

Town of Sedgwick

Meeting Agenda

Monday, July 10, 2023, 6:00PM

Public Comments Information

If you wish to address the Board of Trustees, there is a “Comment from the Public” scheduled time. Comments on Agenda items will be allowed following the presentation or Board deliberation. Your comments will be **limited to three (3) minutes** and can only speak once on any motion or agenda item.

Monthly staff reports to the board are not open for comments.

- I. Call to Order
- II. Pledge Allegiance
- III. Approve Agenda
- IV. Approve of Minutes from last Meeting(s)
- V. Approve of Bills
- VI. Comments from the public
- VII. Monthly Reports
 - o Clerk’s Office
 - o Maintenance
 - o Mayor
 - o Board of Trustees
- VIII. New Business
 - o Rhonda Graham – Monthly Updates
 - o Jan Toyne – Sedgwick Volunteer Fire Department
 - i. Bleachers
 - o Matthew Lathrop – Conditional Use Request
- IX. Old Business
 - o Fairgrounds Zoning - Mixed Use
 - o Harvest Festival 2023
- X. Executive Session (If needed)
- XI. Call to Adjourn

Posted on this 7th day of July 2023 by Kim Quayle @ 3:30pm



**Town of Sedgwick
Record of Proceedings
June 12th, 2023**

Members Present: Peggy Owens, Roger Munson, Darrin Tobin, Traci Sanchez.

Employees Present: Heather Moore & Richard Kehm

Call to Order: The Town Board met in regular session. A quorum was verified, and the meeting was called to order at 6:00 pm by Mayor Danny Smith

Roll Call Mayor Danny Smith Here

Traci Sanchez	Here	Juan De La Hoya	Absent
Peggy Owens	Here	Roger Munson	Here
Dale Jones	Absent	Darrin Tobin	Here

Approval of Agenda

- Michelle Stange with the Economic Development called and let us know they will not be able to talk tonight, so that agenda item is crossed out.

Motion: Approval of Agenda

Roger Munson made a motion to approve the agenda with corrected; Traci Snachez seconded, all in favor; none opposed, motion carried.

Approval of Minutes

- One correction on 4H not being capitalized.

Motion: Approve the minutes

Traci Sanchez made a motion to approve of the minutes; Peggy Owens seconded, all in favor; none opposed, motion carried.

Bills (Published in Julesburg Advocate)

Motion: Bills Roll Call Vote

Peggy Owens made a motion to pay the bills, Darrin Tobin seconded. (Roll Call: All Voted for, None Against) motion carried.

Public Comments – reminded they will have 3mins.

- Jamie Anchondo
 - Thank the board for acknowledging there is mixed us properties in town. Our family has had livestock at our place since the 70s.
 - Something to keep in mind a 4H kid will probably only have a couple months a year that they don't have an animal to care for.

Clerk's Office

- We will be going to the Pro-Con on the 29th in Denver for the Grant presentation. Danny and I will both be their.
- Working with GMS to make sure we are ready for that meeting.
- We have a Buckle Rodeo event that would like to us our arena, they usually ride in Crook, but that arena is being resurfaced and is not ready.

Maintenance

- Richard Kehm
 - We have been mowing a lot.
 - Will work on the pot hole at 138
 - I will work on getting the lines painted on Main Ave.

Mayors Report

- The young man from the high school has started working with us. He has been doing a good job.
- I did work the arena.
- We did get the light for the Flag hung but didn't turn it on. So we went back up to turn it on today.
- I looked at a quick hitch for the Tractor, we will need one to use the end cultivator from Dave Nein that we can use. And we can use it to make hooking up to our mower easier. I believe it was around \$580.
- Waiting for the pump to get the sprinkler fixed at the Centennial Park.

Motion:

Traci Sanchez made a motion to purchase the quick hitch for the John Deere Tractor., Peggy Owens seconded. (All Voted for, None Against) motion carried.

Board of Trustees

- Darren Tobin
 - We have some people parking at Centennial Park and camping. They say it is because we don't have signs saying it's not allowed. I believe we need two signs posting these rules at the park.
 - *Board discussion resulted in deciding to go ahead and get signs for both parks. Melinda asked if we currently have those restrictions for the parks? She will verify and if not, we will prepare an ordinance for the next meeting.*

New Business

- **Rhonda Graham – Updates**
 - Road Map and the (IHOP – Innovation Housing Opportunity Grant) we did that as a region funds the County and each Town all joined in and Sedgwick's contribution would be \$124.68.
 - *The amounts were based on per capita.*
 - Prop 123 – We will need to look if we want to Opt-In. There may be funding for creating houses for rentals. We have until November 1st to decide.
 - We have a new Grants Navigator through NECAL that will assist with needs matching grants.
- **Natures of Sedgwick License Renewal**
 - This is for the retail Store and the Cultivation licenses.
 - *Clerk reported that there have not been any complaints or concerns reported.*

Motion:

Traci Sanchez made a motion to Renew both the retail store and Cultivation licenses, Peggy Owens seconded. (All Voted for, None Against) motion carried.

- **Mike Parker**
 - Mixed use zoning concerns were discussed. He expressed the smell that animals will bring along with flies and other pests.
 - Questions on: where with the discretion be disposed of. Will grazing be allowed, who will pay for the water and electricity?
 - I feel this will lower my property value. We don't even have a way to enforce our current ordinances that people don't follow. The kids can use the County Fair Grounds.

- **Resolution 23-02 – Rate increase of the Sewer Base Rate**

- A letter was read at the meeting asking this to be voted down on.
- The last rate increase for Sewer Base Rate was 2009. No annual rate increases have been made.
- The newsletter had a large area letting residents know that the increase was being discussed tonight. And this has been the discussion for the last three meetings.
- The meeting with Greg with DOLA has brought to our attention that we have to bring our rates up to be eligible for the 1-million-dollar Grant.
- We should be looking at our rates each year during the budget discussion, costs to maintain it does increase every year, and so should the rates.
- We are not allowed to use the Marijuana funds for the Water and Sewer Enterprise, or we lose the enterprise status, also making us ineligible for any state grants.
- The board agreed the \$10 rate increase is needed and it will take effect July 1st billings.

Motion:

Traci Sanchez made a motion to adopt resolution 23-02 for the \$10 Rate increase, Peggy Owens seconded. (All Voted for, None Against) motion carried.

Old Business

- **Mixed Zoning Proposal**

- Discussions explored that idea if the Town wants to explore the option of mixed use for residential properties.
 - *What size of lots, what kind of animals, how many animals. Etc..*
 - *Who would make sure they follow the rules?*
 - *How would we even enforce it?*
- The final decision was to leave the residential areas alone. To only make a Zoning for the Fairgrounds.
- We will leave the property owners alone that are grandfathered in and have always had animals. This would be for the properties on the outskirts of Town (MacLand, Jeniks, Anchondo, McCormick, and Nein).
- We already have language for variances if it ever becomes needed.

Motion:

Traci Sanchez made a motion to have a Zoning Ordinance for the Fairgrounds to allow Livestock created., Roger Munson seconded. (All Voted for, None Against) motion carried.

- **Harvest Festival 2023**

- The DJ is going to go to do the Oyster Fry, I believe they are raising funds for the 4H - Tail Twisters.
 - *If they are doing it as a fundraiser for the Tail Twisters, then we can wave the fee to the Community Center*
- We do not have a trailer to use as a stage, so we will have to use Mega Music, but he is willing to drop his price down to around \$900. And drop the requirements of a helper and purchasing food for their crew.
- Karla Young with CTC is going to do fun with water at the Centennial Park during the summer and they are willing to also do the games at the Harvest Fest, along with the Slushy Bike.
- Traci's Eggs will donate the eggs for the egg toss.
- One Questions asked by Jason Toyne, will we have better speakers and lights put up? And maybe a cable across the arena for banners.
 - *Board asked to get an estimate from Better Electric.*

Motion:

Roger Munson made a motion to hie Mega Music for the Stage., Peggy Owens seconded. (Roll Call: All Voted for, None Against,) motion carried.

Meeting Adjourned:

Motion:

At 7:35pm, Traci Sanchez made a motion to adjourn, Roger Munson seconded, all were in favor, motion carried.

Mayor

Attest: Town Clerk

SEAL

12:01 PM
07/07/23
Accrual Basis

Town of Sedgwick
Trial Balance
As of June 30, 2023

	Jun 30, 23	
	Debit	Credit
1021 · Cash on Hand	117.09	
1022 · Points West Bank Checking	284,820.52	
1022 · Points West Bank Checking:1022.1 · Harvest Festival	549.29	
1029 · Savings:1030 · Points West:1031 · 9240	26,793.54	
1029 · Savings:1034 · Cash in Savings - Lottery	9,152.94	
1029 · Savings:1040 · Points West Bank:1043 · Water Surcharge Account	111,331.45	
1029 · Savings:1050 · Equitable Savings:1051 · 05-4505160	39,259.05	
1070 · COLOTRUST:1074 - Sewer CIP	928,431.54	
1070 · COLOTRUST:1071 · Water Plus	1,039,443.97	
1070 · COLOTRUST:1072 · General Plus	858,175.08	
1070 · COLOTRUST:1073 · CIP Plus	1,050,820.61	
1081 · Cash - County Treasurer	260.63	
TOTAL	4,349,155.71	0.00

Town of Sedgwick
Profit & Loss
 June 2023

	Jun 23
Ordinary Income/Expense	
Income	
4122 · Current Property Taxes	1,323.74
4142 · Specific Ownership Taxes	199.62
4152 · Interest on Taxes	6.41
4172 · Sales Tax	18,390.90
4212 · Cigarette Tax	11.28
4222 · Road and Bridge	167.20
4232 · Motor Vehicle	63.80
4242 · Mineral leasing	1.10
4300 · Utilities Clearing	782.41
4323 · Water Sales	5,284.01
4333 · Sewer Sales	2,885.45
4386 · Trash Collections	2,393.25
4392 · Other Income	
4392.1 · Occupation Tax	56,976.90
4392.2 · Excise Tax	118.82
4392.3 · State of Colorado	13,775.70
4392.4 · Lodging Tax	120.00
Total 4392 · Other Income	70,991.42
4412 · Highway Use Tax	1,060.12
4422 · License Fees	1,000.00
4514 · Lottery Proceeds	541.19
4802 · Interest Income	3,553.53
4803 · Interest Income	12,904.71
4806 · Interest Income - TF	13.10
Total Income	121,573.24
Expense	
6002 · County Treasurer's Fees	36.05
6032 · Office Expense - GG	117.49
6042 · Professional Services - GG	5,855.00
6062 · Supplies and Maintenance - GG	596.26
6072 · Telephone - GG	222.99
6092 · Miscellaneous - GG	16,050.00
6102 · Utilities - TH - GG	428.23
6120 · Bank Service Charges	120.00
6142 · Street Lighting	432.72
6262 · Harvest Festival	0.00
6462 · Supplies and Maintenance Park	1,239.17
7063 · Supplies & Maintenance - Water	420.00
7073 · Utilities - Water	752.83
7093 · Miscellaneous - Water	143.23
7163 · Supplies and Maintenance - Sewer	0.00
7173 · Utilities - Sewer	114.46
7346 · Landfill - Trash	334.00
7366 · Supplies and Maintenance - Trash	14.88
7703 · Capital Outlay	995.22
7800 · Salaries Clearing	
7809 · Salary-Richard M Kehm	3,977.72
7815 · Salary-Heather Moore	2,341.49
7820 · Salary - Kim E Quayle	1,476.15
7822 · - William Townsend	991.34
Total 7800 · Salaries Clearing	8,786.70
7990 · Supplies and Maint. - Clearing	1,369.65
7994 · Utilities - Clearing	131.67
7995 · Payroll Taxes - Clearing	196.07
Total Expense	38,356.62
Net Ordinary Income	83,216.62

12:00 PM
07/07/23
Accrual Basis

Town of Sedgwick
Profit & Loss
June 2023

	<u>Jun 23</u>
Other Income/Expense	
Other Expense	
7896 · Insurance Clearing	3,916.77
8343 · Grant Expense - Local	<u>0.00</u>
Total Other Expense	<u>3,916.77</u>
Net Other Income	<u>-3,916.77</u>
Net Income	<u><u>79,299.85</u></u>

11:59 AM
07/07/23

Town of Sedgwick
Check Detail
June 13 through July 10, 2023

Num	Name	Memo	Account	Paid Amount
12906	Quick Electric Solar		1022 · Points West Bank Ch...	
		Pump Replacement	6462 · Supplies and Mainten...	-833.59
TOTAL				-833.59
12907	Richard M. Kehm	Payroll	1022 · Points West Bank Ch...	
		Payroll	7809 · Salary-Richard M Kehm	-3,977.72
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicare	7995 · Payroll Taxes - Clearing	
		Federal	7995 · Payroll Taxes - Clearing	
		Colorado W/H	7995 · Payroll Taxes - Clearing	
TOTAL				-3,202.42
12908	Kim E. Quayle	Paryroll	1022 · Points West Bank Ch...	
		Payroll	7820 · Salary - Kim E Quayle	-1,294.80
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicare	7995 · Payroll Taxes - Clearing	
		Federal	7995 · Payroll Taxes - Clearing	
		Colorado	7995 · Payroll Taxes - Clearing	
TOTAL				-1,078.75
12909	William Townsend	Payroll	1022 · Points West Bank Ch...	
		Gross Paryroll	7822 · - William Townsend	-88.27
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicaid	7995 · Payroll Taxes - Clearing	
TOTAL				-81.52
12910	Heather M. Moore	Payroll	1022 · Points West Bank Ch...	
		Payroll	7815 · Salary-Heather Moore	-2,091.76
		Social Security	7995 · Payroll Taxes - Clearing	
		Mediciad	7995 · Payroll Taxes - Clearing	
		Federal	7995 · Payroll Taxes - Clearing	
		Colorado	7995 · Payroll Taxes - Clearing	
TOTAL				-1,822.74
12911	Caiden J Smith	Payroll	1022 · Points West Bank Ch...	
		Payroll	7824 · -Salary - Caiden J Smith	-525.53
		Social Security	7995 · Payroll Taxes - Clearing	
		Mediciad	7995 · Payroll Taxes - Clearing	
		Colorado	7995 · Payroll Taxes - Clearing	
TOTAL				-478.33
12912	Edward D. Smith Jr.	Payroll	1022 · Points West Bank Ch...	
		Salary	7806 · Salary-Ed Smith Jr.	-34.13
		Social Security	7995 · Payroll Taxes - Clearing	
		Mediciad	7995 · Payroll Taxes - Clearing	
TOTAL				-31.52
12913	21st Century		1022 · Points West Bank Ch...	
		Quick connect and parts for it.	7703 · Capital Outlay	-995.22
		Bushings, Pins and pulley	6462 · Supplies and Mainten...	-140.31
TOTAL				-1,135.53
12914	AC-DC Water Works LLC	ORC Services	1022 · Points West Bank Ch...	
		ORC Monthly Contract Services	7063 · Supplies & Maintenan...	-400.00
		Water Testing, Water system Check	7093 · Miscellaneous - Water	-143.23
TOTAL				-543.23

11:59 AM
07/07/23

Town of Sedgwick
Check Detail
June 13 through July 10, 2023

Num	Name	Memo	Account	Paid Amount
12915	CenturyLink	Phone and Fax line	1022 · Points West Bank Ch...	
		Phone lines and Fax line	6072 · Telephone - GG	-222.99
TOTAL				-222.99
12916	CIRSA	Invoice 231531	1022 · Points West Bank Ch...	
		Property/Casualty Quarterly payments for 2023	7896 · Insurance Clearing	-2,953.02
		Workman-Comp Quarterly payments for 2023	7896 · Insurance Clearing	-963.75
TOTAL				-3,916.77
12917	Consolidated Plumbing		1022 · Points West Bank Ch...	
		missing invoices from 2021 - Statement sent and verified with our recor...	6462 · Supplles and Mainten...	-145.27
TOTAL				-145.27
12918	Helena		1022 · Points West Bank Ch...	
		41 Extra - 41.50//Gal	6062 · Supplies and Mainten...	-222.45
		Preen Spray	6062 · Supplies and Mainten...	-488.80
TOTAL				-711.25
12919	Highline Electric Ass'n		1022 · Points West Bank Ch...	
		Water Pump -66552	7073 · Utilities - Water	-243.20
		New Shop - 8280879	7994 · Utilities - Clearing	-47.52
		New Town - 822186	6102 · Utilities - TH - GG	-67.46
		Museum - 8426371	6102 · Utilities - TH - GG	-36.92
		Pump #2 - 40915	7073 · Utilities - Water	-105.94
		Street Lights -41680	6142 · Street Lighting	-213.31
		Sewer - 62657	7173 · Utilities - Sewer	-57.62
		Rodeo Grounds	6102 · Utilities - TH - GG	-32.50
		Community Center	6102 · Utilities - TH - GG	-51.85
TOTAL				-856.32
12920	IDEAL Linens & Uniform		1022 · Points West Bank Ch...	
		Community Center Rugs, Mop and push broom	7990 · Supplies and Maint. - ...	-88.16
TOTAL				-88.16
12921	Journal Office		1022 · Points West Bank Ch...	
		Copy machine fees	6032 · Office Expense - GG	-40.00
TOTAL				-40.00
12922	Julesburg Family Market	Account# 8814	1022 · Points West Bank Ch...	
		Hardware	6062 · Supplles and Mainten...	-53.33
TOTAL				-53.33
12923	Kelly, P.C.		1022 · Points West Bank Ch...	
		Legal Fees - Regular	6042 · Professional Services ...	-758.50
TOTAL				-758.50
12924	Littjohann Kauffman & P...		1022 · Points West Bank Ch...	
		2022 Audit prep	6042 · Professional Services ...	-3,760.00
TOTAL				-3,760.00
12925	Marick's Waste Disposal		1022 · Points West Bank Ch...	
		Potty Cleaning	6462 · Supplles and Mainten...	-120.00
TOTAL				-120.00

11:59 AM
07/07/23

Town of Sedgwick
Check Detail
June 13 through July 10, 2023

Num	Name	Memo	Account	Paid Amount
12926	Mega Music	Deposit on Stage for Band	1022 · Points West Bank Ch...	
		Harvest Festival - Deposit on Stage for Band	6092 · Miscellaneous - GG	-1,050.00
TOTAL				-1,050.00
12927	N E Colorado Health	Bacteria testing	1022 · Points West Bank Ch...	
		Bacteria testing	7063 · Supplies & Mainten...	-20.00
TOTAL				-20.00
12928	Points West Cardmember...		1022 · Points West Bank Ch...	
		Postage	6032 · Office Expense - GG	-77.49
		Flags and light	6062 · Supplies and Mainten...	-553.54
TOTAL				-631.03
12929	S & W Auto Supply	No bills since February!????	1022 · Points West Bank Ch...	
		Oil, filters for oil change and tune up.	7990 · Supplies and Maint. - ...	-42.77
TOTAL				-42.77
12930	Sedgwick County Sales	Landfill Fees	1022 · Points West Bank Ch...	
		Landfill Fees	7346 · Landfill - Trash	-334.00
TOTAL				-334.00
12931	UNCC (CO811)	Tickets Issued Fees	1022 · Points West Bank Ch...	
		UNCC Tickets Issued Fees.	6092 · Miscellaneous - GG	-6.45
TOTAL				-6.45
12932	Valley Repair		1022 · Points West Bank Ch...	
		Flange Gasket	7366 · Supplies and Mainten...	-14.88
TOTAL				-14.88

PRELIMINARY PAYROLL REPORTS

The time records used to calculate this report can be approved all at once. The payroll accuracy of this preliminary report is not guaranteed as these user's timesheets and their records may continue to be edited prior to being closed for final payroll.

This payroll period contains split time records for one or more employees. details

Thursday Jun, 01 2023 - Friday Jun, 30 2023

Employees Processed:	4	Total Fixed Pay:	\$6,915.77
Standard Hours:	181.14	Total Variable Pay:	\$0.00
Overtime 1.5x Hours:	0.00	Total Payroll:	\$6,915.77
Overtime 2.0x Hours:	0.00		
PTO Hours:	0.00	Total of All Hours:	374.58
Vacation Hours:	0.00	Total Hours Deducted:	0.00
Sick Hours:	0.00	Total Payable Hours:	374.58
Holiday Hours:	0.00		
Other1 Hours:	0.00	Rounding Interval Applied:	-
Other2 Hours:	0.00	Total Records Processed:	48
Unpayable/Salaried Hours:	193.44	Records Crossing Dateline:	1 Salary
		Records Qualified for Shift Differential:	-
		Records Exceeding Hours Threshold:	-

Employee	Total Hours	Deduct	1.0x	1.5x	2.0x	SIC	VAC	HOL	UnP/SAL	Signed	Aprvd	Fixed Pay
Kehm, Richard	193.44								193.44	N/A	NO	\$3,977.72
Moore, Heather	94.82		94.82							N/A	NO	\$1,643.25
Quayle, Kim	86.32		86.32							NO	NO	\$1,294.80
Townsend, William	0.00											\$0.00

Bill Townsend Total hours 6.50
 Caiden Smith " " 38.50
 Duane Smith " " 2.50

From: Melinda Culley <melinda@kellypc.com>
Sent: Thursday, June 15, 2023 5:10 PM
To: 'sedgwickco@pctelcom.coop'
Subject: Fairground zoning ordinance
Attachments: Fairground Zone District.pdf; Fairgrounds District sample.pdf

Heather,

Attached are two examples of fairground zoning ordinances. Let me know if you think something like this will work for what the Town wants to do. If so, which uses do or do not make sense for the property? What kind of setbacks and building heights do you think make sense?

Also, in order to rezone the particular property, we'll need a property address or legal description and general location of the property. Finally, does the Town own the land or is it owned by someone else?

Thanks.

Melinda A. Culley
Kelly PC
999 18th Street, Suite 1450S
Denver, CO 80202
P: (303) 298-1601 x212
F: (303) 298-1627
Cell: (316) 640-1013



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Sec. 16-2-167. - Fairgrounds Zone District (FZ).

(a) Purpose.

- (1) Purpose. The fairgrounds zone district is designed to accommodate uses associated with fairs, shows, auctions, and other public and private events that are generally recognized as fairgrounds uses that are not otherwise permitted within any other zoning district. No land, building or structure shall be changed in use or type of occupancy, developed, erected, constructed, reconstructed, moved or structurally altered or operated in the FZ zone district until a site plan has been approved pursuant to Section 16-2-190 of this Article.
- (2) For the purposes of this Article, the word *fairgrounds* as it relates to a use, structure or facility means a use, structure or facility where a County, City or State Fair is held, as well as used as a meeting hall for social, fraternal, civic, public and similar organizations or as an event venue for spectator and nonspectator field events and activities.

(b) Performance standards.

- (1) Buffering shall be required when abutting residentially zoned property. Buffering shall be provided so as to sufficiently separate the use and activities to be conducted on the FZ zoned lot and protect the residential character of the adjoining property. Such required buffering may include, by way of example and not limitation, six-foot high wooden fencing, landscaping, including berms, trees, shrubs and groundcover. Location, size and type of buffering shall be approved by the Board of Trustees. Buffering shall be in addition to minimal landscaped open space requirements.
- (2) When not in use during events, all materials or wastes which might cause fumes or dust, or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors in closed containers. During events, animal waste shall be addressed as soon as reasonably possible.
- (3) All events will be required to be completed, all music must cease at 12:00 a.m. and the lights must be off by 1:00 a.m. Provisions to extend these requirements are available through the use by special review process in Section 16-2-50 of this Article.

(c) Uses by right.

- (1) Rodeo events, animal shows and competitions and horse racing.
- (2) Entertainment venues, expositions, trade show operations held on fairgrounds premises.
- (3) Banquet and meeting facilities and operations.
- (4) Agricultural, horticultural and equine education facilities and shows.
- (5) Holiday light shows and events.
- (6) Offices for related permitted uses or emergency personnel.
- (7) Accommodation of temporary overnight stays by participants and staff in permitted events.

- (8) Farmers markets, flea markets and auctions.
 - (9) Special event sales such as, but not limited to, merchandise fairs, retail sales and warehouse sales, rotary and other clubs and organization fundraiser sales.
 - (10) Automotive related events such as car shows and rallies.
 - (11) Equestrian events.
 - (12) Animal/stock shows and events, including but not limited to roping.
 - (13) Special service events such as, but not limited to, veterinary clinics.
 - (14) Private parties, receptions, weddings and other related events.
 - (15) Concerts, dances, tournaments, athletic and recreational events, exhibitions, plays, theatre, conventions and religious events.
 - (16) Community meetings, seminars and banquets.
 - (17) 4-H, FFA or similar organizational events, including but not limited to meetings, shows and training clinics.
 - (18) Caretakers' facilities.
 - (19) For temporary relocation of persons and property in case of any emergency or disaster.
 - (20) Circus and carnival events.
 - (21) Motor sports such as, but not limited to truck pulls, demolition derbies and tractor pulls.
- (d) Uses by special review.
- (1) Reserved.
- (e) Accessory uses.
- (1) Public restrooms.
 - (2) Picnic shelters.
 - (3) Band shells.
 - (4) Service storage buildings.
 - (5) Garages for storage of vehicles.
- (f) Parking. Parking shall be made available at a minimum of one (1) space per four (4) seats, or eight (8) feet of bench length provided in the principal structure.

(Ord. 2011-01, 2011, § 2; Ord. 2012-04, 2012, § 31; Ord. 2017-11, 2017, § 1)

ARTICLE XXXIA
Fairgrounds District
[Added 5-12-2008 by L.L. No. 7-2008]

§ 280-214.1. Intent.

- A. The mission statement of the Erie County Agricultural Society strives to fulfill appropriate aspects of the agricultural, educational, entertainment, and recreational needs of all that visit the Fair.
- B. The Fairgrounds Zoning District is specifically for the properties associated with the Erie County Fairgrounds facility located in the Town of Hamburg. This Zoning District is intended to provide for a district in which the usual activities associated with fairgrounds can be conducted as permitted uses and any other related uses would go through a special use permit process.

§ 280-214.2. District boundaries.

The Fairgrounds property, generally, [NOTE: Requires a more defined metes and bounds.] bounded by South Park Avenue, Quinby Drive, and McKinley Parkway, and the properties north of Clark Street.

§ 280-214.3. Permitted uses.

- A. The following uses are permitted in the Fairgrounds District:
 - (1) Structures, uses, and activities associated with the Erie County Fair including, but not limited to, carnival rides, food and retail stands, arts and crafts exhibits, animal exhibits and shows, concerts, and other entertainment events and shows.
 - (2) Entertainment venues, expositions, trade show operations held on fairgrounds premises.
 - (3) Banquet and meeting facilities and operations.
 - (4) Racetrack and gaming operations and associated uses as allowed by the State of New York.
 - (5) Agricultural, horticultural and equine education facilities and shows.
 - (6) Holiday light shows and events.
 - (7) Offices for related permitted uses or emergency personnel.
 - (8) Accommodation of temporary overnight stays by participants in permitted events, such as campers or recreational vehicles.
- B. Accessory uses and structures:
 - (1) Accessory uses and structures customarily incidental to permitted principal uses.
 - (2) Retail or food sales incidental to any permitted principal use.
 - (3) Parking and loading areas for permitted uses.
- C. Uses by special use permit:
 - (1) Hotels/motels.
 - (2) Indoor and outdoor sports facilities.

§ 280-214.4. Minimum lot size.

- A. Not applicable to fairground property uses.
- B. Hotels/motels and other uses subdivided from the main Fairgrounds:
 - (1) Lot area will be based on the size of the building, parking requirements, and landscaping requirements.

§ 280-214.5. Lot coverage.

- A. Not applicable to fairground property uses.
- B. For hotels/motels and other uses subdivided from the main Fairgrounds, the maximum lot coverage shall be 75%

§ 280-214.6. Required yards.

- A. No building shall be placed within 35 feet of the right-of-way of McKinley Parkway, Quinby Drive, Clark Street and South Park Avenue.
- B. No building shall be placed within 50 feet of an adjoining property line.

§ 280-214.7. Maximum height of buildings.

- A. The maximum height of all buildings shall be 75 feet.

§ 280-214.8. Off-street parking.

- A. Parking requirements for fairground usage will typically be satisfied by the existing fairgrounds parking during site plan approval. The applicant will provide parking calculations based on Town or industry standards and indicate where parking shall be accommodated on the Fairgrounds property. During concurrent uses, the plan must indicate where parking is occurring for those concurrent uses.
- B. Other off-street parking regulations are subject to Article XXXII.

§ 280-214.9. Signs.

- A. Approval not needed for signage (both permanent and temporary signs) set back at least 250 feet from roads bordering the property (measured from the public right of way);
- B. Approval not needed for temporary signs and banners placed on the property no more than 30 days prior to the annual Country Fair and Exposition and removed no more than five days after the annual County Fair and Exposition;
- C. Approval not needed for temporary signs and banners placed on property no more than 10 days prior to the start of a trade show or entertainment-related activity and removed no more than three days after the close of the show or activity;
- D. All other signs require filing of application and approval by Town;
- E. For subdivided property, applicable Town sign regulations will apply.

§ 280-214.10. Supplemental regulations.

- A. Due to the nature of the Fairgrounds property, structures, uses and activities associated with the actual Erie County Fair will not require approvals from the Town Planning Board (if the structures, uses, and activities are temporary and removed at the end of the fair).
- B. Any structure or use on a property subdivided from the Fairgrounds shall be subject to the regulations set forth in the Zoning Code for the C-1 Local Retail Business District (Article XIII) and any other regulations that are applicable to a C-1 permitted use.
- C. For applicable supplemental regulations pertaining to use, height, area, or open space, see Article XXXIX.