

TEMPORARY USE PERMIT APPLICATION

City of Spring Hill, Tennessee
Planning Department

5000 Northfield Lane, Ste. 520, Spring Hill, TN 37174
(931) 486-2252 ext. 232 - Fax (931) 486-3596



~~~~~

An application for a Temporary Use Permit must be submitted to the Planning Department and comply with the submittal requirements specified in this application and applicable code sections. In general, an application shall include a completed application, description of the proposed use, site plans/surveys that clearly indicate the location of the proposed activity, including, ingress/egress, temporary structures, parking, refuse collection, and other applicable activities. Article 13.9 of the Unified Development Code contains information for temporary use permits. Temporary uses are also listed in Table 8.1, Use Matrix, and Article 8.4 provides the Temporary Use Standards for selected temporary uses. Please make sure to identify what type of Temporary use you are applying for.

**A Temporary Outdoor Sales Event application will not be accepted more than 90 days prior to a scheduled event. Reviews will be completed within 30 days of submittal.**

~~~~~

Temporary Outdoor Sales events include, but are not limited to, consignment auctions, arts and crafts fairs, flea markets, rummage sales, temporary vehicle sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. A Temporary Outdoor Sales event may include temporary structures, where goods are sold, such as tents. A temporary use does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

~~~~~

Date: \_\_\_\_\_ Project Name: \_\_\_\_\_

Type of Temporary Use: \_\_\_\_\_

Property Address/Location: \_\_\_\_\_

Map/Parcel Number: \_\_\_\_\_ Case Number: \_\_\_\_\_

Current Zoning District(s): \_\_\_\_\_ Property Size: \_\_\_\_\_

Description of Request: \_\_\_\_\_

Indicate Date(s) of Event: \_\_\_\_\_ Fee: \_\_\_\_\_

**PROPERTY OWNER(S) OR AUTHORIZED AGENT:**

I/We certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filling. (If signed by the authorized agent; a letter from each property owner must be provided indicating that the agent is authorized to act on her/his behalf.)

**Property Owner Name (printed):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone number:** \_\_\_\_\_ **Cell #:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Authorized Agent Name (printed):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone number:** \_\_\_\_\_ **Cell #:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**APPLICANT OR REPRESENTATIVE:**

I have read the attached checklist and have complied with all requirements listed and understand that is application may be deemed incomplete if the submittal misses any of the information listed. I also understand that other information may be requested by the Planning Director during review of this request.

**Name (printed):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone number:** \_\_\_\_\_ **Cell #:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Temporary Use Permit Approval Standards:** All temporary uses must comply with the requirements of Article 13.9 (below), and the temporary use standards for the applicable temporary use listed in Article 8.4

1. Unless otherwise allowed by this Code, the temporary use or structure complies with the dimensional regulations of the district in which it is located.
2. The temporary use does not adversely impact the public health, safety, and welfare.
3. The temporary use is operated in accordance with any restrictions and conditions as the Police and Fire Department, or other City officials, may require.
4. The temporary use does not conflict with another previously authorized temporary use.
5. The temporary use provides adequate parking if needed. If located on a lot with an operational principal use, does not impact the parking and site circulation of the principal use.

## **A. Farmers' Market**

1. The timeframe of a farmers' market, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit. A temporary use permit for a farmers' market can be issued on a yearly basis, which allows for a schedule of days per week and number of weeks per year.
2. A management plan is required as part of the temporary use permit application that demonstrates the following:
  - a. The on-site presence of a representative of the farmers' market during hours of operation who directs the operations of vendors participating in the market.
  - b. An established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance when open to the public.
  - c. A general site plan including vendor stalls, parking areas, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.
  - d. Provision for waste removal.
  - e. The days and hours of internal operation, including vendor set-up and take-down times.
3. Any tents used require separate approval as required by the building or fire codes.

## **B. Mobile Food Service**

1. The timeframe of a temporary mobile food sales use, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.
2. The temporary use permit will be evaluated on the basis of the adequacy of the parcel size, parking provisions, traffic access, and the absence of undue adverse impact, including noise, on other properties.
3. All mobile food establishments must be properly licensed by the health department.
4. If the mobile food establishment operator is not the owner of the site where the truck or trailer will be located, written permission from the property owner must be submitted as part of the temporary use permit application.
5. The permit holder must keep the area clear of litter and debris at all times. Recycling options are encouraged.
6. Outdoor seating may be provided on the site, but no seating may be permanently installed.
7. A permanent water or wastewater connection is prohibited.
8. Electrical service may be provided only by temporary service or other connection provided by an electric utility, or an on-board generator.
9. Drive-through service is prohibited.

### **C. Real Estate Project Sales Office/Model Unit**

The following applies to temporary sales offices and model units. If the development maintains a permanent sales office or model unit, which are permitted as part of a residential development, such must be indicated on the site plan for the development.

1. A real estate sales office/model unit(s) is allowed for a residential development. Multiple model units are allowed in a multi-family building or a residential subdivision of 15 or more units.
2. No real estate sales office/model unit(s) may be located off-site, outside of the subject planned unit development, or within a different development.
3. The real estate sales office must be removed and/or closed within 30 days after the sale or rental of the last unit of the development. The model unit(s) must be closed within 30 days after the sale or rental of the last unit of the development. The unit must be converted as stated in item 5 below.
4. All activities conducted within real estate sales office/model unit(s) must be directly related to the construction and sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.
5. A certificate of occupancy will not be issued for the residential occupancy of the model unit until it is fully converted to the dwelling type it represents, including converting garage space back to parking areas, and has been inspected by the City.
6. A manufactured home may be used as a temporary sales office on-site. Such manufactured home must be landscaped as follows:
  - a. Surrounding the perimeter of the manufactured home must be a seven-foot landscape yard adjacent to the skirting, excluding the entryway.
  - b. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on-center.
  - c. The remainder of the perimeter yard must be landscaped with live groundcover. Stones or mulch may not be used for a maximum of 30% of the total area.

### **D. Temporary Contractor's Office and Contractor's Yard**

1. A temporary contractor's office is allowed incidental to a construction project.
2. The temporary use permit is valid for a six-month period and is renewable for six successive periods at the same location. If applicable building permits expire, the temporary use permit automatically expires and the office and yard must be removed.
3. The temporary contractor's office must be removed within 30 days of completion of the construction project.
4. A contractor's yard is permitted on or adjacent to any construction demolition and can only be used during the life of the construction project.

## **E. Temporary Outdoor Entertainment**

1. A management plan is required as part of the temporary use permit application that demonstrates the following:
  - a. The on-site presence of a manager during the event.
  - b. General layout of performance areas, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the site.
  - c. Provision for waste removal and for recycling, if available.
  - d. The days and hours of operation, including set-up and take-down times.
  - e. A description of crowd control, emergency response services, and security measures.
  - f. A lighting plan describing all temporary lighting to be installed.
  - g. Sign plan.
2. Any temporary structures must be removed within three days of conclusion of the event.
3. Events are limited to four events per calendar year and a maximum duration of five days per event, with a minimum of 30 days between events. This limitation applies to the lot, not the operator of the temporary use. The following exceptions apply:
  - a. A temporary use permit for a carnival or circus is valid for a period of four events per calendar year no more than 21 days per event, with a minimum of 30 days between events.
4. Any tents used require separate approval as required by the building or fire codes.

## **F. Temporary Outdoor Sales**

1. A management plan is required as part of the temporary use permit application that demonstrates the following:
  - a. An established set of operating rules addressing the governance structure of the sales event, hours of operation, maintenance, and security requirements.
  - b. General layout of vendor stalls, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the site.
  - c. Provision for waste removal and for recycling, if available.
  - d. The days and hours of operation, including vendor set-up and take-down times.
  - e. A lighting plan describing all temporary lighting to be installed.

2. Any temporary structures must be removed within three days of conclusion of the event.
3. Temporary outdoor sales events are limited to four events per calendar year and a maximum duration of five days per event. This limitation applies to the lot, not the operator of the temporary use. The following exceptions apply:
  - a. A temporary use permit for a seasonal sale, such as Christmas tree lots or pumpkin patches, are limited to four events per calendar year and a maximum duration of 45 days. There is no minimum time between events.
  - b. A portion of a parking area may be used for temporary outdoor sales on a temporary basis for a maximum of 30 days no more than two times in a calendar year, in terms of both display structure and goods displayed or sold. Permanent display structures are prohibited in parking areas. No more than 10% of the required parking area for the existing use may be used for the temporary outdoor sales and display.
4. No sales and display area is permitted in any public right-of-way.
5. Any tents used require separate approval as required by the building or fire codes.

#### **G. Temporary Outdoor Storage Container**

1. Temporary storage containers are permitted in any zoning district when used for loading or unloading. Containers are permitted on site for a period not to exceed fourteen days with no temporary use permit. If a longer time period is required, a temporary use permit is required.
2. Temporary storage containers may not be used for permanent storage or habitation. They may not serve as a substitute for permanent storage needs on the site on which they are located. Containers may not be permanently attached to the ground, serviced with permanent utilities, or stacked on the site.
3. Temporary storage containers cannot be placed in the public right-of-way or placed on a lot to block ingress/egress or impede right-of-way traffic.
4. Temporary storage containers for residential uses may be placed in a driveway only but cannot block the right-of-way, including sidewalks. Temporary storage containers may only be placed on a paved surface.

**"FOR STAFF USE ONLY"**

**Date Application Received:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **Complete:** \_\_\_\_\_

Building Official: \_\_\_\_\_ Date: \_\_\_\_\_

City Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

Fire Marshal: \_\_\_\_\_ Date: \_\_\_\_\_

**Decision of Planning Director:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Conditions of Approval:

---

---

---

---

---

---