

Temporary Use and Structure Standards (TU)

5.69 TU-01: General Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

CO A1 A2 PR RR R1 R2 UR M1 M2 IS UC GC HC I1 I2 HI

The following standards shall apply:

- A. Permit Required: All permitted temporary uses require a Temporary Zoning Compliance Permit except for a farmers market, garage sale, yard sale, and estate auction.
- B. Termination and Removal: Temporary uses and structures shall be terminated and removed at the end of the permitted event period.
- C. Parking: A temporary use or temporary structure may be denied or a permit revoked if adequate parking is not available causing life safety risk to drivers or pedestrians.
- D. Signs: Signs shall be regulated by the applicable Sign Standards in *Article 5: Development Standards*.
- E. Garage Sales, Yard Sales and Estate Auctions:
 1. *Frequency*: A maximum of three (3) cumulative sales events (e.g. garage sale, yard sale, and/or auction) shall be permitted per calendar year per site.
 2. *Duration*: A sales event shall not be more than ten (10) days long.

5.70 TU-02: Agricultural, Rural Residential, and Industrial Temporary Use and Structure Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

A1 A2 RR I1 I2

The following standards shall apply:

- A. Seasonal Sale of Farm Produce: The seasonal sale of farm produce shall be permitted with the following requirements:
 1. *Duration*: The seasonal sale of farm produce shall be permitted up to six (6) months per calendar year.
 2. *Space*: The sales space may be permanent, portable, or seasonal construction.
 3. *Temporary Stands*: Any temporary stand shall be removed in off-seasons.
 4. *Permanent Stands*: Any permanent stand shall be closed up with finish material and kept in good repair.
- B. Recreational Vehicle Park, Small: The temporary accommodation of project-specific workers’s recreational vehicles (RV) shall be a Special Exception with the following requirements and limitations:
 1. *Qualification*: A temporary small recreational vehicle park shall only be permitted if a major project necessitates the use of out-of-area temporary workers that need temporary accommodations. The Special Exception shall name the project for which temporary accommodations are needed.
 2. *Disqualification*: A temporary small recreational vehicle park shall only be permitted in unincorporated areas. Land in incorporated municipalities shall not be permitted to host a temporary small recreational vehicle park.
 3. *Minimum Acreage*: To qualify for this temporary use, the subject lot shall be a minimum of one-quarter (¼) acre.
 4. *Maximum Density*: No more than four (4) recreational vehicles per one-quarter (¼) acre, with an absolute maximum of ten (10) recreational vehicles shall be permitted on any lot (or lots in combination under the same ownership).
 5. *Setbacks/Location*: No recreational vehicle shall be parked within thirty (30) feet of a property line and shall not be located in the front yard of a property with a primary structure. The driveway of a primary structure shall not be used as part of a temporary small recreational vehicle park, unless the total number of recreational vehicles on that lot does not exceed two (2). Any lot (or lots used in combination) with greater than two (2) recreational vehicles shall install a separate temporary driveway to each individual recreational vehicle.
 6. *Separation*: No recreational vehicle shall be located within twenty (20) feet from another recreational vehicle.
 7. *RV Types*: Class A, Class B, Class C, camper vans, fifth-wheel campers, toy haulers, and travel trailers shall be permitted if they have the minimum RV amenities listed below. Tents, pop-ups campers, and teardrop trailers shall not be permitted.
 8. *Minimum RV Amenities*: Each RV shall have an interior built-in toilet (e.g. cassette, black water, or composting), interior shower, an interior means to cook, and a means to safely heat the interior space. Each RV shall also have a functioning CO2 detector.
 9. *Site Improvements*: Each permitted RV site shall have a paved or gravel surface on which each RV is parked.

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10. *Water and Sewer:* Each RV site shall have a freeze-free potable water supply (e.g. well or municipal water) and waste water central collection. Bottled water shall not be the primary means of potable water. Recreational vehicles with built-in potable water tanks may be filled as needed in-lieu-of a continuous physical connection.
11. *Sewage Management:* Shall meet all applicable health department requirements. Under no circumstance shall recreational vehicles dump its waste water (i.e. gray or black water) onto any lot. Under no circumstance shall a recreational vehicle be permitted to drain its waste water into an on-site waste treatment facility (e.g. septic system for a primary dwelling) without Health Department approval.
12. *Electricity:* The RV shall be connected to shore power (e.g. electrical grid) or have a solar array for electricity. A generator shall only be used for emergencies and shall not exceed ten percent (10%) of all electrical use over the course of any day. Generators shall not be a primary source of electricity (e.g. being used daily to top-off batteries).
13. *Trash Management:* The host property shall be kept free of trash and debris. Trash bins for the small recreational vehicle park shall have durable lids and be maintained such as to prevent animals from accessing waste. Trash bins shall be kept in a discrete location until “trash day” where they may be located at the street for pickup.
14. *Quiet Hours:* The temporary small recreational vehicle park shall be subject to quiet hours between 10:00 PM and 7:00 AM on all days of the week. Noise levels shall be limited to what is common and ordinary in a residential neighborhood during those hours.
15. *Special Exception Approvals and Expiration:* A temporary small recreational vehicle park shall only be approved as a Special Exception. Such approvals shall expire at the end of January to keep them all on the same expiration and renewal schedule. The BZA may grant a Special Exception for up to fifteen (15) months, to avoid triggering an expiration shortly after the initial approval.
16. *Renewal:* The property owner may seek a renewal of the small temporary recreation vehicle park’s Special Exception by filing for such approval by the deadline to be on the BZA’s January docket. An onsite inspection shall be conducted prior to the BZA’s January hearing. The property owner may only seek a one-year extension of the temporary small recreational vehicle park.
17. *Criteria for Renewal:* A temporary small recreational vehicle park shall meet the following criteria to qualify for a renewal:
 - a. The host site shall not be in violation of the requirements and standards applicable to a temporary small recreational vehicle park. The Zoning Administrator shall be permitted to inspect the property and each recreational vehicle prior to the BZA meeting at which the renewal request will be heard.
 - b. The host site shall not have been cited for more than one (1) violation over the course of the last six (6) months.
 - c. The sherriff’s office or applicable police department shall be asked to provide concerns, if any, related to public safety and crimes at the host site prior to the BZA meeting.
18. *Cessation of the Temporary Use:* Upon completion of the major project and the workers positions are closed, the temporary small recreational vehicle park Special Exception approval shall automatically expire and the host site shall be restored to its pre-existing state within three (3) months. Portions of the temporary small recreational vehicle park improvement may be kept if it serves the need of the primary structure. However, all recreational vehicles and all components for sewage management and potable water shall be removed within the three (3) months following the worker’s positions being closed.