

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.