

11-1 AUTHORIZATION.

Temporary uses as defined in Chapter 2 and as hereinafter-specified are permitted in accordance with the provisions set forth in this Chapter.

11-2 ZONING CERTIFICATE REQUIRED; SPECIAL STANDARDS FOR ISSUANCE AND REVOCATION.

11-2.1 Certificate Required.

Except as provided in Section 11-4.1, no temporary use shall be established or maintained unless a Zoning Certificate evidencing the compliance of such use with the provisions of this Resolution shall have first been issued in accordance with the provisions of Chapter 20.

11-3 USE LIMITATIONS.

11-3.1 General Limitations.

Every temporary use shall comply with the use limitations applicable in the district in which it is located as well as with the limitations made applicable to specified temporary uses by Section 11-4. No temporary use shall be permitted if it would have significant negative impact on any adjacent property or on the area as a whole.

11-3.2 Hours and Days of Operation.

No temporary use shall be operated during any hours or on any days of the week except such as are designated by the Administrative Official in the Zoning Certificate required by Section 11-2. This determination shall be based on the nature of the temporary use and the character of the surrounding area.

11-3.3 Traffic.

No temporary use shall be permitted if the Administrative Official, upon review of the application, finds that additional vehicular traffic reasonably expected to be generated by such temporary use would have undue detrimental effects of surrounding streets and uses which cannot be adequately mitigated by the applicant.

11-3.4 Conflicts with Other Temporary Uses.

No temporary use shall be permitted if such use would conflict with another previously authorized temporary use.

11-3.5 Sign Limitations.

Signs shall be in accordance with regulations contained in Chapter 13.

11-3.6 Parking.

Before approving any temporary use, the Administrative Official shall make an assessment of the total number of off-street parking spaces that will be reasonably required in connection with the proposed temporary use. This shall be done on the basis of the particular use, its intensity, and the availability of other parking facilities in the area. The Administrative Official shall approve such temporary use only if

such off-street parking is provided. No temporary use shall be authorized that would, in the opinion of the Administrative Official, unreasonably reduce the amount of off-street parking spaces available for use in connection with permanent uses located on the zoning lot in question.

11-3.7 Additional Conditions.

Every temporary use shall, in addition, comply with any other conditions as the Administrative Official may reasonably impose to achieve the purposes of this Resolution or to protect the public health, safety, and welfare.

11-4 PERMITTED TEMPORARY USES.

Subject to the specific regulations and time limits that follow, and to the other applicable regulations of the district in which the use is permitted, the following temporary uses, and no others, are permitted in the zoning districts herein specified:

11-4.1 House, Apartment, Garage and Yard Sales.

House, apartment, garage, and yard sales are permitted in any Residential District, but only when limited to the personal possessions of the owner-occupant of the dwelling unit at which such sale is being conducted. Such use shall be limited to a period not to exceed three (3) consecutive days and no more than three (3) such sales shall be conducted from the same residence in any twelve-(12) month period. No zoning certificate shall be required for such use.

11-4.2 Outdoor Art, Craft and Plant Shows, Exhibits and Sales.

Outdoor art, craft and plant shows are permitted in any Office, Retail Business and Light Industrial Districts; provided, however, that any such use shall require the specific prior approval of the Administrative Official on the basis of the adequacy of the parcel size, parking provisions, traffic access and the absence of undue adverse impact on other properties. Every such sale shall be limited to a period not to exceed three (3) days.

11-4.3 Christmas Tree Sales.

Christmas tree sales are permitted in any Office or Retail Business districts. Such use shall be limited to a period not to exceed thirty-five (35) days. In all residential districts tree sales are limited to not-for-profit, religious, philanthropic or civic group or organizations on property owned or leased by such group or organization. Display of Christmas trees need not comply with the yard requirements of this Resolution, except that no tree shall be displayed so as to obstruct the sight triangles..

11-4.4 Contractor's Offices and Equipment Sheds.

Contractor's offices and equipment sheds are permitted in any district when accessory to a construction project. No such use shall contain any sleeping accommodations. Such use shall be limited to a period not to exceed the duration of the active construction phase of such project.

11-4.5 Model Units, Including Real Estate Offices.

Model units, including Real Estate offices, are permitted in any district when serving as an accessory use to a new development. No such use shall contain any sleeping accommodations unless located in a model dwelling unit. Such use shall be limited to the period of the active selling or leasing of units or space in such development and to activities related to the development in which such office is located. No such office shall be used as the general office or headquarters of any firm.

11-4.6 Festivals and Circuses.

Festivals and circuses are permitted in any district when sponsored by a not-for-profit religious, philanthropic or civic group or organization on property owned or leased by such group or organization. Commercial festivals and circuses are permitted in any Office or Retail Business District; provided, however, that any such use shall require the specific prior approval of the Administrative Official on the

basis of the adequacy of the parcel size, parking provisions, traffic access and the absence of undue adverse impact on other properties. Such use shall be limited to a period not to exceed ten (10) days.

Such use need not comply with the yard requirements of this Resolution except that structures or equipment that might block the view of operators of motor vehicles on any public or private street shall not be located within the sight triangle defined in Chapter 14. Such use need not comply with the maximum height requirements of this Resolution. The concessionaire responsible for the operation of any such carnival or circus shall submit in advance of the event date a site layout displaying adequate ingress and egress routes for emergency vehicles and no dead-end aisles.

In the event that a temporary use does not require the approval of the County Building Department the applicant or concessionaire shall provide written approval of the Township Fire Department.

11-4.7 Tents.

Tents are permitted in all districts in connection with any permitted, accessory or temporary use. No tent shall be allowed to remain for a period of more than two (2) days longer than the use with which it is associated or, in the absence of any such period, ten (10) days. Unless waived in writing by the Administrative Official, every tent shall comply with the bulk and yard requirements of the district in which it is located.

11-4.8 On-Site Storage or Refuse Containers and Structures

Temporary storage containers (such as PODS), structures and refuse containers (dumpsters) for personal and/or private use shall be permitted in all single-family districts for a period not to exceed 60 days during any calendar year, without the issuance of a Zoning Certificate. For structures or containers installed to store household goods during a specific improvement project on the principal structure on the property on which the container is located the 60 day period may be extended for an additional 60 days provided a valid Building Permit has been issued by the Hamilton County Building Department.

11-4.9 Parking in the Required Front Yard – Residential Districts

One private boat, watercraft or recreational vehicle is permitted to be parked in a required residential front yard for a period not to exceed 21 days in any calendar year when actively marketed for sale as advertised in a general circulation newspaper or dedicated internet sales web site. No such boat or recreational vehicle parking shall be permitted on an unpaved surface.

One private passenger vehicle may be parked on unpaved portions of the required front yard for a period not to exceed 14 days within any 90 day period, for the purpose of displaying the vehicle for sale. This provision shall apply only to the sale of private passenger vehicles registered to the owner or occupant of the property on which the vehicle is located. No other vehicle parking within the required front yard parking shall be permitted on unpaved surfaces.

11-5 BULK AND YARD REGULATIONS.

Except as expressly provided otherwise in Section 11-3 above, every temporary use shall comply with the bulk and yard requirements of the district in which such temporary use is located.

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