

CHAPTER 17.520: TEMPORARY USE, SPECIAL EVENT, AND TEMPORARY EVENT PERMITS

Section

- 17.520.005 Purpose
- 17.520.010 Applicability
- 17.520.015 Allowed Temporary Uses, Special Events, and Temporary Events
- 17.520.020 Review Authority
- 17.520.025 Application Filing and Processing
- 17.520.030 Conditions of Approval
- 17.520.035 Development and Operating Standards
- 17.520.040 Post-Approval Procedures

§ 17.520.005 PURPOSE.

This Chapter provides a process for reviewing proposed temporary uses, special events and temporary events to ensure that basic health, safety, and community welfare standards are met, while approving suitable temporary uses and special events, with the minimum necessary conditions or limitations consistent with the temporary nature of the activity. A Temporary Use Permit, Special Event Permit, or Temporary Event Permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may be considered acceptable because of their temporary nature. These activities are regulated to avoid incompatibility between the proposed activity and surrounding areas.

(Ord. No. 2005-007 § 1 (part))

§ 17.520.010 APPLICABILITY.

A. Permit Requirement. A Temporary Use, Special Event Permit, or Temporary Event Permit approved by the applicable review authority shall be required for all uses identified in § 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events), and shall be issued before the commencement of the activity.

B. Exempt Activities. The following temporary uses and events are exempt from the requirement for a Temporary Use, Special Event Permit, Temporary Event Permit, and other city approval. Uses other than the following shall comply with § 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events).

1. On-site contractor's construction yards, in conjunction with an approved construction project. The activity shall cease upon completion of the construction project, or the expiration of the companion building permit authorizing the construction project.

2. Events occurring in meeting halls, theaters, or other permanent indoor or outdoor public assembly facilities subject to all applicable regulations of the CCMC.

3. Promotional activities related to the primary product lines of a retail business, and similar activities (e.g., book readings and signings at book stores, opening receptions at art galleries).

4. Emergency public health and safety activities.

(Ord. No. 2005-007 § 1 (part))

§ 17.520.015 ALLOWED TEMPORARY USES, SPECIAL EVENTS, AND TEMPORARY EVENTS.

The following temporary uses, special events or temporary events may be allowed, subject to the issuance of a Temporary Use, Special Event Permit, or Temporary Event Permit by the applicable review authority. Uses other than the following shall comply with the use and development regulations and permit requirements that otherwise apply to the property, except uses that are exempt from the provisions of this Chapter in compliance with § 17.520.010 (Applicability).

A. Allowed Temporary Uses.

1. **Construction yards.** Off-site contractor construction yards, in conjunction with an approved construction project. The permit shall expire upon completion of the construction project, or the expiration of the companion building permit authorizing the construction project.

2. **Residence.** A mobile home as a temporary residence of the property owner when a valid building permit for a new single-family dwelling is in force. The Temporary Use Permit may be approved for up to one year, or upon expiration of the building permit, whichever occurs first.

3. **Seasonal sales lots.** Seasonal sales activities (for example, Halloween, Christmas), including temporary residence or security trailers, on non-residential properties. The sales activity may be approved for a maximum of 30 days or a length of time determined to be appropriate by the applicable review authority.

4. **Storage.** Enclosed temporary storage, unrelated to a construction project. The use may be approved for a maximum of one year. See § 17.400.115 (Temporary Storage Containers) for specific standards.

5. **Temporary real estate sales offices.** A temporary real estate sales office may be established within the area of an approved development project, solely for the first sale of homes. A permit for a temporary real estate office may be approved for a maximum of one year.

6. **Temporary structures.** A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved, for a maximum time period of 18 months from the date of approval, as an accessory use or as the first phase of a development project.

7. **Temporary work trailers.** A trailer or mobile home as a temporary work site for employees of a business may be allowed:

a. During construction or remodeling of a permanent commercial or manufacturing structure, when a valid building permit is in force; or

b. Upon demonstration by the applicant that this temporary work site is a short-term necessity, while a permanent work site is being obtained.

The permit for a temporary trailer may be granted for up to one year.

8. Similar temporary uses. Similar temporary uses that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses.

B. Allowed Special Events and Temporary Events.

1. Outdoor events. The following outdoor events may be allowed:

a. **Entertainment and assembly events.** Outdoor entertainment and assembly events, including carnivals, circuses, concerts, fairs, farmers' markets, festivals, flea markets, food events, fund-raisers, live entertainment, parades, outdoor sporting events, public relations activities, rummage sales, secondhand sales, swap meets and other similar events designed to attract large crowds, and which are held on private or public property, for up to 12 days per calendar year or as determined appropriate by the applicable Review Authority.

b. **Display or exhibit events.** Outdoor display or exhibit events, including art, cultural, and educational displays, and arts and crafts exhibits on non-residential properties, when not a part of the established primary use of the site, for up to 12 days per calendar year.

c. **Outdoor sales events.** Special events related to an existing business, with temporary outdoor sale of merchandise, in any commercial zoning district, in compliance with the following provisions:

i. There shall be no more than 4 sales in any calendar year.

ii. Each sale shall be limited to 3 consecutive days.

iii. The merchandise displayed shall be that customarily sold on the site.

iv. The site is utilized for a permanently established business holding a valid business tax certificate as required.

2. Similar special events. Similar special events and temporary events, either indoor or outdoor, that, in the opinion of the Director, are compatible with the zoning district and surrounding land uses, for up to 12 days per calendar year or as determined appropriate by the applicable Review Authority.

(Ord. No. 2005-007 § 1 (part))

§ 17.520.020 REVIEW AUTHORITY.

A. Director Review. The Director shall be responsible for the review and approval of all permits for temporary uses, special events, and temporary events not reviewed by the Committee on Permits and Licenses, identified in § 17.520.015 (Allowed Temporary Uses, Special Events, and Temporary Events), and the extension of these permits.

B. Committee on Permits and Licenses. The Committee shall be responsible for the review and approval of all permits for special events and temporary events, unless reviewed by the

Director, identified in Subsection 17.520.015.B. (Allowed Temporary Uses, Special Events, and Temporary Events), and the extension of these permits.

(Ord. No. 2005-007 § 1 (part))

§ 17.520.025 APPLICATION FILING AND PROCESSING.

An application for a Temporary Use Permit, Special Event Permit, or Temporary Event Permit shall be filed with the Division and processed as follows.

A. Application Contents. The application shall be made on forms furnished by the Division, and shall be accompanied by the information identified in any applicable City handouts and permit applications.

B. Time for Filing. A temporary use, special event or temporary event permit application shall be filed as follows.

1. Temporary use permit. A temporary use permit application shall be filed at least 14 days in advance of the proposed commencement of the use.

2. Special event and temporary event permit. A special event or temporary event permit application shall be filed at least 7 days in advance of a proposed minor event, and 14 days in advance of a proposed major event. The Director or Committee shall determine whether a proposed special event or temporary event is minor or major, based on the characteristics of, and activities associated with, the event, and the likely impacts on the surrounding community.

3. Additional permits required. Temporary uses, special events and temporary events may be subject to additional permits and other city approvals, licenses, and inspections required by applicable laws or regulations.

(Ord. No. 2005-007 § 1 (part))

§ 17.520.030 CONDITIONS OF APPROVAL.

In approving a Temporary Use Permit, Special Event Permit, or Temporary Event Permit, the review authority may impose reasonable and necessary specific design, locational, and operational conditions to ensure that:

A. The use or event is limited to a duration that is no more than the maximum allowed duration, as determined appropriate by the review authority.

B. The site is physically adequate for the type, density, and intensity of use being proposed, including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints.

C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing land uses on-site and in the vicinity of the subject property.

D. The temporary use or activity will be removed and the site restored as necessary to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by this Title.

E. Adequate temporary parking will be provided in order to accommodate the vehicle traffic generated by the temporary use or special event, either on-site or at alternate locations acceptable to the review authority.

F. The use or event will comply with all applicable provision of local, State and Federal laws or regulations.

G. Any other pertinent factors affecting the operation of the temporary use or special event will be addressed, including the following, to ensure the orderly and efficient operation of the proposed use or event, in compliance with the intent and purpose of this Chapter.

1. Conditions may require the provision of:

- a. Sanitary and medical facilities.
- b. Security and safety measures.
- c. Solid waste collection and disposal.

2. Conditions may regulate:

a. Nuisance factors, including the prevention of glare or direct illumination of adjacent properties, dirt, dust, gasses, heat, noise, odors, smoke, or vibrations.

b. Operating hours and days, including limitation of the duration of the use or event to a shorter time period than that requested.

c. Temporary signs.

d. Temporary structures and facilities, including height, placement, and size, and the location of equipment and open spaces, including buffer areas and other yards.

(Ord. No. 2005-007 § 1 (part))

§ 17.520.035 DEVELOPMENT AND OPERATING STANDARDS.

A. General Standards. Standards for floor areas, heights, landscaping areas, off-street parking, setbacks, and other structure and property development standards, which apply to the category of use or the zoning district of the subject parcel, shall be used as a guide for determining the appropriate development standards for temporary uses and special events. However, the review authority may authorize an adjustment from the specific requirements as deemed necessary and appropriate.

B. Standards for Specific Temporary Activities. Specific temporary land use activities shall comply with the development standards identified in Chapter 17.300 (General Property Development and Use Standards), as applicable to the use, in addition to those identified in Subsection 17.520.035.A. above, and § 17.520.30 (Conditions of Approval).

(Ord. No. 2005-007 § 1 (part))

§ 17.520.040 POST-APPROVAL PROCEDURES.

The approval or denial of a Temporary Use Permit, Special Event Permit, or Temporary Event Permit may be appealed in compliance with Chapter 17.640 (Appeals). The procedures of

Chapter 17.595 (Permit Implementation, Time Limits, and Extensions) shall apply after the approval of the permit.

A. Condition of the Site Following a Temporary Use or Special Event. Each site occupied by a temporary use or special event shall be cleaned of debris, litter or any other evidence of the temporary activity, on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Title.

B. Revocation. A Temporary Use, Special Event Permit, or Temporary Use Permit may be revoked or modified, with only a 24-hour notice, in compliance with Chapter 17.660 (Revocations and Modifications).

C. Extension of the Permit.

Temporary Uses. The Director may extend the operational length of a temporary use or special event if the delay is beyond the control of, and was not the result of actions by, the permittee.

D. Expiration of Permit. A Temporary Use, Special Event Permit, or Temporary Event Permit shall be considered to have expired when the approved use has ceased or been suspended.