

Section 5.11 Temporary Uses

A. Purpose

The purpose of this section is to establish regulations for uses of private property that are temporary in nature. These provisions place restrictions on the duration of the temporary use, its location, and other development standards. The intent of these regulations is to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or impact the general health, safety, and welfare of persons residing within the community. (Refer to Section 1.5-G for Temporary Events and Permits.)

B. Permit Required

Except as otherwise provided in this Zoning Code, the temporary uses listed in this section shall require the issuance of a Temporary Use Permit from the Planning Director prior to establishment of the use. The Planning Director may impose conditions on the approval of a temporary use.

C. Temporary Use Regulations

1. **Exempt temporary uses.** The following temporary uses are exempt from the permit requirements of this section, provided they comply with the development standards listed below.
 - a. **Emergency facilities.** Temporary facilities to accommodate emergency public health and safety needs and activities;
 - b. **Construction yards—on-site.** Yards and sheds for the storage of materials and equipment used as part of a construction project, provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity;
 - c. **Miscellaneous.** Activities conducted on public property or within the public right-of-way that are approved by the City or as otherwise required by the Municipal Code.
2. **Allowed temporary uses and related standards.** The following temporary uses may only be established after first obtaining a valid Temporary Use Permit. Uses that do not fall within the categories defined below shall comply with the use and development regulations and planning permit requirements that otherwise apply to the property.
 - a. **Construction office.** A temporary construction office, used during the construction of a main building or buildings on the same site;
 - b. **Construction yards—off-site.** Site contractors' construction yards, in conjunction with an approved construction project;
 - c. **Model homes.** A model home or model home complex may be authorized before the completion of subdivision improvements;
 - d. **Temporary real estate offices, including sales trailers and related facilities.** May be established within the area of an approved residential subdivision project, solely for the first sale of homes. In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects as deemed necessary may be imposed as part of the Temporary Use Permit;
 - e. **Seasonal sales lots.** Temporary seasonal sales activities (e.g., Christmas trees, pumpkin sales, and other similar outdoor sales) may be permitted in any commercial or industrial zoning district, or on any religious facility or school site that abuts a collector or arterial

roadway as designated in the General Plan. Seasonal sales may be permitted in any non-residential zoning district upon issuance of a Temporary Use Permit. The term of permit shall not exceed sixty (60) days per calendar year. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued. The temporary dwelling shall be limited to a maximum of one (1) year.

- f. When a temporary use is not specifically listed in this section, the Director shall determine whether the proposed use is similar in nature to listed uses(s) and shall establish the term and make necessary findings and conditions for the particular use.

D. General Development Standards

Each use granted a Temporary Use permit shall comply with all applicable zoning district and development standards as outlined in this Zoning Code. The Director shall establish the following standards in combination with the provisions in Section 5.11-C above and, based on the type of temporary use, in addition to standards within the Zoning Code for guidance:

1. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Zoning Code.
2. Limitation on the duration of approved temporary structures to a maximum of one (1) year, so they shall not become permanent or long-term structures.
3. Other requirements as appropriate to minimize any adverse impacts of the use.

E. Similar Uses

When a temporary use is not specifically listed in this section, the Director shall determine whether the proposed use is similar in nature to listed uses(s) and shall establish the term and make necessary findings and conditions for the particular use, consistent with the provisions in Section 1.5-A. Official Zoning Interpretation.