

TITLE 10

CHAPTER 18

TEMPORARY USES

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10-18-1: INTENT

The following regulations are provided to accommodate certain uses, which are temporary or seasonal in nature. (Ord., 1-22-2002)

10-18-2: PERMITTED TEMPORARY USES

Certain uses may be permitted on a temporary basis in any zone or upon public property when approved by the city council. Said temporary uses may include, but will not be limited to:

- A. Carnivals and circuses
- B. Christmas tree sales lots
- C. Flower stands
- D. Promotional displays
- E. Tents for religious services
- F. Political rallies
- G. Music festivals
- H. Construction storage yards, when required in connection with a primary construction project (Ord., 1-22-2002)

10-18-3: APPLICATION FOR TEMPORARY USE

Prior to the establishment of any temporary use, an application for a temporary use permit shall be submitted to and approved by the city council. Said application shall contain the following information:

- A. A description of the proposed use.
- B. A description of the property to be used, rented or leased for the temporary use, including all information necessary to accurately portray the property.
- C. Sufficient information to determine the yard requirements, sanitary facilities and availability of parking space to service the proposed use. (Ord., 1-22-2002)

10-18-4: APPROVAL REQUIRED

The city council may approve said application, provided the council finds:

- A. Permitted Use: The proposed use is listed as a permitted temporary use, or in the opinion of the city council is not detrimental to the surrounding community.
- B. No Creation of Hazards: The proposed use will not create excessive traffic hazards or other unsafe conditions in the area, and that if traffic control is required, it will be provided at the expense of the applicant.
- C. Occupancy Limited: The proposed use shall not occupy the site for more than ten (10) days, except for Christmas tree lots, which shall not occupy the site for more than forty (40) days, and construction storage yards which shall be removed within thirty (30) days following completion of the primary construction project for which the temporary permit was issued.
- D. Liability Insurance: The applicant shall have sufficient liability insurance for the requested use or event.
- E. Restoration of Site: The applicant shall provide, at his own expense, for the restoration of the site to its original conditions, including cleanup and replacement of facilities as may be necessary. (Ord., 1-22-2002)

10-18-5: CITY COUNCIL MAY DELEGATE APPROVAL RESPONSIBILITY; EXCEPTIONS

- A. Zoning Administrator: The city council may authorize the zoning administrator to issue temporary use permits for certain temporary uses without city council review. Where the request is for a temporary use which is not listed or where, in the opinion of the zoning administrator, the characteristics of the proposed use are not in compliance with the above standards, the zoning administrator shall refer the application to the city council for their action.
- B. Conditions may be Attached; Bond: In granting approval, the city council may attach additional conditions as they deem appropriate to ensure that the use will not pose any detriment to persons or property. The city council may also require a bond to ensure that necessary cleanup or restoration work will be performed. (Ord., 1-22-2002)