

A follow-up public hearing on the Use by Special Review has not been scheduled.

While a public meeting is not typically part of the Temporary Use Permit process, the Commissioners decided to conduct a public hearing in Byers due to the scale of the music festival and the level of public interest generated by the music festival in 2013 and 2014.

More than 200 people attended the July 1 meeting to provide comments on the proposed event. In addition, the County has received numerous emails, letters and comments by phone; and has received petitions regarding the Temporary Use Permit application.

According to the Temporary Use Permit application, the 2014 festival is proposed to include music, parking, camping, carnival rides and food and merchant vendors. Tickets sales were estimated at 14,000 for the 2013 event and are projected to be 17,500 for the 2014 event. It is anticipated that there will be 2,100 camp sites for visitors to the festival.

The Zoning Administrator’s decision is based upon all relevant information including, but not limited to, information provided by the applicant, comments provided by email or letter, comments made by the Commissioners and comments provided by internal departments and referral agencies.

“While the applicant has provided some ideas on measures that would mitigate the impacts of the traffic and parking and improve the traffic flow for the event proposed this year, based upon comments provided by the County's Engineering Division, it appears that the mitigation would only be partially successful, and that there would still be long lines of cars down the access corridors to May Farms, including Highway 36 through the Town of Byers, and there would still be substantial congestion for extended periods during the duration of the event, as the roadway infrastructure in the area is not designed nor capable of handling such volumes,” according to the denial letter by the Zoning Administrator. “Based upon the information I have received, I am compelled to conclude that approving the TUP application will negatively impact surrounding property owners and uses.”

The denial letter also addresses public safety concerns.

“Due to the amount of traffic congestion from Riot Fest, emergency service providers would not be able to serve the residents of Byers, the surrounding areas, or the attendees of Riot Fest on a timely basis,” according to the denial letter. “In addition, the congestion and configuration of the event parking/camping would result in pedestrian/vehicle conflicts along Bradbury Road and I-70. In the case of a disaster at Riot Fest, the ability to evacuate the site quickly would be impaired by the limited access and the existing roadway infrastructure and network.”

The decision by Zoning Administrator is appealable to the Arapahoe County Board of Adjustment. In order to appeal, the applicant must notify the Zoning Administrator within 10 calendar days of the decision.

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