

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 vegetable stands. Five types of temporary uses require permit approval (See A-E):

- A. Seasonal and Special Events.** These types of uses 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 of 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. No parking will be utilized by customers and employees of the temporary use which 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 affect the adjoining use; and
 7. The use is adequately served by sewer or septic system and water, if applicable. (The applicant shall be responsible for obtaining any related permits.)
- B. Temporary Sales Office or Model Home.** Using a Type I procedure under Section 4.1.300, 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.

4.9.100 Temporary Use Permits *(continued)***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 the 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 affect the adjoining use; and
8. The building complies with applicable building codes;
9. The use can be adequately served by sewer or septic system and water, if applicable. (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.

D. Temporary Use of House Coach or Recreational Vehicle in Residential Districts. Using a Type I procedure, as governed by 4.1.300, the City may approve the use of a house coach or recreational vehicle for temporary occupancy, for no longer a period than 30 days in any consecutive 6 month period, but for no other purpose based upon the following criteria:

1. The house coach or recreational vehicle will be placed in an unobtrusive manner to the properties surrounding the permitted property.
2. The house coach or recreational vehicle shall have valid registration and license, be maintained in good condition and be roadworthy.
3. The house coach or recreational vehicle shall be sited only in a pre-determined and approved location on the lot.
4. The house coach or recreational vehicle shall not use mechanical equipment, such as electrical generators, between the hours of 10:00 P.M and 7:00 A.M.
5. There shall be no permanent hook ups to water or wastewater services for these units.

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E. Hardship Use of House Coach or Recreational Vehicle in Residential Districts. Using a Type II procedure as governed by 4.1.400, the City may approve the use of a house coach or recreational vehicle for temporary occupancy, for hardship cases which require extended temporary living assistance, but for no other purpose based upon the criteria listed in 1 - 5 below. The permit will be valid for up to 60 days with extensions, upon review and approval, not to exceed 180 days total in a calendar year.

1. A demonstrated hardship requiring the use of the house coach or recreational vehicle.
2. The house coach or recreational vehicle will be placed in an unobtrusive manner to the properties surrounding the permitted property.
3. The house coach or recreational vehicle shall have valid registration and license, be maintained in good condition and be roadworthy.
4. The house coach or recreational vehicle shall be sited only in a pre-determined and approved location on the lot.
5. The house coach or recreational vehicle shall not use mechanical equipment, such as electrical generators, between the hours of 10:00 P.M and 7:00 A.M.
6. There shall be no permanent hook ups to water or wastewater services for these units.