



Temporary Sales or Outdoor Entertainment Administrative Review Application

APPLICATION MATERIALS

▶ **What materials do I need to submit with my application?**

- Application & Affidavit** signed by the applicant. If the applicant is not the owner/lessee of the property, the applicant must obtain the signature or submit a written letter approving and acknowledging the proposed event from the owner/lessee of the property.
- Site plans** including the location of the proposed sales or entertainment area, screening, fences, tents, generators and parking areas.
- A copy of a current and valid sales tax license** for the business hosting or operating the event.

▶ **How do I submit an application?**

Once the Project Fact Sheet has been completed and the other required materials obtained, the applicant must submit the application to a Project Specialist at the Planning & Development Services Center (1739 Broadway, 3rd Floor). Incomplete applications will not be accepted. Please visit the [Planning and Development Services Online Center](#) for office hours.

▶ **Are there fees associated with the application?**

Yes. The administrative review application has a \$252 initial application fee and an \$84 renewal fee (for annual events). Required building permits fees can be found in the [Schedule of Fees](#).

▶ **How long will it take for my application to be reviewed?**

Once the application is submitted, staff will provide a response within five business days.

However, the process can take up to three weeks if revisions to the plans and/or building permits are required. Staff recommends applying at least one month prior to the proposed event.

FAQS

▶ **Is my event considered temporary sales and/or outdoor entertainment?**

Temporary sales means a use of land that results in sales from a tent, canopy, trailer, temporary structure or a parked vehicle, or sales on a vacant parcel of land or any parking lot regardless of location. Not included are sales from push carts or mobile food vendors, which are subject to different regulations and licensing.

Sales of Christmas trees on a lot are considered as a conditional use in the category of “selling from a movable structure, vacant lot or parking lot” and approval of an administrative review application is required.

Temporary outdoor entertainment means an outdoor use open to the public such as a carnival, amusement rides, fair, outdoor theater, promotional event, musical performance or dance for a limited duration of time.

▶ **When is a temporary sales or outdoor entertainment application and permit required?**

Temporary sales and temporary outdoor entertainment uses are prohibited in the following zoning districts: RR, RE, RL, RM, RMX, RH, MH, MU-1, MU-2, MU-3, A, P* (*temporary outdoor entertainment allowed). Please use the City’s [eMapLink](#) to determine the zoning district for the property where the temporary event will be held.

Temporary sales and temporary outdoor entertainment uses **must** be conducted by the owner or lessee of the property on which it is conducted and only in conjunction with the

principal use of the property. For example, the parking lot of a restaurant use may not host a temporary retail sales event.

In order for a temporary sales or outdoor entertainment event to be approved, staff must find that the application meets the applicable criteria. These criteria are found in [Section 9-6-5\(c\), B.R.C. 1981](#) of the city's land use regulations. It is not possible to obtain a variance to allow temporary events. In addition, these events must meet all other city code requirements that may apply.

► **What if my event is on a vacant lot?**

Sales of merchandise or services from a motor vehicle, trailer, mobile home or tent are prohibited on lots or parcels that are vacant or used for parking unless a temporary sales or outdoor entertainment application is reviewed and approved. The proposed event must meet the applicable criteria described above.

► **What if my event is on public property?**

Special events held on public property are administered by the City of Boulder Community Vitality Department. Please see the [Special Events Guide](#) for more details.

► **Do I need additional building permits for tents and generators?**

You are responsible for obtaining any additional building permits and inspections for temporary tents/canopies located on site prior to the start of the proposed temporary event. If your event includes a Tent or Multiple Tents as defined below, an additional permit and inspections from the Building and Fire Departments are required:

- Tent(s) with walls in excess of 400 sq. ft.
- Tent(s) (open on all sides) in excess of 700 sq. ft.
- Multiple Tents (open on all sides) placed side by side in excess of 700 sq. ft.

Additional information can be found in the [Tent Information](#) handout.

Temporary generators also require an electrical permit.

A [Temporary Event Permit Application](#) is required for temporary generators and all tents that meet

the thresholds described above. The application may be submitted in person at the Planning & Development Services Center, located at 1739 Broadway, 3rd Floor. Please visit the [Planning and Development Services Online Center](#) for office hours.

Am I allowed to have mobile food trucks at my event?

Mobile food vehicles are licensed by the Tax & Licensing Division. The process and additional details regarding the potential location of and currently licensed mobile food vehicles can be found [here](#). **Note: all Mobile Food Vehicles must meet the standards of [Section 9-6-5\(d\), B.R.C. 1981](#).**

► **Can I serve alcohol at my event?**

Pursuant to State Liquor Code and City of Boulder regulations, anyone that is selling and/or serving alcohol at an event (1) to which members of the general public have access, and/or (2) that has been posted to social media platforms or otherwise publicly announced is required to obtain a Special Event Liquor Permit. Alternatively, a business with an existing wholesale/manufacture state liquor license must obtain the appropriate temporary modification from the City of Boulder and the State of Colorado Liquor Enforcement Division to serve alcohol at an event. Contact the Regulatory Licensing Division at 303-441-4192 with any questions.

► **What if my event is for a non-profit?**

The owner/lessee of the property at which the proposed event is to be held must submit the application on behalf of the non-profit. For example, a brewery may host a fundraising event for a non-profit organization, but the owner or a representative from the brewery must submit all required application materials.

► **What if I want to use cooking and heating equipment?**

Specific regulations on cooking and heating equipment in or near tents or canopies can be found in [Chapter 31 of the 2012 International Fire Code \(IFC\)](#). Fire extinguishers are required and must be placed as required per the 2012 IFC.

Additional information can be found in the [Tent Information](#) handout. All proposed cooking and heating equipment must be shown on the site plan if a [Temporary Event Permit Application](#) is required.

prohibited that disrupts neighbors in their own home ("Disrupting Quiet Enjoyment of Home"). Electronically amplified sounds are prohibited after 11 p.m. ("Unreasonable Noise"). Noise may not exceed 55 decibels between the hours of 7 a.m. and 11 p.m., lowering to a maximum of 50 decibels after 11 p.m. ("Exceeding Decibel Sound Levels").

► **Are there noise regulations that could affect my event?**

Any music, noise, or sound generated by an event must meet the noise regulations of [Section 5-9, B.R.C. 1981](#). Generally, loud behavior is

APPLICATION

► **Property Description**

Property Address

Zoning District

Principal Use of Property

Legal Description of Property

► **Event Description**

Proposed Event Description: *Attach additional sheet if necessary.*

Date(s) of Event: _____

Date(s)/Set-up Time: _____

Date(s)/Take-down Time: _____

Total # of Days (event only): _____

Total number of days of events held at the property within the past 3 months: _____

Previous Case Number (if renewal): _____

This affidavit acknowledges that the applicant, lessee or owner represents and certifies that the following are true and accurate:

1. The information and exhibits herewith submitted are true and correct to the best of my knowledge.
2. The proposed use is temporary and limited to two consecutive weeks in any three-month period.
3. The owner or lessee of the property on which the event is conducted has a current and valid sales tax license.
4. All exterior areas included in the proposed use meet the form and bulk requirements of [Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981](#).
5. The proposed use will not adversely affect the required parking or result in unsafe conditions or unacceptable levels of congestion.
6. Upon termination of the proposed use, the lot or parcel shall be returned substantially to its original condition. All litter, fences, borders, tie-down materials and other items associated with the temporary sale shall be removed within five days.
7. Temporary sales shall only be conducted by the owner or lessee of the property on which it is conducted and only in conjunction with the principal use of the property.
8. The proposed use will meet the standards set forth in [Section 5-9, "Noise" B.R.C. 1981](#).
9. This approval does not constitute building permit approval. Building permit review and approval shall be required prior to the initiation of any construction/installation of any tents and generators.
10. All event equipment, including but not limited to tables, tents and fencing will be on the subject property and shall not encroach into the public right-of-way. All existing sidewalks and parking entrances shall remain unblocked and open to pedestrian traffic.
11. A liquor license will be applied for and obtained to serve alcohol at the event, if applicable.
12. A sign permit will be obtained for any signage that does not meet the exemption criteria set forth in [Section 9-9-21\(c\), B.R.C. 1981](#).
13. All lighting will comply with the lighting standards set forth in [Section 9-9-16, B.R.C. 1981](#).
14. All mobile food vehicles will meet the standards of [Section 9-6-5\(d\), B.R.C. 1981](#).

► I acknowledge that this Affidavit is a "public record" and if I make a false entry or representation in this Affidavit, then I will commit a violation of [Section 5-5-9\(a\)\(1\), B.R.C. 1981](#). I have carefully considered the contents of this Affidavit before signing. I affirm that the contents are true, to the best of my knowledge.

Applicant Signature: _____

Date: _____

Printed Name: _____

Additional space for signatures (for property owner and lessee) is on the following page.

Property Owner Signature: _____

Date: _____

Printed Name: _____

Lessee Signature: _____

Date: _____

Printed Name: _____

(Staff Use Only)

<i>Approved By</i>	<i>Date</i>	<i>Case #(s)</i>

Final Decision Standards: