

Chapter 17.23

TEMPORARY USE PERMITS

Sections:

17.23.010	Temporary use—Defined.
17.23.015	Exemptions.
17.23.020	Permitted uses.
17.23.025	Temporary uses subject to standard conditions.
17.23.030	Other temporary uses not identified.
17.23.040	Issuance of permit.
17.23.045	Fee.
17.23.050	Time limits.
17.23.055	Expiration of use—Removal of materials—Bond required.
17.23.060	Denial of permit—Appeal.
17.23.065	Revocation.
17.23.070	Appeals—Filing.

17.23.010 Temporary use—Defined. A "temporary use" is a use of a parcel of land when not otherwise allowed for a period of more than one hour within a twenty-four-hour period, but less than the maximum time limits set forth herein and which does not utilize any permanent structures except as otherwise permitted herein. (Ord. 4214 §1(part), 1992).

17.23.015 Exemptions. Temporary uses of a duration of less than three days which are held on county parks or public property and sponsored by bona fide charitable or nonprofit organization are exempt from the requirements contained herein, provided such uses have prior approval of the parks director or other county agency having responsibility for the county land being utilized. Garage sales, yard sales, and similar temporary sales activities, shall be exempt from the requirements contained herein as long as such activity does not exceed three days within any thirty-day period. (Ord. 4214 §1(part), 1992)

17.23.020 Permitted uses. The following temporary uses may be permitted subject to granting of a temporary use permit and any conditions attached thereto in accordance with the provisions of this chapter:

- A. Residential and agricultural zones or property for which a residential use has been approved:
 - 1. Subdivision model homes;
 - 2. Temporary construction yards and offices (used only in conjunction with development of uses permitted by the applicable zone, said offices and yards to be located on or immediately adjacent to the site of the development. One adult caretaker may be present during nonconstruction hours);
 - 3. Youth, charitable or nonprofit organization activities;
 - 4. Similar temporary uses, which the planning director has determined to be compatible with the zone and surrounding land uses.

- B. C, CP and CPO zone districts:
 - 1. Those temporary uses listed in Section 17.23.020(A);
 - 2. Christmas tree lots (see Section 17.23.025);
 - 3. Similar temporary uses, which the planning director has determined to be compatible with the zone and surrounding land uses.
- C. CC and RF zone districts:
 - 1. Those temporary uses listed in Section 17.23.020(B);
 - 2. Auctions;
 - 3. Mechanical amusement rides;
 - 4. Outdoor carnivals, circuses and rodeos;
 - 5. Outdoor concerts;
 - 6. Outdoor itinerate shows;
 - 7. Outdoor religious revival meetings;
 - 8. Outdoor sales, when the sale occurs adjacent to the permanent retail facility in which the same type of goods are sold by the same seller;
 - 9. Similar temporary uses, which the planning director has determined to be compatible with the zone and surrounding land uses.
- D. I, R & D, TC zone districts:
 - 1. Auctions;
 - 2. Christmas tree lots (see Section 17.23.025);
 - 3. Temporary construction yards and offices (used only in conjunction with development of uses permitted in the applicable zones, said offices and yards to be located on or immediately adjacent to the site of said development. One adult caretaker may be present during nonconstruction hours);
 - 4. Youth, charitable or nonprofit organization projects;
 - 5. Similar temporary uses, which the planning director has determined to be compatible with the zone and surrounding land uses. (Ord. 4214 §1(part), 1992)

17.23.025 Temporary uses subject to standard conditions. The following temporary uses are permitted where noted subject to the conditions specified herein; and such other conditions as deemed necessary by the planning director to mitigate potential adverse impacts.

- A. Christmas Tree Sales Lots
 - 1. The length of usage shall not exceed forty-five days in any calendar year;
 - 2. A minimum setback of ten feet shall be established between the street right-of-way and the Christmas trees, signs or any structures;
 - 3. Signs shall not exceed three in number, nor should the total combined sign area exceed fifty square feet;
 - 4. If located within an existing parking lot, reduction of available spaces shall not exceed the amount noted in the following table:

<u>Number of Available Off-Street Parking Spaces</u>	<u>Maximum Reduction Allowed</u>
0 — 25	0
26 — 35	2
36 — 49	3
50 — 99	4
100+	5

5. The area shall be maintained free of litter and comply with any fire district requirements;
6. A site plan shall be submitted with the business license application noting the setbacks and parking spaces used for tree sales. The total quantity of existing available parking spaces shall be noted on the site plan;
7. The site plan shall not be approved until all the above requirements are satisfied. (Ord. 4214 §1(part), 1992)

17.23.030 Other temporary uses not identified. Those temporary uses not specified herein, and not determined by the planning director to be similar to those other uses identified above, shall only be permitted subject to the processing and approval of a special use permit as described in Chapter 17.22. (Ord. 4214 §1(part), 1992)

17.23.040 Issuance of permit. Temporary uses may be subject to additional permits, licenses or inspections as required by any applicable law, code or regulation. Temporary uses shall be permitted in zones with planned development additives without applying for a planning development permit. (Ord. 4214 §1(part), 1992; Ord. 4589 §6 (part), 2001)

17.23.050 Time limits. The planning director in conjunction with the other affected county departments shall determine the time limitations of temporary uses which shall not exceed the following maximum time limits for the following uses:

- A. Three consecutive days:
 1. Outdoor Sales - no more than three outdoor sales shall occur in the same location during a calendar year;
- B. Ten consecutive days:
 1. Auctions;
 2. Concerts;
 3. Outdoor religious revival meetings;
 4. Outdoor carnivals, circuses, rodeos and itinerate shows;
 5. Mechanical amusement rides.
- C. Thirty consecutive days:
 1. Grand opening signs (one time only per use).
- D. Forty-five consecutive days:
 1. Christmas tree lots.
- E. One hundred eighty consecutive days, with thirty-day extension for climatic hardships:
 1. Vegetable, fruit or flower stands;
 2. Youth, charitable or nonprofit organization projects.
- F. Until the construction has received final utility clearance:
 1. Construction yard and office.

No new temporary use permit shall be issued within a thirty-day period from the expiration date of a similar temporary use permit for the same property, or from removal of materials or structures associated with said use, whichever occurs last. (Ord. 4214 §1(part), 1992)

17.23.055 Expiration of use—Removal of materials—Bond required. All uses permitted by a temporary use permit shall be terminated not later than the expiration date indicated upon the permit. All materials or products used in connection with or resulting from the temporary use shall be removed within five days after the expiration date indicated upon the permit. A bond (amount noted below) or other acceptable security, shall be filed with the planning director at the time of application, shall be provided to insure removal of all materials, personal property, and structures for each of the following uses:

- A. Construction yards and offices—bond amount one thousand dollars;
- B. Vegetable, fruit or flower stands—bond amount two hundred fifty dollars;
- C. Christmas tree lots—bond amount two hundred fifty dollars.

A bond or other security shall also be required for any other temporary use which the planning director finds should be bonded to insure removal of all materials used in connection with or resulting from the use.

Upon the removal of all materials associated with the approved temporary use, permitted under the provisions of this chapter, the applicant shall request an inspection by the planning director regarding the release or other disposition of the bond or security deposit. (Ord. 4214 §1(part), 1992)