

18.71.030 - Limited Term Permit

A. Purpose. This Section establishes procedures and standards for the granting of Limited Term Permits for short-term activities. Compliance with applicable standards ensures that the establishment, maintenance or operation of the short-term activity would not be detrimental to the public health, safety, and welfare of persons residing or working in the neighborhood of the proposed activity.

B. Minor short-term activities. A Limited Term Permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature.

C. Limited Term Permit required. Short-term activities shall not be established, operated, or conducted in any manner without the approval and maintenance of a valid Limited Term Permit.

D. Review authority. Limited Term Permits may be reviewed and approved or disapproved administratively by the Director, in compliance with this Section.

E. Exempt short-term activities. The following short-term activities are allowed without the necessity of obtaining a Limited Term Permit. Short-term activities that do not fall within the following categories shall comply with Subsection (F) of this Section (Allowed short-term activities):

- 1. Construction yards - On site.** On-site contractors' construction yards for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit authorizing the construction project, whichever first occurs.
- 2. Emergency facilities.** Emergency public health and safety needs/land use activities, as determined by the City Manager.
- 3. Events on sites approved for public assembly.** An event on the site of, or within, a golf course, religious facility, school, theater, meeting hall, or other similar facility designed and approved by the City for public assembly.
- 4. Fund-raising car washes.**
 - a. Car washes on property within a commercial, industrial, or institutional zoning district, limited to a maximum of 2 days per month for each sponsoring organization.
 - b. Sponsorship shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Revenue and Taxation Code.
- 5. Garage sales.** Garage sales, not to exceed 3 per year and 2 consecutive days.
- 6. Public property or public right-of-way.** Construction and maintenance activities conducted on public property that are authorized by an encroachment permit.
- 7. Sidewalk sales.** Sidewalk sales conducted in the Central Business District.
- 8. Small events.** Events of less than 100 people and less than 2,500 SF located in the Central Business District, which don't require or include any of the following: street closures or traffic diversions, preparation of food for sale, construction of any structures (including tents), and/or the sale of alcohol or cannabis.

F. Allowed short-term activities. A Limited Term Permit may authorize the following short-term activities within the specified time limits, but in no event for more than 12 months. Other short-term activities that do not fall within the categories defined below shall instead comply with the planning permit requirements and development standards that otherwise apply to the property.

- 1. Construction yards - Off site.** Off-site contractors' construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit authorizing the construction project, whichever first occurs.
- 2. Events.** Art and craft exhibits, carnivals, circuses, concerts, fairs, farmer's markets, festivals, flea markets, food events, open-air or drive-in theaters, outdoor entertainment/sporting events, religious revivals, rummage sales, second hand sales, swap meets, and other special events within a 12-month period for up to: (a) 7 consecutive days, (b) 4 2-day weekends, (c) 1-day event per week, or other similar event timing as determined by the Director. Events are allowed only on non-residentially zoned properties. These activities shall be referred to the Technical Advisory Committee (TAC) for a recommendation prior to action on the Limited Term Permit. **The TAC review process includes the following:**
 - a. An encroachment permit and/or proof of insurance coverage is required from the Department of Public Works for events which occur on public property or within the public right of way (streets, sidewalks, trails).
 - b. A permit from County Environmental Health may be required if food is prepared at the event.
 - c. An inspection by the Fire Marshal is required for all large tents and pavilions.
 - d. An inspection by the Building Department is required for all temporary structures.
 - e. Police Department review is required for all projects which require traffic re-routing or control.
 - f. CALTrans review is required for all projects which require traffic re-routing or control involving Main St./Hwy 1.
 - g. All events shall comply with the City's Noise Ordinance.
 - h. Recurring events with a three-year history of no issues (as determined by TAC) may apply for a 5-year Limited Term Permit, which will only require the annual renewal of insurance and completion of renewal form.
- 3. Location filming.** The temporary use of a specific site for the location filming of commercials, movies, videos, etc., for the time specified by the Director, but not to exceed 12 months. This activity shall be referred to the Technical Advisory Committee (TAC) for a recommendation prior to action on the Limited Term Permit.
- ~~**4. Model homes.** A model home or model home complex may be authorized before the completion of subdivision improvements in compliance with the following standards:~~
 - ~~a. The sales office and any off-street parking shall be converted back to residential use and/or removed before the issuance of the Final Occupancy Permit or within 14 days from the sale of the last parcel in the subdivision, whichever first occurs.~~
 - ~~b. The model home complex shall be used to sell only units within the subdivision within which the complex is located.~~
 - ~~c. Model home permits will be finalized and the model homes will be allowed to be open to the public only after all subdivision improvements are completed and accepted by the City.~~
 - ~~d. Model home sign permits will be issued only after all subdivision improvements are completed and accepted by the City.~~

~~e.—The review authority may require other conditions of approval deemed necessary to protect the public health, safety, and general welfare of persons residing or working in the neighborhood.~~

5. Seasonal sales lots. Seasonal sales activities (e.g., Halloween, Thanksgiving, Christmas, etc.) including temporary residence/security trailers, on nonresidentially zoned properties, for up to 30 days. These activities shall be referred to the Technical Advisory Committee (TAC) for a recommendation prior to action on the Limited Term Permit.

~~6.—Temporary occupancy during construction.~~

~~a.—Major development projects.~~ Temporary structures and property may be used during the construction phase of an approved major development project (e.g., residential projects with 5 or more dwelling units or any commercial or industrial project). The structures or property may be used as a temporary residence, offices or for the storage of equipment and/or tools, provided the temporary structures are located within the City.

~~b.—Minor development projects.~~ An existing dwelling unit or a temporary structure and property may be used during the construction phase of an approved minor development project (e.g., residential projects with 4 or fewer dwelling units). The structure or property may be used as a temporary residence, an office, or for the storage of equipment and/or tools.

~~c.—Appropriate conditions.~~ The permit shall contain reasonable and necessary conditions regarding the following matters:

~~i)—Provisions for adequate ingress and egress.~~

~~ii)—Provisions for the work to be performed on site.~~

~~iii)—Provisions for the storage of asphalt, concrete, and dirt at designated sites within the subject property; provided the applicant furnishes a schedule, acceptable to the Director, for the periodic disposal or recycling of these materials.~~

~~iv)—Provisions designed to minimize potential conflicts between the work to be performed on site and the ordinary business and uses conducted within the City.~~

~~d.—Length of permit.~~ The permit may be approved for up to 12 months following the issuance of the companion Building Permit, or upon completion of the subject development project, whichever first occurs.

~~e.—Extension of permit.~~ The permit may be extended by the Director if a written request for extension is submitted at least 14 days before expiration of the permit and reasonable reasons are provided by the applicant to justify the requested extension (e.g., the delay was caused by reasons beyond the control of the applicant). The permit may be extended for up to an additional 12 months.

~~f.—Condition of site following completion.~~ All temporary structures and related improvements shall be completely removed from the subject site following expiration of the Limited Term Permit or within 30 days of completion of the development project, whichever first occurs.

7. Temporary real estate sales offices. A temporary real estate sales office may be established within the area of an approved subdivision, solely for the first sale of homes. An application for a temporary real estate office may be approved for a maximum of 12 months from the date of approval.

8. Temporary structures. A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved for a maximum of 12 months from the date of approval, as an accessory use, **during a construction project**, or as the first phase of a development project.

~~**9. Temporary work trailers.** A trailer or mobile home may be used as a temporary work site for employees of a business; provided, that:~~

~~a. The use is authorized by a Building Permit for the trailer or mobile home, and the Building Permit for the permanent structure;~~

~~b. The use is appropriate because:~~

~~i) The trailer or mobile home will be in place during construction or remodeling of a permanent commercial or manufacturing structure for a maximum of 12 months, or upon expiration of the Building Permit for the permanent structure, whichever first occurs; or~~

~~ii) The applicant has demonstrated that the temporary work site is a short-term necessity for a maximum of 12 months, while a permanent work site is being obtained; and~~

~~c. The trailer or mobile home is removed before final building inspection or the issuance of a certificate of occupancy for the permanent structure.~~

10. Similar temporary activities. A temporary activity that the Director determines is similar to the other activities listed in this Subsection, and compatible with the applicable zoning district and surrounding land uses.

G. Development standards. The Director shall establish the following standards based on the type of short-term activity, using the requirements of the applicable zoning district, and Articles 3 and 4 for guidance:

1. Access, floor areas, heights, landscaping, off-street parking, setbacks, signs, utilities, and other structure and property development improvements and features;
2. 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 Development Code; and
3. Limitation on the duration of an approved “temporary structure,” to a maximum of 12 months, so that it shall not become a permanent or long-term structure.

H. Application filing and processing. An application for a Limited Term Permit shall be filed and processed in compliance with Chapter 18.70 (Permit Application Filing and Processing). The application shall be accompanied by detailed and fully dimensioned plans, architectural drawings and sketches, and data/materials identified in the Department handout for Limited Term Permits, and any applicable fees.

I. Project review, notice, and hearing.

1. **Director’s review.** Each application shall be reviewed by the Director **or designee** to ensure that the proposal complies with all applicable requirements of this Development Code.

2. No public notice or hearing required. No public notice or hearing is required before the Director's decision on a Limited Term Permit.

J. Findings and decision. A Limited Term Permit shall be approved by the Director only after the Director first finds that the requested short-term activity complies with applicable standards in this Section.

K. Post approval procedures. The procedures and requirements in Chapter 18.76 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 9 (Inland Land Use and Development Code Administration), shall apply following a decision on a Limited Term Permit application.

1. Condition of the site following short-term activity. Each site occupied by a short-term activity shall be cleaned of debris, litter, or other evidence of the temporary activity on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Development Code. Performance security may be required before initiation of the activity to ensure cleanup after the activity is finished.

2. Performance security for temporary structures. Before issuance of a Limited Term Permit the applicant shall provide performance security in a form and amount acceptable to the Director to guarantee removal of all temporary structures within 30 days following the expiration of the Limited Term Permit.

(Ord. 930, § 2, passed 06-12-2017)