

USES WITH ADDITIONAL REQUIREMENTS

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3.1 PURPOSE & APPLICABILITY

There are certain uses which, by their nature, have the potential to create adverse impacts on nearby properties. It is the purpose of this section to allow such uses by establishing standards that mitigate the impacts of their design or operation. The specified standards are intended to ensure that these uses fit the vision of the planning areas in which they are permitted, and that these uses are compatible with other development permitted within the planning area.

3.1.1 USES PERMITTED WITH ADDITIONAL STANDARDS

- A. Uses listed in the Permitted Uses Tables in Section 2 as Uses Permitted with Additional Requirements (AR) shall comply with the additional criteria set forth in this section for such uses in addition to other applicable criteria contained in this ordinance. Such uses are permitted by-right provided they meet the specific additional standards set forth in this section.
- B. Approval procedures for uses permitted with additional requirements are found in Section 14.

3.1.2 TEMPORARY USES

- A. Uses listed in the Temporary Use Table in Section 3 shall comply with the additional criteria set forth in this section for such uses in addition to other applicable criteria contained in this ordinance. Such uses are permitted by-right provided they meet the specific additional requirements set forth in this section.
- B. Approval procedures for uses which require a Temporary Use Permit are found in Section 14.

SECTIONS

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3.1.3 GENERAL PROVISIONS

A. Separation Requirements

1. Separation requirements are included in this chapter for certain uses which, by their nature, tend to have a blighting effect upon surrounding properties when they are permitted to cluster in groups of more than one such use, or when they are located too near adjacent sensitive uses.
2. When separation requirements are established, the distance specified shall be measured as a straight line on a map, not street distance.
3. When separation requirements are established from specific uses, the distance specified shall be enforced from any buildings used for the purpose identified and any off-street parking areas associated with such uses.
4. Any use lawfully operating as a conforming use shall not be rendered nonconforming by the subsequent location of a different use from which a separation requirement is established in this chapter.

B. **Conflict with Other Regulations:** If there is a conflict between the standards set forth in this chapter and any other requirements of this ordinance, the most restrictive standard shall control, except that in the event of any inconsistency between this chapter and the use listings found in Section 2, then Section 2 shall control.

C. **See additional requirements:** In Section 4 for each building type, including accessory structures.

3.2 ADDITIONAL REQUIREMENTS

3.2.1 ACCESSORY DWELLING

1. The principal use of the lot shall be a detached house or townhouse built to the standards of this ordinance, the North Carolina State Building Code and all other applicable state and local ordinances.
2. The accessory dwelling shall be in an accessory structure subject to the requirements of Section 3 and clearly subordinate in size to the principal structure.
3. No more than one accessory dwelling shall be permitted on a single lot.
4. The accessory dwelling shall be owned by the same person as the principal dwelling unit.
5. In the Village Infill, the accessory dwelling shall not be served by a driveway different from the one serving the principal dwelling unit. A driveway serving the principal dwelling unit may be extended to the accessory dwelling.
6. A minimum of 10 feet shall be maintained between the principal structure and the accessory dwelling.
7. If the principal dwelling is a group home, use of an accessory dwelling shall not increase the number of residents otherwise permitted in a single group home.
8. An accessory dwelling may also include other uses by the resident, including but not limited to, a garage, a workshop, a home occupation and other accessory uses permitted within the applicable planning area.
9. In the Rural Reserve Planning Area such uses are only permitted if there is an

accessory structure in conjunction with a detached house or townhouse at the time of the adoption of this ordinance.

3.2.2 ADULT ESTABLISHMENT

1. No adult establishment shall be located within 1000 feet of any other adult establishment.
2. No adult establishment shall be located within 500 feet of any single family home, religious institution, elementary/secondary school, park or day care center.
3. For the purposes of this section, measurement shall be made in a straight line, from the nearest property line on which an adult establishment is located to the nearest property line of the premises of any use listed above.
4. No adult establishment can be located within the following planning areas: Central Business District, Conditional, Employment Campus I, Employment Campus II, Lakeshore, Neighborhood Center I, Neighborhood Center II, Neighborhood Edge, Neighborhood General, Neighborhood Services, Rural, Rural Reserve, Special Use, Village Center, Village Commerce, Village Edge, and Village Infill.

3.2.3 AUTOMATIC TELLER MACHINE (ATM)

1. Such uses shall be permitted as accessory use to a commercial or institutional use only.
2. ATMs shall be incorporated within the primary structure and not within a standalone accessory structure.

3.2.4 BED AND BREAKFAST

1. Such uses shall be located in a detached house (excluding duplex) building type only.
2. An owner/manager of a bed and breakfast shall reside on the property.
3. Such use shall not employ more than two full time employees in addition to the owner/manager.
4. Such uses shall only serve meals to guests staying at the bed and breakfast.
5. Signage shall be limited to a single post and arm style sign with a maximum height of 6 feet with a sign board not to exceed six square feet or a projecting sign or hanging sign not to exceed six square feet. Such sign may be indirectly lighted.
6. No detached house less than 2,500 square feet may be used as a bed and breakfast.
7. One car parking space shall be provided per bedroom. Permitted on-street parking along frontage of the property may count toward this total.
8. The requirements for landscaping and buffering off-street parking in Section 9 shall not apply to bed and breakfasts. Off-street parking must be screened from adjacent residential uses by a six foot high wall or fence, or by evergreen shrubs at six feet on center and a minimum three feet high at planting with a maturity height of not less than six feet, or by a combination of these options.

3.2.5 BREWERY, LARGE

1. Structure must be a minimum of 300 hundred lineal feet from any residential dwelling unit on a residentially zoned property, as well as 300 hundred linear feet from any school or religious institution.
2. Outdoor storage of goods and materials used in assembly, fabrication, or processing shall not exceed 25 percent of the gross floor area of all buildings on a lot.
3. Outdoor storage uses shall be screened from view from any public right-of-way and from all abutting properties by a landscape screen in accordance with the provisions of Section 9.

3.2.6 CAMPER/TRAILER/RECREATIONAL VEHICLE

1. A camper/trailer/recreational vehicle shall be an accessory use used for temporary lodging in designated campgrounds only. One unoccupied camper/trailer may be stored in the rear yard.

3.2.7 CEMETERY

1. A cemetery in the Rural Planning Area shall only be permitted as an accessory use to a religious institution.

3.2.8 COLLEGE/UNIVERSITY

1. All principal structures shall meet the standards for institutional buildings set forth in Section 4
2. Permanent parking lots shall be placed and screened in accordance with the standards for off-street parking areas in Section 8.
3. Dust-free, pervious surface areas are encouraged for overflow or event parking. Such areas are not required to conform to the parking requirements of Section 8, if they are maintained in a natural condition (i.e. as a grass field).
4. A transportation impact analysis must be provided in accordance with Section 6 for all new colleges/universities.

3.2.9 COLUMBARIUM

1. A columbarium will be permitted as an accessory use or structure to a Religious Institution, with additional requirements.
2. Wall Columbarium: Shall not be located on a street facing façade.
3. Freestanding Columbarium:
 - a. Shall not be greater than six feet in height, including all structural borders and/or any ornamentation atop the columbarium.
 - b. The size of the columbarium site, including benches and walking paths around the columbarium, shall not exceed a total of 2,500 square feet. A columbarium site over 500 square feet shall require Design Review Board approval.

3.2.10 COMMERCIAL, SECONDARY

For all kennel-commercial, the outdoor containment of animals shall be at least 250 feet from all abutting properties, street rights-of-way and greenway easements.

3.2.11 COMMERCIAL SERVICES

1. In Neighborhood General and Village Infill Planning Areas Commercial/Office/Retail Uses other than Home Occupations shall be permitted in a storefront building type only.
2. In Employment Campus I and Employment Campus II commercial services shall be permitted in storefront and workplace building types only and shall be permitted on the ground floor(s) only.

3.2.12 CONTAINMENT DEVICES

Containment devices for trash and recyclables (including compactors, dumpsters, roll-out containers and areas for storing cardboard) may be permitted as an accessory use to any principal use provided:

- a. Such uses must be screened in accordance with Section 9.
- b. Such uses must be located in accordance with Section 4.
- c. Such uses must conform to the Mecklenburg County Health Department regulations.
- d. Such uses must contain gates to allow for access and security.
- e. Such uses allocate equal space for garbage and recycling containers.
- f. Such uses may be distributed throughout the development.

3.2.13 CULTURAL/COMMUNITY CENTER

1. A cultural/community center property shall not exceed one acre in size. The area restriction shall include all contiguous property owned or controlled by the cultural/community center owner and all other property owned or controlled by the cultural/community center owner that is located within 1,320 feet (1/4 mile) of any portion of the cultural/community center property, including parking and accessory structures and uses.
2. A cultural/community center is a place of assembly, as defined.

3.2.14 DAY CARE CENTER

1. Any outdoor play space must be enclosed on all sides by building and/or permitted types of walls/fences and may not be located in the front yard. Outdoor play space may not include driveways, parking areas or land otherwise unsuited for children's play space.
2. There is no limit to the hours of operation for such facility, but such facilities shall not

serve any client on a continuous 24-hour basis.

3. Such facilities shall meet all applicable requirements of Mecklenburg County and the State of North Carolina.
4. All day care centers shall provide sufficient stacking lanes for drop-off and pick-up on the site so that traffic circulation is not impeded on any public right-of-way. An analysis of traffic and stacking areas is required.
5. A transportation impact analysis must be performed in accordance with Section 10.

3.2.15 DAY CARE HOME

1. Day care homes shall be an accessory use only and shall be located within a detached house, excluding duplex, occupied by the operator of the service.
2. The day care home use must be clearly incidental and secondary to the residential use of the dwelling and must not change the essential residential character of the dwelling. All building and lot standards for residential dwellings shall be maintained.
3. Any outdoor play space must be fenced or otherwise enclosed on all sides and may not be located in the front yard. Outdoor play space may not include driveways, parking areas or land otherwise unsuited for children's play space.
4. Such facilities shall meet all applicable requirements of Mecklenburg County and the State of North Carolina.

3.2.16 DAY TREATMENT CENTER

Such uses shall not operate between the hours of 10 PM and 6 AM.

3.2.17 ELEMENTARY AND SECONDARY SCHOOL

1. All principal structures, whether new construction or adaptive reuse shall meet the standards for institutional buildings set forth in Section 4.
2. Mobile classroom units may be permitted as accessory structures in the side yard or rear yard on a lot containing a principal structure.
3. Permanent parking lots shall be placed and screened in accordance with the standards for off-street parking areas in Section 8.
4. Dust-free, pervious surface areas are encouraged for overflow or event parking. Such areas are not required to conform with the parking requirements in Section 8, if they are maintained in a natural condition (i.e. as a grass field).
5. Elementary and secondary schools shall provide sufficient stacking lanes for drop-off and pick-up on the school site so that traffic circulation is not impeded on any public right-of-way. A transportation impact analysis must be performed in accordance with Section 6.
6. Pick-up and drop-off of students shall be designed so students do not have to cross parking lot lanes, driveways or streets.

7. An elementary or secondary school campus shall not exceed 5 acres in size. An elementary or secondary school campus shall include all contiguous property owned or controlled by the school and all other property owned or controlled by the school that is located within 1,320 feet (1/4 mile) of any portion of the school campus.
8. An elementary or secondary school not established at the time of this amendment may not be located within 1,320 feet (1/4 mile) of another elementary or secondary school.
9. An elementary or secondary school is a place of assembly, as defined.

3.2.18 ESSENTIAL SERVICES

1. Utility distribution lines, which deliver service to the end user, and utility transmission lines which deliver service to an area larger than an individual parcel, shall be installed underground, unless subsurface conditions make underground installation impossible or state or federal law preempts the enforcement of this provision.
2. Facilities used for the operation of essential services should, wherever possible be located on interior properties rather than on properties aligned with other lots that have continuous street frontage.
3. Buildings and other structures which cannot adhere to the scale, volume, spacing, setback and typology of existing buildings along fronting streets shall provide an opaque landscape screen in accordance with the provisions of Section 9.7.1 to shield them from view of all public rights-of-way and from abutting properties.

3.2.19 GASOLINE SERVICE STATION

1. Gasoline pumps, canopies, and associated service areas are prohibited in any established front yard abutting a street.
2. No visibly damaged or junk vehicle may be stored outdoors on the property overnight. No vehicle awaiting repair, maintenance, or pick-up may be stored on the property longer than 48 hours.
3. All outdoor areas where vehicles are stored temporarily shall be considered parking lots. Such parking lots must be located at the rear of the building and must comply with the applicable provisions of Section 8.
4. Gasoline service stations shall have a maximum of six pumping stations.
5. A car wash shall only be permitted as an accessory use to a gasoline service station and shall be placed and screened in accordance with the standards for off-street parking areas in Section 8.

3.2.20 HALFWAY HOME

1. No such use may be located within 2,640 feet (or 1/2 mile) of a residential/family care home, residential care facility, or other such use.

2. Halfway homes shall accommodate a maximum of six residents and a maximum of one resident per bedroom.
3. Halfway homes shall meet all applicable North Carolina General Statutes, rules and regulations

3.2.21 HOME OCCUPATION

A home occupation is permitted as an accessory use to any dwelling unit in accordance with the following standards:

1. A home occupation must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the dwelling.
2. A home occupation conducted in an accessory structure shall be housed only in a garage or other accessory structure that meets the requirements of this ordinance.
3. The use shall employ no more than one person who is not a resident of the dwelling.
4. A home occupation housed within the principal dwelling unit shall occupy no more than 25 percent of the total floor area.
5. There shall be no display of stock in trade which is sold on the premises visible from the outside of the building.
6. There shall be no outdoor storage or visible evidence of equipment or materials used in the home occupation, unless the equipment or materials are of a type and quantity that could reasonably be associated with the principal residential use.
7. Only vehicles used primarily as passenger vehicles will be permitted in connection with the conduct of the home occupation.
8. The home occupation shall not utilize mechanical, electrical or magnetic interference, noise, vibration, heat, glare, or other nuisances outside the dwelling or accessory structure housing the home occupation.
9. Home occupations shall be limited to those uses which do not draw multiple clients to the dwelling at the same time on a regular basis.
10. No signage is permitted.

3.2.22 MANUFACTURED/MOBILE HOME

1. Mobile homes are only permitted if they exist on the effective date of this ordinance. The existing mobile home may be replaced with another mobile home less than five years old, of comparable size or larger, and placed on a masonry foundation.
2. All wheels, axles, hitches, lights, and other mechanisms designed for transporting the manufactured/mobile home shall be removed.

3.2.23 MANUFACTURING AND ASSEMBLY, HEAVY

1. Structure must be a minimum of three hundred (300) linear feet from any residential dwelling unit on a residentially zoned property, as well as three hundred (300) linear feet from any school or religious institution.

2. Outdoor storage of goods and materials used in assembly, fabrication, or processing shall not exceed 25 percent of the gross floor area of all buildings on the lot.
3. Outdoor storage shall be screened from view from any public right-of-way and from all abutting properties by a landscape screen in accordance with the provisions of Section 9.

3.2.24 MICRO-BREWERY OR MICRO-DISTILLERY

1. Outdoor storage of goods and materials used in assembly, fabrication, or processing shall not exceed 25 percent of the gross floor area of all buildings on a lot and shall be screened from view from any public right-of-way and from all abutting properties by a landscape screen in accordance with the provisions of Section 9.
2. Such uses may include a beverage tasting facility if located in the Employment Campus I, Employment Campus II, Lakeshore, Neighborhood Center I, Neighborhood Center II, Neighborhood Services, Village Commerce or Village Edge Planning Areas.

3.2.25 OUTDOOR STORAGE

1. Permitted only as an accessory use in conjunction with a building, no storage area shall be placed in any building setback area or closer than 40 feet from a street right-of-way.
2. All areas established for outdoor storage shall be screened from view from any public right-of-way and from all abutting properties by an opaque landscape screen in accordance with the provisions of Section 9. Wherever security fencing is desired, it shall be placed on the interior side of the screen.
3. A maximum of two trailers, containers, pods or similar storage devices may be allowed as a temporary use. See Section 3.

3.2.26 PARKING AS A PRINCIPAL USE

1. All parking areas shall meet the requirements for parking in Section 8.
2. All parking areas intended to be used as Park and Ride lots must conform to the applicable Charlotte Area Transit System (CATS) standards.
3. Where an above-ground parking structure fronts a public street, the ground level shall be screened by retail, office, or multi-family uses, if permitted in the planning area, in such a way that cars are not visible from the sidewalk. See Section 4 for additional information.
4. In the Village Edge, Village Center and Village Commerce Planning Areas, parking as a principal use must be in a structure (deck/garage) and may not be a surface lot.

3.2.27 PLACES OF ASSEMBLY

All Places of Assembly shall be subject to the following restrictions which are also applicable to Elementary and Secondary Schools (see Section 3.2.16) and to Religious Institutions (see Section 3.2.30)

1. The size of the property used for a Place of Assembly, including all contiguous property and property located within 1,320 feet (1/4 mile) under common (or affiliated) ownership and having substantially similar uses, shall not exceed five acres.
2. No point of the property used for a Place of Assembly shall be located nearer than 1,320 feet (1/4 mile) from any other substantially similar Place of Assembly.
3. In circumstances where a Place of Assembly does not occupy the entire parcel of land under common ownership, the boundaries of property used for a Place of Assembly shall be the smallest area necessary to reasonably accommodate such use in conformity with the requirements of this Ordinance and other applicable laws and regulations.

3.2.28 PROFESSIONAL SERVICES

1. In the Village Infill Planning Area professional services shall be permitted in storefront and detached house building types, but only in locations where storefront building types are allowed.

3.2.29 RECREATION FACILITY, INDOOR

1. Indoor recreation facility shall not exceed 5,000 square feet.

3.2.30 RECREATION FACILITY, OUTDOOR

1. An outdoor recreation facility shall be permitted as an accessory use to a real estate development provided it is or will be controlled by the Home Owners Association.

3.2.31 RELIGIOUS INSTITUTION

1. A religious institution campus shall not exceed five acres in size. A religious institution campus shall include all contiguous property owned or controlled by the religious institution and all other property owned or controlled by the religious institution that is located within 1,320 feet (1/4 mile) of any portion of the religious institution campus, including ancillary cemetery.
2. Religious institutions not established at the time of this amendment may not be located within 1,320 feet (1/4 mile) of another religious institution campus.
3. The following accessory uses and structures are permitted as part of the religious institution campus: church offices, religious bookstores serving the immediate congregation, parking lots, family life centers, indoor and outdoor recreation facilities, accessory dwelling units for persons employed by the religious institution, elementary or secondary schools (must meet the additional requirements of Section

3 and all applicable state and federal regulations), and day care centers (must meet the additional requirements of Section 3 and all applicable state and federal regulations).

4. Applications for building permits for any principal use or accessory use shall include a comprehensive site plan which addresses the required standards and conditions for the entire religious institution campus.
5. Permanent parking lots shall be placed and screened in accordance with the standards for off-street parking areas in Section 6.
6. A transportation impact analysis must be performed in accordance with Section 8.
7. A religious institution is a place of assembly, as defined.

3.2.32 RESIDENTIAL CARE FACILITY

1. Residential Care Facilities designated as (AR) Additional Requirements shall not exceed 10,000 square feet of building area. This requirement does not apply to Residential Care Facilities designated as (P) Permitted by-right.

3.2.33 RESEARCH LABORATORY

1. Research Laboratories designated as (AR) Additional Requirements shall not exceed 10,000 square feet of building area. This requirement does not apply to Research Laboratories designated as (P) Permitted by-right.

3.2.34 RETAIL PRIMARY & SECONDARY

1. In the Neighborhood General and Village Infill Planning Areas retail secondary uses shall be permitted in storefront and detached house building types, but only in locations where storefront building types are allowed.
2. In Employment Center I and Employment Center II Planning Areas, retail primary and secondary shall be permitted on the first floor only.

3.2.35 SOLAR FARM

1. In order to obtain a building permit for a solar farm the applicant shall provide the following:
 - a. Evidence of compliance with all governmental regulations applicable to a solar farm;
 - b. A site plan which includes dimensions of the parcel, proposed arrangement of solar panels, distance from the coverage area to all property lines, fencing, location of driveways and all structures (including, but not limited to, substations, inverters, transformers, and overhead and underground utility and transmission lines);
 - c. An environmental inventory, per Section 9;
 - d. A landscape plan meeting the requirements of this subsection; and

- e. Proof of ownership or control of the property (deed, lease agreement, etc.)
2. Placement of solar panels shall preserve existing features of the land to the extent possible. Special attention should be paid to hedge rows and specimen trees.
3. Solar farms are exempt from any parking requirements if there is no commercial or office building component, but there shall be location(s) suitable for the temporary parking of service and visitor vehicles.
4. The minimum lot size for a solar farm is 10 acres and the maximum land area covered by a solar panel array (including the spacing between solar panels) is 30 acres measured along the perimeter of the outermost solar panels.
5. Setbacks: Minimum setbacks shall be 0', however, a vegetative screen and/or buffer would be required as noted below.
6. Height: Solar farm panels shall have a maximum height of 15 feet, except for poles and overhead wiring. Underground wiring is encouraged. Any accessory structure associated with the solar farm may be one-story and may not be located forward the first row of solar panels.
7. Safety Fencing:
 - a. All solar farms shall be fenced around the exterior of the solar farm with an opaque or semi-opaque fence of earth tone colors which shall be at least 6 feet in height.
 - b. All fencing shall be constructed so as to substantially lessen the likelihood of entry into a solar farm by unauthorized individuals.
8. Screening: A continuous evergreen vegetative buffer shall be present and maintained at all times around the perimeter of the exterior of the fencing and gates fronting on a public road. The purpose of the vegetative buffer is not to screen the solar panels, but to adequately screen any fencing related to the project while preserving the character of the site along all property boundaries. Innovative natural landscaping is encouraged. All screening shall be approved by the Planning Manager.
9. Buffer: Where the property abuts a residential use, a continuous evergreen buffer is required to grow to at least six feet in height within three years, with at least 75 percent opacity at the time of planting. All required buffers shall be approved by the planning manager.
10. Grazing by farm animals is permitted.
11. All signage must comply with Section 11.

3.2.36 STABLES/RIDING ACADEMY

1. Stables must be located at least 100 feet from property boundaries and shall be a maximum of 200 square feet per boarded horse.

2. The maximum number of boarded horses is two horses per acre.
3. Off-street parking, service areas, and buildings which are not used for residential uses, farm purposes, or the stabling of horses, shall be separated by an opaque screen from the view from any street and from abutting properties. The screen may be a natural (landscape) screen in accordance with the provisions of Section 9.

3.2.37 TRANSIT SHELTER

1. Notwithstanding the setback requirements in Section 2, transit shelters may be located within any street right-of-way or within an established yard fronting a street, but may not be located so as to obstruct the sight triangle.
2. A schematic plan must be submitted and approved by the Planning Director and the Charlotte Area Transit System (CATS) Operations Manager. Such plan must comply with the requirements of Section 6 and CATS standards, and must include the following:
 - a. The location of the proposed shelter relative to street, property lines, and established building yards; and
 - b. The size and design of the shelter, including front, side and rear elevations, building materials, and any public convenience or safety features such as telephones, benches, lighting, heating, and/or trash containers.

3.2.38 VOCATIONAL SCHOOL

1. All principal structures shall meet the standards for institutional buildings set forth in Section 4.
2. Permanent parking lots shall be placed and screened in accordance with the standards for off-street parking areas in Section 10.
3. Notwithstanding the above, where the safe transport of students requires functional separation of parking and circulation areas (i.e. transit, auto drop-off, etc.) The location of parking and circulation areas may be modified, so long as those which abut a street are detailed as plazas.
4. Dust-free, pervious surface areas are encouraged for overflow or event parking. Such areas are not required to conform with the parking requirements of Section 8, if they are maintained in a natural condition (i.e. as a grass field).
5. A transportation impact analysis must be provided in accordance with Section 8 for all new vocational schools.

3.2.39 WHOLESALE ESTABLISHMENT

1. The wholesale establishment is not to exceed 10,000 square feet.
2. The wholesale establishment shall not be located within 500 feet of any residential property.

3.3 TEMPORARY USE STANDARDS

3.3.1 GENERAL STANDARDS FOR ALL TEMPORARY USES

The following general standards shall apply to all temporary uses.

- A. Storage of goods in or sale of goods from trailer(s) or vehicles longer than 30 feet on the site are prohibited unless expressly permitted in the table in Section 3.3.2, below.
- B. Temporary uses and all associated parking shall be conducted behind the average established setback line for structures within 300 feet in either direction on the same side of the street.
- C. Notwithstanding the provisions of Section 3.3.2 below, all temporary uses which include temporary off-street parking areas shall require a temporary use permit. Access and parking plans for such uses shall be approved by the Planning Director and made a part of such permit.
- D. Off-street parking areas are not required to comply with the provisions of Section 8; however off-street parking areas shall not be located in front of the temporary use and shall be a dust-free pervious surface.
- E. All signage shall comply with the provisions of Section 11.
- F. Landscaping will be required in accordance with Section 9 for temporary structures that are permitted for more than 6 months.
- G. Board of Health approval, if applicable as determined by the Planning Director, shall be required for certain uses requiring a temporary use permit. When required, such approval must be documented and made a part of the temporary use permit.
- H. At the conclusion of a temporary use, all areas used in conjunction with such use shall be adequately cleaned of all trash and debris.
- I. Notwithstanding the provisions of Section 3.3.2 below, all temporary uses which are proposed to encroach upon any public property or right-of-way shall require a temporary use permit. No temporary use permit shall be granted for such uses except where an encroachment agreement has been approved by the applicable governing agency.

3.3.2 STANDARDS FOR SPECIFIC TEMPORARY USES

In addition to the general standards applicable to all temporary uses set out in Section 3, above, the following table provides specific standards that apply to individual temporary uses.

Table 3-1: Temporary Uses Table				
Temporary Use	Permitted Planning Areas	Temporary Use Permit	Maximum Length of Time per Site and Applicant	Other Conditions
A. Art Market/Gallery Crawl	Village Center, Village Commerce, and College Campus Planning Area	Required	1 day a week for one year; permit may be renewed annually with administrative approval	<ul style="list-style-type: none"> Such uses must be located on the site of the sponsor business/ organization or on public property with the approval of the appropriate government body.
B. Carnival, Circus, Fair, Festival or Concert	Village Center, Village Commerce, College Campus, and Rural Planning Area	Required	7 days at a time, up to 15 days per year	<ul style="list-style-type: none"> Such uses must be sponsored by a local nonprofit (501c3) organization; no such use shall be located within 500 feet of any residential property. The hours of operation for such uses shall be limited to between 11 AM and 12AM (midnight). Lighting noise, traffic plans must be submitted as part of the temporary use permit.
C. Charitable Activities	All	Not Required	30 days per year	<ul style="list-style-type: none"> Such uses must be sponsored by a public agency, religious institution, civic group, school or other charitable, non-profit (501c3) organization. Such uses must be located on the site of the sponsor organization or on public property with the approval of the appropriate government body.

Table 3-1: Temporary Uses Table				
Temporary Use	Permitted Planning Areas	Temporary Use Permit	Maximum Length of Time per Site and Applicant	Other Conditions
D. Construction or Sales Office (or other structures associated with the development of property)	All	Required	1 year, may be renewed annually with administrative approval.	<ul style="list-style-type: none"> • Sales offices shall be removed upon the first sale of 90% of the lots or units in the project; AND • Construction offices, and all other structures associated with the development of the property, shall be removed upon completion of construction, the expiration of an unexpired building permit, or the issuance of a final certificate of occupancy, whichever occurs first. • Such uses must be located on the same site as the development/ construction with which they are associated. • Such structures shall meet the required setbacks for the applicable planning area to extent practicable given the location of existing buildings and improvements on the site and the location of permitted construction areas. • Such structures may not be regularly occupied by anyone except construction or sales personnel.
E. Farmers' Market	Village Center and Village Commerce Planning Area	Required	1 day a week; may be renewed each year with administrative approval.	<ul style="list-style-type: none"> • Only agricultural products are permitted to be sold. Such uses must be located on the site of the sponsor business/organization or on public property with the approval of the appropriate government body.
F. Garage Sale, Yard Sale or Auction/Pre-Priced Sale	All	Not Required	3 days at a time up to 8 days per year	<ul style="list-style-type: none"> • Only normal household items may be sold.

Table 3-1: Temporary Uses Table				
Temporary Use	Permitted Planning Areas	Temporary Use Permit	Maximum Length of Time per Site and Applicant	Other Conditions
G. Medical Care Cottage	All	Required	1 year, may be renewed annually with administrative approval for a maximum of 3 years.	<ul style="list-style-type: none"> • A medical care cottage must be owned or leased by the same person as the principal dwelling unit. • There shall be no more than one medical care cottage per lot. • The medical care cottage shall be subject to the location requirements of Section 4. • The medical care cottage must be designed, equipped, and used solely to provide medical or nursing care, and all aspects of the unit are physically accessible to older or disabled persons. • The medical care cottage may not be converted to any other use and must be removed when the use is no longer needed or at the expiration of the permit.
H. Outdoor Storage of Campers/Trailers/Recreational Vehicles	All	Not Required	6 months	<ul style="list-style-type: none"> • Such uses shall only be permitted as an accessory use to a residence and shall meet all applicable setback requirements. Campers/trailers/recreational vehicles may be stored in the rear yard only. Outdoor storage of a camper/trailer/recreational vehicle is limited to one per property.
I. Outdoor Storage of Modular Storage Containers	All	Not Required	1 week	<ul style="list-style-type: none"> • Portable, modular storage containers designed to be transported by a private moving company may encroach within the setback area so long as they are located on a private residential driveway.
J. Pick-Your-Own-Produce Markets	Rural Reserve and Rural Planning Area	Required	60 days per year; The Planning Director may grant a longer duration of time for produce with a longer harvest season.	<ul style="list-style-type: none"> • N/A

Table 3-1: Temporary Uses Table				
Temporary Use	Permitted Planning Areas	Temporary Use Permit	Maximum Length of Time per Site and Applicant	Other Conditions
K. Sale of Vehicles at a Place of Residence	All	Not Required	60 days per year	<ul style="list-style-type: none"> Vehicles such as automobiles, motorcycles, recreational vehicles and other similar vehicles may be sold provided that they are operational and titled to a resident living on the premises. No more than 1 vehicle may be sold at a time.
L. Seasonal Sales, such as Christmas trees and/or pumpkins	All	Required	45 days per year	<ul style="list-style-type: none"> All unsold merchandise must be removed at market closing
M. Storage of Construction Equipment	All	Not Required	Duration of construction activity.	<ul style="list-style-type: none"> Such use must be incidental to construction or development occurring on the site.
N. Any Other Use or Event Not Listed	All	Required	To be determined by the Planning Director based upon the nature of the proposed temporary use and any potential adverse impacts to surrounding properties.	<ul style="list-style-type: none"> To be determined by the Planning Director based upon the nature of the proposed temporary use and any potential adverse impacts to surrounding properties.
O. Donation containers	None	NA	NA	<ul style="list-style-type: none"> NA