

Exhibit A

Gilpin County Zoning Regulations Section 1.8(C) and 3.7

1.8 SPECIFIC REVIEW PROCEDURES – ZONING APPLICATIONS

C. Temporary Use Permits (TUP):

1. **PURPOSE AND APPLICABILITY:** The purpose of this section is to authorize the establishment of certain uses (including special events) and structures of a limited duration. This section is intended to ensure that such uses or structure do no negatively affect adjacent land, are discontinued upon the expiration of a set time period, and do not involve the construction or alteration of any permanent building or structure.
2. **CONCEPTUAL REVIEW:** Shall be per Section 1.7A Step 1. Conceptual Review and in addition to the procedures established in Section 1.7A at a Conceptual Review meeting with staff, the applicant shall provide the following information about the proposed Temporary Use including:
 - a. General description of the proposed temporary uses and activities;
 - b. Any sketch plans of the proposed site layout of temporary structures, parking, site improvements, ingress, and egress;
 - c. Time, place, and manner of the events including number of attendees and frequency of the event; and
 - d. Any other information that is relevant to the application or that may be requested by the Administrator.
 - e. Additional information required for events over 250 persons and more:
 - i. Emergency plan addressing law enforcement, fire and medical responses;
 - ii. Proof that any other state or federal permits or approvals have been obtained; and
 - iii. Fees as set by the BOCC
3. **APPLICATION SUBMITTAL** per section 1.7B.
4. **DETERMINATION OF SUFFICIENCY** per section 1.7C.
5. **APPLICATION REVIEW AND STAFF REPORT** per section 1.7D and all application for TUP events of less than 250 persons but more than 100 persons may be approved Administratively. For TUP Events for 250 persons or more, the application shall be processed with Public Notice and Public Hearings at the PC and BOCC.
6. **PUBLIC NOTICE** required per Section 1.7E for TUP Events for 250 persons or more.
7. **PUBLIC HEARING** and recommendation at PC per Section 1.7F for TUP Events for 250 persons or more.
8. **PUBLIC HEARING** and decision at BOCC per Section 1.7F for TUP Events for 250 persons or more.
9. **REVIEW AND APPROVAL CRITERIA:** For TUP Events for 250 persons or more, the PC and BOCC shall base their decision on their findings of the extend to which the proposed Temporary Use:
 - a. Complements or is compatible with the surrounded uses, character and community facilities.
 - b. Adequately mitigates traffic impacts, if any.
 - c. Contributes to, enhances, and promotes the welfare of the area and adjacent properties.
 - d. Is in scale with the existing neighborhood or will be considered to be in the scale with the neighborhood as it develops in the immediate future.

- e. Mitigates any adverse impacts due to access, parking, service areas, and traffic on adjoining properties and the street network in an adequate manner.
- f. The BOCC may, in the interest of the public welfare and to ensure compliance with this Ordinance, establish reasonable conditions on the operation, location, arrangement, type, character, and manner of construction of any use for which a TUP is authorized. Such conditions may include, but not be limited to hours of use, noise level, lighting, traffic control measures, emergency access, security, dust control, trash collection, and disposal and occupant loads.

3.7 TEMPORARY USE PERMIT

The process for a Temporary Use Permit shall follow the procedures in Section 1.8C. This section shall establish additional standards for TUP's.

A TYP is required for all special events on private and County owned property, including County rights-of-ways as follows:

Events Under 250 Persons Attending but more than 100 Persons

The following events are eligible for administrative approval.

- Events whose duration is no more than 48 consecutive hours as measured from start to finish;
- Daily attendance shall not exceed 249 persons;
- Does not include amplified music or speech;
- Competitive events which utilize public road right-of-way (e.g., running and biking events).

Events with 250 Persons or More Attending

Board of County Commissioner approval shall be required per Section 1.8C.

Application – An application (for) these events shall be submitted not less than 180 days prior to the commencement of the proposed activity.

Conditions of Approval

- The County may attach whatever conditions and limitation necessary to protect public health, safety, and welfare. Such conditions may include, but shall not be limited to hours of use, noise level, light, traffic control measure, security, dust control, trash collection and disposal and occupant loads.
- Only four events per year, per parcel or parcels shall be permitted.

Bonding/Security Deposit

A financial guarantee shall be required for commercial events with 250 or more attendees and for-profit events to ensure all permit conditions. The financial guarantee shall be forfeited if a

permit is revoked. The bonding amount required be in line with the size and impact of the event.

Exempt from Temporary Use Permit

- Private garage or yard sales held for three days or less no more than four times a year.
- Any event directly sponsored by the Board of County Commissioners or on County property with approval granted by the appropriate County department.