

CITY OF GRASS VALLEY
APPLICATION PACKET FOR

LIMITED TERM PERMIT

Attached are the filing forms and instructions for submitting a complete limited term permit. Limited term permits are for the short-term activities that may not comply with particular standards of the applicable zone, but may otherwise be acceptable because of their temporary nature and if reviewed and appropriately conditioned in compliance with [Section 17.72.040](#) of the Development Code. All forms must be completely filled out and submitted with any necessary supporting information. This packet includes the following forms and information sheet:

1. Application Form
2. Supplemental Application Information Form

Upon receipt of the **completed forms, site plan/maps, and filing fees**, the Community Development Department will determine the completeness of the application. This review will be completed as soon as possible, but within thirty (30) days of the submittal of the application. If sufficient information **has not** been submitted to adequately process your application, you will receive a notice that your application is incomplete along with instructions on how to complete the application. **Once the City receives the** additional information or revised application, the thirty (30) day review period will begin again. If the Limited Term Permit application is determined to be complete, and before a decision on said application, the City shall provide notice in compliance with Chapter 17.92 (Public Hearings).

The notice shall state that the Director will decide whether to approve or deny the Limited Term Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision.

If a public hearing is requested, the Director shall schedule the hearing which shall be noticed and conducted in compliance with Chapter 17.92.

If no public hearing is requested, the Director shall render a decision on the date specified in the notice.

Since the information contained in your application is used to evaluate the project and in the preparation of the staff report, it is important that you provide complete and accurate data. Please review and respond to each question. If a response is not applicable, N/A should be used in the space provided. Failure to provide adequate information could delay the processing of your application.

Additional information may be obtained at www.cityofgrassvalley.com regarding the 2020 General Plan and Zoning. You may also contact the Community Development Department at (530) 274-4330; 125 East Main Street, Grass Valley, CA 95945.

CITY OF GRASS VALLEY LIMITED TERM PERMIT APPLICATION

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|---|
| Limited Term Permit Filing Fee \$ 450.00 |
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Location Address: _____

Type of Use: _____

Proposed Length of Permit (Total Days): _____

Proposed Days per Week and Hours per Day: _____

Assessor's Parcel No.(s): _____

Zoning (Consistent with Development Code): _____

| |
|---|
| <u>Property Owner</u> |
| Name: _____ |
| Address: _____ |
| City/State/Zip: _____ |
| Phone(s): _____ |
| E-mail: _____ |
| Signature: _____ |
| <i>(A property owner's representative can sign if the property owner provides a letter of consent.)</i> |

| |
|--|
| <u>Applicant / Representative</u> |
| Name: _____ |
| Address: _____ |
| City/State/Zip: _____ |
| Phone(s): _____ |
| E-mail: _____ |
| <p>I have reviewed this completed application and have provided the required attachments. I understand that the City may not approve this application, or conditions may be applied.</p> |
| Signature: _____ |

| | | |
|-------------------------------|-------------------------|--------------|
| ** OFFICE USE ONLY ** | | |
| Application No.: | Date Filed: | Amount Paid: |
| Fees Paid by: | | |
| Other Related Application(s): | Public Hearing Request: | |

Please attach the following to the **LIMITED TERM PERMIT:**

- Location Map/Site Plan** showing property boundaries and proposed structures in proximity to streets and exact location on the property.
1 copy: 8½ x 11 or 11 x 17 (if greater than 11 x 17, include 4 sets).
If determined necessary by the Planning Director, this application may proceed to the Planning Commission, requiring additional copies.
- Proposed Signage** indicating dimensions, text and location on the structure.
- Photograph of Booth/Stand**
- California Sales Tax Permit (State Board of Equalization)**
- Proof of Insurance**

Please attach the following to the **MINOR USE PERMIT:**

- Location Map/Site Plan** showing all property lines, buildings and other structures, and indicating the proximity to streets and exact location of the proposed use on the property.
1 copy: 8½ x 11 or 11 x 17 (if greater than 11 x 17, include 4 sets).
If determined necessary by the Planning Director, this application may proceed to the Planning Commission, requiring additional copies.
- Provide written justification to support the findings listed in Section 17.72.060 of the Development Code (page 7-24).**

Please attach the following to the **MINOR VARIANCE PERMIT:**

Location Map/Site Plan showing all property lines and indicating the proximity to streets and exact location of the structure on the property. Show the variance request on the site plan

1 copy: 8½ x 11 or 11 x 17 (if greater than 11 x 17, include 4 sets).

If determined necessary by the Planning Director, this application may proceed to the Planning Commission, requiring additional copies.

Provide written justification to support the findings listed in Section 17.72.070 of the Development Code (page 7-25).

17.72.040 - Limited Term Permits

- A. Purpose.** This Section establishes procedures and standards for Limited Term Permits for the short-term activities specified in this Section. These are activities that may not comply with particular standards of the applicable zone, but may otherwise be acceptable because of their temporary nature and if reviewed and appropriately conditioned in compliance with this Section.
- B. Applicability.** The activities regulated by this Section shall not be established, operated, or conducted in any manner without the prior approval and maintenance of a Limited Term Permit.
- C. Review authority.** A Limited Term Permit may be reviewed and approved or denied administratively by the Director, in compliance with this Section.
- D. Exempt short-term activities.** The following activities are allowed without a Limited Term Permit. Subsection E. (Allowed short-term activities) identifies short-term activities that may be allowed with Limited Term Permit approval.
- 1. Construction yards - On-site.** On-site contractor's construction yard for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit authorizing the construction project, whichever first occurs.
 - 2. Emergency facilities.** Emergency public health and safety needs/land use activities, as determined by the Council.
 - 3. Fund-raising community events or car washes.**
 - a. Community events (e.g., bake sales, yard sales, etc.) conducted on property within a commercial, industrial, or institutional zone, limited to a maximum of two days for each sponsoring organization.
 - b. Car washes conducted on property within a commercial, industrial, or institutional zone, limited to a maximum of two days per month for each sponsoring organization.
 - c. Sponsorship shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Revenue and Taxation Code.
 - 4. Garage sales.** See Municipal Code Section 5.44.010.
 - 5. Model homes.** A model home or model home complex may be authorized before the completion of subdivision improvements in compliance with the following standards.
 - a. The sales office and any off-street parking shall be converted back to residential use and/or removed before the issuance of the Final Occupancy Permit or within 14 days from the sale of the last parcel in the subdivision, whichever first occurs.
 - b. The model home complex shall be used to sell only units within the subdivision within which the complex is located.

- c. Model home permits will be finalized and the model homes will be allowed to be open to the public only after all subdivision improvements are completed and accepted by the City.
 - d. Model home sign permits will be issued only after all subdivision improvements are completed and accepted by the City.
 - e. The review authority may require other conditions of approval deemed reasonable and necessary to protect the public health, safety, and general welfare of persons residing or working in the neighborhood.
- 6. Public property or public right-of-way.** Activities conducted on public property that are authorized by an Encroachment Permit, if required.
- 7. Public parks.** Activities conducted within public parks which are subject to the issuance of a permit from the Parks and Recreation Department.
- 8. Temporary occupancy during construction.**
- a. **Major development projects.** A temporary structure and property may be used during the construction phase of an approved major development project (e.g., residential projects with five or more dwelling units or any commercial or industrial project). The structure or property may be used as offices or for the storage of equipment and/or tools; provided, the temporary structure is located within the City.
 - b. **Minor development projects.** An existing dwelling unit or a temporary structure and property may be used during the construction phase of an approved minor development project (e.g., residential projects with four or fewer dwelling units). The structure or property may be used as a temporary residence, an office, or for the storage of equipment and/or tools.
 - c. **Appropriate operating criteria.** Operation of the use shall comply with the following criteria:
 - (1) Proper provisions for adequate and safe ingress and egress;
 - (2) All work shall be performed on-site;
 - (3) Proper storage of asphalt, concrete, and dirt at designated sites within the subject property; provided, the applicant furnishes a schedule, acceptable to the Director, for the periodic disposal or recycling of these materials;
 - (4) Proper provisions designed to minimize potential conflicts between the work to be performed on-site and the ordinary business and uses conducted within the City;
 - (5) All work areas shall be kept in an orderly, clean, and safe condition; and
 - (6) Only one temporary structure (e.g., trailer) may be placed on-site.
 - d. **Duration of use.** The use may operate for up to 12 months following the issuance of the companion Building Permit, or upon completion of the subject development project, whichever first occurs.

- b. **Extension of permit.** The permit may be extended by the Director if a written request for extension is submitted before expiration of the permit and reasonable reasons are provided by the applicant to justify the requested extension (e.g., the delay was caused by reasons beyond the control of the applicant). The permit may be extended for up to an additional 18 months.
8. **Temporary real estate sales offices.** A temporary real estate sales office may be established within the area of an approved subdivision, solely for the first sale of homes. An application for a temporary real estate office may be approved for a maximum of 12 months from the date of approval.
9. **Temporary structures.** A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved for a maximum of 12 months from the date of approval, as an accessory use or as the first phase of a development project.
10. **Temporary vendor carts/stands.** A temporary cart or stand may be used for the outdoor sales of food and beverages (e.g., fruit, hot dogs, ice cream) and merchandise, when conducted in compliance with the following standards:
- a. For the purposes of this Section the following terms shall have the following definitions:
- (1) Itinerant vendor shall mean and include:
- (a) Any person who has no established place of business within the City and who is engaged in transient business, traveling from place to place for the purpose of selling any goods, merchandise, services, or wares, or for the purpose of taking orders for the sale of any goods, merchandise, services, or wares to be delivered or performed at some future time and date; and
- (b) Any person who has obtained the proper City licenses, permits, and private permission to engage in a transient business in one location or set up a temporary location for the purpose of selling any goods, merchandise, services, or wares, or for the purpose of taking orders for the sale of any goods, merchandise, services, or wares to be delivered or performed at some future time and date.
- (2) Street vendor shall mean and include any person who will stand or park any cart or stand from which fruits, goods, merchandise, vegetables, wares, or food stuffs are sold, displayed, or offered for sale.
- b. The cart or stand may only operate within the confines of private courtyards, patios, plazas, interior gardens, or in parking lots if the applicant and property owner can demonstrate that the cart or stand will not impact parking, and shall complement and enhance the shopping center's retail environment and enliven the streetscape within commercial zones of the City.
- c. The cart or stand may only operate within the commercial zones within the City.
- d. Only one cart or stand shall be allowed within a single shopping center.
- e. The permit for the cart or stand may be approved for up to 12 months. The permit may be extended by the Director if a written request for extension is submitted before expiration of the permit. The permit may be extended for up to an additional 12 months.

- f. The cart or stand vendor may only operate in compliance with the following limitations. Except as otherwise provided in this Section, no vendor shall operate within the City:
- (1) Between the hours of 7:00 p.m. and 11:00 a.m. daily;
 - (2) Within 1,000 feet of any park, playground, public recreation facility, or school property;
 - (3) Within 50 feet of any public street intersection;
 - (4) In a manner which constitutes a violation of California Vehicle Code Section 22400 and 22507;
 - (5) In a City parking lot; or
 - (6) Within the Downtown Historic District, unless associated with a seasonal event authorized by a Limited Term Permit issued in compliance with this Section.
- g. The provisions of this Subsection shall not apply to persons delivering articles upon order of or by agreement with a customer from a store or other fixed place of business or distribution.
- h. Each cart or stand shall be freestanding, non-motorized, portable, and limited to the sale of beverages, food, and other like merchandise.
- i. Each cart or stand shall be approved individually as to its design and aesthetic characteristics, location, and size, including signs.
- j. A Business License to operate the cart or stand shall be obtained from the City.
- k. No cart or stand, nor a portion of a cart or stand, shall be located within the public right-of-way, nor impede the normal use of circulation aisles or driveways, nor be located in a manner that encourages customers to stop in the circulation aisle, driveway, or street to obtain vendor service.
- l. The vendor shall be responsible to ensure that the cart or stand, and the area around the cart or stand, shall be kept in a clean, neat, orderly, safe, and sanitary condition at all times.
- m. Each cart or stand operating under the provisions of this Subparagraph and in compliance with the permit issued under this Section shall be equipped with a trash receptacle of a size sufficient to accommodate all of the trash and refuse generated by its vending activities.
- n. All signs associated with the cart or stand shall be in compliance with Chapter 17.38 (Signs).
- o. The vendor shall display the permit on their person at all times while engaged in any vending activities.
- p. The Director may require the vendor to post a cash bond or other surety acceptable to the Director to ensure compliance with any or all of the conditions identified in this Subparagraph. The posting shall be in compliance with Section 17.74.050 (Performance Guarantees).

11. **Temporary work trailers.** A trailer or mobile home used as a temporary work site for employees of a business, provided that:
 - a. The use is authorized by a Building Permit for the trailer or mobile home, and the Building Permit for the permanent structure;
 - b. The use is appropriate because:
 - (1) The trailer or mobile home will be in place during construction or remodeling of a permanent commercial or manufacturing structure for a maximum of 12 months; or
 - (2) The applicant has demonstrated that the temporary work site is a short-term necessity for a maximum of 12 months, while a permanent work site is being obtained.
 - c. The trailer or mobile home is removed before final building inspection or concurrently with the issuance of a Certificate of Occupancy for the permanent structure.
 12. **Similar short-term activities.** A short-term activity that the Director determines is similar to the other activities listed in this Subsection, and compatible with the applicable zone and surrounding land uses.
- F. Development standards.** The Director shall establish standards based on the type of short-term activity, using the requirements of the applicable zone for guidance.
- G. Application requirements.** An application for a Limited Term Permit shall be prepared, filed, and processed in compliance with Chapter 17.70 (Permit Application Filing and Processing). It is the responsibility of the applicant to establish evidence in support of the findings required by Subsection I. (Findings required), below.
- H. Project review, notice, and hearing.** Before a decision on a Limited Term Permit, the City shall provide notice in compliance with Chapter 17.92 (Public Hearings).
1. **Public notice.** The notice shall state that the Director will decide whether to approve or deny the Limited Term Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision.
 2. **If hearing is requested.** If a public hearing is requested, the Director shall schedule the hearing which shall be noticed and conducted in compliance with Chapter 17.92 (Public Hearings).
 3. **If no hearing is requested.** If no public hearing is requested, the Director shall render a decision on the date specified in the notice referred to in Subsection H.1, above.
- I. Findings required.** The approval of a Limited Term Permit shall require that the Director first find that the proposed short-term activity complies with all applicable requirements of this Section.

- J. Post review procedures.** The procedures and requirements in Chapter 17.74 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 9 (Development Code Administration), shall apply following a decision on a Limited Term Permit application.
- 1. Site condition following short-term activity.** Each site occupied by a short-term activity shall be cleaned of debris, litter, or other evidence of the short-term activity on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Development Code. Performance security may be required before initiation of the activity to ensure cleanup after the activity is finished.
 - 2. Performance security for temporary structures.** Before issuance of a Limited Term Permit the applicant shall provide performance security in a form and amount acceptable to the Director to guarantee removal of all temporary structures within 30 days following the expiration of the Limited Term Permit.
 - 3. Performance security requirements.** Any required performance security shall be furnished to the City in compliance with Section 17.74.050 (Performance Guarantees).