JEFFERSON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
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Building Permits & Inspections | Development Consistency Review | Long Range Planning | Watershed Stewardship Resource Center

Temporary Use Permit Information Sheet

Purpose

The purpose of the temporary permit process is to ensure consistency with the applicable sections of the Jefferson County Code (see below). You will submit a Master Permit Application Form. Refer to the materials accompanying the Master Permit Application Form for additional information.

Process

Temporary use applications may be processed as Type I, Type II, or Type III permits, depending on the nature of the proposed use. Some temporary uses may require a conditional use permit or be subject to the requirements of Chapter 8.20 of the Jefferson County Code, Assemblies. Please refer to JCC 18.20.380, Temporary Outdoor Uses, and JCC 18.20.390, Temporary Festivals for more information.

Most temporary uses will be reviewed administratively by the Department of Community Development (DCD). An administrative determination to approve a temporary use application will be made when the proposal is consistent with the applicable sections of the Jefferson County Code. An administrative determination to deny an application will be made when the proposal is not consistent with the goals, policies, and provisions of the Comprehensive Plan, and/or applicable community development plan and the Jefferson County Code. Denials of application for temporary use permits will be accompanied by a written statement identifying specific areas in which the proposal is deficient.

JCC 18.20.380 (Temporary Outdoor Uses) and JCC 18.20.390 (Temporary Festivals)

18.20.380 TEMPORARY OUTDOOR USES.

1. The following temporary outdoor uses, unless otherwise regulated by the provisions of Chapter 8.20, JCC, Assemblies, are permitted as a matter of right and are exempt from an approval process provided that the requirements below are met:

a. Garage or yard sales conducted on the premises of a residential dwelling;

b. Rummage sales, outdoor sales, and other fund-raising activities sponsored by schools, places of worship, or other nonprofit organizations. Such uses shall not occur on a site for more than thirty (30) days in any one (1) calendar year;

c. Outdoor arts and crafts shows and exhibits on public park and/or school property;

d. Neighborhood association meetings or picnics on property owned by the association or its members;

e. One sales office for the purpose of selling lots or homes within a subdivision constructed on the site of a subdivision prior to final plat approval and may operate until all of the lots have been developed and sold;

f. Properties rented or used for personal social events, such as wedding receptions, private parties, or similar activities, not more than four (4) times during any one (1) calendar year;

g. Estate sales held on the property of the deceased;

h. Christmas tree sales limited to no more than thirty (30) days of site occupation and operation in only a one (1) year period. Merchandise displays may only occupy parking stalls which are in excess of parking requirements;

i. Running, walking and biking events associated with charitable or community events;

j. Hay rides, corn mazes, square dances, pony rides, and harvest social gatherings; and

k. Similar uses as determined by the Administrator.

2. The following temporary outdoor uses, unless otherwise regulated by the provisions of Chapter 8.20, JCC, Assemblies, are allowed subject to a Type I approval process for a Temporary Outdoor Use Permit:

a. Outdoor art craft shows and exhibits not exceeding three (3) days and not located on public park and/or school property;

b. Circuses, carnivals and similar transient amusement enterprises, limited to not more than thirty (30) days of site occupation and operation in any one (1) calendar year;

c. Rummage and other outdoor sales sponsored by schools, places of worship or other nonprofit organizations occurring more than thirty (30) days in any one (1) calendar year;

d. Charitable or community events, not exceeding seven (7) days in duration and not more than four (4) times in any one (1) calendar year;

e. Overflow off-site parking, not exceeding seven (7) days in duration and not more than four (4) times in any one (1) calendar year;

f. Auctions, not exceeding three (3) days and not located on public park and/or school property;

g. Temporary asphalt or concrete batch plants for public road construction or repaving. Provided that all equipment, including the plant shall be removed within thirty (30) days of project completion and the site shall be restored to its original condition; and

h. Temporary food and beverage stands may be permitted for a period of six months and may be extended for an additional six months. Once an extension has been granted the site may not be used for a temporary food and beverage stand for two years after the expiration of the permit extension; and

i. Similar uses as determined by the Administrator.

3. The following temporary outdoor uses, unless otherwise regulated by the provisions of Chapter 8.20, JCC, Assemblies, are allowed, subject to an administrative (Type II) conditional use (Ca) permit:

a. Outdoor art craft shows and exhibits exceeding three (3) days and not located on public park and/or school property;

b. Circuses, carnivals and similar transient amusement enterprises more than thirty (30) days of site occupation and operation in any one (1) calendar year;

c. Charitable or community events exceeding seven (7) days in duration or more than four (4) times per year for any single property;

d. Properties rented or used for personal social events, such as wedding receptions, private parties, or similar activities, more than four (4) times during any one (1) calendar year;

e. Overflow off-site parking exceeding seven (7) days in duration or more than four (4) times in any one (1) calendar year;

f. Auctions exceeding three (3) days or more or held more than four (4) times in any one (1) calendar year on the site of any legally established nonresidential use;

g. Similar uses as determined by the Administrator.

4. Temporary outdoor uses are subject to the following regulations:

a. No temporary outdoor uses shall be permitted on public rights-of-way, unless a right-of-way obstruction permit is authorized by the County Engineer;

b. Approval of temporary outdoor uses is subject to written permission of the property owner on which the use is to be located;

c. The County may apply additional conditions to any permit for a temporary outdoor use in order to:

(1) Ensure compliance with the intent of this Code;

(2) Ensure that such outdoor use is not detrimental to neighboring properties and the community as a whole; and

(3) Ensure compliance with the International Building Code and International Fire Code;

(4) Within three (3) days after termination of any temporary outdoor use permit, such use shall be abated and all structures, signs and evidence of such use removed. The Administrator may require a cash bond be posted by the applicant upon application to defray the cost of cleanup and repair of the property should the applicant fail to do so; and

(5) Temporary outdoor use permits not exercised within one hundred eighty (180) days of issuance shall be null and void.

5. In addition to any other remedy provided by this Section, at any time when such temporary outdoor use is operated in violation of required conditions of this section, or otherwise found to constitute a nuisance, the County may revoke the temporary outdoor use permit. The permittee shall be given notice of and an opportunity to contest the revocation prior to a final determination. If, in the opinion of the Administrator, the violation poses a life, health, or safety threat, the use permit may be revoked immediately, and the permittee shall be given the opportunity to request consideration and/or appeal.

6. Where any provision of JCC 18.20.380, Temporary Outdoor Uses, is in conflict with Chapter 8.20 JCC, Public Assemblies, the provisions of Chapter 8.20 JCC shall control.

18.20.390 TEMPORARY FESTIVALS.

1. **Temporary Festival.** A temporary festival is generally defined as any musical, cultural, or social event conducted in an indoor or outdoor site or facility that is of a duration of more than one (1) month out of any 12-month period, and attracts two hundred fifty (250) or more people in any one (1) day. For the purposes of this Section, each week during which the temporary festival operates for two or more days shall be considered a full week.
2. The temporary festivals are allowed, subject to a conditional use permit, unless otherwise regulated by the requirements and provisions of Chapter 8.20 JCC, Assemblies.
3. Temporary festivals are subject to the following regulations:
   a. Those regulations specified above for temporary outdoor events;
   b. Operators of temporary festivals shall submit a part of the application for conditional use permit written plans of operation describing those means and methods to be employed to minimize impacts to neighboring parcels resulting from the temporary festival, including traffic, litter, trespass, vandalism, property damage, and sanitation.
   c. The provisions of Chapter 8.20 JCC, Assemblies, where applicable.
4. **Violations.** In addition to any other remedy provided by this Chapter, at any time when such temporary festival is operated in violation of required conditions of this Section or a conditional use permit, or otherwise found to constitute a nuisance, the County may revoke the conditional use permit. The permittee shall be given notice of and an opportunity to contest the revocation prior to a final determination. If, in the opinion of the Administrator, the violation poses a life, health or safety threat, the use permit may be revoked immediately, and the permittee shall be given the opportunity to request consideration and/or appeal.
5. Where any provision of JCC 18.20.390, Temporary Festivals, is in conflict with Chapter 8.20 JCC, Public Assemblies, the provisions of Chapter 8.20 JCC shall control.

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Temporary Use Permit Supplemental Application

MLA # _____	PROJECT/APPLICANT NAME: _____

Purpose

The purpose of the sign permit process is to ensure consistency with the applicable sections of the Jefferson County Code (JCC). You will submit a Master Land Use Application Form in conjunction with this supplemental application. Refer to the materials accompanying the Master Land Use Application Form for additional information.

Process

Temporary use applications may be processed as Type I, Type II, or Type III permits, depending on the nature of the proposed use. Some temporary uses may require a conditional use permit or be subject to the requirements of Chapter 8.20 of the Jefferson County Code, Assemblies. Please refer to JCC 18.20.380, Temporary Outdoor Uses, and 18.20.390, Temporary Festivals, of the JCC for more information.

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Supplemental Information

DESCRIPTION OF PROPOSED TEMPORARY USE: _____
PROPERTY DIMENSIONS: _____
LAND USE DESIGNATION: _____
(Available from the Jefferson County Comprehensive Plan Land Use Maps at the Department of Community Development)
CURRENT USE OF SITE: _____
USE OF ADJACENT SITES: _____

Please answer all of the following questions to the best of your ability:

1. Describe provisions for off-street parking for the proposed activity.

2. Describe any excess levels of noise generated by the proposed temporary structure and/or activity.

3. What are the business hours of the proposed activity or structure? Are these hours disruptive to the normal use of adjacent residential properties? Explain._____

4. Describe any noxious fumes, offensive odors, or excessive amounts of airborne dust generated by the proposed temporary activity or structure.

5. Will the proposed activity or structure adversely affect surrounding properties or adjoining rights-of-way? Please explain.

The applicant hereby certifies that the statements contained in this application are true and provide an accurate representation of the proposed amendment; and the applicant(s) hereby acknowledges that any approval issued on this application may be revoked if any such statement is found to be false.

_____ _____

APPLICANT'S SIGNATURE DATE