

## Temporary Use Permits (Section 3.2)

### 3.2.A. Purpose

The purpose of this Section is to authorize uses for a limited and fixed duration within a zoning district where the **Temporary Use** is otherwise prohibited.

### 3.2.B. Applicability

All time requirements are consecutive days per calendar year unless specifically stated otherwise. Only one **Temporary Use** permit is to be issued for a **Parcel** at any one time. Temporary Use permits shall not have overlapping time frames. Multiple Temporary Uses may be considered only through Planning and Zoning Commission approval.

1. Special events shall be limited to a maximum of four times per calendar year not to exceed a maximum duration of 7 days per event, and shall include such outdoor activities as:
  - A. Transient amusement activities (carnivals, circuses)
  - B. Tent revivals, seasonal festivals
  - C. Outdoor sales events (sidewalk, parking lot sales, excluding garage sales on residential properties)
  - D. Outdoor art and craft shows, exhibits (art, craft, RV, boat)
2. Seasonal **Stables**, horseback rides with associated campfire and meal activities. Permits from other agencies may be required.
3. Seasonal Game Receiving Stations or Processing Facilities.
4. Holiday sales lots, such as holiday trees and pumpkin sales, subject to not more than 90 days of **Site** occupation and operation per year.
5. Campaign offices subject to not more than 70 continuous days of site occupation and operation.
6. Religious, patriotic, historic, or similar displays or exhibits within **Yards, Parking Areas**, or landscaped areas, subject to not more than 30 days of display in any one-year period for each exhibit.
7. Modular office **Structures** such as a contractor's office, **Metal Storage Containers**, and storage yards off-site of an active construction project. Temporary Use permits may be issued for the length of the construction project but for no longer than 12 months. Permit may be renewed annually so long as project remains in active status. (Temporary modular offices located on site do not require a Temporary Use permit and may be approved for a period not to exceed 12 months and with the issuance of a building and/or construction permit.)
8. Stands for the sale of jewelry, art, furs, rugs, and similar home-type products subject to not more than 30 days per year.
9. Stands for the sale of produce subject to not more than 120 consecutive days per year. The provisions of this subsection do not apply to the sale of produce raised on the premises.
10. Temporary retail food sales located in a movable vehicle or trailer, or in a temporary stand. Temporary retail food sales are restricted to not more than 30 days per year per location. Parking shall be coordinated with any existing Use to meet parking requirements. All waste shall be disposed of daily. Commissary agreements for food storage may be required.
11. Establishment of temporary **Batch Plants** in conjunction with road construction projects subject to Planning and Zoning Commission approval.
12. Temporary occupancy of one **Recreational Vehicle** or a Travel Trailer (excluding tents or yurts) in

the G, AR, RR, RS (40,000 square feet or larger) or MHP Zone for a period not to exceed 120 consecutive days per calendar year, provided that the lot or parcel is not already occupied by a **Dwelling Unit**. Approved method of wastewater disposal such as a self-contained unit, chemical toilet, or portable toilet is required. Other conditions may be required.

**13.** Upon the issuance of a **Building Permit** for a residential **Dwelling**, temporary occupancy of a **Recreational Vehicle** or a Travel Trailer in the G, AR, or RR Zone for a period not to exceed 6 months, provided that the **Lot** or parcel is not already occupied by a **Dwelling Unit**. The Temporary Use permit may be renewed only if the Building Permit is issued for a Dwelling, and if the Building Permit remains active. Other conditions may be required.

**14.** Metal Storage Container Boxes, subject to the **Performance Standards** of **Section 3.10**.

**15.** Storage of one unoccupied Mobile or **Manufactured Home** per Lot or parcel in the G or AR zone, for a period not to exceed 90 days.

**16.** Uses not listed above and their associated intensities and time frames determined to be similar to the foregoing may be granted permits by either the **Community Development Director** for single Temporary Uses, or the Planning and Zoning Commission for multiple Temporary Uses.

### 3.2.C. Performance Standards

**1.** Noise: Noise shall not be generated by any use to the point of disturbing the peace, quiet, and comfort of neighboring residences or businesses.

**2.** Parking: Adequate parking shall be provided. All parking shall be located on the same property as the **Temporary Use**; public **Rights-of-Way** shall not be used for parking.

**3.** Location: No permit shall be issued for a Use the location of which is deemed to be potentially hazardous to the public. This includes, but is not limited to, heavily congested and/or trafficked areas where the use may impede or inconvenience the public and/or emergency vehicles. No use shall be permitted in a public **Right-of-Way**.

**4.** Sanitation: All requirements of the County Health Department, County Environmental Quality, and/or other regulatory agency shall be met. Provisions for disposal of solid waste shall be required for all Uses.

**5. Signs:** One freestanding or wall-mounted Sign not exceeding 6 square feet in area and 6 feet in height is permitted. Signage for food trucks and trailers is limited to vehicle signage. A diagram of the Sign indicating size, text, and location on site is required. Color and materials may be reviewed if the site is within a DRO Zone. No off-site Sign is permitted. Additional signing may be permitted at the discretion of the Planning and Zoning Commission.

**6.** Lighting: All lighting sources shall be aimed or shielded so that the **Direct Illumination** shall be confined to the property boundaries of the light source. The operation of searchlights or similar lighting sources is prohibited.

**7.** Other Permits and Documentation: Any required Public Health Services District, Environmental Quality, Sheriff's Office permits or licenses, Fire Department, or Public Works **Right-of-Way** permits shall be obtained. Other required documentation may include but not be limited to Proof of Liability Insurance, and a security, parking, and traffic safety plan for special events.

### 3.2.D. Permits and Administration

**1.** All **Temporary Uses** shall be subject to the issuance of a Temporary Use permit. Issuance may be

through the action of the **Community Development Director** or the Planning and Zoning Commission. Permits issued through the Community Development Director shall follow **Section 5.1.B**. Permits issued through the Planning and Zoning Commission shall be subject to the standards of **Section 5.1.C**.

**2. Temporary Use** permits shall be issued when compliance with this Ordinance is verified. If the **Community Development Director** or Planning and Zoning Commission determines that the proposed Temporary Use does not comply with this Ordinance, the permit shall be denied.

**3.** Approval of a **Temporary Use** permit application shall require compliance with the above performance standards and any further conditions deemed necessary by the **Community Development Director** or the Planning and Zoning Commission in order to reduce possible detrimental effects to surrounding developments and to protect the public health, safety, and welfare. Failure to comply with the performance standards could result in denial or revocation of a Temporary Use permit.

**4.** No work shall commence on a **Temporary Use** until the issuance of a permit.

**5. Extensions and Renewals**

**A.** All **Temporary Uses** shall fit the prescribed time frames outlined in this Section.

**B.** Requests to exceed time frames, extend the lapse date of an existing permit, or renew a permit beyond stated time frames shall be heard by the Planning and Zoning Commission.

**6. Appeal**

**A.** Administratively Approved Permits. A decision by the Director may be appealed within 30 days to the Planning and Zoning Commission. The decision of the **Commission** shall be final.

**B.** Planning and Zoning Commission Approved Permits. A decision by the Planning and Zoning Commission may be appealed within 15 calendar days to the **Board of Supervisors** by the applicant or any other **Person** as prescribed in **Section 5.5**.

**7. Condition of Site Following Temporary Uses**

**A.** Each site occupied by a Temporary Use shall be left free of debris, litter, or any other evidence of the temporary use upon completion or removal of the Use, and shall thereafter be used only in accord with the provisions of the zoning regulations. Site shall be restored to previous conditions or better.