

City of Littleton  
Temporary Use Zoning Regulations

10-4-10: **TEMPORARY USES:**

(A) The uses enumerated below may be approved by the DRC as temporary uses for a specified period not to exceed one year. Such temporary uses shall not be approved unless the standards stated below are met:

1. Noncommercial Concrete Batch Plant: Shall be located within one thousand feet (1,000') of the construction site for which the concrete is to be used.

2. Construction Yard Or Office: Shall be located within the development where the construction is to take place.

3. Temporary Structure Used As Sales Office:

(a) The structure must be a manufactured building designed for office use and inspected and approved by the Building Inspector.

(b) The office shall be located within the development where the sales are to take place. (Revised 6-12-1992)

4. Existing Permitted Uses: Temporary use on a site which is occupied by a person conducting an existing permitted use, but which temporary use is proposed to be operated by another person, provided:

(a) Any temporary or portable structure use for such sales or services shall meet the applicable provisions of Title 4 of this Code.

(b) Customer parking shall be on an improved surface.

(c) Temporary retail sales or service activities shall not be conducted within the required minimum setback areas or within unobstructed open space areas adjacent to public rights of way.

(d) Adequate sanitary facilities shall be made available for employees and customers of the temporary use, either by means of the facilities existing by virtue of the existing use on the site or by facilities provided by the person who proposes to operate the temporary use.

(e) Storage areas and trash containers shall be screened from view from adjacent residential property and public rights of way.

5. Temporary Retail Sales Or Services: Temporary retail sales or service uses operated on an undeveloped site, provided:

(a) The use shall be a permitted use in the zone district.

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(b) The site will not be occupied for more than six (6) months during a period of twelve (12) consecutive months.

(c) Any temporary or portable structure used for such sales or services shall meet the applicable provisions of Title 4 of this Code.

(d) Customer parking shall be on an improved surface.

(e) Temporary uses and associated activities shall not be conducted within the required minimum setback areas or within unobstructed open space areas adjacent to public rights of way.

(f) Adequate sanitary facilities for customers and employees shall be provided.

(g) Storage areas and trash containers shall be screened from view from adjacent residential property and public rights of way.

(h) A cash bond shall be deposited with the City by the operator of the proposed temporary use in the amount of two thousand five hundred dollars (\$2,500.00). Said bond shall be for the purpose of ensuring the prompt repair, by the operator, of any damage to public improvements, including, but not limited to, streets, sidewalks, curbs, gutters and landscaping which may occur as a result of the operation of the temporary use. Also, this cash bond may be applied if the operator fails to promptly repair damage to adjacent property caused by the temporary use, or to remove debris, litter, trash, mud or dirt permitted to remain on the site or on public property by the operator of such temporary use for any unreasonable amount of time. Such bond shall be released or returned to the operator upon certification by the Zoning Official that all of the requirements of this Code have been met.

6. Occasional Sales: Occasional sales, exempted from the City's sales tax collection requirements by subsection 3-9-3-2(A)19 of this Code, are exempted from these provisions and may be operated in a business or industrial zone district or as an accessory use located on the premises permanently occupied by the seller. (Ord. 10, Series of 1993)

(B) An application must be submitted to the Planning Division at least eight (8) days prior to the DRC meeting at which a decision is to be made. The application shall contain:

1. A site plan showing the location of the temporary use on the property and patterns of pedestrian and vehicular traffic.

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2. A statement of how any adverse impacts on adjacent properties will be minimized.
  3. A description of exterior materials to be used in the structure, including color and texture; and fire rating.
  4. A cash deposit, surety bond or letter of credit, adequate to cover any removal of structures and cleaning of the site, shall be provided in an amount equal to one hundred twenty-five percent (125%) of the estimated removal and cleaning costs.
  5. Name and address of applicant.
  6. Name and address of property owner, if different from the applicant and a statement in writing authorizing the applicant to use the property as shown in the application.
- (C) The applicant shall obtain all required building permits prior to moving the temporary facilities onto the site.
- (D) All temporary uses will conform with the performance standards found in sections 10-4-6 and 10-4-7 of this chapter.
- (E) A temporary use may be renewed by the DRC upon application to the planning division. The same application requirements as for an original application shall apply. The application for renewal shall be approved if the use has been operated during the previous approval period in conformance with the conditions for approval specified at that time, and there have been no convictions for violations of the applicable provisions of this code. (Revised 6-12-1992)
- (F) Storage containers are allowed as a temporary use provided the requirements stated below are met. A temporary use permit (TUP) shall be issued only with a plan that shows the proposed location of the storage container.
1. Single-Family Residential:
    - (a) One storage container per calendar year is allowed per single-family residence.

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(b) Use of storage containers shall not exceed ninety (90) consecutive days and a TUP shall not be granted within one year from the date of expiration of a previously approved TUP for any individual address.

(c) The storage container shall not be placed in the public right of way unless exceptional and extraordinary circumstances exist. The location must be approved by the traffic engineer and zoning official.

(d) Maximum width of the storage container shall not exceed eight feet (8'). Maximum height shall not exceed eight feet five inches (8'5"). Maximum length shall not exceed twenty feet (20').

(e) Storage containers may be allowed for single-family homes in a planned development (PD) zone district provided the requirements of this section are met. This subsection does not subvert any covenants that are in place on any residential property.

(f) A cash bond shall be deposited with the city by the applicant requesting the storage container in the amount of two hundred fifty dollars (\$250.00). Said bond shall be for the purpose of ensuring the prompt removal of storage container. This cash bond shall be retained if the applicant fails to promptly remove the storage container from the site or the public right of way by the expiration date of the permit. Such bond shall be released or returned within thirty (30) days to the applicant upon certification by the zoning official that all of the requirements of this subsection have been met.

2. Multi-Family Districts: Temporary storage containers are not permitted in multi-family zone districts.

3. Expiration: Notwithstanding anything contained herein which may be construed to the contrary, this subsection shall expire two (2) years from the effective date hereof (hereinafter the "expiration date"). Any annual permit issued that would, in the absence of the expiration date, expire beyond that date, shall also be deemed to expire on the expiration date. No pro rata refund of any city fees shall be refunded in any such instance. However, in the event action is by the city council to repeal this subsection, on or before the expiration dates those permits which would have expired after the expiration date shall be valid from the date of issuance. (Ord. 14, Series of 2005)

# City of Littleton

## TEMPORARY USE PERMIT APPLICATION

All the following information is required prior to issuance of any Temporary Use Permit **PLUS receipt of \$100.00 application fee.** Please make checks payable to: CITY OF LITTLETON

### 1. Purpose

a. Is this an application for a temporary sale? Y or N (Circle One)

Is a tent required? Y or N (Circle One)

If **yes** what is the total square footage of the tent? \_\_\_\_\_ Sq. ft.

(In the case of a tent sale, a certificate of fire resistant material **must** be included with the application. In addition Fire Safety Regulations may require a number of fire extinguishers be placed within the tent.)

b. Is the temporary use on a vacant lot? Y or N (Circle One)

If **yes** a letter from the property owner granting permission to operate the temporary use **must** be attached and a **\$2500.00 refundable deposit is required.**

c. What are the hours of operation? \_\_\_\_\_ If during the evening please attach a site lighting plan.

d. Will there be electrical? \_\_\_ Lights \_\_\_\_\_ Other (Explain) \_\_\_\_\_

e. What type of restroom facilities will service the Temporary use? \_\_\_\_\_

### 2. Contacts

Name of requesting person/ business/organization: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

City of Littleton Sales Tax License Number, : required \_\_\_\_\_

Landowner Name: \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

### 3. General Information

**A Site Plan with the following information must be included:**

- ✓ Location of proposed Temporary use on lot.
- ✓ Parking for Temporary use, if use is on vacant lot vehicles must be parked on an improved parking surface.
- ✓ If Temporary use is in an existing parking lot highlight parking being used for Temporary use.
- ✓ Setbacks of all property lines.
- ✓ Access to proposed Temporary use.
- ✓ Letter from the property owner granting permission for the proposed Temporary Use

Any additional comments from applicant to allow Development Review Committee Member to assess the application efficiently and expeditiously: \_\_\_\_\_

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