

LAND USE REVIEW DIVISION
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT



Temporary Use Permit Number _____
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 _____

Owner: _____ 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 27 E. Vermijo Avenue on the 2nd Floor; phone: 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

PRE-APPLICATION CONFERENCE:

A pre-application conference with the planning staff is not mandatory for this application, however, if you would like a pre-application meeting, please call 385-5982 and one will be scheduled for you.

PUBLIC NOTICE:

Public notice (i.e., posting and surrounding property mailings) in conjunction with the administrative review of this application is at the discretion of City Planning.

FEES:

An application review fee will be required to accompany this application (checks payable to City of Colorado Springs). The fee schedule is as follows:

Temporary Use Permit (Promotions/Amusements)	\$105 plus \$23 per month
Donation, Recycling or Similar Mobile Container Unit	\$5.00 per month or \$60.00 per year

APPLICATION REQUIREMENTS:

SUBMITTAL REQUIREMENTS:

This application should be submitted to the City of Colorado Springs-Development Review Office located at 30 S. Nevada Avenue, Suite 301. An application must be completed in full and accompanied by the following information:

APPLICANT

PLANNER

- _____ 1. Two (2) copies of a **PROJECT STATEMENT** identifying the following:
 - A clear **DESCRIPTION** of the proposed temporary use.
 - A **JUSTIFICATION** based on the review criteria why the proposed temporary use should be approved.

- _____ 2. Submit a **LEGAL DESCRIPTION** of the proposed project in the following space or on a separate sheet of paper. Subdivision names must be as shown on the recorded plat and include the Book and Page or Reception Number. Any exceptions must be completely written out in metes and bounds. Easements not on the parcel should not be included.

- _____ 3. A **VICINITY MAP** (does not have to be drawn to scale). The vicinity map should show the proposed site outlined with the existing adjacent streets within the neighborhood.

- _____ 4. Provide **AUTHORIZATION** from the property owner if the applicant is other than the owner and the owner has not signed this application. This can be in the form of an authorization letter, but it must specify the extent to which the representative is authorized.

- _____ 5. City Planning may require other **ADDITIONAL INFORMATION** for this application as needed.

TEMPORARY USE SITE PLAN CONTENT REQUIREMENTS:

APPLICANT

PLANNER

- _____ The applicant is required to PROVIDE:
1. Two (2) copies of the **APPROVED DEVELOPMENT PLAN** showing the location of the proposed temporary building or;

TEMPORARY USE SITE PLAN CONTENT REQUIREMENTS Continued:

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, type, dimension and size of proposed temporary use. | _____ |
| _____ | 9. | Location, number and size of parking spaces provided for the proposed Temporary Use. | _____ |
| _____ | 10. | Location, number and size of existing parking spaces located within the development site, which will remain unencumbered by the proposed temporary use. | _____ |
| _____ | 11. | Location and names of all adjacent rights-of-way. | _____ |
| _____ | 12. | Location, type, dimension and size of existing and/or proposed signs. | _____ |
| _____ | 13. | 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 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 City Planning. These criteria are as follows:

Temporary Use Permits :

A 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 City Planning. This applies to every application for any Temporary Use Permit.

City Planning 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.

Temporary Use Permits, continued:

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.

Temporary Use Permit Review Criteria:

City Planning may approve or modify and approve an application for a Temporary Use Permit if the following criteria, specific regulations and time limitations are met:

1. 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.
2. 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.
3. Temporary uses are allowed in any zone district unless they are specifically limited.
4. The use shall not be on publicly owned property unless the applicant first obtains approval of a revocable permit authorizing such use.
5. 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.
6. 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.
7. 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.
8. A temporary use involving the sale of merchandise is limited to the signage described in this Zoning Code.
9. Uses. The particular uses listed below are subject to additional regulations, specific time periods and/or restricted zone districts:
 - a. Contractors Office 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.
 - b. 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 (1) year. **Only allowed after a development plan as defined in Part 6 of Article 4 of the Zoning is approved.** The development plan must show the locations of the proposed temporary and permanent facilities.
 - c. Amusement Enterprises. Carnival, circus, or menagerie as defined in Section 8-2-101 of the City Code, and amusement rides as defined in Section 8-2-201 of the City Code may be allowed in any zone for a period not to exceed fifteen (15) days provided that City Planning first determines that the use conforms to all of the criteria and regulations listed in this Part. Prior to the issuance of a license, the City Clerk shall receive approval as herein provided by City Planning or upon appeal the Hearing Officer or City Council.
 - d. 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:
 - (1) No food or drink may be displayed outside the building except in accordance with standards and prior written approval of the El Paso County Department of Public Health.
 - (2) Retail business may display merchandise that is for sale within the building in the area immediately adjacent to the building. If the sidewalk or the pedestrian way in front of the building is used for display of merchandise, a minimum width of four feet (4') must remain available for pedestrian use.

Conditions of Approval:

In the allowance of such use, City Planning or upon appeal, the Hearing Officer or City Council 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 PLANNING USE ONLY:

Fee Receipt # _____
Site Plans (2) _____
Project Statement (2) _____
Vicinity Map _____

Date Application Accepted _____
Authorization _____
Legal Description _____
Intake Staff _____

CITY PLANNING APPROVAL/DENIAL:

Inspector _____
Approved: _____
Approval Date: _____

Date Received _____
Denied: _____
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 City Planning 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.