



## **TEMPORARY USE REQUIREMENTS**

### **PERMITTED TEMPORARY USES (*City Code §110-3.5.6.B.*)**

Unless otherwise specified, no temporary use shall be established, except as provided for in §3.5.6.C, unless a temporary use permit is approved pursuant to the provisions of §6.15. In addition to complying with the approval criteria of §6.15.4, the following uses shall comply with the applicable specific use requirements:

1. Pick-up and drop-off containers and facilities, subject to §3.5.6.E;
2. Construction offices, temporary, subject to §3.5.6.F;
3. Family health care structure, temporary, subject to §3.5.6.G;
4. Residential sales offices and model homes, temporary, subject to §3.5.6.H;
5. Residences, temporary, subject to §3.5.6.I;
6. Special events, temporary, subject to §3.5.6.J;
7. Storage pods, temporary, subject to §3.5.6.K;
8. Vehicle storage, temporary, subject to §3.5.6.L;
9. Other uses similar in nature to the ones listed above, with corresponding controls, limitations and regulations, in accordance with the general standards of §3.5.6.D.

### **ALLOWED WITHOUT A PERMIT (*City Code §110-3.5.6.C.*)**

1. Unless otherwise specified, permits are not required for the following types of special events provided that such uses are required to meet all applicable general standards in §3.5.6.D:
  - (a) Minor events including, but not limited to privately-sponsored gatherings, walk-a-thons, charity fundraisers, and similar events.
    - (1) Duration of less than 12 hours per event;
    - (2) Daylight hours only; No activity after dark or 9pm whichever comes first;
    - (3) No loud, disturbing and unnecessary noise as specified in City Code Chapter 38;
    - (4) No dancing and entertainment activities, as defined;
    - (5) Adequate provisions must be made for on-site parking, available street parking or other arrangements, and safe ingress and egress must be provided;
    - (6) Signs for minor events shall comply with §4.6.12.G; and
    - (7) No more than four events per year.
  - (b) Retail sales events and promotions, outdoor are allowed only in conjunction with an established retail business and on the same lot as said business.
    - (1) Limited to normal hours of operation for the established retail business;
    - (2) Any display must be brought indoors prior to close of business each day;
    - (3) No loud, disturbing and unnecessary noise as specified in City Code Chapter 38;
    - (4) Signs for retail sales events and promotions shall comply with §4.6.12.B provided such sign is only displayed during the event; and
    - (5) No more than three consecutive days, no more than four times per year.
  - (c) Seasonal sales, such as Christmas tree, fireworks and pumpkin sales lots, may be allowed in nonresidential districts and on sites occupied by schools and/or religious institutions.
    - (1) No more than 45 consecutive days;
    - (2) Signs for seasonal sales, temporary shall comply with §4.6.12.F.
2. A permit for Special events, temporary shall be required for any event not meeting the provisions of §3.5.6.C.1(a) or §3.5.6.C.1(b).

### **GENERAL STANDARDS (*City Code §110-3.5.6.D.*)**

1. No temporary use shall be permitted unless the applicant demonstrates compliance with these standards to the satisfaction of the zoning administrator. The zoning administrator may impose reasonable conditions on the use to ensure compliance with these standards or other applicable provisions of law.
2. Temporary uses and temporary use permits may be approved for up to one year, unless otherwise specified.
3. Adjacent uses shall be suitably protected from any adverse effects of the use, including noise and glare.
4. The use shall not create hazardous conditions for vehicular or pedestrian traffic, or result in traffic in excess of the capacity of streets serving the use.
5. Adequate refuse management, security, emergency services and similar necessary facilities and services shall be available for the temporary use, and all sanitary facilities shall be approved by the appropriate health agency.
6. The site shall be suitable for the proposed use, considering flood hazard, drainage, soils and other conditions that may constitute a danger to life, health or safety.
7. The use shall not have a substantial adverse impact on the natural environment, including trees, ground cover and vegetation.
8. The use shall be maintained in an orderly manner.



**PICK-UP AND DROP-OFF CONTAINERS AND FACILITIES (*City Code §110-3.5.6.E.*)**

**Applicability:** Temporary use permits for pick-up and drop-off containers and facilities may be approved for up to three years, and the permit may be renewed, in the following locations and circumstances:

- (a) In CL, CO, CR, CU, and CG districts on lots containing not less than 40,000 square feet;
- (b) In commercial areas of planned districts, when ancillary to the principal use, and only when shown on an approved master development plan;
- (c) In residential districts where the principal use of the development is not residential, and only when such containers and facilities are shown on an approved site plan; and
- (d) When such container and facilities is specifically identified on approved master development plans.

**Maximum Size and Number:** A maximum of two donation drop-off boxes shall be permitted on any one lot and shall be located within a contiguous area of not more than 120 square feet, with no individual drop-off box exceeding the dimensions of seven feet in height, six feet in width or six feet in length.

**Location:**

- (a) Pick-up and drop-off containers and facilities shall be permitted in any yard except the minimum required front or side (street) yard.
- (b) Such containers and facilities shall not be located in any required recreation and open space, transitional yard, required landscaped area, on any private street, sidewalk or trail, in any required parking space, or in any location that blocks or interferes with vehicular and/or pedestrian circulation. Donation drop-off boxes shall be located in accordance with all applicable building and fire code regulations for the purpose of ensuring safe ingress and egress, access to utility shut-off valves, and for fire protection. Such containers shall also be subject to the visual clearance provisions of §4.3.4.

**Design, Management and Maintenance:**

- (a) Donation drop-off boxes shall be weather-proof, constructed of painted metal, plastic, or other similarly noncombustible material, properly maintained in good repair and in a manner that complies with all applicable building code and fire code regulations, and secured from unauthorized access.
- (b) All donated items shall be collected and stored in the donation drop-off box which shall be emptied as needed or within 48 hours of a request by the property owner or authorized agent.
- (c) Items and materials including trash shall not be located outside or in proximity to a donation drop-off box for more than 24 hours and shall be removed by the property owner, operator of the donation drop-off box or their authorized agent.

**Screening:** Pick-up and drop-off containers and facilities shall be screened in accordance with the requirements of §4.5.8.E.

**Signage and Information:** Donation drop-off boxes shall display the following information in a permanent and legible format that is clearly visible from the front of the container:

- (a) Specific items and materials requested;
- (b) Name of the operator or owner of the container;
- (c) Entity responsible for the maintenance of the container and the removal of donated items, including any abandoned materials and trash located outside the donation drop-off box;
- (d) Phone number where the owner, operator or agent of the owner or operator may be reached at any time; and
- (e) Notice stating that no items or materials shall be left outside of the donation drop-off box and the statement, "Not for refuse disposal. Liquids are prohibited."

**CONSTRUCTION OFFICES, TEMPORARY (*City Code §110-3.5.6.F.*)**

An industrialized building may be used as a temporary office, security shelter, or shelter for materials or tools necessary for construction on or development of the premises upon which the temporary construction office is located. Such use shall be strictly limited to the time construction or development is actively underway.

**FAMILY HEALTH CARE STRUCTURE, TEMPORARY (*City Code §110-3.5.6.G.*)**

A temporary family health care structure shall be allowed in accordance with the requirements of Code of Virginia, § 15.2-2292.1.

**RESIDENTIAL SALES AND MODEL HOMES, TEMPORARY (*City Code §110-3.5.6.H.*)**

1. Temporary residential sales offices and model homes may be located within a residential district as part of an ongoing residential development. Such offices and homes shall be removed or converted to a use permitted within the district when use as a sales office or model home has ceased.
2. Model homes for new subdivisions shall only be occupied for residential habitation after all business activities have ceased. Upon sale the home shall comply with applicable residential parking standards.

**RESIDENCE, TEMPORARY (*City Code §110-3.5.6.I.*)**

No recreational vehicle, trailer, tent, garage, barn or other similar vehicle or building erected on any lot shall be used as a residence for more than 10 days within a six month period, provided that the City Council may approve longer time frames in cases of significant calamity or natural disaster.



**SPECIAL EVENTS, TEMPORARY (*City Code §110-3.5.6.J.*)**

Temporary events, including but not limited to car shows, carnivals, circuses, dog shows, festivals, fairs, fireworks shows, horse shows, tent revivals and similar events, regardless of whether or not admission is charged, may be permitted subject to the following standards:

1. Temporary use permit for such activities shall be issued for not more than 10 days, in any six-month period.
2. No such activity shall be located closer than 300 feet to a residential use, without the approval of city council. This provision shall not apply to public, civic and institutional use-sponsored events, and indoor events.
3. Adequate provisions must be made for parking, and safe ingress and egress must be provided.
4. Night operations shall be permitted only if there is a lighting plan that provides for safe lighting without excessive glare into streets or residential areas.
5. Signs for temporary special events shall comply with §4.6.12.G.

**STORAGE PODS, TEMPORARY (*City Code §110-3.5.6.K.*)**

Storage pods, crates and similar storage units may be allowed subject to compliance with the following requirements.

1. Storage pods for off-site storage of household or other goods located in a yard are permitted for:
  - (a) A maximum of 30 days within a six-month period on a single-family lot; seven consecutive days within a six-month period on other residential sites; and
  - (b) On active construction sites, provided they are removed within 30 days of completion of construction.
2. Storage pods used for the purpose of storing excess inventory to be sold in connection with an established retail business on the same lot.
3. The proposed storage pod location shall not impede pedestrian traffic, or be located within required landscaped areas.
4. Stacking of storage pods is prohibited.

**VEHICLE STORAGE, TEMPORARY (*City Code §110-3.5.6.L.*)**

Temporary vehicle storage may be allowed in nonresidential districts, subject to special use review pursuant to §6.7.