

FOR OFFICE USE ONLY

Fees received by: _____ Date of submittal: _____

Amount paid: _____ Receipt number: _____

Fee: \$125.00, Plus \$500 Refundable Bond *CASH OR CHECK ACCEPTED*



CITY OF
SARATOGA SPRINGS

TEMPORARY USE APPLICATION
Updated April 2015

Applicant & Project Information

Project name/type of business: _____

Applicant / Authorized Agent: _____

Address: _____ City: _____ Zip: _____

Phone: _____ Cell: _____

E-mail Address: _____

Property owner: _____

Address: _____ City: _____ Zip: _____

Phone: _____ Cell: _____

Email Address: _____

General location for the temporary use: _____ **Zoning:** _____

Surrounding land uses/businesses: _____

Dates of operation: _____

Hours of operation: _____

Number of employees per shift: _____

Supporting Materials

In an effort to provide the best service and most efficient review of your application, no planning application will be accepted unless an appointment is made and the application is determined to be complete, containing all items on the application checklist. To schedule an application submittal appointment, please contact the Planning Department Administrative Assistant at 801-766-9793 x126.

Plans will be routed for review the first business day after they are received. Once routed, most applications will receive a response within 10 business days. Reviews may occasionally take longer for large projects or those with complex circumstances; in these instances the City will notify the applicant of the extended review period.

Staff Use Only:

- Anticipated review of 10 business days Anticipated review of more than 10 business days

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19.05.10. Temporary Uses.

1. **Purpose and Intent.** The purpose and intent of the Temporary Use section is to allow certain uses within the City of Saratoga Springs which are temporary, or seasonal in nature, in a manner that such uses will be compatible with the land use zone and adjacent properties. A Temporary Use, which is subject to the provisions in this Section, is a commercial business venture for which a business license is required.
2. **Uses:** the following are acceptable Temporary Uses, as defined in Section 19.02.02:
 - a. Produce Stand or Farmers Market
 - b. Fireworks Stand*
 - c. Christmas Tree Lot
 - d. Snow Shack or Ice Cream Vendor*
 - e. Pumpkin Patch
 - f. Festivals including Bazaars or Fairs
 - g. Temporary Retail (tent or sidewalk sale)*
 - h. Mobile Food Vendors*

* These uses are limited to non-residential and agricultural zones, unless occurring as part of a City approved special event, or wholly within the property boundaries of an institutional use or park.

3. **Standards for Temporary Uses.** A Temporary Use shall comply with the general standards as provided within this section:
 - a. Written approval from all brick and mortar businesses, meaning a permitted business in a permanent structure, within 300' shall be obtained for all Temporary uses.
 - b. All Temporary uses except for roadside stands require curb, gutter, and a paved surface on site. Temporary road base shall qualify as a paved surface, and shall be removed immediately upon completion of the Temporary use unless occurring as part of a separate development permit.
 - c. All Temporary uses except roadside stands are required to provide sanitary facilities for waste disposal for protection of community health and safety. This may be met through agreement with a host business or through temporary restroom facilities.

- d. All temporary uses shall provide a receptacle for garbage, and shall be responsible for garbage removal.
- e. Night lighting shall be compatible with adjacent uses. This requires all lighting to be shielded and directed downward to avoid light spill onto adjacent properties.
- f. All signs must comply with City adopted sign regulations.
- g. A use and/or display may not be placed within the right-of-way or on any landscaped area.
- h. No temporary use may occur within the clear view triangle of any intersection.
- i. No more than one temporary use is allowed per lot or parcel at any one time, including those approved by the Planning Commission.
- j. When electricity will be utilized, an electrical permit must be obtained from the Building Department prior to any sales occurring or prior to persons occupying the structure, whichever occurs earliest.
- k. Accessibility requirements must be addressed with the Building Department prior to any sales occurring.
- l. Where required, Health Department approval shall be provided prior to operation.
- m. Where temporary structures are proposed, an inspection with the Fire Department is required prior to any sales occurring or prior to persons occupying the structure, whichever occurs earliest.
- n. Hours of operation shall be restricted to the hours of 7:00 a.m. to 10:00 p.m.

4. **Additional Standards for Mobile Food Vendors:**

- a. A mobile food vendor shall be permitted only when hosted by an existing brick-and-mortar business, meaning a permitted business in a permanent structure, or on public property with the approval of the City.
 - b. Mobile food vendors shall not be parked for more than 8 hours in a day in any one location without express written permission from the City.
 - c. Mobile food vendors shall not be parked on a street or driveway, nor in a manner that impedes vehicular and pedestrian traffic flow or public safety. A minimum clearance of 15 feet must be kept between the mobile food vendor and any fire hydrants, utility boxes, sidewalks, handicapped ramps, or building entrances.
 - d. At no time may the mobile food vendor serve food to vehicles in a drive through manner or while the mobile food vendor vehicle is in motion.
 - e. Mobile food vendors must be parked a minimum of 200 feet from residential property or must have the permission of residential property owners within the prohibited area.
5. **Planning Commission Review.** When considered appropriate by the Planning Director, a Temporary Use may be referred to the Planning Commission for review.
6. **Permit Required.** A Temporary Use Permit and Business License shall be required for all Temporary Uses.
7. **Application for a Temporary Use Permit.** An application for a Temporary Use Permit shall be made to the Planning Department, in conjunction with a business license, at least 14 days prior to the date of requested use. No Temporary Use Permit shall be issued more than 90 days prior to the start of the Temporary Use period. The Planning Department may issue or deny the application for a Temporary Use Permit based on the criteria herein.

8. **Information Required for Application.** An application for a Temporary Use Permit shall be accompanied by the following:

Applicant Use	City Staff Use	Please check the applicable box to indicate the materials have been included with the application.
		Description. A written description of the proposed use including requested length of permit, location(s), structure or vehicle type, date(s) and hour(s) of operation, and any other information verifying compliance with the standards of this Code.
		Authorization for Use. If the applicant is not the owner of the property, the ownership shall be identified along with written evidence of permission of the owner for such use to take place, dated no more than three months prior to the application.
		Written Approval. If applicable, written approval from required brick-and-mortar businesses within 300 feet.
		Site Review. A vicinity map and site plan with sufficient information to determine the primary use of the property and the required site requirements, sanitary facilities, and availability of parking to serve the uses.
		Fees: \$125 plus \$500 refundable bond, <i>CASH OR CHECK ACCEPTED</i>
		Application Form. Complete application form with required signatures.

9. **Duration of Temporary Use Permit.**

- a. Produce stand, farmers market, snow shack, or ice cream vendor is allowed for a period not to exceed five months in a calendar year.
- b. A Christmas tree lot is allowed for a period not to exceed forty-five days each calendar year.
- c. A fireworks stand, pumpkin patch, festivals including bazaars or fairs, and temporary retail are allowed for forty-five days.
- d. A Mobile Food Vendor is allowed for a maximum of four days per month over a period of time not exceeding twelve months in a single permit. Locations and dates for the duration of the permit shall be provided at time of permit application.

10. **Renewal of Temporary Use Permit.** The application fee shall be reduced by 50% for all previously approved Temporary Use Permits requesting renewal that have not altered their proposal in terms of scope, layout, intensity, duration, or location(s) from the previously approved permit.

11. **Bond Required.** All temporary uses on shall post a \$500 cash bond to ensure the clean-up of the property after the use is removed.
- a. Mobile food vendors may choose to post a bond on an annual basis rather than a per-permit basis to cover all days of operation within a specified time period.
 - b. After the temporary use commences, the applicant may request an inspection by the City. Following this inspection, the bond shall be reduced by up to 50% upon finding that the use is in general compliance with the standards of this Code. *(upon completion of operations, the entire bond may be refunded)*

12. **Revocation of Temporary Use Permit.** A Temporary Use Permit may be revoked by the Planning Director in accordance with the provisions of this section if the recipient of the permit fails to develop or maintain the property in accordance with the plans submitted, the requirements of this section, or any additional requirements lawfully imposed in connection with the issuance of the Temporary Use permit.

Applicant Acknowledgment:

I hereby certify that I have read the information contained in this application form and that I have provided the required application materials.

Applicant's Signature: _____ **Date:** _____

Applicant Certification

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that the City of Saratoga Springs may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Saratoga Springs Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to reimburse the City of Saratoga Springs all amounts incurred by the City in excess of the base fee required by the Consolidated Fee Schedule to review and process this submitted application and agree to comply with Resolution No. R 08-21 and R 11-22. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Property Owner's/Managers Signature: _____ Date: _____

Applicant's Signature: _____ Date: _____



CITY OF SARATOGA SPRINGS

TEMPORARY USE PERMIT
SIGNATURES FROM BUSINESSES WITHIN 300 FEET

Name of Temporary Business: _____

Location of Temporary Business: _____

Dates of operation for Temporary Business: _____

Signatures of business owners or business managers within 300' of the proposed temporary business location are required before the City of Saratoga Springs Planning Department can issue a temporary use permit at the requested location.

By signing below I acknowledge that I am aware of the proposed temporary business, the proposed location, and the proposed dates of operation and I verify that I do not have concerns with the location or dates of operation.

- 1. Name of Business Name of Business Owner or Manager Signature
2. Name of Business Name of Business Owner or Manager Signature
3. Name of Business Name of Business Owner or Manager Signature
4. Name of Business Name of Business Owner or Manager Signature
5. Name of Business Name of Business Owner or Manager Signature
6. Name of Business Name of Business Owner or Manager Signature
7. Name of Business Name of Business Owner or Manager Signature
8. Name of Business Name of Business Owner or Manager Signature
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11. Name of Business Name of Business Owner or Manager Signature
12. Name of Business Name of Business Owner or Manager Signature