

Charter Township of Kalamazoo Temporary Use Permit Application Process

Explanation: The Temporary Use Permit review process is an administrative review process for outdoor sales area, parking lots sales, food stands or other service establishments for a temporary period of time. The review process will confirm that all relevant standards of Section 2-21, Temporary Sales and Services (Outdoor), are complied with, prior to issuance of a Temporary Use Permit.

The purpose and intent of the Temporary Use Permit is to ensure compliance with established standards in order to protect the public health, safety and welfare of the community.

1. The Temporary Use Permit application package is available from the Planning & Zoning Department or at www.ktwp.org. The application shall be completed in full with the appropriate fee and submitted with attachments to the Planning and Zoning department. The office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday.
2. The application package consists of:
 - 1) application information,
 - 2) application form,
 - 3) zoning information
3. It is the applicant's responsibility to ensure that the application is complete and that approval from the property owner has been obtained prior to submitting application. An incomplete Application may require additional review time.
4. As a general rule, the application must be received by the Planning and Zoning Department at least two (2) weeks prior to the planned event.
5. Once the review has been completed by the Fire Department, Police Department and Planning and Zoning Department, and compliance with relevant standards is confirmed, the Planning and Zoning Department will issue a Temporary Use Permit for the stated time(s) of the event.

(A copy of the ordinance is attached)

If you have any questions on completing this application, please call the Planning and Zoning Department
at
(269) 381-8085.

Temporary Use Permit Application

Return to: Kalamazoo Township, Planning & Zoning Dept., 1720 Riverview Dr., Kalamazoo, MI 49004

Temporary Use-less than 30 days \$150, one renewal \$25
 Temporary use – 30 days or more \$300

A. Event Information

Brief Description of Event: _____

Event Date(s): _____

B. Property Information

Property Address: _____ Zoning District: _____

Parcel Number: _____ Business Name: _____

C. Applicant Information

Name of Applicant _____ Date of Birth _____

Address _____ Phone _____

City _____ State _____ Zip _____

Property Owner (if different than applicant) _____

Address _____ Phone _____

City _____ State _____ Zip _____

D. Attachments:

Written permission from property owner Yes___ No___
 Site Sketch (to scale) Yes___ No___
 Written description of temporary use Yes___ No___
 Fee Yes___ No___

Note: If event involves alcohol or the control or redirection of traffic on a public street, a written description for review by the Kalamazoo Township Police Department is required.

This application shall be completed in full and accompanied by all supporting data and the application fee before it will be accepted by the Township of Kalamazoo.

 Signature of Applicant Date

Office Use Only:	Fire Dept. Review	Approve	Deny
	Police Dept. Review	Approve	Deny
	Bldg. Official	Approve	Deny

Date Issued: _____

Section 2.21 Temporary Structures and Uses

General Requirements

Temporary buildings and structures shall comply with the following requirements:

Temporary Structures Used for Residential Purposes

A building or structure may be approved for temporary residential use only while damage to the principal dwelling due to fire, flood, ice, wind, or other natural disaster is being repaired. Any such temporary building shall not be used as a residence without prior review and approval by the Police, Fire, and Building Officials.

Temporary Structures Used for Nonresidential Purposes

Temporary buildings for nonresidential use, including semi-trucks/trailers and concrete batch plants, shall be permitted only when the intended use is by a contractor or builder in conjunction with a construction project, and only after review and approval by the Building Official. Such temporary structures shall be removed immediately upon completion of the construction project and prior to a request for a Certificate of Occupancy for the project.

Permits

Permits for the utilization of temporary structures shall be issued by the Building Official. The permit shall specify a date for the removal of the temporary structure, and the Building Official may require posting of a bond to insure removal. A Certificate of Occupancy shall be required for such structures.

Use as an Accessory Structure

A temporary building or structure shall not be used as an accessory building or structure, except as permitted herein.

Temporary Special Events

The Zoning Administrator may grant temporary use of land and structures for temporary special events, as defined in Article 1.00 of this Ordinance, subject to the following conditions:

Adequate off-street parking shall be provided.

The applicant shall specify the exact duration of the temporary use.

Electrical and utility connections shall be approved by the Zoning Administrator.

The Zoning Administrator may require a performance bond to assure proper clean-up.

The following conditions apply to specific temporary uses:

Carnival or Circus

- (i) Maximum duration: 10 days.
- (ii) Operator or sponsor: Non-profit entity
- (iii) Location: Shall not be located in or adjacent to any developed residential area except on church, school or park property.

Sidewalk Display and Sale of Bedding Plants

- (i) Maximum duration: 90 days.
- (ii) Location: In commercial districts only.
- (iii) Sidewalk Coverage: Shall not cover any portion of the sidewalk.

Christmas Tree Sales

- (i) Maximum duration: 45 days.
- (ii) Location: Shall not be located in or adjacent to any developed residential area.
- (iii) Clean-up: Stumps, branches, and other debris shall be completely removed from site.

Garage Sales

- (i) Maximum number of sales per year: Two.
- (ii) Maximum duration of sale: Three days each.
- (iii) Location: Residential districts.
- (iv) Purpose: For sale of items belonging to members of the household living on the premises where the sale is being conducted.
- (v) Permit: A permit shall be required for garage sales.

Temporary Outdoor Sales and Service

- a. Temporary outdoor sales and service are permitted only on parcels where there is an existing legal principal nonresidential use.
- b. Temporary outdoor sales and service uses may not operate on a vacant lot, nor shall they operate on a parking lot on a property on which there is no existing legal principal nonresidential use.

- c. Temporary outdoor sales and service shall be accessory to the principal use on the lot. If the applicant is not the owner of the lot, the applicant shall provide a signed affidavit from the owner giving permission to the applicant to proceed with the application.
- d. Temporary outdoor sales and service shall not be located in the public right-of-way or on public property unless a permit has been obtained from the appropriate public authority. Such uses shall comply with requirements to maintain clear visibility for drivers in Section 2.24.
- e. Permit applications for temporary outdoor sales and service shall be reviewed by Township police, fire, zoning, and planning officials. A permit may be issued by the Township Planner if the proposed use is in compliance with all of the requirements of this Ordinance. The permit must be maintained on-site and visible at all times.
- f. A temporary use permit shall be effective for thirty (30) consecutive days from the date it is issued. The permit may be renewed for one additional thirty (30) consecutive-day period within a calendar year provided the use has been conducted in accordance with the requirements of this Ordinance. No property shall have temporary outdoor sales and service operating on it for more than sixty (60) days in any calendar year.
- g. A fee for review of an application for a temporary use permit or renewal thereof shall be established by resolution of the Township Board. The fee shall be submitted with the application in order to initiate review.
- h. The property on which the temporary outdoor sales and service is permitted shall be kept in a clean and sanitary condition at all times. All litter and trash shall be removed at the end of each day.
- i. If the outdoor temporary use involves a vending cart or motorized vehicle, the cart or vehicle shall be stored inside a permanent structure when not in use.
- j. The layout of the site on which a temporary outside sales and storage use is located shall permit vehicles to drive into an off-street parking area, so as to not interrupt the flow of traffic on a public street.
- k. Fire Department approval shall be required for outdoor sales and services uses proposing to use a tent.
- l. The area occupied by an outdoor sales and service use shall not exceed 7,500 square feet. No more than two (2) such uses shall operate on the same lot or parcel at the same time, provided that such uses are collectively in compliance with the maximum area and other requirements in this section.
- m. The area occupied by temporary outdoor sales and service activity, plus any required area for emergency vehicles, shall not occupy the required off-street parking for the permanent principal use on the lot. The applicant shall demonstrate that there will remain adequate parking and vehicle maneuvering space for the existing and proposed uses.
- n. Temporary outdoor sales and service shall be located on a paved surface, unless the applicant demonstrates to the Township Planner that another surface will cause no negative consequences in terms of drainage, access, property condition, or neighborhood appearance.
- o. Temporary outdoor sales and service uses located adjacent to residential uses shall not operate after 8:00 p.m. or before 8:00 a.m.