

SECTION 22A SEASONAL USES

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## 2201A Intent

To provide for the regulation of seasonal uses and accessory structures including fruit and vegetable stands, and Christmas tree sales lots. Other similar temporary uses may be approved by the Director of Planning and Community Development.

## 2202A General Requirements

- 2202A.01 Seasonal uses and accessory structures shall be allowed only on sites with approved Site Improvement Plans. This requirement shall not apply to Farmers Markets and fruit and vegetable stands in the A-1 or LRR zone districts. *(Amended 1/28/14)*
- 2202A.02 Sign permits shall be required in accordance with the sign section of this Resolution.
- 2202A.03 Mobile homes or trailers, used in conjunction with the seasonal use, shall be prohibited, except when used in conjunction with Christmas tree sales lots.
- 2202A.04 A \$250 cleanup fee shall be submitted to the Planning Division prior to permit issuance. The cleanup fee is refundable. The permit holder shall be responsible for providing notice to the Planning Division, within 30 days of the permit expiration, that the use has ceased. The Permit Expediter shall inspect the site to ensure site cleanup prior to refunding the fees.
- 2202A.05 The permit holder shall be responsible for all sales tax, state and federal taxes, license, etc., required by other agencies.

## 2203A Farmers Markets and Fruit and Vegetable Stand - Specific Requirements

- 2203A.01 Farmers markets and fruit and vegetable stands shall be allowed only in the A-1, LRR, LSB, B, C, LI, GI, CMTY, D, HC, and MI zoning districts or similar zones of a PD as allowed by the development plan. The sale of products produced or raised on a site in the A-1 or LRR zoning districts is permitted by right, and therefore exempt from these regulations. *(Amended 1/28/14)*
- 2203A.02 A seasonal use permit shall be issued for up to a 3-month period. An extension may be requested prior to the expiration of the permit, limited to one additional 3-month period within any 12-month period. An extension request fee of \$100 shall be required.
- 2203A.03 Hours of operation shall be limited to daylight hours.

**2204A Christmas Tree Sales Lot - Specific Requirements**

- 2204A.01 Christmas tree sales lots shall be permitted only in the B, C, LI, GI, CMTY, D, HC, and MI zoning districts or similar zones of a PD as allowed by the development plan. Christmas tree sales as allowed in the A-1 or LRR zoning district are permitted by right and are therefore exempt from these regulations. *(Amended 1/28/14)*
- 2204A.02 A seasonal use permit shall be issued for a 2-month period starting November 1 and continuing through December 31 of the same year. However, no permit shall be required for Christmas tree sales lots that operate for a period of less than 30 days.
- 2204A.03 Hours of operation shall include both daylight and after sunset hours. Lighting shall be permitted in accordance with the requirements of the Lighting Standards section of this Resolution.

**2205A Seasonal Use - Permitting Procedure *(Amended 1/28/14)***

- 2205A.01 The applicant shall submit the application fee and the information required in Section 2206A herein to the Planning Services Division.
- 2205A.02 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff and other agencies such as Engineering Services, the Douglas County Sheriff's Office, the affected fire district, and health department shall review the application.
- 2205A.03 After review by Engineering Services, the fire district, and the health department, the Planning Services Division shall have the final approval or denial. Planning Services Division approval shall be based upon a finding that:
- The proposed use will not have a substantial adverse affect on adjacent uses, buildings, structures, public services, or the natural environment.
  - The nature of the proposed use will not be detrimental to the health, safety, or welfare of the community.
- 2205A.04 Appeals to an administrative determination shall be processed in accordance with Section 26A of this Resolution.

**2206A Seasonal Use - Submittal Requirements *(Amended 1/28/14)***

- 2206A.01 Completed land-use application form
- 2206A.02 Proof of ownership

- 2206A.03 A notarized letter of authorization from the landowner permitting a representative to process the application.
- 2206A.04 A detailed description of the use, including:
- Hours of operation
  - Number of employees, including the designation of an on-site manager or management team
  - Product volume
- 2206A.05 A site plan depicting:
- Lot boundary
  - Driveway access
  - Zoning of the lot
  - Dimension of existing and proposed structures
  - Setback from the lot line
  - Location of required off-street parking/loading areas
  - Vicinity map
  - Food service and vendor location
  - Method of trash disposal and location of bins
  - Water requirements, including the source of water
  - Sanitation requirements, including the number and location of temporary toilets