

3-34: TEMPORARY USES AND STRUCTURES

The following regulations govern the operation of certain transitory or seasonal uses.

A. PERMITS

Applications for a temporary use permit shall be made to the Zoning Administrator, and shall contain the following information:

1. A description of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property.
2. A description of the proposed use.
3. Sufficient information to determine the yard requirements, sanitary facilities, and availability of parking space to service the proposed use.

B. USES

The following are temporary uses and are subject to the following specific regulations and time limits, in addition to the regulations of any zone in which the use is located.

1. Carnival or Circus

A temporary use permit for a carnival or circus may be issued in any zone provided:

- a. The period of use shall not exceed thirty (30) consecutive days, nor be more than one period per annum.
- b. The lot used shall be at least ten (10) acres in size.
- c. No carnival or circus activities or facilities shall be located closer than 500 feet to a dwelling.
- d. Parking is provided (See zoning section 3-14-B-8).

2. Christmas Tree Sales

A temporary use permit may be issued in any zone for display and open-lot sales of Christmas trees for a period not longer than forty- five (45) days.

3. Temporary Buildings and Yards for the Storage of Construction materials and Equipment.

In any zone, a temporary use permit may be issued by the Zoning Administrator for a temporary office and for temporary buildings and yards for storing vehicles, materials and equipment incidental to a construction project. The permit shall be valid for a period of not more than one (1) year, but is renewable throughout the length of the project. The buildings shall be removed and the yard restored upon completion of the project and expiration of the permit.

4. Short-term Migrant Camps

In any zone except the 1-1 Industrial, the NC-1 Neighborhood Commercial, or HS-1 Highway Service

Zone, the Zoning Administrator may issue a temporary use permit for temporary camps for accommodating migrant farm workers provided:

- a. Occupancy shall be limited to persons employed on the same zoning lot as the camp in harvesting agricultural crops, plus dependents.
- b. The period of use shall not exceed forty-five (45) days per calendar year.
- c. The camp may consist of parking areas, access driveways, utilities, bathrooms, group quarters, camping pads or sites, and the tents or recreational vehicles using the pads.
- d. Culinary water, sanitary sewage disposal, and electricity must be available in the area of the camping pads.
- e. Setback distances for the camping pads shall be the same as for buildings in the zone.

5. Public Park Host Trailer

In any zone, the zoning administrator may issue a temporary use permit for a host trailer provided:

- a. The host trailer is located on the same parcel of land as a publicly owned and/or county approved park site.
- b. The host trailer is removed from the park site when the terms of the temporary use permit have expired.
- c. A permit must be obtained during each calendar year by the public agency of the park.
- d. The host trailer will be self-contained or approvals for water and sanitary sewer are obtained from the County Health Department.

6. Temporary Existing Dwellings

In any zone, the Zoning Administrator may issue a temporary use permit for an existing dwelling, provided:

- a. A building permit is issued concurrently for a one-family dwelling to replace the existing dwelling on the same parcel of land.
- b. A bond in an amount equal to the value of the dwelling or sufficient to demolish the existing dwelling and septic facilities, if abandoned, and to remove debris and restore the site to the existing ground level, whichever amount is greater, is posted with Utah County; the amount of the bond shall be determined by the Zoning Administrator from an estimate from the Utah County Assessor's office and/or a licensed demolition contractor.

Exception: The Zoning Administrator may refund the bond when the subject former dwelling structure is not demolished upon finding the building:

- (i) meets all current setback standards;

- (ii) will not be used for human occupancy;
 - (iii) will have a use, such as a agricultural shed, which is a permitted use in the zone;
 - (iv) meets the currently adopted state building code standards for an unoccupied building;
 - (v) has had all residential occupancy facilities removed including blinds and rugs, plumbing and fixtures for sinks, toilets, tubs, showers, and make-up counters; wiring, plumbing and fixtures for stoves, refrigerators, and food preparation counters; and wiring, plumbing and fixtures for water heaters and furnaces.
- c. The existing dwelling must be demolished within thirty (30) days from the date of the issuance of the Certificate of Occupancy - Zoning Compliance Permit, unless an exception has been approved as per subsection (b) above. An extension of the thirty day period may be made by the Zoning Administrator when unusual weather or other conditions exist.
- d. Failure to demolish the existing dwelling and clean the site within the required time period shall result in the forfeiture of the bond and demolition shall be commenced by Utah County or its appointed agent.

7. Tents, Canopies and Temporary Membrane Structures

In any zone including recorded large scale developments and approved conditional use site plans, the Zoning Administrator may issue a temporary use permit for a membrane structure provided:

- a. The tent, membrane, canopy or temporary membrane structure complies with the adopted Fire Code of Utah County.
- b. The tent, canopy or temporary membrane structure is not used for a period to exceed a use period of 180 consecutive days within a 12-month period on a single premise.
- c. Adequate parking is provided based on the requirements of the Utah County Zoning Ordinance.
- d. The structure will be removed at the end of 180 days or when the need for the structure has ended, whichever comes first.
- e. The tent, canopy, or temporary membrane structure shall be in good repair.
- f. The tent, canopy or temporary membrane structure shall be used only for those land uses permitted in the underlying zoning district, or as temporary uses in this section.
- g. No tent, canopy or temporary membrane structure may be used as a residential dwelling.
- h. Any electrical, mechanical, ADA access, or other requirements of the Utah County Building Codes that are part of the temporary structure, must be permitted and inspected by Utah County.

8. Corn Maze

A corn maze may be allowed in any zone except the RR-5 and TR-5 zones for a maximum of sixty-five (65) days annually, when all of the following have been met:

- a. A state road or county road access permit.
- b. Approval from the Utah County Fire Marshal; approval from the Utah County Health Department; approval from the Utah County Sheriff.
- c. No portion of the maze or its related activities may be located closer than one-thousand (1,000) feet from any dwelling except those within the same ownership as the maze.
- d. A manned observation tower or sufficient attendants within the maze for help and assistance.
- e. Adequate lighting for assembly and parking areas, and within the maze, during evening hours.
- f. A temporary use permit and a Utah County Business License are obtained.
- g. Parking to be provided as per the current Utah County Zoning Ordinance.
- h. Hours of operation be from 8:00 a.m. to 12:00 midnight.
- i. That a dust mitigation plan be submitted and approved by the zoning administrator.

9. Large Public Assemblies

In the RA-5, Residential Agricultural Zone; M&G-1, Mining and Grazing Zone; I-1, Industrial Zone; and A-40, Agricultural Zone; Large Public Assemblies may be allowed when approved as per all the requirements of Article 13-4, Large Public Assemblies, of the Utah County Code.

10. Temporary Commercial Filming

In any zone, a temporary use permit may be issued by the Zoning Administrator for temporary commercial filming in a natural setting or a temporary film set. An application to film on private property requires a written approval by the property owner. The permit shall be valid for a period of not more than six (6) weeks, but is renewable up to a maximum of 3 permits per calendar year per location. Any film set structure, prop or other material shall be removed and any land disturbance restored upon completion of the filming in that location. The temporary use permit is for zoning compliance only; approval from other county departments or agencies may also be required. A separate temporary use permit is required for each filming location. Adequate parking must be provided.

C. ISSUANCE OF PERMIT

The Zoning Administrator shall issue a permit upon receipt of a properly completed application provided all of the requirements of this section and the zoning district have been met.