

## TEMPORARY USE PERMIT (TUP)

### Summary

Temporary Use, in the City of Durango [Land Use and Development Code](#) (LUDC), can refer to special events, commercial sales, buildings and constructions uses, or storage containers and dumpsters. Each of these categories is described in much greater detail in [Section 2-3-3-1: Classification of Temporary Uses](#) of the LUDC. After you find the description that best fits what you would like to do, look at the tables in [Sections 2-3-3-2: Special Events](#), [2-3-3-3: Commercial Sales](#), and [2-3-3-4: Buildings and Construction Uses](#) for information such as where the use is allowed, how often it is allowed, and what information you need to submit, along with other applicable information.

Temporary uses must be located on appropriately zoned private property, not in public areas or right-of-way, and evidence of property owner approval must be submitted as part of the permit application. Adequate parking must be provided and required parking for existing uses on the site cannot be reduced. If parking is not paved, the applicant must provide features to mitigate tracking of mud, dirt, gravel, etc. onto public streets.

Temporary uses are allowed for a maximum of six (6) months. At the conclusion of the permit period, the site must be cleared of any visible remnants of the business operations. If a use is proposed for longer than six (6) months a use must meet the same standards that apply to permanent uses.

### Applicable Sections of Code

[Division 2-1-3: Use/Zone Matrices](#)

[Division 2-3-3: Temporary Uses](#)

[Division 6-3-3: Standard Development Approval Procedures](#)

*Note: A temporary use must meet all applicable LUDC requirements. The LUDC sections listed above apply to all proposed temporary uses, but other requirements may apply.*

### Fee & Required Materials

The application fee for a Class B/Class C TUP is \$50 and \$250 for a Class A TUP.

The following materials are required as part of a complete application for a TUP.

1. A completed [Land Use Application](#).
2. Fee.
3. A written narrative describing the proposed use, proposed site or building improvements, and existing conditions.
4. A site plan showing the property boundaries, proposed location of any structures or signage, parking areas, restroom facilities, trash/recycling facilities, & other applicable information.
5. Pictures or perspective drawings of any proposed structures.
6. A letter from the property owner (if different than the applicant) giving consent for the Temporary Use to take place on the property.
7. Any additional materials which are necessary to adequately review the application as determined by staff.

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### **Procedural Summary**

Once a complete application is received and fee paid, the City staff will review the proposal and approve, approve with conditions, or deny the application within thirty (30) calendar days of the date that the application is filed, unless a longer period is agreed to by the applicant. Often, the review and approval period is much quicker than thirty (30) days.

### **Additional Information**

Many TUPs require additional licensing from the City, such as a sales tax license, business licenses, etc. It is the applicants' responsibility to secure all necessary licenses and keep them current.

All signage for a special use shall meet sign regulation requirements in accordance with the zone in which they are located.

A TUP must provide accessible restrooms and trash /recycling facilities on-site for customers and employees during business hours. Portable restroom facilities are permissible.

Other site improvements such as fencing or screening may be required to meet City standards and mitigate potential impacts of the use.

A specific time limit for the use will be set forth as part of the permit approval. A TUP is valid as long as conditions of approval are maintained by the applicant. If the conditions of the permit are not met, the TUP can be revoked.

If the conditions of a permit become the responsibility of a person or entity other than the applicant, the department shall be notified, in writing, identifying the new person or entity responsible for maintaining the conditions of the approval/permit.

TUP approvals may be extended upon demonstration of good cause, appropriate maintenance, extension of any required surety, and diligent pursuit of the purposes for which the uses were established. All applications for renewal of a TUP must be submitted to the Planning Division at least ten (10) working days before the expiration of the permit.

### **Contact Information**

Questions and other inquiries can be directed to the City of Durango Community Development Department—Planning Division at (970) 375-4850 or by visiting River City Hall at 1235 Camino del Rio (Durango, CO) during normal business hours.