16.210.00 Purpose

The purpose of a temporary permit is to allow a use or structure for a use which is temporary or seasonal in nature, provided such use is consistent with the intent of the zoning district in which it is located and is in compliance with the provisions of this ordinance.

16.210.005 Application and Fee

An application for a temporary permit shall be filed with the City and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which describes the number of employees, the hours of operation, a description of the operation and its duration, and also addresses the review criteria of this chapter. A Temporary Use Permit may be authorized as a Limited Land Use (Type I) Permit pursuant to Chapter 16.210.010 below.

16.210.010 Types, Requirements and Procedures for Temporary Uses

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. Three types of temporary uses require permit approval (See A, B and C):

A. Seasonal and Special Events. These types of uses occur only once in a calendar year and for no longer a period than 60 days. Using the Limited Land Use (Type I) procedure under the Application Review section of this chapter, 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. 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;
4. The use provides adequate vision clearance 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;
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 in 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 Limited Land Use (Type I) approval procedure under the Application Review section of this chapter, 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:
   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;
   b. The property to be used for a temporary sales office shall not be permanently improved for that purpose;
   c. Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.

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 and other applicable codes and permit requirements.

C. Temporary Building, Trailer, Kiosk or Structure. Temporary placement of a building, trailer, kiosk, or structure, including but not limited to prefabricated building(s), for use on any real institutional, commercial or industrial property within the City shall require a development permit. Using a Limited Land Use
Type I approval procedure under the Application Review section of this chapter, the City may approve, approve with conditions or deny an application for a placement of a building, trailer, kiosk, or structure for temporary use, or temporary placement, such as a temporary commercial or industrial use or space associated with the primary use on the property, based on following criteria:

- a. The temporary trailer or building shall be located within the specified property line setbacks of the parcel of land on which it is located;
- b. The primary use on the property to be used for a temporary trailer is already developed or has received land use approval;
- c. Ingress and egress are safe and adequate as demonstrated by an approach permit approved by the road authority, as applicable;
- d. There is adequate parking for the customers or users of the temporary use;
- e. The use will not result in vehicular congestion on streets;
- f. The use will pose no impediment or hazard to pedestrians in the area of the use;
- g. 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;
- h. The building complies with applicable building codes;
- i. 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
- j. 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 for no more than one additional year; and
- k. Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.

16.210.015 Conditions of Approval
In issuing a temporary permit, the City may impose reasonable conditions as necessary to preserve the basic purpose and intent of the underlying zoning district. The public need for the conditions shall be supported by
findings. These conditions may include, but are not limited to the following.

a. Increasing the required yard dimensions;

b. Requiring fencing, screening or landscaping to protect adjacent or nearby property;

c. Limiting the number, size, location or lighting of signs;

d. Limiting the time for certain activities; and

e. Limiting the total duration of the uses.

16.210.020 Compliance with Conditions

Compliance with conditions imposed in approval of a temporary use permit and adherence to an approved plot plan shall be required. Any departure from these conditions of approval and approved plans constitutes a violation of this ordinance. The City may revoke approval of any temporary permit for failure to comply with any conditions imposed in approval of the temporary permit or for any other violation of this ordinance.