

## **11-6-115 Temporary Uses**

(1) Purpose – This Section is enacted to accommodate certain uses which are temporary or seasonal in nature. Subject to the provisions of this Section, the Community Development Director or the Community Development Director's authorized representative may issue a permit for the time period designated for each use, subject to the findings that the temporary use is not a health or safety hazard and conforms to relevant portions of the Springville City Code.

(2) Application and Review – The procedure for applying for a temporary use permit shall be as follows:

(a) Submission of a completed temporary use permit application and applicable fee, along with the following:

(i) Site plan drawing that illustrates dimensions and locations of any existing structures on the property with dimensions and setbacks noted and showing all existing driveways, landscaping, and parking stalls associated with the site;

(ii) Written authorization from the property owner;

(iii) Proposed signage associated with the use;

(iv) Explanation of sanitary facilities to service the site;

(v) Details of the restoration of the site to its original condition;

(vi) Bonding/Insurance requirements if applicable; and

(vii) Any other required information as requested by the Community Development Director.

(b) The Community Development Director shall review the temporary use permit application for compliance with the general standards and specific regulations (as applicable) set forth in §11-6-115(3) and (4) and shall approve, conditionally approve, or deny the application within ten working days.

(c) Any person aggrieved or affected by a decision of the Community Development Director in denying a temporary use permit, may appeal to the City Council in writing within 10 days after notice of the decision is given. The decision of the City Council shall be final.

(3) General Standards – All temporary uses shall meet the following requirements:

(a) The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of

the Code;

- (b) The proposed site for the temporary use or structure is adequate in size and shape to accommodate the temporary use;
- (c) The proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that such temporary use will or could reasonably generate;
- (d) Adequate parking to accommodate vehicular traffic to be generated by such use will be available either on-site or at alternate locations; and
- (e) The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- (f) Permanent alterations to the site are prohibited.
- (g) Permanent signs are prohibited. All approved temporary signs associated with the temporary use shall be removed when the activity ends.
- (h) The temporary use regulation of the Section does not exempt the Applicant or operator from any other required permits, such as health department permits.
- (i) As appropriate, a cash bond to insure clean-up and necessary restoration work shall be required. The bond shall be \$3,000 for mobile sales offices and construction trailers that can be used for the required removal of the structure. Bonds of \$1,000 shall be required for large scale events and \$300 for all other temporary uses. The applicant shall sign a statement stating that the City may use the bond for removal or clean-up of the temporary use.

(4) Specific Regulations:

- (a) Christmas tree sales lots: Allowed in all commercial and manufacturing zones. Display of Christmas trees need not comply with setback requirements of the zone, however, no tree shall be located in any sight triangle. The temporary use permit shall be valid for a 45-day time period.
- (b) Firework Sales: Allowed in any commercial or manufacturing zone from temporary stands or trailers. Fireworks sales are also subject to the requirements of Title 3 of this Code.
- (c) Fast Food Huts of less than 40 square feet for the retail sale of food items such as shaved ice, snow cones, hot dogs, tacos, soft drinks. Allowed in any zone allowing fast food eating establishments. The temporary use permit shall be valid for a six-month time period.

(d) Garage, yard, house or apartment sale: Allowed in all residential zones and all properties used residentially. Such use shall be limited to two consecutive days and no more than three such sales may be conducted from the same property in any 12-month period.

(e) Large Scale Special Events, such as carnivals, concerts, circuses, and similar events: May be allowed in all zones. Such events may last up to a maximum of ten (10) days, including set-up and take-down facilities. Reasonable conditions may be attached to any approval.

(f) Mobile Construction/Sales Offices and Contractor's Storage Yard: Allowed in all zones in conjunction with development during the construction period of a specific project. Such uses must be used exclusively as a temporary office and shall provide water and toilets at the construction site. When, due to site constraints, location within the required setback is needed, the location of such facilities may be approved by the Community Development Director. The initial authorization shall be for twelve (12) months with two six (6) month extension periods allowed where construction on the site is proceeding in a timely manner. Such uses must be removed within fourteen (14) days of occupancy of the permanent building or completion of the project.

(g) Outdoor Sales/Traveling Retail Sales, such as sales of tools, housewares, rugs, toys, spas or other manufactured goods: May be allowed in all commercial and manufacturing zones. Such events may last up to a maximum of (10) ten days, including set-up and take-down of facilities.

(h) Sale of Motorized Vehicles: Allowed in any commercial zone or manufacturing zone where auto sales are a permitted use. Up to three sales per calendar year lasting no more than three days each at any specific location.

(i) Real Estate Offices, including Model Home: Allowed in all zones, provided they are located within the development for which units or space are being sold. No such use may contain any cooking or sleeping accommodations unless located in a model home. Such use shall be connected to the City's water and sewer system. Off-street parking shall be provided for employees. The temporary use permit shall be issued for twelve (12) months and may be renewed for six (6) month intervals thereafter until the development is sold out.

(j) Seasonal produce sales: Allowed in all commercial, manufacturing and agricultural zones. The temporary use permit for such uses shall be valid from June through October.

(k) Tents: Allowed in any district, in connection with any permitted or conditional use. The tent shall be in conformance with all City Codes. A tent may be in use for up to a maximum of ten days, including set-up and take-down.

(l) Temporary Signs: A temporary use permit may be issued for temporary signs in all non-residential zones subject to Section 11-6-311 of this Title.

(Amended by Ord. No. 03-2007, 01/02/2007)