



## § 152.047 (C) (5) OUTDOOR VENDING

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Outdoor vendor may be permitted, provided the following conditions are met:

- (a) The provisions of this division shall not apply to any event located on city owned property or authorized by any other permit issued by the city, such as a farmer's market, temporary; an authorized festival; very short duration, primarily non-profit uses such as lemonade and Girl Scout cookie stands; a school facility event, or recreational event if the vendor is in partnership with the organization conducting the event and is located on the site of the event.
- (b) Outdoor vendors shall only be permitted to operate on city specified property or on private property in commercial and mixed-use zoning districts or the SC zoning district.
- (c) Outdoor vending businesses are considered to be temporary in nature and are not to be placed in a permanent way on a property.
- (d) Outdoor vending will only be permitted on properties that have been established with principal uses.
- (e) All signs shall be affixed to the vending cart, stand or stall. Stand-alone signs on any one side of the cart, stand or stall, shall be approved as part of the TUP process. This type of sign will not require the issuance of a separate sign permit.
- (f) Vending carts, stands or stalls shall not block a driveway, sidewalk or other point of emergency vehicular access, including emergency access points.
- (g) Vending carts, stands or stalls shall be located outside any public sidewalk or nine feet from any street edge unless otherwise permitted. If located near a street intersection, the vending cart, stand or stall must maintain a visibility triangle per city code.
- (h) Vending carts, stands or stalls located in parking areas shall not reduce the number of parking spaces required for the principal use. Additional off-street parking spaces must be provided for all employees of the outdoor vending operation unless employees arrive in the vending cart.

- (i) Vending carts, stands or stalls shall provide provisions for proper collection and disposal of all solid waste generated by their operation.
- (j) Vending carts, stands or stalls must be constructed of durable and high-quality materials. Vending carts, stands or stalls must be maintained in good condition and repair. Vending carts, stands or stalls that are in disrepair shall be replaced or removed at the request of the Zoning Administrator.
- (k) The outdoor vending TUP will be conducted with proper licensing, certification and registration required under the State of Arizona, Coconino County and the city, if required.
- (l) Every applicant, before being granted a permit for outdoor vending shall submit the following:
  - 1. Information providing support that the vending operation is in conformance with the regulations outlined in this section.
  - 2. Business registration for vending business and state tax license number.
  - 3. If permit will be on city property, proof of liability insurance for \$1,000,000 with the city listed as additionally insured.
- (m) Approval, renewal, and revocation.
  - 1. Outdoor vendor temporary use permits shall be subject/stipulated to a specified maximum time period of operation.
  - 2. Any use found to be in violation of the terms, conditions, or restrictions of this chapter, the TUP or any other applicable laws shall be subject to revocation.

**(6) Seasonal and holiday sales**, such as Christmas tree or pumpkin sales on any open lot or parking lot in commercial or industrial zones are limited to one sale per calendar quarter, lasting no longer than 45 consecutive days of site occupation and operation.

**(7) Outdoor arts and crafts shows** and exhibits subject to not more than 15 days of operation or exhibition in any 90 day period.

**(8) Outdoor parking lot sale events** sponsored by businesses shall be located on paved areas on the same lot as the structure containing the business holding the event and are limited to one sale per calendar quarter, lasting no longer than one week in duration. Rummage and other outdoor sales sponsored by local non-profit organizations are limited to one sale in each six month period.

- (9) **Farmer's market**, temporary subject to not more than two days of operation per seven day period.
- (10) **Stands for the sale of produce products** are subject to not more than 36 days a calendar year. Said stands shall not be located within any public right-of-way and shall be kept free of litter and debris. The time provisions of this section do not apply to the sale of produce raised on the premises.

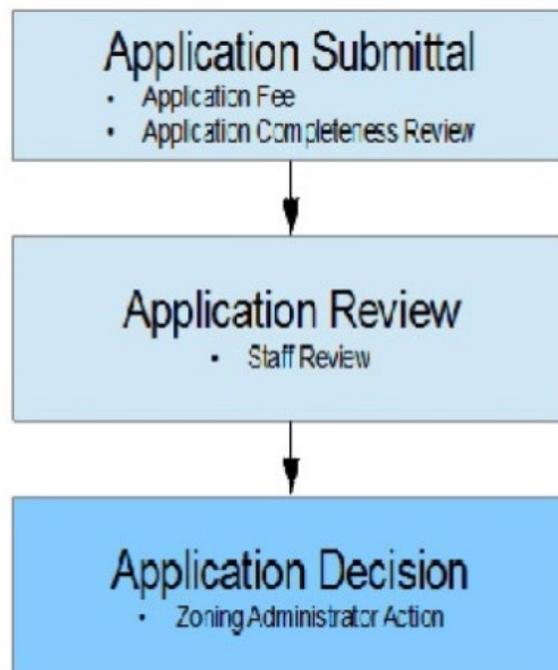
## § 152.092 TEMPORARY USE PERMIT

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(A) Purpose and applicability. The purpose of this section is to allow for the establishment of interim or temporary uses when such activities are desirable for the community, or are temporarily required in the process of establishing a permitted use. Temporary uses allowed under this section shall be consistent with the health, safety and general welfare of persons residing and working in the community, shall be conducted so as not to cause any detrimental effects on surrounding properties and the community, and shall not violate any other ordinance or regulation of the city.

(B) Types of temporary uses. The Zoning Administrator may grant a temporary use permit in accordance with the standards and/or conditions specified in § 152.047.

(C) Temporary use permit application process.



(1) Application submittal. A complete application for a temporary use permit shall be submitted to the Zoning Administrator as required by § 152.086(B). At minimum, a temporary use permit application shall include:

- (a) Aerial map of the site;
- (b) Notarized property owner authorization (if applicable);
- (c) A site plan showing the location and footprint of proposed uses and structures, parking configuration and other details necessary to demonstrate that the proposed use and site conforms with all other requirements of the zoning district and all other city codes; and
- (d) The application shall contain sufficient information to demonstrate compliance with temporary use conditions in accordance with § 152.047(C) and (D) and all required information stated elsewhere in this code or any other city code.
- (e) All applications for temporary use permits shall be filed at least four weeks prior to the date the temporary use will commence, or at least six weeks prior to the date the temporary use will commence if public safety support is requested from the city. The Zoning Administrator may waive this filing deadline requirement in an individual case for good cause shown.

(2) Application review and decision. Upon receipt of a complete temporary use permit application, the Zoning Administrator shall review the proposed temporary use permit application and distribute the application to other reviewers as he or she deems necessary. Based on the results of those reviews, the Zoning Administrator shall take final action on the application and approve, approve with conditions, or deny the application based on the applicable approval criteria.

(D) Required findings. The Zoning Administrator may approve a temporary use permit as submitted or modified only upon making the following findings:

- (1) The establishment, maintenance, or operation of the 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 neighborhood of the proposed use.
- (2) The 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 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 by this code.

(E) Appeal. Decisions of the Zoning Administrator may be appealed to the Board of Adjustment pursuant to the procedures set forth in § 152.086(K).

(Ord. 648-18, passed 11-28-2018)