

ADVERTISEMENTS AUTHORIZED BY THE COUNTY BOARD ON FEBRUARY 21, 2015
SHORT TERM INDOOR AND OUTDOOR EVENTS AND ACTIVITIES (12.10.5)

In the advertised amendments, bold underline denotes text to be added, and ~~bold~~
~~strikethrough~~ denotes text to be deleted.

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Article 12. Use Standards

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§12.10. Short Term Use Standards

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§12.10.5. Indoor and outdoor events and activities in vacant buildings or properties

In order to promote activity and vibrancy in the County's mixed-use and commercial areas, indoor and outdoor short term events or activities in vacant buildings, vacant floors or portions thereof, or vacant ground floor spaces in buildings, or on outdoor spaces (which may or may not be vacant), may be allowed in C and M districts, and outdoor events and activities may additionally be allowed in P districts, as follows:

A. Applicability

1. The buildings or building space used for indoor events shall be approved for retail, service and commercial use(s) as provided in 12.2.5 or industrial use(s) as provided in 12.2.6;
2. For any use consistent with all provisions of the subject zoning district and all relevant site plan or use permit conditions for the subject property, provisions of this 12.10.5 shall not apply.

B. Uses

Notwithstanding use type limitations in use permit or site plan conditions:

1. Allowed indoor uses shall be those allowed in the subject zoning district, and shall include indoor markets at which groups of individual sellers offer new or used goods for sale;
2. Allowed outdoor events and activities shall include:
 - (a) Art galleries, carnivals, circuses, festivals, fairs, dog or horse shows, outdoor retail sales events that are not associated with an established retail business on the premises, and seasonal stands for the sale of Christmas trees, pumpkins, flowers, fireworks, fruits and vegetables and the like, not associated with an established retail business on the

premises, and other uses, which in the judgment of the Zoning Administrator, are of the same general character;

- (b) Outdoor cafes, as provided in 12.9.14, associated with a use with an approved Certificate of Occupancy for a restaurant located within 2,000 feet of the short term use, shall be allowed for up to a total of 90 days per year per property (where property refers to the property on which the outdoor café is located) as provided in 12.10.5.C.2 below, provided that no such days shall be consecutive to one another.¹

- 3. Signs shall not be allowed as short term uses, except as provided in 12.01.5.D below.

C. Frequency and length of events

- 1. Short term events and activities in any individual building or on any individual property shall be allowed ~~as follows~~ for a total of one year², provided, however, that where a site plan amendment has been filed for a change in use that would permit the short term use for the subject property, the Zoning Administrator may renew the short term use until such site plan amendment is acted upon by the County Board³:
- ~~2. Community service uses, as provided in 12.2.4.B shall be allowed for a total of 360 days. After a period of 360 days, the building or property shall be eligible for short term uses as provided in 12.10.5.C.2 below.²~~
- 3. ~~All other allowed short term uses (including community service uses)~~ After the expiration of the ~~one year 360 days~~ one year period provided in 12.10.5.C.1 above, short term events and activities shall be allowed for a total of 90 days per year per property.²

D. Signs

- 1. Subject to 13.7, all signs for which no permit is required shall be allowed for indoor and outdoor events, for up to ~~one week~~ 30 days⁴ prior to the public opening of the event and during the time period for which the certificate of occupancy is issued, notwithstanding comprehensive sign plan provisions for the subject property.

¹ Striking through this text would remove the limitation on number of consecutive days for short term outdoor cafes.

² These edits (see also edits shown in the next two paragraphs) would allow ALL short term indoor and outdoor events and activities for up to a total of one year (rather than 360 days for community service uses and 90 days for all other uses); following the one year period, the Zoning Administrator could continue to allow short term indoor and outdoor events and activities for up to 90 days per year for the subject property.

³ These edits would allow the Zoning Administrator to renew an existing short term use if a site plan amendment has been filed for a change in use for the subject property. The Zoning Administrator could renew the use until such time the County Board has acted on the proposed site plan amendment.

⁴ These edits would allow signs that do not require permits for up to 30 days (rather than one week) prior to and during approved short term indoor and outdoor events and activities.

2. All other signs that meet all applicable provisions of Article 13 and are consistent with any comprehensive sign plan for the property shall be allowed, subject to 15.8.

E. Additional provisions for outdoor events

Outdoor events shall be subject to the following additional standards:

1. Temporary buildings or structures allowed for outdoor events shall include tents, shipping containers, and other similar temporary structures, subject to bulk, coverage and placement provisions in 3.2, and subject to all by-right height limitations in the subject zoning district.
2. All outdoor spaces subject to the permit for short term use shall be restored to prior conditions or to conditions otherwise required by the site plan or use permit controlling the subject property, upon conclusion of the approved time period for short term use.