KENT WASHINGTON
ECONOMIC & COMMUNITY DEVELOPMENT

Planning Services
Location: 400 W. Gowe • Kent, WA 98032-5895
Permit Center 253-856-5300
KentWA.gov/PermitCenter

Temporary Use Permit Application

Application Fee...See Fee Schedule

Please print in black ink only.

Business Name: _____ **KIVA #:** _____
OFFICE USE ONLY

Business Address: _____

Location of Operation (if different that business address)**:** _____

_____ **Zone:** _____

King County Parcel Number (s): _____ **Acres:** _____

¼ Section _____ **Section** _____ **Township** _____ **N Range** _____ **E**

Type of the Temporary Use Requested: _____

_____

Period of Operation Beginning Date: _____ Ending Date: _____

Hours of Operation Beginning Time: _____ Closing Time: _____

I have read, understand, and agree to adhere to Kent City Code 15.08.205.

Applicant initials: _____

Applicant:

Name: _____ Daytime Phone: _____

Mailing Address: _____ City/State/Zip: _____

Signature: _____ Date: _____

Professional License No: _____ Contact Person: _____

I declare under penalty of perjury under the State of Washington that the information presented is true and correct, and that I will report any changes in the conduct of the above described temporary use or structure to the Kent Planning Department no later than five (5) days after such change took place.

Property Owner:

Name: _____ Daytime Phone: _____

Mailing Address: _____ City/State/Zip: _____

Signature: _____ Date: _____

OFFICE USE ONLY:

Date Application Received: _____ Received by: _____

Date Application Approved: _____ Approved by: _____

Special Conditions or Requirements of Permit: _____

_____

_____

Temporary Use Permit Application Submittal Requirements Checklist

THE FOLLOWING INFORMATION MUST BE PROVIDED AS PART OF THE APPLICATION FOR A TEMPORARY USE PERMIT:

(If applying for a carnival, festival, or street fair include this information and the additional information for that use):

❑ A. Five (5) copies of the application form with all applicable signatures.

❑ B. Five (5) copies of a detailed description of the proposed temporary use including:

1. All activities proposed to take place on the site
2. The use of any heating, cooling, or other mechanical features
3. The service of food or beverages
4. The heating or cooking of food on the site
5. The use of a band, music or other sound system
6. Days of operation
7. Hours of operation
8. Extent of time period of operation
9. Number of people expected to attend or be present on the site

❑ C. Five (5) copies of a detailed site plan of the proposed temporary use, drawn to a decimal scale, including:

1. Property lines
2. North arrow and engineering scale (ie.1"=20'; not 1/8"=1' architectural scale)
3. Lot dimensions
4. Dimensions of the site used for the temporary use
5. Adjacent uses (undeveloped, single family, commercial, etc.)
6. All public and private roads, driveway accesses and road right-of-ways and easements (access, utility, stormwater, etc.), with dimensions and road names, including curbs and gutters, sidewalks and/or edges of pavement. Include all existing driveways within 300 feet of the subject property on both sides of all streets, in both directions along public street frontages.
7. Sight distance triangles for all driveway locations and across the corners of properties at street intersections. Show the location and type of potential sight obstructions. (See Development Assistance Brochure #6-7, Sight Distance Requirements, for additional information)
8. Location of parking areas (include location of stalls and drive aisles)
9. Pedestrian access (entrance and exit from the site)
10. Location of any buildings, structures or tents/ canopies/ awnings
11. Location of existing and proposed fences (specify type of fence)
12. Location of the nearest fire hydrant(s)
13. Fire access road/drive within 150 feet of all portions of the exterior first floor of all structures. If not providing a circuitous fire access around each building, provide fire turn-around(s) with an un-obstructed 45-foot radius.
14. Location of nearest trash dumpster
15. If applicable, list of all Hazardous materials and waste associated with the use including the quantities and location on site
16. If applicable, location of water features or wetlands, including but not limited to, lakes, ponds, saltwater, year-round or seasonal streams, creeks, wetlands, gully or natural drainage way, drainage ditches, etc.

IN ADDITION TO THE ABOVE, THE FOLLOWING IS REQUIRED FOR CARNIVALS, FESTIVALS, OR STREET FAIRS. (SEE NEXT PAGE.)

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Temporary Use Application Instructions

A temporary use is intended to permit occasional or short-term uses, activities and structures when consistent with the purpose and intent of the temporary use provisions and regulations and when compatible with the general vicinity and adjacent uses.

I. Permitted Temporary Uses

The following types of uses, activities and associated structures may be authorized as temporary uses, subject to specific limitations of the zoning code and such additional conditions as may be established by the Planning Manager:

A. Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain.

B. Contractor's office, storage yard and equipment parking and servicing on the site of an active construction project.

C. Special events such as: circuses, carnivals, rodeos, fairs or similar transient amusement or recreational activities.

D. Indoor or outdoor art and craft shows and exhibits

E. Fireworks stands and/or displays: See page 5 of instructions.

F. Christmas tree sales lots and flower stands are limited to location on lots not used for residential purposes in commercial or industrial zoning districts (see page 4 of instructions).

G. Mobile home residential units used for occupancy of security personnel when not otherwise allowed as an accessory use.

H. Indoor or outdoor special sales, including swap meets, flea markets, parking lot sales, warehouse sales or similar activities, limited to locations on lots not used for residential purposes in commercial or industrial districts, and when operated not more than ten (10) days in the same month, unless otherwise permitted by the city.

I. Temporary use of mobile trailer units or similar portable structures for non-residential purposes, located in districts where the use is a permitted use.

J. Seasonal retail sales of agricultural or horticultural products raised or produced off the premises, to be permitted in commercial or industrial zoning districts only.

K. Temporary signs relating directly to the temporary uses described in this section, which may be permitted for a period not to exceed the operation of the use. The signs may be portable in nature and must be placed on the premises. No off-premise signs are permitted. No more than two (2) signs per use shall be permitted and no sign shall exceed a thirty-two (32) square feet total of all faces. Maximum sign height shall be eight (8) feet. No sign permit shall be required.

L. Garage sales, moving sales and similar activities for the sale of personal belongings when operated not more than three (3) days in the same week or more than twice in the same calendar year. No permit is required.

M. Fund-raising carwashes. No permit is required.

N. The Planning Manager may authorize additional temporary uses not listed in this section when it is found that the proposed

uses are in compliance with the requirements and findings of Kent Zoning Code Section 15.08.205(C).

II. Temporary Use Application Process

A. Application Form

Provide all information requested on the application form and accompanying application requirements. Answer all criteria clearly and in as much detail as possible to insure that all pertinent facts are available for review and consideration. Return the completed forms and supporting materials with the required number of copies and the appropriate fees to Planning Services.

All items requested on the application and any other material that may be required by Planning Services must be submitted at the time of application in order for the application to be accepted.

When the permit application is determined to be complete, the Planning Manager shall accept it and note the date of acceptance.

B. Submission of Additional Information for an Incomplete Application

If the applicant is notified by the city that an application is not complete, the applicant must submit the necessary information to the city, in order to continue the application review process.

If the applicant refuses to submit additional information, the application shall lapse because of a lack of information necessary to complete the review.

C. Conditions of a Temporary Use Permit

A temporary use permit is subject to certain conditions and standards associated with temporary uses. Kent Zoning Code Section 15.08.205(B) outlines the conditions related to the performance of temporary uses. These conditions address the amount of parking provided, signage, the location of the temporary use with respect to public spaces, the requirement for all applicable approvals, permits or licenses, the length of time allowed to conduct the temporary use and the condition of the site upon termination of the use. In addition, the Planning Manager is authorized to establish such additional conditions as may be necessary to ensure land use compatibility and minimize potential impacts on nearby uses.

D. Other Permits

Certain types of temporary uses may have additional performance standards and require other permits, approvals, licenses or inspections. Service of alcohol requires a Banquet Permit or a Special Occasion License from the Washington State Liquor Control Board. The preparation and service of food on the site requires approval by the Seattle-King County Health Department. (Tents, canopies, awnings or other temporary membrane structures may require a permit from the Kent Fire Department, depending of the size of the structure. An applicant should check with the Kent Fire Department (253-856-4400) to determine if an additional fire permit is required for the proposed temporary use.) Fire Department may conduct a site visit to Christmas tree lots.

E. Fees

See Fee Schedule for application fees. Checks should be made payable to the City of Kent.

F. Decision on Temporary Use Permits

The Planning Manager shall issue a decision on the temporary use permit application within ten (10) working days after a complete application is received. The Temporary Use Permit may be approved, approved with conditions and/or modifications, or denied.

If approved, a zoning permit will be issued to the applicant outlining the conditions of the temporary use. The applicant shall post the zoning permit on the site of the temporary use for the duration of the activity and/or structure. If denied, Planning Services shall mail a letter outlining the reasons why the temporary use permit was denied.

G. Permit Expiration

Any temporary use authorized by the Planning Manager shall remain effective only for the period stated on the permit request. No temporary use permit shall

occupy a site or operate within the city for more than ninety (90) days unless authorized by the Planning Manager pursuant to Sections 15.08.205(B)(5)(a) and 15.08.205(C) or by the Hearing Examiner pursuant to Sections 15.08.205(B)(5)(b) and 15.08.205(C).

The Planning Manager may authorize a temporary use to operate an additional ninety (90) days if it is found that such an extension will be consistent with the requirements of Section 15.08.205(C)

The Hearing Examiner may authorize a temporary use to operate an additional one (1) year if it is found that such an extension will be consistent with the requirements of Section 15.08.205(C)

III. Due Process Considerations

A. Notice of Right to Appeal

The decision of the Planning Manager is final unless appealed to the Hearing Examiner. A party of record may file a written appeal with Planning Services within fourteen (14) calendar days after issuance of the temporary use permit decision. The appeal shall be heard by the Hearing Examiner in an open record public hearing in accordance with the requirements of Chapter 2.32 and 12.01 of the Kent City Code.

If the Hearing Examiner makes the decision on a request for an extension to a temporary use permit, the appeal process differs from that of an appeal of the Planning Manager's decision. The decision of the Hearing Examiner is final unless appealed to the City Council. A party of record may file a written appeal to the City Council within fourteen (14) calendar days after the Hearing Examiner's notice of decision. The appeal must be filed with the City Clerk in accordance with the procedures established in Section 12.01.190 of Kent City Code. The appeal will be heard by the City Council in a closed record appeal hearing. No new evidence may be presented.

THESE INSTRUCTIONS PROVIDE GENERAL INFORMATION ONLY AND DO NOT REFLECT THE COMPLETE TEXT OF THE PERMIT PROCESS REVIEW. SEE THE KENT CITY CODE FOR COMPLETE TEXT AND REQUIREMENTS.

Any person requiring a disability accommodation should contact the City in advance for more information. For TDD relay service for Braille, call 1-800-833-6385, For TDD relay service for the hearing impaired, call 1-800-833-6388, or call the City of Kent at (253) 856-5725.