

Sample - Temporary Outdoor Land Uses

1. Temporary Outdoor Land Uses Allowed in All Zoning Districts. Temporary outdoor land uses may be permitted on a temporary basis as of right in any zoning district in Centerville Township upon obtaining a temporary outdoor land use permit from the Zoning Administrator. Such permit may be issued without a public hearing, provided that such permit shall not be issued for more than forty-five (45) days, or the time requested in the permit application if less than forty-five (45) days. The following procedures apply to the issuance of a temporary outdoor land use permit by the Zoning Administrator.

2. Application. An application for a temporary outdoor land use permit shall be submitted to the Zoning Administrator on such form as shall be provided for such purpose. The application shall contain the following information:

- A. the name and address of the applicant and complete contact information, including telephone numbers and, if available, fax numbers and email addresses;
- B. the location of the proposed temporary outdoor land use;
- C. a description of the temporary outdoor land use(s);
- D. evidence that the applicant owns the site for which the permit is requested or, alternatively, evidence that the applicant's use of the site, the application submittal and the proposed temporary outdoor land use are authorized by the site owner;
- E. the days and times when the temporary outdoor land use is to occur and the number of days in length;
- F. the maximum number of persons expected to visit or attend the proposed temporary outdoor land use on daily basis;
- G. the planned areas for parking for those visiting or attending the proposed temporary land use;
- H. evidence that the applicant has obtained, or has applied for, any license(s) required by the Village for the proposed activity or event. If such license(s) have been applied for but not yet approved, any approval under subsection 3, below, must be conditioned on the issuance of any other such required license(s).
- I. any other information the Zoning Administrator, in his or her reasonable determination, deems necessary to properly review the permit application.

3. Approval. Upon review and determination that the proposed temporary outdoor land use is consistent with the requirements of this Section as well as the purposes of this Zoning Ordinance and the Township's Master Plan, the Zoning Administrator may approve the permit or approve it with conditions. If the Zoning Administrator finds that the proposed temporary outdoor land use is not consistent with the requirements of this section or the purposes of this Zoning Ordinance and the Township's Master Plan, they shall deny the application. In making his or her determination on the application, the Zoning Administrator may, at their discretion, first consult with the Planning Commission.

4. Permits. A written temporary outdoor land use permit signed by the Zoning Administrator will be issued for all temporary outdoor land uses which meet the requirements of this Zoning Ordinance.

5. **Requirements for Approval.** Before approving an application for a temporary outdoor land use permit, the Zoning Administrator shall first find that the application and the proposed temporary outdoor land use meets all of the following requirements:

- A. The nature and intensity of the temporary use and the size and placement of any temporary structure shall be planned so that the temporary use or structure will be compatible with existing public services, infrastructure, and the environment.
- B. The location of the temporary use or structure shall be such that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the temporary use or structure.
- C. Off-street parking areas are of adequate size and properly located for the particular temporary use or structure and the entrance and exit drives are laid out so as to prevent traffic hazards and nuisances.
- D. Signs shall conform to Section 3.7 Signs.
- E. Any lighting shall be directed and controlled so as to not create a nuisance to neighboring or vicinity property owners, or the community as a whole.
- F. Plans for site clean up and overall waste management at the site.

6. **Revocation.** Upon expiration or revocation of a temporary outdoor land use permit for a temporary outdoor land use, the temporary outdoor land use shall cease and all temporary structures, dwellings or buildings shall be removed from the parcel of land. A temporary outdoor land use permit may be revoked or modified by the Zoning Administrator if any one of the following findings can be made:

- A. That the temporary outdoor land use permit was obtained by misrepresentation or fraud.
- B. That one (1) or more of the conditions of the temporary outdoor land use permit have not been met; and
- C. That the use is being conducted in violation of any Township ordinance, or any state or federal law or regulation.

7. **Appeal.** An appeal of a decision by the Zoning Administrator relative to denial of a temporary outdoor land use permit for a temporary use or renewal thereof may be taken to the Zoning Board of Appeals pursuant to the provisions for appeal set forth in this Ordinance.