



CITY OF CARMEL

TEMPORARY USE APPLICATION

PERMIT # _____

APPLICANT	NAME		PHONE	
	STREET ADDRESS		CITY	STATE ZIP
	E-MAIL ADDRESS		BEST METHOD OF CONTACT	

PROPERTY OWNER	NAME		PHONE	
	STREET ADDRESS		CITY	STATE ZIP

LOCATION OF PROJECT	NAME OF BUSINESS		HAMILTON COUNTY PARCEL NUMBER		
	STREET ADDRESS		CITY	STATE	ZIP
	ZONING	LOT	SUBDIVISION		

TYPE OF USE	<input type="checkbox"/> SPECIAL EVENT <input type="checkbox"/> OUTDOOR SALES <input type="checkbox"/> SEASONAL SALES <input type="checkbox"/> MODEL HOME/SALES (BUILDING PERMIT # _____)				
	<input type="checkbox"/> CONSTRUCTION FACILITY <input type="checkbox"/> FIREWORKS SALES <input type="checkbox"/> TEMPORARY CLASSROOM <input type="checkbox"/> FOOD STAND				

DETAILS OF USE	DATES OF PROPOSED USE		HOURS OF OPERATION	
	FROM: _____ TO: _____		FROM: _____ TO: _____	
	WILL A TEMPORARY STRUCTURE BE REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>		IF YES, SIZE OF STRUCTURE: _____ SQUARE FEET	
MOBILE UNIT CERTIFICATE #:		WILL A SIGN BE REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>		

*** THE FOLLOWING SECTION IS ONLY APPLICABLE TO FIREWORKS SALES ***

FIREWORKS SALES	WILL THE STRUCTURE BE USED FOR MORE THAN 500 LBS OF FIREWORKS? YES <input type="checkbox"/> NO <input type="checkbox"/>	
	DOES THE STRUCTURE ALREADY HAVE A SPRINKLER SYSTEM INSTALLED? YES <input type="checkbox"/> NO <input type="checkbox"/>	
	HAS THE STRUCTURE PREVIOUSLY BEEN USED FOR THE SALE OF FIREWORKS? YES <input type="checkbox"/> NO <input type="checkbox"/>	

*** THE FOLLOWING SECTION IS ONLY APPLICABLE TO FOOD STANDS ***

FOOD STANDS	PLEASE LIST ADDRESSES FOR UP TO 3 SALES AREAS	
	1. _____	
	2. _____	
	3. _____	

CERTIFICATION AND NOTICE OF INTENT TO COMPLY

I HEREBY CERTIFY THAT I HAVE THE AUTHORITY TO MAKE THE FOREGOING APPLICATION, THAT THE PLANS FILED WITH THE APPLICATION ARE CORRECT, AND THAT THE OPERATION AND CONDUCT OF THE TEMPORARY USE WILL CONFORM TO THE REGULATIONS OF THE CARMEL UNIFIED DEVELOPMENT ORDINANCE. FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS PERMIT MAY RESULT IN A CITATION AND ADDITIONAL FEES.

Signature of Owner or Authorized Agent _____

Printed Name _____

Date _____

*****OFFICE USE ONLY*****

REQUIRED BASE INSPECTIONS *
* Additional inspections may be required.

- Fire
- Final / Site

SIGN REVIEWED / RELEASED Initials _____

PERMIT FEES

Temporary Use Fee _____

Base Inspections _____

Certificate of Occupancy _____

TOTAL _____

Reviewed / Released – Department of Community Services _____ Date

Valid Until:

Fee Received – Department of Community Services _____ Date

Temporary Use and Structure Standards (TU)

5.44 TU-04: Outdoor Special Event Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



- A. Zoning Districts: Special Outdoor Events shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall be allowed only as a Temporary Use, requiring a Temporary Use Permit.
- B. Areas designated for Special Outdoor Events shall not be located within nor encroach upon:
 1. Any minimum required setback yard;
 2. Any drainage easement;
 3. A fire lane;
 4. A maneuvering aisle.
- C. Location: Special Outdoor Events may be located within parking areas, provided:
 1. It does not interfere with pedestrian or vehicular access or parking.
 2. It does not create a visibility obstruction to moving vehicles within a parking lot.
 3. The site has adequate on and off-street parking for patrons of the Special Event as determined by the Director of Community Services.
- D. Duration: Duration of Special Events shall not exceed five (5) days per event. The Director of Community Services may provide for a five (5) day extension.
- E. Signs: Signs for Special Outdoor Events shall be prohibited except as provided by *Section 5.39: Sign Standards*.

Temporary Use and Structure Standards (TU)

5.43 TU-03: Outdoor Sales Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:

B1 B2 B3 B5 I1

- A. **Limitations:** As an Accessory Use to the Primary Use on the same lot or tract of land, a person conducting an established business in a principal building shall be permitted to temporarily display goods or merchandise.
- B. **Standards:** Outdoor sales shall conform with the following requirements:
 1. Outdoor Sales shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall be allowed only as a Temporary Use, requiring a Temporary Use Permit.
 2. Areas designated for Outdoor Sales shall not exceed five-percent (5%) of the area of the lot.
 3. Areas designated for Outdoor Sales shall not be located within nor encroach upon:
 - a. Any minimum required setback yard;
 - b. Any drainage easement;
 - c. A fire lane;
 - d. A maneuvering aisle,
 - e. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the lot or parcel.
 4. Outdoor Sales may be located within parking areas, provided it:
 - a. Does not interfere with pedestrian or vehicular access or parking.
 - b. Does not create a visibility obstruction to moving vehicles within a parking lot.
 5. Goods or merchandise displayed in conjunction with an Outdoor Sale shall not exceed six (6) feet in height.
 6. Only three (3) Outdoor Sales, Temporary Use permits shall be issued per property per year. Outdoor Sales, Temporary Use Permits shall be issued for a term of five (5) consecutive days per permit.
 7. Signs for Outdoor Sales shall be prohibited except as provided by *Section 5.39: Sign Standards*.
 8. **Findings:** The Director of Community Services may approve an application for Outdoor Sales, Temporary Use as specified in this section only upon making the following findings:
 - a. The proposed use will not adversely affect adjacent structures and uses nor the surrounding neighborhood;
 - b. The proposed use will not adversely affect the circulation and flow of vehicular and pedestrian traffic in the immediate area;
 - c. The proposed use will not create a demand for additional parking which cannot be met safely and efficiently in existing parking areas;
 - d. The proposed use will not otherwise constitute a nuisance or be detrimental to the public welfare of the community.

Temporary Use and Structure Standards (TU)

5.45 TU-05: Seasonal Outdoor Sales Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



- A. Zoning District: Seasonal Outdoor Sales shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*.
- B. Limitations: Seasonal Outdoor Sales shall be allowed only as a Temporary Use, requiring a Temporary Use Permit. Local non-profit organizations shall be exempt from all fees associated with this type of Temporary Use permit. All licenses, certificates and permits from all governmental agencies shall be prominently displayed on the Outdoor Sales stand.
- C. Special Application Requirements: Submittal of a site plan, indicating sales areas, signage and parking areas, shall be required before the issuance of any permits related to Seasonal Outdoor Sales. Signage plans are also required.
- D. Encroachment Limits: Areas designated for Seasonal Outdoor Sales shall not be located within nor encroach upon:
 - 1. Any minimum required setback yard;
 - 2. Any drainage easement;
 - 3. A fire lane;
 - 4. A maneuvering aisle,
 - 5. Any right-of-way, greenway or trail;
 - 6. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the lot or parcel.
- E. Location: Seasonal Outdoor Sales may be located within parking areas, provided it:
 - 1. Does not interfere with pedestrian or vehicular access or parking.
 - 2. Does not create a visibility obstruction to moving vehicles within a parking lot.
- F. Height Limitation: Goods or merchandise displayed in conjunction with a Seasonal Outdoor Sale shall not exceed nine (9) feet in height.
- G. Permit Limitations: Only one (1) Seasonal Outdoor Sales, Temporary Use permit shall be issued per property per year. Seasonal Outdoor Sales, Temporary Use Permits shall be issued for a term of thirty (30), sixty (60), ninety (90), or 120 consecutive days per permit, depending on use. One-time extensions may be granted for all Seasonal Outdoor Sales, unless otherwise approved by the Board of Zoning Appeals. Seasonal Outdoor Sales shall not be renewed beyond the time period indicated in the Time Limits for Seasonal Outdoor Sales table. Periods of time are considered to include one (1) calendar year.

		Item(s) Sold	
		Fruit/Vegetables	Plants, Flowers and Holiday Items
Time Period	30 Days	X	X
	60 Days	X	X*
	90 Days	X	
	120 Days	X	
* = nonrenewable			

- H. Signs: Signs for Seasonal Outdoor Sales shall be prohibited except as provided by *Section 5.39: Sign Standards*.
- I. Architectural Design, Exterior Lighting, Landscaping and Signage: To ensure the compatibility of the proposed temporary use with adjoining areas, the Director of Community Services shall review the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) application of any proposed Seasonal Outdoor Sale. Once approved by the Director of Community Services, the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) shall not be materially or substantially changed or altered without the prior approval of the Director of Community Services. Plan Commission approval is required prior to the issuance of Temporary Use Permit. An applicant may continue to use an ADLS Approval to obtain subsequent Temporary Use Permits provided that the proposed Temporary Use is consistent with such ADLS Approval, including time limits.

Temporary Use and Structure Standards (TU)

5.41 TU-01: Temporary Construction Facility Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



A. Temporary Construction Facilities:

1. Temporary Construction Facilities, which shall include temporary construction offices, temporary storage units, and temporary sales facilities shall only be permitted according to the applicable zoning district in Article 2: Zoning Districts.
2. Temporary Construction Facilities require a temporary use permit however shall not be assessed the temporary use permit fee.
3. The duration of the temporary construction facility shall be fixed by the Director of Community Services for a term not to exceed eighteen (18) months. However, upon request and upon a site inspection, the Director of Community Services may extend such a permit for a length of time deemed appropriate not to exceed eighteen (18) months per extension.
4. Temporary Construction Facilities shall be removed and permits shall expire within thirty (30) days of the issuance of a Certificate of Occupancy for the related construction project.
5. Temporary Construction Facilities utilized as a temporary sales facility shall be fixed by the Director of Community Services for a term not to exceed four (4) months or upon the issuance of a Certificate of Occupancy for a model home, whichever is less.
6. Temporary Construction Facilities applications intended to be utilized as a temporary sales facility shall be submitted concurrently with a model home or temporary sales center application as regulated under *Section 5.42: Model Homes Standards*.
7. Signs for Temporary Construction Facilities shall be prohibited except as provided by *Section 5.39: Sign Standards*.
8. The Director of Community Services shall ensure prior to issuing a Temporary Construction Facility permit, that:
 - a. If the temporary facility serves multiple properties, that the lot of which the facility is located is not visually prominent from a primary project entryway;
 - b. Adequate access and off-street parking will be provided;
 - c. The placement of the temporary facility on the site shall not obstruct any Vision Clearance;
 - d. The applicant has supplied the mobile unit certification number issued from State Fire Prevention and Building Safety, Division of Code Enforcement; and
 - e. The applicant has supplied a copy of the mobile unit structure plans.

5.42 TU-02: Model Home Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



A. Model Homes:

1. Model Homes, which may include Temporary Sales Offices, may be permitted in all residential districts but only as a Temporary Use, subject to approval by the Director of Community Services based on a finding that the Temporary Use will not detrimentally affect the health, welfare, safety, or morals of the neighborhood under construction for such Temporary Use.
2. The duration of a Model Home permit shall be assigned by the Director of Community Services, for a term not to exceed eighteen (18) months. However, upon request, the Director of Community Services may extend such a permit for increments of six (6) months, so long as the Temporary Use in the aggregate does not continue for more than thirty-six (36) months.
3. The Director of Community Services shall ensure, before issuing a Model Home permit, that:
 - a. Adequate access and off-street parking facilities will be provided,
 - b. That public address systems will not be used,
 - c. That flood lights and other lighting on the subject premises will be directed only upon those premises, and
 - d. That a Certificate of Occupancy will be issued before the Temporary Use commences.
4. A Model Home is also subject to all other regulations of the applicable district.

Temporary Use and Structure Standards (TU)

5.41 TU-01: Temporary Construction Facility Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



A. Temporary Construction Facilities:

1. Temporary Construction Facilities, which shall include temporary construction offices, temporary storage units, and temporary sales facilities shall only be permitted according to the applicable zoning district in Article 2: Zoning Districts.
2. Temporary Construction Facilities require a temporary use permit however shall not be assessed the temporary use permit fee.
3. The duration of the temporary construction facility shall be fixed by the Director of Community Services for a term not to exceed eighteen (18) months. However, upon request and upon a site inspection, the Director of Community Services may extend such a permit for a length of time deemed appropriate not to exceed eighteen (18) months per extension.
4. Temporary Construction Facilities shall be removed and permits shall expire within thirty (30) days of the issuance of a Certificate of Occupancy for the related construction project.
5. Temporary Construction Facilities utilized as a temporary sales facility shall be fixed by the Director of Community Services for a term not to exceed four (4) months or upon the issuance of a Certificate of Occupancy for a model home, whichever is less.
6. Temporary Construction Facilities applications intended to be utilized as a temporary sales facility shall be submitted concurrently with a model home or temporary sales center application as regulated under *Section 5.42: Model Homes Standards*.
7. Signs for Temporary Construction Facilities shall be prohibited except as provided by *Section 5.39: Sign Standards*.
8. The Director of Community Services shall ensure prior to issuing a Temporary Construction Facility permit, that:
 - a. If the temporary facility serves multiple properties, that the lot of which the facility is located is not visually prominent from a primary project entryway;
 - b. Adequate access and off-street parking will be provided;
 - c. The placement of the temporary facility on the site shall not obstruct any Vision Clearance;
 - d. The applicant has supplied the mobile unit certification number issued from State Fire Prevention and Building Safety, Division of Code Enforcement; and
 - e. The applicant has supplied a copy of the mobile unit structure plans.

5.42 TU-02: Model Home Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



A. Model Homes:

1. Model Homes, which may include Temporary Sales Offices, may be permitted in all residential districts but only as a Temporary Use, subject to approval by the Director of Community Services based on a finding that the Temporary Use will not detrimentally affect the health, welfare, safety, or morals of the neighborhood under construction for such Temporary Use.
2. The duration of a Model Home permit shall be assigned by the Director of Community Services, for a term not to exceed eighteen (18) months. However, upon request, the Director of Community Services may extend such a permit for increments of six (6) months, so long as the Temporary Use in the aggregate does not continue for more than thirty-six (36) months.
3. The Director of Community Services shall ensure, before issuing a Model Home permit, that:
 - a. Adequate access and off-street parking facilities will be provided,
 - b. That public address systems will not be used,
 - c. That flood lights and other lighting on the subject premises will be directed only upon those premises, and
 - d. That a Certificate of Occupancy will be issued before the Temporary Use commences.
4. A Model Home is also subject to all other regulations of the applicable district.

Temporary Use and Structure Standards (TU)

5.46 TU-06: Firework Sales Standards

This Temporary Use and Structure Standards (TU) section applies to the following zoning districts:



A. Limitations:

1. *General Retail*: The temporary sale of legal fireworks shall only be permitted in the zoning districts permitting General Retail, according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall only be permitted as a Temporary Use, requiring a Temporary Use Permit.
2. *Building and Fire Code*: Legal fireworks shall only be sold from permanent structures meeting the conditions of the *2003 Indiana Building Code (sec 307.5)* and *2003 Indiana Fire Code (sec 202)*.
3. *Per Property*: Only one (1) Sale of Fireworks, Temporary Use Permit shall be issued per property per year. Sale of Fireworks, Temporary Use Permits shall be issued for a term not to exceed thirty (30) consecutive days.

B. Signs: Signs for Sale of Fireworks shall be prohibited except as provided by *Section 5.39: Sign Standards*.

C. Special Application Requirements: Sale of Fireworks, Temporary Use Permits applications shall include:

1. Three (3) copies of permit from Indiana State Fire Marshall;
2. Three (3) copies of Proof of Insurance;
3. Three (3) site plans illustrating the following:
 - a. Location of all structures;
 - b. Public right-of-ways and easements;
 - c. Parking spaces, parking lot circulation;
 - d. Location of proposed temporary signage.
4. Three (3) structure plans illustrating the following:
 - a. Location of the fireworks;
 - b. Location of sprinklers and exits.

Use-Specific Standards (US)

5.63 US-17: Carnival, Fair and Circus Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

B1

- A. Not to exceed fifteen (15) days per calendar year.

5.64 US-18: Roadside Sales Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

B1 B6

- A. Shall not exceed six (6) months per calendar year.

5.65 US-19: Automobile Service Station Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

B1 B2 B3 B6 B8 I1

- A. Automobile Service Stations:

- 1. *Setback:*

- a. Principal Building: Per primary zoning district.
- b. Pumps and Pump Islands: Minimum eighty (80) feet from residentially zoned or used property. May not be located within required yards.

- 2. *Lighting:*

- a. Light standards may be located within the required Front Yard.
- b. Light standards shall be located a minimum of thirty (30) feet from residentially zoned or used property.
- c. Intensity: Lighting shall not cause illumination beyond any residential Lot Line or road right-of-way line in excess of 0.1 Foot-candle of light. Lighting shall not cause illumination beyond any non-residential tract or parcel line or road right-of-way line in excess of 0.3 Foot-candle of light.

5.66 US-20: Food Stand Use-Specific Standards

These Use-Specific Standards (US) apply to the following districts:

P1 B1 B2 B3 B5 B6 B7 B8 C1 C2 I1 M3

- A. Food Stands shall only be permitted according to the applicable zoning district in *Article 2: Zoning Districts*. Such uses shall only be allowed as a Temporary Use, requiring a Temporary Use Permit. All licenses, certificates and permits from all government agencies shall be prominently displayed on the Food Stand. Non-incorporated children's stands, such as a lemonade stand, shall be exempt from Temporary Use permits.
- B. Submittal of a site plan, indicating sales areas, shall be required before the issuance of any permits related to Food Stands. Signage plans are also required. Areas designated for Food Stands shall not be located within nor encroach upon:
 - 1. Any drainage easement;
 - 2. A fire lane;
 - 3. A maneuvering aisle,
 - 4. Any right-of-way, greenway or trail;
 - 5. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the lot or parcel.
- C. Food Stands may be located within parking areas, provided it:
 - 1. Does not interfere with pedestrian or vehicular access or parking.
 - 2. Does not create a visibility obstruction to moving vehicles within a parking lot.
- D. Food Stands shall be removed from the premises when not in operation.
- E. The height of the Food Stand, including all accessory equipment and signage, shall not exceed ten (10) feet.
- F. Signage in conjunction with a Food Stand shall be attached to the Food Stand and shall not exceed ten (10) square feet in area.
- G. Food Stand vendors shall be prohibited from using or maintaining sound amplifying equipment, lights or noisemakers, such as bells, horns or whistles.
- H. Customer seating areas associated with Food Stands shall be prohibited.
- I. Temporary Use Permits for Food Stand may be issued for up to one (1) year.
- J. All Food Stand requirements listed herein are in addition to health and safety codes administered by the State or County Health Departments.