

7-2-116. TEMPORARY LAND USES.

(1) Subject to the provisions of this Section, the Zoning Administrator may issue a permit for up to six months, except for a Food Cart, for a use which is transient or temporary in nature, providing he shall find that the uses will not conflict with the uses in the neighborhood of the subject property and the uses are located in commercial, manufacturing, MXD, R/B or R/BP zones, or will be accessory to a community use in a residential or agricultural zone. Request for permit shall be submitted in writing.

(2) Temporary uses may be allowed only after review and evaluation of the following information:

- (a) A site plan must be submitted indicating location of any existing structures on the lot; existing improvements, including but not limited to, parking areas, curb, gutter, sidewalk and curb cuts, and the location of any outside storage. Parking areas for the proposed use shall be surfaced with asphalt, concrete, gravel or other surface acceptable to the Zoning Administrator;
 - (b) The building must conform to all area and setback requirements for the zone which it is located in; Storage containers may not be used in conjunction with a temporary use, except for fireworks sales. Fireworks sales shall have no more than one storage container that is equal to or less than 120 square feet. Storage containers used for fireworks sales must be made of a non-flammable material approved by the Fire Department. Storage containers for fireworks sales are permitted from three weeks prior to the actual fireworks sale, to three weeks after the sale has passed. Firework sales shall only occur during Utah State mandated durations.
 - (c) Written approval from the property owner to place temporary buildings on the lot and/or allow the use on the lot;
 - (d) Hours of operation of the proposed use; and
 - (e) The minimum required parking shall be two (2) spaces except that a reasonable number of additional parking spaces may be required. Such parking, including those space occupied by the use itself, shall be in addition to the minimum number of spaces required for any other use on the site.
 - (f) The Zoning Administrator, or designee, may apply other conditions necessary to ensure that the temporary use does not have a detrimental impact upon the subject or neighboring properties.
 - (g) Other items shall be included on the site plan, if requested by the Zoning Administrator.
- (3) Temporary uses are limited to the following:
- (a) Circus, carnival, outdoor dance, community fair, concert, or other amusement enterprise of a similar nature.
 - (b) Christmas tree sales.
 - (c) Shaved Ice Stand.

- (d) Tire shredding in a Manufacturing Zone only.
- (e) Haunted houses or outside gatherings.
- (f) Trailer or temporary buildings to serve as a construction, sales, employment, or leasing office while a permanent building is under construction.
- (g) Flower shop.
- (h) Fireworks sales in conformance to City ordinances.
- (i) Case lot, parking lot, or tent sales in conjunction with an existing business. Independent sales from outside vendors not allowed.
- (j) Auctions.
- (k) Tent revivals.
- (l) Mobile medical units.
- (m) Charitable donation sites or receptacles.
- (n) Produce Sales.
- (o) Sale of motorized vehicles, subject to the following requirements:
 - (i) The temporary sale must be located in a commercial zone.
 - (ii) The temporary sale must be located on a property that has at least 2,000 existing parking stalls meeting the standards of Chapter 7-9 of this Title.
 - (iii) The location of the sale must have adequate parking stalls to accommodate both the temporary sale and the regular use of the property. Parking for the temporary use shall require one on-site parking stall for each motorized vehicle being offered for sale. Stalls needed to meet the minimum parking requirements of the regular use of the property shall not be counted toward the number of stalls necessary to accommodate the temporary sale.
 - (iv) The location of the sale must have hard surfacing for both the sales and parking areas.
- (p) Temporary uses to build public improvements. Concrete batch plants, stock piling, staging or other similar equipment which are used to build public improvements may be allowed subject to the following requirements:
 - (i) The activity may be located in any zone.
 - (ii) The hours of operation shall not exceed 7 a.m. to 9 p.m. No work on Sundays or Federal holidays.
 - (iii) Measures shall be taken to control noise and dust.
 - (iv) The work days shall be specified with the application.
 - (v) The approval may be given for the length of the contract which may extend beyond one year.

- (q) Food Cart subject to the following requirements:
 - (i) There is no time limit for this activity.
 - (ii) The activity must be located on private property out of the required setback area. If the activity will be located on a pedestrian way there must be at least four (4) feet of clear space between the edge of the cart and the edge of the pedestrian way.
 - (iii) A picture of the cart must accompany the application.
 - (iv) No outside seating or additional structures are permitted with this use.
 - (v) The structure must be removed from the site daily to be cleaned and stored at an approved Commissary as per Salt Lake Valley Health Department.

(4) A temporary use permit shall be for one six month period per year, except for Food Carts. The Zoning Administrator may grant the permit for less than six months if the Administrator finds that it will be in the best interest of maintaining the health, safety or welfare of the community. The Planning Commission may grant an extension for a maximum of one additional six-month period if the request for the extension is made in writing prior to the expiration of the permit. After the extension expires the use can not return to the same site for an additional six month period.

(5) The site must be restored to its original condition upon expiration of the temporary use permit. The site may not be used for storage of any temporary use structures.

(6) Any decision of the Zoning Administrator made pursuant to this section may be appealed to the Board of Adjustment by filing a written appeal with the Board of Adjustment within 10 days of the decision, setting forth the reasons why the Zoning Administrator's decision should be overturned or modified. Decisions of the Board of Adjustment may be appealed as outlined in Section 7-18-105 of this Title.