

**CHAPTER 701  
TEMPORARY USES**

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**701.001. Purpose.** The purpose of this Chapter is to establish standards and a review procedure for uses allowed as temporary uses under the UDC. (Ord No. 31-13)

**701.005. Definitions.** Unless the context otherwise specifically requires, as used in this Chapter, the following mean:

- (a) Construction storage yard: A storage area for construction supplies, materials, and/or equipment, located on a site other than the construction site itself, for use only during the actual construction of a project.
- (b) Replacement single family dwelling: A new single family dwelling constructed to replace an existing owner occupied, site-built, single family dwelling on the same lot.
- (c) Residential sales/development office: A building or structure within a subdivision, Planned Unit Development (PUD), condominium development, apartment complex, or manufactured dwelling park whose principal use is for the sale, rent, lease, and/or development of lots, units, and/or structures within the subdivision, PUD, condominium development, apartment complex, or manufactured dwelling park.
- (d) Temporary motor vehicle and recreational vehicle sales: The use of property for the sale of cars, light trucks, or recreational vehicles by a commercial dealer for a period that does not exceed 4 consecutive days.
- (e) Temporary and seasonal gravel off-street parking and loading area: A gravel off-street parking or loading area utilized to meet a need for parking or loading that is temporary or seasonal in nature, and which is restricted to a limited duration. (Ord No. 31-13)

**701.010. Temporary Use Permit.**

(a) **Applicability.** No building, structure, or land shall be used or developed for any use which is allowed as a temporary use under the UDC unless a temporary use permit has been granted pursuant to this Chapter.

(b) **Classes.**

(1) **Class 1 Temporary Use Permit.** A Class 1 Temporary Use Permit is a permit for the following:

- (A) Christmas tree sales;
- (B) Construction storage yard;
- (C) Replacement single family dwelling;
- (D) Residential sales/development office; and
- (E) Temporary Motor vehicle and recreational vehicle sales.

(2) **Class 2 Temporary Use Permit.** A Class 2 Temporary Use Permit is a permit for the following:

- (A) Temporary and seasonal gravel parking and loading areas.

**(c) Procedure Type.**

- (1) A Class 1 Temporary Use Permit is processed as a Type I procedure under SRC Chapter 300.
- (2) A Class 2 Temporary Use Permit is processed as a Type II procedure under SRC Chapter 300. (Ord No. 31-13)

**701.015. Christmas Tree Sales.** Christmas tree sales shall comply with the following:

- (a) Temporary Use Permit Required.** Christmas tree sales shall require a Class 1 Temporary Use Permit.
- (b) Submittal Requirements.** An application for a Class 1 Temporary Use Permit for Christmas tree sales shall include the submittal requirements for a Type I application under SRC Chapter 300.
- (c) Standards.** Christmas tree sales shall comply with the standards set forth in this subsection.
  - (1) Period of Use.** Christmas tree sales may be conducted in the location authorized under a temporary use permit only during the months of November and December.
  - (d) Criteria.** A Class 1 Temporary Use Permit for Christmas tree sales shall be granted if the applicable standards set forth in this section are met. (Ord No. 31-13)

**701.020. Replacement Single Family Dwelling.** Replacement single family dwellings shall comply with the following:

- (a) Temporary Use Permit Required.** Replacement single family dwellings shall require a Class 1 Temporary Use Permit.
- (b) Submittal Requirements.** In addition to the submittal requirements for a Type I application under SRC Chapter 300, an application for a Class 1 Temporary Use Permit for a replacement single family dwelling shall include the following:
  - (1) A bond and removal agreement, in conformance with SRC 701.025(c)(3).
- (c) Standards.** Replacement single family dwellings shall comply with the standards set forth in this subsection.
  - (1) Period of Use.** The existing single family dwelling shall be removed within 6 months from date of issuance of the building permit for the replacement single family dwelling; provided, however, the Planning Administrator may grant the owner one extension for up to 6 months to remove the existing family dwelling if the owner proves that unusual circumstances beyond their control, and not financial circumstances, have delayed construction of the replacement single family dwelling.
  - (2) Demolition Permit Required.** A demolition permit for the existing single family dwelling shall be obtained by the owner at the time the building permit for the replacement single family dwelling is issued.
  - (3) Bond and Removal Agreement Required.** The owner of the existing single family dwelling shall post a \$7,500 bond and enter into an agreement with the City granting the City authority to remove the existing single family dwelling if the owner fails to remove the structure in compliance with paragraph (1) of this subsection.
- (d) Criteria.** A Class 1 Temporary Use Permit for a replacement single family dwelling shall be granted if the applicable standards set forth in this section are met. (Ord No. 31-13; Ord No. 11-14)

**701.025. Residential Sales/Development Office.** Residential sales/development offices shall comply with the following:

- (a) Temporary Use Permit Required.** Residential sales/development offices shall require a Class 1 Temporary Use Permit.

**(b) Submittal Requirements.** In addition to the submittal requirements for a Type I application under SRC Chapter 300, an application for a Class 1 Temporary Use Permit for a residential sales/development office shall include the following:

- (1)** A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
  - (A)** The total site area, dimensions, and orientation relative to north; and
  - (B)** The location, distance to property lines, and height of the proposed building or structure to be used as a residential sales/development office.

**(c) Standards.** Residential sales/development offices shall comply with the standards set forth in this subsection.

**(1) Period of Use.** A residential sales/development office may operate in the location authorized under a temporary use permit until the later of the following:

- (A)** Completion of the subdivision, PUD, condominium, apartment complex, or manufactured dwelling park; or
- (B)** The sale, rent, or lease of all lots and/or structures within the subdivision, PUD, condominium, apartment complex, or manufactured dwelling park.

**(2) Building or Structure to be Sited and Constructed to Accommodate a Permitted Use.** The building or structure to be used as a residential sales/development office shall be constructed and sited for the ultimate purpose of a legally permitted use. A mobile home that is being used as a temporary residential sales/development office shall be removed when its use as a residential sales/development office has ceased.

**(3) Appearance; Maintenance.** The exterior of a residential sales/development office shall be finished and the site shall be landscaped and maintained while being used as a residential sales/development office. All plant material that dies or is diseased while the structure is being used as a residential sales/development office shall be replaced.

**(4) Hours of Operation.** The hours of operation of a residential sales/development office shall be limited to between 8:00 a.m. and 8:00 p.m.

**(5) Restoration to Residential Use.** Upon termination of the use of the building or structure as a temporary residential sales/development office, the property shall be restored to its residential condition and use.

**(d) Criteria.** A Class 1 Temporary Use Permit for a residential sales/development office shall be granted if the applicable standards set forth in this section are met. (Ord No. 31-13; Ord No. 11-14)

**701.030. Temporary Motor Vehicle and Recreational Vehicle Sales.** Temporary motor vehicle and recreational vehicle sales shall comply with the following:

**(a) Temporary Use Permit Required.** Temporary motor vehicle and recreational vehicle sales shall require a Class 1 Temporary Use Permit.

**(b) Submittal Requirements.** In addition to the submittal requirements for a Type I application under SRC Chapter 300, an application for a Class 1 Temporary Use Permit for temporary motor vehicle or recreational vehicle sales shall include the following:

- (1)** A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
  - (A)** The location of the proposed temporary motor vehicle or recreational vehicle sales area.

**(c) Standards.** Temporary motor vehicle and recreational vehicle sales shall comply with the standards set forth in this subsection.

**(1) Period of Use.** Temporary motor vehicle and recreation vehicle sales may be conducted in the location authorized under a temporary use permit for a period not to exceed 4 consecutive days, and shall not be held more than 3 times per calendar year.

**(d) Criteria.** A Class 1 Temporary Use Permit for temporary motor vehicle and recreational vehicle sales shall be granted if the applicable standards set forth in this section are met. (Ord No. 31-13; Ord No. 11-14)

**701.035. Temporary and Seasonal Gravel Parking and Loading Areas.** Temporary and seasonal gravel off-street parking and loading areas shall comply with the following:

**(a) Temporary Use Permit Required.** Temporary and season gravel off-street parking and loading areas shall require a Class 2 Temporary Use Permit.

**(b) Submittal Requirements.** In addition to the submittal requirements for a Type II application under SRC Chapter 300, an application for a Class 2 Temporary Use Permit for a temporary or seasonal gravel off-street parking or loading area shall include the following:

**(1)** A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

**(A)** The total site area, dimensions, and orientation relative to north;

**(B)** The location, total area, distance to property lines, and layout of the proposed temporary or seasonal gravel off-street parking or loading area, including the size, number, and dimensions of proposed parking or loading spaces, and the location of wheel barriers ;

**(C)** The proposed thickness of the gravel improvement;

**(D)** The location of proposed driveways and driveway approaches;

**(E)** The location of proposed landscaping; and

**(F)** The location, height, and material of proposed screening.

**(c) Standards.** Temporary and seasonal gravel off-street parking and loading areas shall comply with the standards set forth in this subsection.

**(1) Period of Use.**

**(A)** A seasonal gravel off-street parking or loading are may be approved at the location authorized under a temporary use permit for a period not exceed 6 consecutive months within any 12 month period.

**(B)** A temporary gravel off-street parking or loading area may be approved at the location authorized under a temporary use permit for a period not to exceed 1 year.

**(C)** A temporary use permit for a temporary or seasonal gravel off-street parking or loading area may be renewed annually, provided the applicant demonstrates that the facts upon which the temporary use permit was originally granted have not materially changed. The maximum cumulative total period for all such renewals shall not exceed 5 years.

**(2) Location.** No temporary or seasonal gravel off-street parking or loading area shall be located within the Central Business District (CB) zone or within 500 feet of a residential zone.

**(3) Size.** The temporary or seasonal gravel off-street parking or loading area shall not exceed 15,000 square feet; provided, however, that any other more restrictive size requirement established by state or federal laws or rules shall be met.

**(4) Improvement.** Temporary and seasonal gravel off-street parking and loading areas shall be improved with a minimum of 4 inches of base rock covered by a minimum of 2 inches of three-quarter inch or smaller crushed rock as a leveling course; provided, however, temporary and seasonal gravel off-street parking and loading areas used exclusively by passenger cars need only be improved with a minimum of 3 inches of base rock.

**(5) Landscaping.** A landscaped area a minimum of 5 feet in depth shall be provided around the perimeter of the temporary or seasonal gravel off-street parking or loading area.

**(6) Screening.** Temporary and seasonal gravel off-street parking and loading areas shall be screened from all adjacent uses by a sight-obscuring fence, wall, or hedge. Screening may be located within the perimeter landscaping required in paragraph (5) of this subsection.

(7) **Wheel Barriers.** Wheel barriers shall be provided to designate each parking space.

(8) **Paving Upon Expiration or Termination.** Upon expiration or termination of the temporary use permit, the temporary or seasonal gravel off-street parking or loading area shall be paved, in accordance with SRC Chapter 806, or closed to vehicle access by a physical barrier.

(d) **Criteria.** A Class 2 Temporary Use Permit for a temporary or seasonal gravel off-street parking or loading area shall be granted if all of the following criteria are met:

(1) The temporary or seasonal parking or loading need cannot otherwise be reasonably and economically met.

(2) The use of the gravel off-street parking or loading area will be, in fact, temporary or seasonal.

(3) The temporary or seasonal gravel off-street parking or loading area complies with the applicable standards set forth in this section. (Ord No. 31-13; Ord No. 11-14)

**701.040. Construction Storage Yard.** Construction storage yards shall comply with the following:

(a) **Temporary Use Permit Required.** Construction storage yards shall require a Class 1 Temporary Use Permit.

(c) **Submittal Requirements.** In addition to the submittal requirements for a Type I application under SRC Chapter 300, an application for a Class 1 Temporary Use Permit for a construction storage yard shall include the following:

(1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

(A) The location of the proposed temporary construction storage yard in relation to the construction site it will serve.

(c) **Standards.** Temporary construction storage yards shall comply with the standards set forth in this subsection.

(1) **Period of Use.** A construction storage yard may operate in the location authorized under a temporary use permit for a period not to exceed 6 consecutive months; provided, however, such permit may be extended for additional 6 month periods for active projects.

(2) **Location.** A construction storage yard shall be located within 500 feet of the construction site it serves. For purposes of this subsection, "construction site" means the property subject to an active building permit.

(3) **Prohibited Storage.** No demolition debris or other waste may be stored or processed on the site.

(d) **Criteria.** A Class 1 Temporary Use Permit for a construction storage yard shall be granted if the applicable standards set forth in this section are met. (Ord No. 31-13; Ord No. 11-14)