

Temporary Improvement Location Permit

9.06 Temporary Improvement Location Permit

- A. **Applicability:** A Temporary Improvement Location Permit shall be required prior to establishment of a temporary use of land or structure. The following are examples of projects necessitating a Temporary Improvement Location Permit process:
- Temporary sign
 - Tent sale
 - Construction trailer
 - Model home
- B. **Filing Requirements:**
1. **Application:** Application for a Temporary Improvement Location Permit shall be made on a form provided by the Zoning Administrator. Supporting information shall be submitted as per all applicable requirements described below.
 2. **Establishment of a Temporary Use of Land or Structure:** The following application and supporting information, when applicable, shall be provided on a site plan, application form, or as an attachment.
 - a. Property owner's name, mailing address, phone number and/or email address.
 - b. Applicant's name, mailing address, phone number, and/or email address, if different than owner.
 - c. Written detailed description of the proposed project.
 - d. Date submitted and signed.
 - e. Signature of the applicant, testifying that they are authorized to represent the property.
 - f. Any other information requested on the application form.
 - g. A drawing of the parcel with dimensions.
 - h. The location of existing structures (e.g. building, parking lot, sidewalk, or driveway).
 - i. The location of the proposed temporary structure
 - j. The applicable setbacks shown on the parcel drawing.
 - k. Description of the proposed temporary land use.
 - l. Description of the desired duration of the temporary structure and/or land use.
 - m. An affidavit stating the proposed temporary structure does not impede drainage, sight visibility, vehicular circulation, pedestrian circulation, or emergency exit.
 3. **Deadline:** Applications for a Temporary Improvement Location Permit may be filed any time.
 4. **Fees:** The applicable fee shall be paid at the time the application for a Temporary Improvement Location Permit is filed.
- C. **Permit Procedure:**
1. **Substantially Complete Application:** An application for a Temporary Improvement Location Permit shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator shall first verify that the application form and required supplemental information has been submitted correctly, and the applicable application fee is paid.
 2. **Review the Project's Compliance:** After the application is verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with the Unified Development Ordinance. The Zoning Administrator may consult with the City Engineer, Building Commissioner, Park Superintendent, or any other person, department, or group to determine if the project complies with all of the provisions of the Unified Development Ordinance. During the review process, the Zoning Administrator may:
 - a. **Request Additional Information:** During the process of rendering a decision, the Zoning Administrator may request additional information to be added to the site plan, application form, or attachments.
 - b. **Exercise Discretion:** Some provisions within the Unified Development Ordinance allow the Zoning Administrator to apply discretion to a decision. If such discretion is exercised, the Zoning Administrator shall describe the decision and cite the authority for that discretion.

Temporary Improvement Location Permit

- c. Interpret the Unified Development Ordinance: Because the Unified Development Ordinance cannot address every possible unique situation, project features, or land use, the Zoning Administrator shall interpret the intent of the Unified Development Ordinance when not specifically addressed.
 3. *Render a Decision*: The Zoning Administrator shall render a "decision to deny" or "decision to approve" based on the information submitted, project review, discretion exercised, and interpretations made.
 4. *Issuing a Temporary Improvement Location Permit*: If the proposed project complies with the Unified Development Ordinance and, the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue a Temporary Improvement Location Permit.
 5. *Decision to Deny*: If the proposed project does not comply with the Unified Development Ordinance, the Zoning Administrator shall not issue a Temporary Improvement Location Permit. The Zoning Administrator shall internally document the reasons for not issuing a Temporary Improvement Location Permit and send that information to the applicant by email or U.S. Mail, or by telephone. If an email is used to communicate denial, documentation that the email was received shall be included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If a proposed project does not comply with the Unified Development Ordinance, the applicant may promptly revised the application, or may promptly pursue relief from the Unified Development Ordinance.
 6. *Allowance for Revision Prior to a Decision*: Not applicable.
 7. *Allowance for Revision After a Decision to Deny*: After a decision to deny, the applicant may promptly revise the site plan, application form, or attachment in order to comply with the Unified Development Ordinance without terminating the process.
 8. *Pursuit of Relief*: After a decision to deny, the applicant may promptly pursue an administrative appeal or variance from development standards. During an appeal for relief, the application for Improvement Location Permit shall be suspended until the Board of Zoning Appeals rules on the matter.
- D. Duration:
1. *Procedural Expiration*: An application shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or pursues relief from the Board of Zoning Appeals within 30 days from notification.
 2. *Commencement*: After a Temporary Improvement Location Permit is issued, the permit shall expire after the last approved date for the temporary use and/or structure.
 3. *Permit Expiration*: A Temporary Improvement Location Permit shall be issued for the dates requested by the applicant and within the ordinance limits as described in *Temporary Use and Structure Standards* in Article 5. The permitted dates shall be displayed on the Temporary Improvement Location Permit.
 4. *Extensions*: Not applicable.
- E. Modification After Issuance of a Temporary Improvement Location Permit: Not applicable.