

TOWN OF BUTNER

415 Central Avenue / P.O. Box 270, Butner, NC 27509 // main 919-575-3032 / fax 919-575-3034

Temporary Use Permit Application – Please fill out completely.

Date _____

Applicant Information

Name _____

Address _____ City/State/Zip _____

Telephone Number _____ E-mail Address _____

Signature: _____

Property Owner Information

Name _____

Address _____ City/State/Zip _____

Telephone Number _____ E-mail Address _____

Use Information

Type of use _____

Location _____ MAP# _____ - _____ - _____

Hours of Operation _____ How often? _____

General Standards

Land Development Code, Section 7 - Temporary uses, structures, or events shall:

- Obtain the appropriate permit from the Town;
- Only **12** temporary uses and/or structures allowed per lot in a calendar year;
- Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
- Be compatible with the principal uses taking place on the site;
- Not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods
- Not include permanent alterations to the site;
- Not be located within the public right-of-way, or within any existing or required landscaped areas;
- Comply with the maximum signage size for temporary signs;
- Not maintain temporary signs associated with the use or structure after the activity ends;
- Not violate the applicable conditions of approval that apply to a site or use on the site;
- Not interfere with the normal operations of any permanent use located on the property; and,
- Contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement associated with the temporary use, without disturbing environmentally sensitive lands.
- Provide written permission from the property owner or property owner’s agent to allow applicant to use property for temporary use, structure or special event and recognizing that it counts as one of the allotted temporary uses and/or structures permitted on the lot per calendar year.

Specific Regulations for Certain Temporary Uses and Structures

Land Development Code, Section 7.5.3

In addition to the General Standards, specific structures and uses are required to meet certain additional standards in order to obtain a Temporary Use Permit. Additional standards are as follows:

Automobile Sales

1. Automobile sales are limited to Neighborhood Business, Central Business and Highway Business Districts.
2. Automobiles for sale may only be parked in designated parking spaces. If the parking lot is an existing gravel lot without marked spaces, automobiles must be parked on an existing parking area that does not block entrances or exits, drive aisles and must be at least 10 feet from the street right-of-way.
3. Automobiles can only be on display for up to two (2) weeks.
4. Automobile sales are limited to a maximum of four automobiles per parcel per year.
5. Automobiles for sale may not be junked vehicles and must have current insurance and license.

Carnival, Festival or Circus

1. The total amount of required off-street parking spaces shall be determined by the Ordinance Administrator. If collocated on the same parcel with an established use, the carnival or circus's designated parking shall not exceed 15 percent of the required parking for the establishment or use where the carnival/festival is located.
2. If located on an undeveloped or vacant lot, the lot shall be a minimum of two acres and at least one-third of the area shall be designated for parking.
3. All activities for carnivals and circuses shall be located a minimum of 50 feet from all lot lines.
4. Carnivals, festivals and circuses shall obtain all required permits and licenses required by the Town.

Tent Sales

Sale of commercial goods may be conducted within a tent located on lot with a legally established principal use provided the following criteria are met:

1. The tent sale obtains a Temporary Use Permit in accordance with this section prior to construction of the tent.
2. The tent is located in an area outside the normal flow of traffic areas on ingress and egress.
3. The tent be located on an improved surface such as asphalt, gravel or other improved surface and not within areas devoted to required landscaping, tree protection, or open space.
4. The tent be located in such a way as to ensure the minimum number of required parking spaces for the principal use are maintained over the duration of the tent sale.
5. The tent sale does not include any signage other than that allowable as temporary signage.
6. Tents not to be illuminated past the hour of 10:00 p.m.
7. The total number of tent sale occurrences per site be limited to a maximum of fourteen (14) days per calendar year.

Temporary Storage in Portable Shipping Containers

Temporary storage in a portable shipping container shall be permitted to serve an existing residential use, subject to the following standards:

1. Containers shall not be located in the front yard setback.
2. Containers shall not be located within ten (10) feet of any lot line.
3. Containers shall not be located on an individual parcel or site for more than thirty (30) consecutive days per site per calendar year.

Seasonal Sales

Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards.

Location

1. The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability.
2. The sale of goods shall not occur within the public right-of-way, or within 200 feet of a dwelling.
3. A minimum pedestrian walkway of at least five feet in width along the front of the display shall be maintained.

Range of Goods Limited

The range of goods or products available for sale shall be limited to products obtained primarily through farming or agricultural activities, including but not necessarily limited to: pumpkins, grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, firewood and pine straw; bees and beekeeping products; seafood; and, dairy products. For the purposes of this subsection, processed or prepared food products of any kind shall not be considered to be agriculture.

Sales from a Vehicle

The itinerant sale of products from a vehicle that does not involve the display or short-term storage of products on site for a period of two days or longer, shall not be considered to be seasonal agricultural sales and is prohibited.

Hours of Operation

The hours of operation of the seasonal sale of agricultural products shall be from no earlier than 7:30 a.m. to no later than 10:00 p.m.

Duration

Seasonal sales shall be allowed on an individual lot for no more than 180 days per calendar year.

Temporary Construction Trailers

1. All temporary construction trailers (including recreational vehicles used as temporary construction trailers) shall meet the minimum setbacks of the zoning district where located, or shall be set back at least twenty (20) feet from all lot lines.
2. Temporary construction trailers may remain on site as long as there is a valid Building Permit in place, but shall be removed upon issuance of the last Certificate of Occupancy.
3. Temporary construction trailers for public use shall include restroom facilities and utility connections.

Temporary Sales Trailers

1. All temporary sales trailers shall be set back at least 20 feet from all lot lines.
2. Temporary sales trailers shall be removed once the project is completed or the lots are sold.
3. All temporary sales trailers shall be underpinned and meet all applicable parking and screening requirements.