

**TEMPORARY USE PERMIT
APPLICATION CHECK-LIST**

The following uses may be approved as **temporary uses**, subject to the issuance of a temporary use permit in accordance with the UDO Section 72-43:

- Contractors' Offices and Equipment Sheds (Including Trailers)
- Promotional Activities of Retail Merchant
- Portable Storage Containers
- Carnival, Circus, Festival, Fair, Horse Show, Dog Show, Steeplechase, Sale of Christmas Trees or Other Seasonal Commodities and Other Similar Activities
- Subdivision and Apartment Sales and Rental Offices
- Tents on Private Property
- Yard Sale
- All applications must be submitted at least 3 weeks prior to the date on which the permit is to take effect.

Contact the Fredericksburg Parks, Recreation, and Events Department if your event is one of the following:

- Will be located on public property (ex: a park).
- Requires the closure of any public street or sidewalk within the city.
- An organized event of 20 or more persons on any city street or public sidewalk within the City.

The following information is required to be submitted with the application on the [CAP Portal](#):

- ☐ [Property Owner Affidavit](#) (do NOT upload your lease)
- ☐ A plat or aerial image of the property, showing the proposed layout of the event

Things to know:

Before applying for a permit, review the City's regulations regarding uses:

- A Temporary Use Permit is not required if an event permit and/or facility rental permit is issued through the Parks, Recreation, and Events Department.
- All applications must be submitted at least 3 weeks prior to the date on which the permit is to take effect.

OTHER PERMITS THAT MAY BE REQUIRED - For additional information please refer to the Special Event Planning Toolkit at <https://www.fredericksburgva.gov/1469/Plan-An-Event>. Examples of additional permitting include:

Building and Development Services – 540-372-1080

building@fredericksburgva.gov

- Signs
- Tents or temporary structures
- Generators

Commissioner of Revenue – 504-372-1004

- Business license
- Charging admissions

Police Department – 540-373-3122

- Street closures

Fire Department – 540-654-5705

- Tents
- Food caterer/vendor
- Emergency Plan

City Manager's Office – 540-372-1010

- Noise permit

City Parks and Recreation – 540-372-1086

- Use of City parks or property

Public Works – 540-372-1023

- Clean-up Plan

Temporary Use Standards

The following uses may be approved as temporary uses, subject to issuance of a temporary use permit in accordance with the following standards per UDO Section 72-43 (<https://ecode360.com/29015600>):

1. Procedure for Issuance
 - a. The application for any zoning permit shall be filed at least three weeks prior to the date on which the permit is to take effect, provided that the Zoning Administrator may approve a lesser time period. The application forms shall provide such information as the Zoning Administrator shall find to be reasonably necessary for the proper administration of this section.
 - b. Upon finding that the application does sufficiently comply with the standards set for the use in question as well as those general standards set forth in this section, the Zoning Administrator shall issue a zoning permit, setting forth the duration of the permit and specifying such conditions as to hours, location, parking, traffic access, and safety requirements as will serve to protect the health, safety and welfare of the public and which will protect adjacent properties from any adverse effects of the use.
2. Revocation of Zoning Permit
 - a. The Zoning Administrator may revoke a zoning permit at any time on the failure of the owner or operator of the use covered by the permit to observe all requirements of the law with respect to the maintenance and conduct of the use and all conditions in connection with their permit that were designated by the Zoning Administrator in issuing the same.
 - b. Notice of such revocation shall be made by letter from the Zoning Administrator to the owner or operator of the use for which the permit has been granted, hand-delivered or mailed, return receipt requested, setting forth the grounds upon which the permit was revoked, the date and time upon which the revocation is effective, and informing the owner or operator of the appeals procedure in accordance with Virginia Code Section 15.2-2311.
 - c. Upon receipt of such notice, the owner or operator of such use shall cease operation of the use.
 - d. In the case of an appeal from the revocation of a zoning permit, the aggrieved party may request a meeting with the Zoning Administrator to present his grounds for appeal. The Zoning Administrator shall meet with the aggrieved party within 48 hours of the date upon which the appeal is received. Within 24 hours of the date of the meeting, the Zoning Administrator shall inform the aggrieved party, in writing, of his/her decision to affirm, modify or rescind the revocation of the zoning permit.
3. Standards
 - a. Contractors' Offices and Equipment Sheds (Including Trailers)
 - i. A zoning permit may be issued for a period beginning no earlier than 30 days prior to the issuance of building/grading permits and terminating no later than 20 days after issuance of a certificate of occupancy for the last building to be constructed in the project.
 - ii. Such uses shall be located within the recorded subdivision or on the same lot where the construction project is located.
 - iii. Such uses shall not interfere with traffic movement on adjacent streets.
 - b. Promotional Activities of Retail Merchants
 - i. A zoning permit may be issued for a period not to exceed a total of 120 days per calendar year.
 - ii. Such promotional activities involving the outdoor display of goods and merchandise shall be conducted within an area immediately adjacent to the place where such items are customarily sold.
 - iii. No required off-street parking space, service drive or loading area shall be utilized for such display.
 - iv. The outdoor display of used appliances, used furniture, used housewares, used plumbing, used building materials, and other similar used merchandise shall not be authorized under this section.
 - c. Portable Storage Containers
 - i. On Residentially Zoned and Developed Lots

- (i) Portable storage containers may be allowed in any residential district for a period not to exceed 90 days in any 12-month period.
- (ii) A maximum of two portable storage containers having a storage capacity of not more than 256 square feet shall be permitted on any residential lot.

ii. On Non-Residentially Developed Lots

- a) Portable storage containers may be allowed in CSC, CH, PDC and any I districts for the purpose of increasing the storage capacity of the principal use to which it serves for a period not to exceed 90 days in any 12-month period.
- b) Portable storage containers shall not exceed the standards in Table 72-43.3.C, Portable Storage Container Size:

TABLE 72-43.3.C: PORTABLE STORAGE CONTAINER SIZE	
PRINCIPAL USE GROSS FLOOR AREA (SQ. FT.)	MAXIMUM PORTABLE STORAGE CONTAINER SIZE (SQ. FT.)
0 to 9,999	320
10,000 to 19,999	640
20,000 to 34,999	960
35,000 to 49,999	1,280
50,000 to 74,999	1,600
75,000 to 99,999	1,920
100,000 to 149,000	2,560 [1]

NOTES:

[1] Additional portable storage container square footage shall be permitted in increments of 1,280 square feet with each additional 50,000 square feet of gross floor area of principal use.

- c) Portable storage containers shall have a storage capacity no greater than 320 square feet nor dimensions greater than 40 feet in length, eight feet in width or eight and one-half feet in height.
- d) Portable storage containers shall not be used for purposes of retail display.
- e) Portable storage containers shall be sufficiently screened by a solid fence, wall, landscaping and/or a combination of these items so as to not be visible from any public right-of-way.

4. On All Lots

- a. Portable storage containers shall be located behind the principal building on site. If site conditions prevent location behind the principal building, containers may be placed in a driveway or parking lot provided the required parking spaces are unobstructed and prior approval of the location has been granted by the Zoning Administrator. In no instance shall a portable storage container be placed in a public right-of-way or public street without prior written consent of the Director of Public Works.
- b. No portable storage container shall be located closer than five feet to any lot line unless a shorter distance is approved by the Zoning Administrator.
- c. All portable storage containers shall be in a condition free from rust, peeling paint and other forms of deterioration.
- d. Portable storage containers shall not be placed in a manner that will obstruct a fire lane or in a manner that may hinder emergency and/or fire equipment and vehicles.

5. Carnival, Circus, Festival, Fair, Horse Show, Dog Show, Steeplechase, Sale of Christmas Trees or Other Seasonal Commodities and Other Similar Activities

- a. A zoning permit may be issued for a period not to exceed 30 consecutive days.

- b. All permitted activities shall be sponsored by a volunteer fire company, local chamber of commerce, veterans' organization, service club, civic organization, place of worship or religious organization, sports or hunt club, charitable, educational or nonprofit organization or recognized chapter thereof whose principal administrative offices are located within the City.
 - c. When the activity is a circus, fair or carnival, and the owner of the circus, fair or carnival is an entity other than the sponsoring organization, the sponsoring organization shall furnish the Zoning Administrator the name and address of the owner or owners of the circus, fair or carnival.
 - d. No zoning permit shall be issued unless adequate provision is made for off-street parking and loading requirements.
 - e. Zoning permits shall not be issued to the same applicant more than four times in any calendar year; each temporary use shall be separated by a period of not less than 30 days.
6. Subdivision and Apartment Sales and Rental Offices
- a. A zoning permit may continue until the sale or lease of all dwelling units in the development, but in no event shall the time exceed two years.
 - b. Such office shall be incidental to and located within the recorded subdivision which it serves or on the same lot where the sales project is located.
 - c. Such office shall contain no sleeping accommodations unless located in a model dwelling unit. Such sleeping accommodations shall be for the purpose of display only.
7. Tents on Private Property
- No Zoning Permit, and no Special Use Permit or Special Exception shall be required in order for an individual to lawfully erect a tent on private property:
- a. Intended to serve as temporary structure for a period of three (3) days or less; and
 - b. That will be used primarily for private or family-related events including, but not limited to, weddings and estate sales.
8. Yard Sale
- Yard sales and associated temporary signs shall be permitted in all residential districts subject to the following conditions:
- a. No more than two yard sales are held within a calendar year at the same location and lasting no more than three consecutive days.
 - b. All signs shall be located upon stakes, not on a city structure or tree, and shall not exceed two square feet maximum aggregate area and shall be located only on the shoulder of the road adjacent to a sidewalk and not within the median strips.
 - c. Signs shall not be installed until 6 pm of the day before the event.
 - d. Signs shall be removed by 6 pm of the last day of the event and not allowed to remain beyond the date of the event.
 - e. No more than four off-premise signs are used to direct traffic to the site.