

Temporary Use Permit Applicant's Guide



Town of Bennett
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(February 2021)

Town of Bennett Temporary Use Permit Process

Purpose

This guide contains the basic procedures and requirements for all Temporary Use Permits in the Town per [Sec. 16-2-340](#) of Town Municipal Code. Temporary Use Permits are permitted in any zoning district (unless restricted in a zoning district per Municipal Code).

Process

The administrative process consists of the following basic steps once the Temporary Use application is submitted and found to be complete. In order for the Temporary Use to be approved the Zoning Administrator must consider the criteria set forth in [Sec. 16-2-340](#) of the Municipal Code. The Zoning Administrator may impose conditions to mitigate adverse impacts as necessary. If the proposed Temporary Use is approved, the applicant must meet any imposed conditions that were set and obtain necessary building permits.

Step 1 – Pre-Application

The applicant completes the Pre- Application process, in which the proposed Temporary Use is reviewed by the Town’s Development Review Committee (DRC). The DRC will make recommendations to the applicant on how the formal application might be structured to enhance chances the project will ultimately be approved by the Zoning Administrator. The DRC will highlight issues of particular concern and refer the applicant to the applicable Town standards and regulations.

Step 2 – Applicant Submits Formal Application

Applicant submits to the Town the complete application package.

Step 3 – Staff Reviews Application for Completeness (5 Business Days)

Town Staff reviews the application for Completeness.

Step 4 – Referral Agencies (if applicable)

Town Staff will initiate Referral Agency review if needed.

Step 5 – Staff and Referral Agencies Review (14 Business Days + 3 Business days)

If Temporary Use requires referral to outside agencies, staff and the applicable referral agencies will review the application within 14 business days. A letter compiling all referral comments will be sent with 3 days following the review.

Step 6 – Resubmittal (if required)

The applicant will revise and resubmit the application based upon the comments received by staff.

Step 7- Resubmittal Review

Once staff determines that the application is revised correctly, the application will be submitted to the Zoning Administrator to approve or deny the Temporary Use.

Step 8- Zoning Administrator Review

The application will be submitted to the Zoning Administrator. The Temporary Use Permit may be approved, approved with conditions or denied based upon certain criteria.

Step 9 – Issuance

If the Temporary Use Permit is approved, it will be issued by Town Staff and shall specify any time limits and/or any other conditions that are conditional to the Temporary Use Permit's approval. Any required building permits must be obtained upon approval of Temporary Use Permit.

Temporary Use Submittal Requirements

(Town of Bennett | Revised February, 2021)

The following elements constitute an acceptable application for a Temporary Use Permit. An application is not considered submitted until all items are included in the application. (Note that depending on the size, scale and complexity of a proposal, some of the requirements below may be waived by Town Staff.)

APPLICATION DOCUMENTS			
Required if Checked	Submitted by Applicant	Project Name: _____	
		Case No.: _____	
		Land Use Application Form (must be signed by Property Owner)	
		Application Fees (see below)	
		Cost Agreement	
		Funds Deposit Agreement	
		Title Commitment (current within 30 days of application)	
APPLICATION FEES- TBD by Town Staff			
		1. Engineering:	\$
		2. Attorney:	\$
		3. Traffic Engineer:	\$
		4. Other: e.g. Water Engineer Review, Special Utility Review, Landscape Arch. Review:	\$
			Subtotal \$
		5. Administrative Fee:	\$
		(Additional fees may be required, depending on the number of resubmittals or changes by applicant, or if a Subdivision Agreement, Development Agreement or Construction Document Review is required.)	Total \$
TEMPORARY USE PERMIT APPLICATION SHALL INCLUDE:			
		1. Letter of Intent. The applicant shall provide a letter of intent addressed to the Zoning Administrator to serve as a cover letter to the formal application, requesting a Temporary Use Permit for the property and describing the proposed Temporary Use.	
		2. Temporary Use Permit Application. The Town's Land Use Application Form shall be completed, signed and dated.	
		3. Agreement for Payment of Development Review Expenses Incurred by the Town. The application shall be accompanied by signed standard Cost Agreement and Funds Deposit Agreement for the payment of development review expenses incurred by the Town.	
		5. Site Plan Drawing. Drawn to scale, which includes: <ul style="list-style-type: none"> a) The property boundary; b) The location, size and description of all existing and proposed structures and uses including vehicular access and circulation. 	
		6. Other Information Requested by the Zoning Administrator. Any other information required by the Zoning Administrator necessary for the review of the proposed application.	

Town of Bennett Temporary Use Permit

THIS TEMPORARY USE PERMIT is granted by the Town of Bennett, Colorado, (the "Town") to _____ (the "Permittee").

WHEREAS, _____ as applicant, has submitted to the Town, a Land Use Application requesting approval of a temporary use ("the Application") for _____ (project description) _____ (location) _____ in Bennett, Colorado, (the "Property"), as described on the site plan attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, Town staff has reviewed the Application, and found that, with conditions, it complies with Section 16-2-340 of the Bennett Municipal Code; and

WHEREAS, Town staff has verified that this temporary use is necessary and

NOW THEREFORE, as the Zoning Administrator for the Town, a Temporary Use Permit is hereby issued to the Permittee to set-up and operates one office trailer, subject to the following terms and conditions:

1. The temporary use permit shall expire _____ (date).
2. The site shall be kept in a clean and sanitary condition, free from all junk, litter and debris, at all times and shall be returned to its original conditions no later than _____ (date).
3. Any and all lighting shall comply with Section 16-2-810 to 16-2-880 and be placed upon the Property shall be non-intrusive, so as not to constitute a nuisance to any neighboring properties.
4. This Permit shall be valid only for the named Permittee for the Property and uses as described above and depicted on the Temporary Site Plan attached hereto.
5. During the term of this Permit, the Permittee shall comply with all other Town, state and federal laws, codes, ordinances, orders, rules and regulations now in force or as hereinafter adopted; and the activities permitted with the temporary use permit shall be operated in a manner that will not cause, create or encourage any disturbance, nuisance, disorderly conduct or danger to the public health, safety or welfare, or cause, create or encourage any other unlawful behavior or conduct.
6. Nothing in this Permit shall be deemed to prohibit the Town from filing a complaint in the municipal court for a violation of the Bennett Municipal Code or other ordinance of the Town, or seeking injunctive relief or damages, or both.
7. The Permittee shall be solely responsible for maintaining any authorizations required under Section 16-2-340 of the Bennett Municipal Code for use of the Property.
8. The Permittee shall provide and maintain adequate access for emergency vehicle responses to the site and within the site.

Other conditions of approval that may apply:

ADA (American Disability Act) accessibility required to obtain Certificate of Occupancy.

Exhibit A-Site Plan
Exhibit B-Referral Comments

Issued this _____ day of _____.

TOWN OF BENNETT:

Zoning Administrator

ATTEST

Town Clerk

The above terms and conditions are accepted and agreed to by the Permittee.

(Permittee)

(Date)