
Section 3.2.63. Temporary Use or Special Event.

A temporary use or special event shall comply with the standards listed below.

Review.

- A. A temporary use or special event is a short-term activity or operation occurring on private property that is not part of the permanent or primary use of the site and that is intended to operate for a limited duration. Temporary uses or special events may include, but are not limited to, outdoor sales, festivals, markets, exhibits, seasonal merchandise sales, gatherings, performances, or public-serving activities of any duration. Unless otherwise provided herein, the City Manager or designee may approve an application for a temporary use or special event conducted on private property.

Temporary uses or special events proposed on public property, including but not limited to public streets, parks, rights-of-way, and City-owned facilities, shall require review and approval by the appropriate City Department. Such events may also require approval by the City Council and coordination with the Police Department or other public safety agencies, as determined necessary by the City.

- B. *Location.* A temporary use or special event shall be located as provided below:

1. Properties possessing a nonresidential zoning district designations; or
2. Properties within residential zoning districts or residential portions of PUDs that are public-serving sites such as public or private schools, places of worship public parks or other public property.

- C. *Duration.* An event shall not exceed seven consecutive days. The City Manager may authorize one administrative time extension of up to three days. The Council shall approve any event more than ten days in length.

1. *Exemption.* The following events shall be exempt from the ten day limitation.

- (A) *Community Fairs.* Community fairs shall not exceed 14 days of operation and being open to the public, excluding time to set up or dismantle the fair.
- (B) *Religious Meetings.* Religious meetings of a temporary nature shall not exceed 14 days in length, excluding time to set up or dismantle the meeting facilities.
- (C) *Seasonal Holiday Décor Sales.* Seasonal holiday décor sales, including but not limited to Christmas trees, pumpkins, and similar holiday-related items, shall be permitted from September 1 through December 31 each year. During all other times of the year, such seasonal holiday décor sales may be permitted for periods not exceeding 14 consecutive days at a time.

- (D) *Fireworks Sales.* Fireworks sales shall be permitted for the following:

- 1) *Independence Day.* Fireworks sales shall be permitted thirty (30) days prior to July 4.
- 2) *New Year's Day.* Fireworks sales shall be permitted thirty (30) days prior to January 1.

- D. *Number per Year.* Not more than three temporary events in any calendar year shall be held on the same location, unless otherwise approved by the Council following a recommendation by the City Manager.
1. *Recurring Farmers Markets.*
A recurring farmers market held on weekends at a church, school, or other similar qualifying property shall be considered one temporary special event for the purposes of annual event limits, provided that the farmers market operates under a single seasonal authorization and maintains consistent hours, layout, and participating vendors throughout its operating season. Individual weekend market days shall not be counted as separate temporary events.
- E. *Compliance.* If a violation occurs at an event permitted by the City, the City Manager may deny permits to the operator for similar temporary events for a period of not more than 18 months.
- F. *Review.* The City Manager may require review of a temporary event permit by members of City staff.
- G. *General Standards.* Temporary uses or special events shall comply with the standards listed below.
1. *Access.* Vehicular access from a collector or arterial roadway shall be provided. Access from a local street is prohibited, unless approved by City Manager as the only feasible access available to a site.
 2. *Setbacks.* The minimum setbacks indicated in Table 3.2.9 shall apply to all parking areas, mobile homes or similar temporary dwellings or offices, tents, mechanical devices, carnival rides, and animals associated with such activities.

Table 3.2.9.
Minimum Setbacks for Special Events

Setback ¹	Residential Zoning District	Nonresidential Zoning District
Front	25 feet	25 feet
Side	50 feet	25 feet
Side Corner	35 feet	20 feet
Rear	200 feet	25 feet
Note and Additional Standards. ¹ Setback to be measured from activity or structure to the nearest residential property line if event located within a residential zoning district.		

3. *Traffic Control.* Use of city police or acceptable alternative to direct and control traffic may be required.
4. *Sanitation and Public Health.* Plans for sanitation and public health protection including temporary bathroom facilities, inspection of food facilities, drainage, and garbage and litter control, shall be approved by the City Manager.
5. *Application Requirements.* Applications for a temporary use or special event authorization shall be submitted to the Director of Inspections and Codes.
 - (A) *Submittal.* Applications shall be filed at least 15 days prior to the opening day of the use or event.
 - (B) *Contents.* The application shall contain such information as required by the Director of Inspections and Codes, and shall include the items listed below.

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- (1) *Authority.* Evidence the property owner authorizes the use of the site for a special event.
 - (2) *Site Plan.* A general site plan for the event, including property boundaries, road access, location of tents or other structures, location of rides, location of parking, location of temporary dwellings or offices, and proposed setbacks of activities, tents, booths, etc., from adjacent properties.
 - (3) *Statement of Use.* A general statement of use, including but not limited to sponsor, planned activities, duration of event, hours of operation, anticipated attendance, temporary lighting to be provided onsite, security, utilities, use of generators, and other information that may be required by the Director.
 - (4) *Signs.* A general sign plan, including proposed number, size, location, and dates of installation and removal of all signs associated with the event.
 - (5) *Other Materials.* Other materials and documentation as may be required by the Director.
6. *Surety.* The City Manager or designee may require the operator of an event to post a cash surety, or other form of security, to provide funds to cleanup or otherwise mitigate a site following a temporary event. The Manager shall approve the amount of surety.
 7. *Insurance.* The City Manager or designee may require the operator of an event to provide evidence of a general liability policy in an amount of at least \$1,000,000, with the City named as an additional insured. The City may require proof of additional insurance.
 8. *Authorization.* The City Manager or designee shall issue written approval for a temporary use or special event, including any conditions or restrictions placed on the proposed activities. Conditions or restrictions may affect or include planned activities, duration of event, hours of operation, temporary lighting to be provided onsite, security, traffic control, garbage and litter control, bathroom facilities, utilities, security, and use of generators.

(Ord. No. 09-52, § 1, 11-10-09; Ord. No. 11-55, § 1, 11-8-11)