



Temporary Use Permit Number <hr/> Fee Paid: _____ Date: _____

APPLICATION FORM FOR TEMPORARY USE PERMIT:

AMUSEMENT ENTERPRISES _____	CHRISTMAS TREE SALES _____
RETAIL PROMOTIONAL ACTIVITIES _____	SALE OF AGRICULTURAL GOODS _____
TEMPORARY BUILDING _____	STORAGE CONTAINER (S) _____
OTHER _____	DONATION CONTAINER(S) _____

NOTE: Temporary buildings are not allowed unless a Development Plan and Building Permit have been issued approving the construction of the new permanent building.

Description of proposed Temporary Use: _____

Applicant: _____ Telephone _____ Fax _____

Address: _____ Zip Code _____ E-mail _____

Property Owner of temporary use location: _____ Telephone _____

Address: _____ Zip Code _____

Premises Involved:

Address of Temporary Use _____

Tax Schedule No(s). _____
(This can be obtained from the El Paso County Tax Assessor located at 1675 Garden of the Gods Road, #2300; phone (719) 520-6600 or at their web site <http://www.land.elpasoco.com>)

Existing Zone _____ Acreage _____

First Date of Operation/Set Up _____ Last Date of Operation/Removal _____

Name and File # of current approved Development Plan (if applicable) _____

Describe signage to be used in conjunction with the proposed Temporary Use _____

OWNER/APPLICANT ACKNOWLEDGEMENT OF RESPONSIBILITIES:

The signature(s) below hereby certify that I(we) have familiarized myself(ourselves) with the rules and regulations with respect to this application. I(we) further certify that the statements contained herein and the information on the attached site plan are in all respects true and accurate to the best of my(our) knowledge.

Signature of Property Owner – consent to temporary use Date

Signature of Applicant Date

APPLICANT

PLANNER

- _____ 2. If no temporary building is proposed, two (2) copies of a complete **SITE PLAN** must be submitted. The site plan must include all of the information set forth below. The plans **MUST BE FOLDED** (if larger than 8½” x 14”) to no larger than 11” x 14” with the lower right hand corner facing up.

SITE PLAN CONTENT REQUIREMENTS

Please complete the following checklist by checking all appropriate categories under APPLICANT column, indicating compliance with these content requirements. All submitted plans shall contain the following information:

APPLICANT

PLANNER

- | | | |
|-------|--|-------|
| _____ | 1. Indication of the scale (e.g. 1” = 20’) and a bar scale. | _____ |
| _____ | 2. North arrow. | _____ |
| _____ | 3. Property address. | _____ |
| _____ | 4. Property lines and dimensions. | _____ |
| _____ | 5. Location and dimensions of fences and existing and/or proposed structures. | _____ |
| _____ | 6. Location, type, dimension and size of proposed temporary use. | _____ |
| _____ | 7. Setbacks of the proposed temporary use. | _____ |
| _____ | 8. Location, number and size of parking spaces provided for the proposed Temporary Use. | _____ |
| _____ | 9. Location, number and size of existing parking spaces located within the development site, which will remain unencumbered by the proposed temporary use. | _____ |
| _____ | 10. Location and names of all adjacent rights-of-way. | _____ |
| _____ | 11. Location, type, dimension and size of existing and/or proposed signs. | _____ |
| _____ | 12. Address and phone number of applicant/owner. | _____ |

FORMAL REVIEW TIME PERIOD:

The administrative review procedure will take up to five (5) days to complete, unless no approved Development Plan exists, in which case the review will take up to 14 days

FINAL DISPOSITION:

APPROVAL:

After completion of the temporary use review, the reviewing planning staff member will provide a copy of the temporary use permit to the applicant.

DENIAL:

If this application is denied, the planning staff member will provide written notification to the applicant that will clearly specify all of the reasons for denial.

APPEALS:

The administrative decision of the planning staff member to approve or deny an application for a Temporary Use may be appealed to the City Planning Commission within ten (10) days from the date of the administrative decision. The appeal must be in writing and specify briefly the grounds for the appeal. If a perfected appeal is filed within this ten (10) day period, the administrative decision to approve or deny will be suspended until the appeal process is finalized.

TEMPORARY USE PERMIT INFORMATION AND REVIEW CRITERIA:

Applications for a Temporary Use must meet all of the criteria listed in the Zoning Code before the application can be approved by the Planning & Development.

The temporary use permit is a mechanism by which the City may allow a use to locate within the City on a short term basis and by which it may allow seasonal or transient uses not otherwise allowed. This section is intended to permit certain inherently temporary uses such as community festivals, fresh produce stands and temporary promotions by permanent businesses. It shall be unlawful for

any person to conduct or establish any temporary use until a temporary use permit has been approved by the Manager. This part applies to every application for any temporary use permit.

Planning & Development will determine whether a particular Temporary Use Permit needs to be referred to another agency within the City. The following are some examples of when a Temporary Use is referred:

- If food and drink are dispersed outside of the building or temporary structure, then approval must be obtained from the El Paso County Health Department.
- Carnivals, circuses, menageries or other amusement enterprises require the approval of the Fire Department, Police Department and/or the Traffic Engineering.
- Temporary structures that require a building permit should also be submitted to the Regional Building Department and the Fire Department for their approval.
- A sales tax license is required from the Sales Tax Office if the Temporary Use involves the sale of merchandise.

Applicants are required to have a Building Permit for certain types of temporary structures. The applicant is responsible for obtaining any required Building Permit prior to the placement of the temporary structure on the property. Any operation found to be in non-compliance shall have their Temporary Use Permit revoked.

A temporary use could include a large variety of types however the particular uses noted below are subject to additional regulations, specific time periods and/or restricted zone districts:

1. Christmas Tree Sales: Limited to only the A, OC, PBC, C-5, C-6, PIP-1, PIP-2, M-1 and M-2 zones for a period of time not to exceed sixty (60) days.
2. Contractors' Offices And Equipment Sheds, Accessory To A Construction Project: Limited to a period of time determined by an estimated completion date with the option of a one year extension.
3. Temporary Offices And Bank Facilities In Mobile Homes: Limited to only the PUD, OC, PBC, C-5, C-6, PIP-1, PIP-2, M-1, and M-2 zone districts for a period of time not to exceed one year only after a development plan as defined in the Zoning Code is approved. The development plan must show the locations of the proposed temporary and permanent facilities.
4. Seasonal Sale Of Agricultural Products And/Or Seafood: Limited to only the A, PBC, C-5, C-6, PIP-1, PIP-2, M-1 and M-2 zone districts for a period of time not to exceed four (4) months per year.
5. Amusement Enterprises: Carnival, circus, or menagerie as defined in chapter 2, article 2 of this Code, and amusement rides as defined in chapter 2, article 2 of this Code may be allowed in any zone for a period not to exceed fifteen (15) days provided that the Manager first determines that the use conforms to all of the criteria and regulations listed in this section.
6. Promotional Activities In Commercial And Industrial Zones Involving The Display Of Goods And Merchandise: May be conducted outside of enclosed buildings for a period of not more than two (2) consecutive weeks in any three (3) month period, not to exceed fifteen (15) days and is subject to the following condition:
 - a. No food or drink may be displayed outside the building except in accord with standards and prior written approval of the El Paso County Department of Public Health.
7. Temporary Display Of Merchandise: Retail businesses may display merchandise that is for sale within the building in the area immediately adjacent to the building without a temporary use permit. If the sidewalk or the pedestrianway in front of the building is used for display of merchandise, a minimum width of four feet (4') must remain available for pedestrian use. A temporary use permit is required for display of merchandise away from the building or within a parking lot or adjacent area.

REVIEW CRITERIA: Planning & Development may approve or modify and approve an application for a temporary use permit if the following criteria, specific regulations and time limitations are met:

- A. Health, Safety And General Welfare: The allowance of such use will not be detrimental to the public health, safety and general welfare, and the use is compatible with the purpose and intent of this Zoning Code and in the specific zoning district in which it will be located.
- B. Intensity, Characteristics And Appearance: The use is compatible in intensity, characteristics and appearance with existing land uses in the immediate vicinity of the proposed location, and the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected by the use or activities with it. Factors such as location, access, traffic generation, noise, light, dust control and hours of operation will all be considered.
- C. Temporary Uses: Temporary uses are allowed in any zone district unless they are specifically limited by this section.
- D. Publicly Owned Property: The use shall not be on publicly owned property unless the applicant first obtains approval of a revocable permit authorizing such use.
- E. Off Street Parking: Adequate off street parking is provided to serve the use. The use does not displace the required off street parking spaces or loading areas of the principal permitted uses on the site.

- F. Display Of Merchandise: Display of merchandise for sale need not comply with the yard and setback requirements of this Zoning Code provided that no merchandise shall be displayed within thirty feet (30') of the intersection of the curb line of any two (2) streets or within the required landscaped setback area.
- G. Sales Tax License: Before a temporary use involving the sale of merchandise may begin, a sales tax license must be obtained from the City's sales tax office.
- H. Signage: A temporary use involving the sale of merchandise is limited to the signage described in article 4, part 4 of this chapter.
- I. Temporary Uses In The FBZ District: The allowance of and specific requirements for temporary uses may be included as a part of an FBZ regulating plan.

Conditions of Approval:

In the allowance of such use, Planning & Development or upon appeal, the Planning Commission shall have authority to require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

OFFICIAL CITY USE ONLY:

Fee Receipt # _____	Date Application Accepted _____
Site Plans (2) _____	Authorization _____
Project Statement (2) _____	Legal Description _____
Vicinity Map _____	Intake Staff _____

CITY APPROVAL/DENIAL:

Inspector _____	Date Received _____
Approved: _____	Denied: _____
Approval Date: _____	Denial Date: _____
Conditions/Reasons: _____	

DO NOT REMOVE THIS PAGE – IT MUST BE KEPT WITH THE ORIGINAL APPLICATION FORM!

The City of Colorado Springs-Planning Group is committed to ensuring that all of our services are accessible to those with disabilities. We encourage participation by all individuals. If you have a disability, advance notification of any special needs will help us better serve you. Please call the Planning & Development at (719) 385-5905 to request any special service that you may require. A one (1) week advance notice to allow us to accommodate your request is appreciated.