

Chapter 4.9 — Miscellaneous Permits

Sections:

4.9.100 - Temporary Use Permits

4.9.100 Temporary Use Permits.

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to construction trailers, leasing offices, temporary carnivals and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and fruit and vegetable stands. Three types of temporary uses require permit approval (See A, B and C):

- A. Seasonal Uses.** These types of uses may occur only once in a calendar year and for no longer a period than 30 days. Using the Type II procedure under Section 4.1.400, the City shall approve, approve with conditions, or deny a temporary use permit based on findings that all the following criteria are satisfied:
1. The use is permitted in the underlying land use district and does not violate any conditions of approval for the property (e.g., prior development permit approval);
 2. The applicant has proof of the property-owner's permission to place the use on his/her property;
 3. Customers and employees of the temporary use shall utilize no parking that is needed by the property owner to meet their minimum parking requirement under Chapter 3.3 - Vehicle and Bicycle Parking;
 4. The use provides adequate vision clearance, as required by Section 3.1.200, and shall not obstruct pedestrian access on public streets;
 5. Ingress and egress are safe and adequate when combined with the other uses of the property; as required by Section 3.1.200 - Vehicular Access and Circulation;
 6. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare, or lights that affect an adjoining use in a manner which other uses allowed outright in the district do not; and
 7. The use is adequately served by sewer or septic system and water, if applicable, or adequate temporary options are obtained. (The applicant shall be responsible for obtaining any related permits.)
- B. Temporary Sales Office or Model Home.** Using a Type I procedure under Section 4.1.400, the City may approve, approve with conditions or deny an application for the use of any real property within the City as a temporary sales office, offices for the purpose of facilitating the sale of real property, or model home in any subdivision or tract of land within the City, but for no other purpose, based on the following criteria:
1. Temporary sales office and construction storage:
 - a. The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is to be sold; and

- b. The property to be used for a temporary sales office or construction storage shall not be permanently improved for that purpose.
- 2. Model house:
 - a. The model house shall be located within the boundaries of the subdivision or tract of land where the real property to be sold is situated; and
 - b. The model house shall be designed as a permanent structure that meets all relevant requirements of this Code.
- C. **Temporary Building.** Using a Type II procedure, as governed by Section 4.1.400, the City may approve, approve with conditions, or deny an application for a temporary trailer or prefabricated building for use on any real commercial or industrial property such as a construction storage trailer, within the City as a temporary commercial or industrial office or space associated with the primary use on the property, but for no other purpose, based on following criteria:
 - 1. The temporary trailer or building shall be located within the boundaries of the parcel of land on which it is located;
 - 2. The primary use on the property to be used for a temporary trailer is already developed;
 - 3. Ingress and egress are safe and adequate when combined with the other uses of the property; as required by Section 3.1.200 - Vehicular Access and Circulation
 - 4. There is adequate parking for the customers or users of the temporary use as required by Chapter 3.3 - Bicycle and Vehicle Parking.
 - 5. The use will not result in vehicular congestion on streets;
 - 6. The use will pose no hazard to pedestrians in the area of the use;
 - 7. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare, or lights that affect an adjoining use in a manner which other uses allowed outright in the district do not;
 - 8. The building complies with applicable building codes;
 - 9. The use can be adequately served by sewer or septic system and water, if applicable, or adequate temporary options are obtained. (The applicant shall be responsible for obtaining any related permits); and
 - 10. The length of time that the temporary building will be used ***does not exceed 6 months***. When a temporary building exceeds this time frame, the applicant shall be required to remove the building, or renew the temporary use permit.