



**REGULAR MEETING OF THE
CITY OF CONCORD
PLANNING COMMISSION**

**Wednesday, February 4, 2015
7:00 p.m. – Council Chamber
1950 Parkside Drive, Concord**

Planning Commission Members:

Carlyn Obringer, Chair

John Mercurio, Vice Chair

Ernesto A. Avila, Commissioner

Robert Hoag, Commissioner

Tim McGallian, Commissioner

**REGULAR MEETING
7:00 p.m. – Council Chamber**

I. ROLL CALL

II. PLEDGE TO THE FLAG

III. PUBLIC COMMENT PERIOD

IV. ADDITIONS / CONTINUANCES / WITHDRAWALS

V. CONSENT CALENDAR

1. 1/7/15 Meeting Minutes

VI. PUBLIC HEARINGS – None

VII. STUDY SESSION

1. [Development Code Update – Temporary Signs and Display](#) – Andrew Mogensen, Principal Planner @ (925) 671-3332

VIII. COMMISSION CONSIDERATIONS

IX. STAFF REPORTS / ANNOUNCEMENTS

X. COMMISSION REPORTS / ANNOUNCEMENTS

XI. FUTURE PUBLIC HEARING ITEMS

XII. ADJOURNMENT

NOTICE TO PUBLIC

ADA ACCOMMODATION

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five (5) days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

APPEALS

Decisions of the Planning Commission on use permits, variances, major subdivisions, appeals taken from decisions of the Zoning Administrator or staff interpretations of the Zoning Code may be appealed to the City Council. Appeals and the required filing fee must be filed with the City Clerk within ten (10) days of the decision.

APPLICANT'S SUBMITTAL OF INFORMATION

Submittal of information by a project applicant subsequent to the distribution of the agenda packet but prior to the public hearing may result in a continuance of the subject agenda item to the next regularly scheduled Planning Commission meeting, if the Commission determines that such late submittal compromises its ability to fully consider and evaluate the project at the time of the public hearing.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered by the Commission to be routing and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Commissioner prior to the time Commission votes on the motion to adopt.

CORRESPONDENCE

Correspondence and writings received within 72 hours of the scheduled Planning Commission meeting that constitute a public record under the Public Records Act concerning any matter on the agenda is available for inspection during normal business hours at the Permit Center located at 1950 Parkside Drive, Concord. For additional information contact the Planning Division at (925) 671-3152.

HEARINGS

Persons who wish to speak on hearings listed on the agenda will be heard when the hearing is opened, except on hearing items previously heard and closed to public comment. Each public speaker should limit their comments to three (3) minutes or less. The Chair may grant additional time. The project applicant normally shall be the first person to make a presentation when a hearing is opened for public comment. The project applicant's presentation should not exceed ten (10) minutes unless the Chair grants permission for a longer presentation. After the public has commented, the item is closed to further public comment and brought to the Planning Commission level for discussion and action. Further comment from the audience will not be received unless requested by the Commission. No public hearing or hearing shall commence after 11:00 p.m. unless this rule is waived by majority vote of the Commission.

MEETING RECORDS

Planning Commission meetings are available for viewing on the City's website, www.cityofconcord.org and at the Concord Public Library. Copies of DVDs of the Planning Commission Meeting are available for purchase. Contact the Planning Division at (925) 671-3152 for further information.

NOTICE TO THE HEARING IMPAIRED

The Council Chamber is equipped with Easy Listener Sound Amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the Easy Listener Phonic Ear Personal Sound Amplifier from the staff for personal use during Commission meetings.

ROUTINE AGENDA ITEMS AND CONTINUED ITEMS

All routine and continued items will be considered by the Planning Commission at the beginning of the meeting. There will not be separate discussions of these items unless a request is made prior to the time the Planning Commission considers the motions.

SPEAKER'S CARD

Members of the audience who wish to address the Planning Commission should complete a speaker's card available in the lobby or at the front bench. Submit the completed card to staff before the item is called, preferably before the meeting begins.

TELEVISED MEETINGS

All Planning Commission meetings are broadcast live on Astound Broadband channel 29 and Comcast channel 28. The meeting is replayed on the Thursday following the meeting at 8:00 a.m., 2:00 p.m. and 8:00 p.m. Replays are also broadcast on Fridays and Saturdays. Please check the City website, <http://www.cityofconcord.org/about/citynews/tvlistings.pdf> or check the channels for broadcast times.

NEXT PLANNING COMMISSION MEETINGS:

February 18, 2015: 7:00 pm – Council Chambers

March 4, 2015: 7:00 pm – Council Chambers



REPORT TO PLANNING COMMISSION

DATE: February 4, 2015

SUBJECT: STUDY SESSION REGARDING TEMPORARY SIGN AND DISPLAY ORDINANCES**Recommendation: Staff recommends that Planning Commission hear an update and provide direction. No action by the Planning Commission is required.****I. Introduction**

This study session is intended to provide the Planning Commission with the opportunity to provide direction and feedback regarding updates to the Temporary Sign and Temporary Use Ordinances in the Development Code. Both of these codes are related to the marketing and promotion of local businesses. Residents and members of the local business community who have expressed an interest in this topic in the past have been notified of this study session and may wish to provide comments.

II. Background

On September 24, 2013 the City Council adopted the first round of Temporary Sign Ordinance provisions to accommodate the special needs of automotive dealerships which conduct the majority of their sales outdoors and are primarily located in the West Concord Mixed Use Zoning District. Prior to that time, the Council also approved accommodations for menu board A-frame signs and outdoor dining/sidewalk cafés within the public right-of-way in the Downtown Mixed Use (DMX) and Downtown Pedestrian (DP) zones. Following those efforts, Planning staff began moving forward with a review and update of other temporary sign and outdoor display regulations in the fall of 2013, but the process was temporarily put on hold in 2014 due to changes in staffing.

A number of efforts have already been undertaken by staff to reach out to interested business owners and sign companies in order to identify desired changes to the Temporary Sign Ordinance and garner feedback. Those efforts included a meeting with the Governmental Affairs sub-committee of the local Chamber of Commerce on November 12, 2013 and a meeting with the Small Business Owners Association on October 16, 2013. Some of the concerns identified during the public outreach conducted included the overall permitting process for signs, the high cost of permit fees, the timeframe for issuing sign permits, the difficulty in modifying existing sign programs, and an interest in revising the code to allow pennants, flags, lawn signs, and feather signs. Staff has been reviewing all of these proposals with consideration given to other existing codes, safety, equity, and community aesthetics.

While a comprehensive update to the City's regulations is needed, an overhaul of the existing Sign Ordinance would be a major project requiring staffing and outside resources that are currently not available. The Finance Department is currently conducting a fee study which will include sign permits and be considered by the City Council at a future meeting. In the meantime, staff will continue to prioritize those code revisions which are required by state law, contain errors, conflict with other

sections, or create problematic situations. With the resources available, staff intends to focus on providing solutions within the framework of the existing code that provide local businesses with greater options for promoting their business.

The Planning Commission previously held a study session on August 20, 2014 to discuss the Planning division's annual work program and implementation of the ongoing Development Code updates including temporary signs. During that meeting, the Planning Commission requested that Planning staff return at a later date with a study session to focus on temporary sign regulations.

III. Current Available Options

The Development Code already contains a number of provisions related to business promotion (Exhibit A). These provisions all involve temporary outdoor advertising with either a banner or the display of merchandise. These allowances are generally consistent with the code provisions found in neighboring communities. Options that are currently available to Concord businesses include:

- Businesses may erect a temporary banner for up to 30 days, twice a year, with a free permit issued by the Code Enforcement division at the Police Department (§18.180.120).
- Businesses can apply for a permit to display their merchandise outdoors for up to 30 days a year with an approved Administrative Permit (§18.200.200[F]).
- Businesses can host a tent sale or similar outdoor sales event with an approved Administrative Permit (§18.200.200[F]).
- Minor promotional events within established shopping centers with fewer than 100 attendees are permitted up to three days per year, twice a year, with a Zoning Clearance (§18.200.200[E]). They must occur before 9pm and “not have amplifying equipment within 300 feet of a residential area.”
- A multi-tenant building or shopping center could propose special provisions to accommodate temporary signs as a part of a Master Sign Program (§18.180.060). The Planning Commission is the review authority for all Master Sign Programs and reviews each proposal on a case-by-case basis.

IV. Discussion

The purpose of the study session is to receive direction from the Planning Commission on a preferred strategy for the existing temporary sign and display regulations for commercial businesses. Although there have been a wide variety of suggestions for changes, there are some common themes which have presented themselves:

- There are a number of options currently available for local businesses. The City could do a better job of promoting these options, as they are not well understood.

- The current code is not as well written or organized as it could be. Some of the code provisions are vague and present a challenge when applied to certain situations.
- There should be a simple streamlined process whenever a permit is necessary.
- There is general consensus that the City needs a fair and understandable system for regulating and enforcing temporary signs.

Business Promotion

Although the Development Code already provides a number of options for businesses, these options are not well advertised, promoted, or understood by the business community. Staff regularly responds to questions about temporary signs and outdoor promotional events at the Permit Center and believes that they could do a better job of promoting and explaining the existing permits. The Planning division should work with Economic Development staff to develop a clear menu of the available marketing options for Concord's business community. This could be accompanied by a special website, brochure, or handout to explain and promote the different types of options currently available.

Code Updates

The Development Code provisions for temporary promotional events and outdoor merchandise displays that currently exist (§18.200.200) are not clearly written or uniformly organized, resulting in some difficulty when interpreting and applying the code to real world situations. The outdoor merchandise display provisions should be adjusted and be revised to differentiate between the different types of outdoor temporary uses and displays, which can range from a simple sidewalk sale to a multi-day parking lot sales event.

The current Temporary Sign Ordinance (§18.180.120), on the other hand, is straightforward but limited in scope. Concord's Temporary Sign Ordinance is currently limited to allowing A-frame signs for sidewalk cafes (menu boards), temporary banner signs, inflatable balloon signs for automotive dealerships, and subdivision development/real estate signs. Temporary signs associated with master sign programs, such as for parking lot banners, are evaluated and approved by the Planning Commission on a project-by-project basis. No other temporary sign provisions are currently allowed in Concord.

Staff has a few recommendations the Planning Commission should consider for their discussion:

- The outdoor merchandise and display provisions should be adjusted and be revised to differentiate between the different types of outdoor temporary uses and displays rather than lump them into the current 'major' and 'minor' classifications.
- Sidewalk sale provisions should be specified in the code. Sidewalk sales are a relatively common form of business promotion and, when regulated properly, they generally have a positive benefit with minimal problems. The "Outdoor Sales and Display" provisions in section §18.200.200 should be adjusted to specifically accommodate sidewalk sales with an Administrative Use Permit.

If Sidewalk sales events are added to the code, staff would define their use within a limited area, identify a limitation on their time/duration, and insert a standard safety reference that they not obstruct ADA access or emergency egress from a building. Any events located within a public right-of-way also require an application for an encroachment permit from the Engineering Division.

- Staff does not recommend modifying the Temporary Sign Ordinance to accommodate or permit additional varieties of temporary signs at this time. Staff recommends the City work on better promoting the existing available outdoor advertising options for local businesses before considering further modifications to this section of the code. This item can return to the Planning Commission for follow up and comment at a later date.
- There are a number of types of freestanding temporary signs which pose a potential hazard for motorists and pedestrians. These signs can be easily dislocated under windy conditions and are often placed in locations that obstruct driver visibility. Many of them are disposable and end up as litter. These types of temporary signs are especially time consuming and expensive to enforce and remove. They should not be permitted under any circumstances.

Any additional provisions recommended by the Planning Commission regarding temporary signs or outdoor displays of merchandise will be examined by staff and brought forward with the next round of Development Code updates, likely to be scheduled again before the Planning Commission sometime in May or June.

Permit Streamlining

When a permit is required, permit applications should be easy to understand and the application process should be streamlined as much as possible to minimize time spent processing. For example, individuals must currently go to the Police Department to obtain and submit applications for temporary banners. Staff recommends that the temporary banner permits return to the Permit Center for processing and continue to remain as a courtesy no-fee permit.

Permit applications would ideally be allowed through an on-line system. Staff should work with the Information Technology Department to see if it would be possible to create an online system for applying and tracking temporary banner sign permits. It is in the interest of both the City and the business community to have permits processed and issued as quickly and easily as possible.

Enforcement

While temporary signs themselves are inexpensive and convenient for businesses, the permitting, enforcement, and removal of these signs come at a substantial expense for the City. For example, a Code Enforcement officer spending one hour in the field costs about \$79.79, according to the current productive rate identified in the City's Fee Schedule. When temporary signs are placed on a utility pole, traffic signal, or in the public right of way, a Public Works maintenance crew is required to remove them at the City's expense. No signs, temporary or permanent, are permitted within sight

visibility triangles at intersections and driveways (§18.150.170). There is no cost recovery for the enforcement and removal efforts of improperly placed temporary signs.

Staff recommends better outreach to businesses and the public to help reduce the City's enforcement efforts and reduce the cost of enforcement.

V. Fiscal Impact

The Planning division's efforts to update the Development Code are supported by the General Fund. Changes to the Temporary Sign and Temporary Use Ordinances may have an effect on staffing and enforcement resources. Costs related to the review, issuance and enforcement of any new permits would need to be evaluated with a separate fee study. Costs associated with Code Enforcement are generally not recoverable.

VI. Public Contact

All appropriate public notices of this agenda item have been posted.

VII. Summary and Recommendations

There is no recommendation or call for approval for the Commission. However, staff requests that the Commission provide suggestions and direction on the issues and information presented – bullet points on those specific issues here would be helpful. The outcome of this evening's discussion will return to the Planning Commission at a later date along with the next round of Development Code updates currently in progress.

Prepared by:



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EXHIBIT:

- A. Concord Development Code, Temporary Sign Ordinance, Section §18.180.120 and Temporary Use Ordinance, Section §18.200.200.

EXHIBIT A

18.180.120 Temporary signs.

This section describes standards for temporary on-site signs, except for temporary signs allowed for new automobile dealers (see Table 18.180.110). All temporary signs require an administrative permit (temporary sign permit) prior to their establishment. Temporary signs may include, but are not limited to, commercial signs for grand openings or for special product, sale, or event advertising. All temporary signs shall comply with the following:

A. Allowable Temporary Signs.

1. A-Frame Signs for Sidewalk Cafes in the Downtown. There shall be no maximum time limit for A-frame signs in the downtown.

2. Banner Signs. Banners for grand openings or special events shall be allowed for a maximum period of 30 days. No other temporary sign shall be permitted within 150 days of such removal.

3. Inflatable or Balloon Signs. Inflatable or balloon signs may be allowed at new automobile dealerships subject to the following:

a. A maximum of one inflatable or balloon sign shall be allowed per automobile dealership;

b. The inflatable or balloon sign shall be allowed a maximum of 10 days per year;

c. The sign shall be securely mounted on the roof of a building or to the ground; and

d. An administrative permit and a building permit shall be required prior to installation of the sign.

4. On-Site Subdivision Signs.

a. Signs in the model home area and across the entire subdivision shall not exceed a total aggregate area of 200 square feet; and

b. All subdivision signs shall be removed within 15 days after all lots in the subdivision are sold. The city may require the subdivider or developer to submit a performance deposit or other form of security to ensure compliance with the standards of this subsection.

5. Off-Site Subdivision Signs. Subdivision directional signs are allowed to direct the traffic to new residential subdivisions in a manner that minimizes visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high-quality image of the city, as follows:

- a. Location. Signs shall be located outside of the clear vision triangle and within the buildable area of the lot as defined by the setback regulations of the applicable zoning district. Signs shall only be allowed on streets with four travel lanes or more and shall be located a minimum of 75 feet from any other freestanding sign;
- b. Height. The maximum height of the kiosk shall be 15 feet;
- c. Area. The maximum area of one face of the sign shall be 20 square feet;
- d. Number of Faces. Directional signs may have up to three with the angle between the faces no more than 90 degrees; and
- e. Illumination. Directional signs may not be illuminated.

6. Illumination. Temporary signs shall not be illuminated.

7. Materials. All temporary signs shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed. [Ord. 12-4. DC 2012 § 122-543].

18.200.200 Temporary uses and structures.

A. Purpose. This section establishes procedures, standards, and requirements for the approval of temporary activities, events, and uses which are intended to operate on a short-term basis for a limited period. Such activities, events, and uses may not meet the typical use or development standards for a particular zoning district, but may be acceptable due to their temporary nature. Temporary activities, events, and uses include special events provided for the enjoyment of the public, sales and promotional activities intended to serve commercial interests, seasonal activities, temporary construction related activities, and similar temporary activities, events, and uses.

B. Applicability. This section shall apply to temporary activities, events, and uses which are established, operated, and conducted as required by this section. This section does not apply to vendors, which are subject to Chapter 12.50 CMC (Vendors).

C. Permit Requirements. Unless otherwise specified in this section, temporary events, activities, and uses shall require the following approvals. Other temporary or short-term activities that do not fall within these categories shall comply with Division II (Zoning Districts – Uses and Standards), Division IV (Development Standards), and Division V (Standards for Specific Uses) of this title.

1. Exempt Temporary Uses. Minor temporary events, activities, and uses are exempt from the requirements of this section when conducted in accordance with the limitations and conditions described below.

2. Minor Temporary Uses. Minor temporary activities, events, and uses shall require a zoning clearance determination, in accordance with Chapter 18.410 CDC (Zoning Clearance).

3. Major Temporary Uses. Major temporary activities, events, and uses are allowed subject to approval of an administrative permit in accordance with Chapter 18.420 CDC (Administrative Permits), for up to 12 months unless otherwise specified or conditioned in the permit approval. All administrative permit approvals shall be based on compliance with the findings in subsection (G) of this section.

D. Exempt Temporary Uses. Exempt temporary activities, events, and uses conducted in accordance with the limitations and conditions described below shall include:

1. Emergency Facilities. Emergency public health and safety facilities and activities.
2. Garage Sales. No property may have more than three sales per year, and no sale may exceed two consecutive days.

3. Public Property. Activities which are authorized by the city and conducted on city owned properties. Such activities may be subject to CMC 4.05.040 (Permits for use of parks).

E. Minor Temporary Uses. Minor temporary activities, events, and uses conducted in accordance with the limitations and conditions described below shall include:

1. Construction Yards – On-Site. On-site construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction activities, or expiration of the building permit or other permit authorizing the construction project, whichever occurs first.

2. Minor Promotional Events. Special events that meet the following criteria, as applicable, when the planning division determines that the event or activity will not impact an adjacent residential area:

- a. Is conducted within an established shopping center;
- b. Does not occur after 9:00 p.m.;
- c. Is not attended by more than 100 persons;
- d. Does not have amplifying equipment within 300 feet of a residential area;
and
- e. Does not occur for more than three consecutive days in the same location more than once every six months.

3. Real Estate Sales Offices. Temporary real estate sales offices for the initial sale of property in new residential developments, subject to the following standards:

- a. Is located within a new residence that is part of the development or within a temporary building; and
- b. Adequate visitor parking and safe circulation are provided that will not interfere with ongoing construction activities.

4. Temporary Work Trailers. A trailer or modular structure used as a construction office, or a temporary work site for employees of a business, subject to the following standards:

- a. There is an approved building permit for the permanent facility;

- b. The trailer or modular structure is only allowed during the construction of a subdivision, or permanent nonresidential structure or facility;
- c. The applicant has demonstrated that the construction office or temporary work site is a short-term necessity;
- d. The structure shall be approved for a maximum period of one year or until expiration of the building permit or other construction permit, whichever occurs first, unless an extension is granted; and
- e. The trailer or modular structure is removed prior to final building inspection or issuance of a certificate of occupancy for the permanent structure.

F. Major Temporary Uses. Major temporary activities, events, and uses are limited to a specific duration, generally up to 12 months, unless otherwise specified below, or conditioned in the permit approval. Approval shall only be granted when all of the findings in subsection (G) of this section are met. Major temporary activities, events, and uses shall include:

1. Carnivals, Circuses, Fairs, and Amusement Places. Festivals, fairs, tent shows, exhibits, games of skill, or rides when conducted at an outdoor location, subject to the following standards:
 - a. Complies with operational standards contained in Chapter 5.40 CMC (Carnivals, Circuses, Fairs, and Amusement Places);
 - b. Is located a minimum of 300 feet from any residential property, except that schools, churches, and other local nonprofit educational or charitable organizations may be exempt from this requirement pursuant to CMC 5.40.040 (Location requirements); and
 - c. Has obtained a permit from the police department if the activity exceeds a total of seven days.
2. Location Filming. The use of a specific site for the filming of commercials, movies, videos, etc.
3. Major Promotional Events, Activities, Art Fairs, and Festivals. Special events and recurring activities that do not meet the conditions for minor promotional events in subsection (E)(2) of this section.

4. Model Homes. A model home or model home complex for an approved residential subdivision which has active construction permits. The models shall be converted to units for sale upon the completion of sales of all similar models or prior to acceptance of the subdivision improvements by the city.

5. Outdoor Sales and Displays. Temporary promotional sales and outdoor displays, associated with a permanent on-site use, may occur in nonresidential districts for 30 consecutive days within a 12-month period, subject to the following standards:

- a. Merchandise displays are located in close proximity to the primary structure where the items are sold indoors;
- b. Merchandise is displayed in a planned, orderly, and attractive manner as an extension of the window display and shall not constitute an expansion of the retail floor area (such as clothing racks);
- c. Merchandise displays do not interfere with adjacent business displays, storefronts, access, or visibility;
- d. Merchandise displays occupy a fixed, specifically approved, and defined location that does not disrupt pedestrian traffic, obstruct access to parking areas or driveways, or encroach onto landscape areas;
- e. Display fixtures are of good quality and durable materials and construction;
- f. Merchandise displays do not exceed a height of eight feet above the sidewalk; and
- g. Displays are removed during nonbusiness hours, unless otherwise approved.

6. Seasonal Holiday Sales. Christmas tree lots and pumpkin patches subject to the following standards. Stand-alone seasonal sales associated with other holidays are prohibited.

- a. Sales of pumpkins may be conducted between October 1st and Thanksgiving Day, and sales of Christmas trees may be conducted between Thanksgiving Day and December 25th, seven days a week, and shall not operate between the hours of 10:00 p.m. and 8:00 a.m.;

b. Seasonal sales lots shall prevent nuisance factors on adjoining parcels, such as glare or direct illumination, dirt, dust, noise, odors, smoke, waste, and vibration;

c. Adequate parking facilities and vehicular and pedestrian circulation shall be provided;

d. Appropriate setbacks are provided to ensure adequate separation from adjoining land uses and a safe environment for vehicles and pedestrians; and

e. All trees, pumpkins, and other related sale items, as well as signs and temporary structures, shall be removed within 10 days after the end of sales, and the appearance of the site shall be returned to its original state. A monetary deposit shall be required, upon application, as set forth in the currently adopted city fee schedule to guarantee site cleanup.

7. Temporary Classrooms. A temporary classroom, including a manufactured or mobile unit, may be approved for a maximum of one year at an existing private school. An extension of one year may be granted by the planning division. A temporary structure proposed for a longer time period shall comply with all provisions of the development code applicable to a permanent structure on the same site.

8. Temporary Shelter. The use of a trailer, as defined in Vehicle Code Section 630, camper as defined in Vehicle Code Section 243, or recreational vehicle as defined in Health and Safety Code Section 18010, and a trailer coach as defined in Vehicle Code Section 635, is prohibited for residential purposes except for the following conditions:

a. If an existing home is damaged and determined to be uninhabitable by the building official, a trailer, camper, or RV may be occupied for a maximum one-year period, when a building permit has been issued and is active.

b. A trailer, camper, or recreational vehicle may be parked on a lot consistent with the regulations of CDC 18.160.160 (Parking and storage of recreational vehicles).

9. Vehicle Sales Events. Temporary events sponsored by a credit union or similar organization and held on private property such as a business park, with the property owner's authorization. These events shall be limited to a maximum of two

consecutive days and shall not occur in the same location more than two times a year.

10. Used Goods Collection Centers. Used goods collection facilities at any location other than within a permanent building or structure shall comply with all of the following standards:

- a. The location of collection centers (trailers or containers) shall not obstruct any required parking spaces or disrupt either automobile or pedestrian traffic to or within the site;
- b. Collection centers shall be located so they are not visible from the public right-of-way;
- c. The location of collection centers shall not create a public or private nuisance;
- d. Only one trailer or container shall be permitted per parcel;
- e. Collection centers shall be operated by nonprofit organizations;
- f. Collection centers shall be kept clean, well maintained, neatly painted, and in good operating condition;
- g. Each collection center shall be clearly marked with the name of the nonprofit organization doing the collection and the local telephone number of the organization;
- h. Any litter or spillage shall be immediately removed and cleaned;
- i. The collection center shall be manned at all times the center is in use;
- j. The written consent of the property owner shall be provided at the time permission is requested to use a collection center; and
- k. Upon termination of a collection campaign or program, collection facilities shall be removed and the site restored to its original condition within 48 hours.

11. Similar Temporary Activities. A temporary activity, event, or use that the planning division determines is similar to the other activities listed in this section, and is compatible with the applicable zoning district and surrounding land uses.

G. Findings. Administrative permits for temporary events, activities, and uses, in accordance with Chapter 18.420 CDC (Administrative Permits), shall be approved only when all of the following findings can be made:

1. The establishment, maintenance, or operation of the activity, event, or use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use.
2. The activity, event, or use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.
3. Approved measures for the removal of the activity, event, or use and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed.
4. The approval includes provisions to ensure that each site occupied by a temporary activity, event, or use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the activity, event, or use and shall thereafter be used in compliance with the provisions of the development code. The review authority may require an appropriate security deposit prior to the initiation of the activity, event, or use to ensure proper cleanup after the use is terminated.
5. Additional conditions may be required, as appropriate, to minimize any adverse impacts of the temporary activity, event, or use.

H. Prohibited Temporary Activities, Uses, and Structures.

1. Privately Owned Vehicle Sales. The parking of privately owned automobiles in commercial, industrial, or public parking lots for the express purpose of offering the vehicle for sale is prohibited. This does not apply to permanent automobile/vehicle sales and leasing uses.
2. Shipping and Cargo Containers. Temporary structures including shipping and storage containers shall be prohibited as temporary stand-alone structures and are only permitted as building components of permanent structures subject to design and site review, with particular attention paid to roofing, exterior treatment, architecture, compatibility with adjacent buildings, and placement on a permanent foundation. [Ord. 13-5; Ord. 12-4. DC 2012 § 122-633].