

SECTION 22A SEASONAL USES

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### 2201A Intent

To provide for the regulation of seasonal uses and accessory structures including fruit and vegetable stands, and Christmas tree sales lots. Other similar temporary uses may be approved by the Director of Planning and Community Development.

### 2202A General Requirements

- 2202A.01 Seasonal uses and accessory structures shall be allowed only on sites with approved Site Improvement Plans.
- 2202A.02 Sign permits shall be required in accordance with the sign section of this Ordinance.
- 2202A.03 Mobile homes or trailers, used in conjunction with the seasonal use, shall be prohibited, except when used in conjunction with Christmas tree sales lots.
- 2202A.04 A \$250 cleanup fee shall be submitted to the Planning Division prior to permit issuance. The cleanup fee is refundable. The permit holder shall be responsible for providing notice to the Planning Division, within 30 days of the permit expiration, that the use has ceased. The Permit Expediter shall inspect the site to ensure site cleanup prior to refunding the fees.
- 2202A.05 The permit holder shall be responsible for all sales tax, state and federal tax, license, etc., required by other agencies.

### 2203A Fruit or Vegetable Stand - Specific Requirements

- 2203A.01 Fruit or vegetable stands shall be allowed only in the LSB, B, C, LI and GI zoning districts or similar zones of a PD as allowed by the development plan. Fruit or vegetable stands as allowed in the A-1 or LRR zoning district are exempt from these regulations.
- 2203A.02 A seasonal use permit shall be issued for a 3-month period. An extension may be requested prior to the expiration of the permit, limited to one additional 3-month period within any 12-month period. An extension request fee of \$100 shall be required.
- 2203A.03 Hours of operation shall be limited to daylight hours.

### 2204A Christmas Tree Sales Lot - Specific Requirements

- 2204A.01 Christmas tree sales lots shall be permitted only in the B, C, LI and GI zoning districts or similar zones of a PD as allowed by the development plan. Christmas tree sales as allowed in the A-1 or LRR zoning district are exempt from these regulations.

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Section 22A Seasonal Uses

2204A.02 A seasonal use permit shall be issued for a 2-month period starting November 1 and continuing through December 31 of the same year. However, no permit shall be required for Christmas tree sales lots that operate for a period of less than 30 days.

2204A.03 Hours of operation shall include both daylight and after sunset hours. Lighting shall be permitted in accordance with the requirements of the lighting standards section of this Ordinance.

#### 2205A Seasonal Use - Permitting Procedure

2205A.01 The applicant shall submit the application fee and the information required in 2206A herein to the Planning Division.

2205A.02 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff and other agencies such as the City Engineering Division, the affected fire district, and health department shall review the application.

2205A.03 After review and approval by the Engineering Division and fire district, and health department, the Planning Division shall have the final approval or denial.

2205A.04 Denial of the seasonal permit may be appealed to the City Council, in writing, within 10 days of denial by the Planning Division.

#### 2206A Seasonal Use - Submittal Requirements

2206A.01 Completed land-use application form

2206A.02 Proof of ownership

2206A.03 A notarized letter of authorization from the landowner permitting a representative to process the application.

2206A.04 A detailed description of the use, including:

- Hours of operation
- Number of employees
- Product volume

2206A.05 A site plan depicting:

- Lot boundary
- Driveway access
- Zoning of the lot
- Dimension of existing and proposed structures
- Setback from the lot line

- Location of required off-street parking/loading areas
- Vicinity map