

CHAPTER 4

ARTICLE C. TEMPORARY USES

9-4C-1: PURPOSE:

9-4C-2: PERMIT REQUIREMENTS AND EXEMPTIONS:

9-4C-3: GENERAL DEVELOPMENT STANDARDS FOR TEMPORARY USES:

9-4C-4: STANDARDS FOR SPECIFIC TEMPORARY USES:

9-4C-5: TEMPORARY IMPROVEMENTS TO PROPERTY:

9-4C-1: PURPOSE:

The purpose of this article is to establish development standards for temporary activities, such as special events and uses, to ensure the overall health, safety, and general welfare of the community is maintained. (Ord. 2012-01, 4-17-2012)

9-4C-2: PERMIT REQUIREMENTS AND EXEMPTIONS:

Uses of property (including land, buildings, and structures) and activities that are temporary in nature shall comply with the permit requirements described below. The process for application for and review and issuance of a temporary use permit shall be as described in section 9-2B-4, "Temporary Use Permit", of this title.

A. Temporary Uses Exempt From Permit Requirements: The following temporary activities and uses are allowed by right and expressly exempt from the requirement of first obtaining a temporary use permit, provided they conform to the listed development standards. Uses that fall outside of the categories defined shall be required to obtain a temporary use permit.

1. Car washes of a temporary nature (e.g., school fundraisers).
2. Construction yards, storage sheds, and construction offices (on site) in conjunction with an approved construction project where the yard and/or shed are located on the same site as the approved project.
3. Emergency public health and safety facilities established by a public agency.
4. Entertainment and assembly events held within auditoriums, stadiums, or other public assembly facilities, provided the proposed use is consistent with the intended use of the facility.
5. Entertainment and assembly events as part of an allowed permanent use (e.g., race at a raceway).
6. Events held exclusively on city property.
7. Events held exclusively on school grounds and that are in conjunction with the school use.
8. Events held exclusively on church grounds and that are in conjunction with the church use.

9. Garage and yard sales held on private property and when occurring no more than three (3) consecutive days two (2) times per calendar year.

Comment [SB1]: Not needed. This limit is more specifically called out below.

10. Outdoor promotional events and seasonal sales related to an existing business with temporary outdoor display and sales of merchandise and seasonal sales in conjunction with an established commercial business that holds a valid business license and is in compliance with the development standards of this title.

11. Seasonal sales involving fireworks, as these uses are permitted through existing state processes and city business license.

12. Storage containers not in conjunction with an approved construction project when:

a. Located on residential property for periods less than seventy two (72) hours, and

b. Located on nonresidential property for periods of no more than forty five (45) days.

13. Temporary land uses in a zoning district that allows that land use on a permanent basis.

14. Temporary community food banks held for no more than twelve (12) days per year.

B. Temporary Use Permit Required: The following temporary activities and uses may be allowed, subject to the issuance of a temporary use permit prior to the commencement of the activity or use. Activities or uses that do not fall within the categories defined below, and are not otherwise exempted in subsection A of this section, shall comply with the use and development regulations and permit requirements that otherwise apply to the property.

1. Construction yards, storage sheds, and construction offices (off site) in conjunction with an approved construction project, where the yard is located on a site different from the site of the approved construction project.

2. Entertainment and assembly events, including carnivals, circuses, concerts, fairs, festivals, food events, fundraisers, haunted houses, outdoor entertainment/sporting events, and similar events designed to attract large crowds and when not otherwise part of or consistent with a permitted use (e.g., race at a raceway).

3. Extension of nonconforming period as provided in subsection 9-2C-6C, "Extension Of Nonconforming Period", of this title.

4. Farmers' markets, as defined in this chapter, held on private property.

5. Interim agricultural uses, as defined in this chapter.

6. "Swap meets", as defined in this chapter, including flea markets, rummage sales, and similar events held on private property.

7. Seasonal sales as defined in this chapter (e.g., Halloween, Christmas), including temporary residence/security trailers, except when related to an existing business (see subsection A10 of this section).

8. Temporary sales offices as defined in this chapter.