

Chapter 17.82
Special Uses, Events and Temporary Uses

Sections:

- 17.82.010 Purpose.**
- 17.82.020 Types of Special Uses and Events**
- 17.82.030 General Conditions.**
- 17.82.040 Temporary Uses.**

17.82.010 Purpose. The purpose of this Chapter is to establish the conditions under which certain Special Uses, Events and Temporary Uses of buildings and public and private property may be permitted when safe and compatible with the general vicinity and adjacent uses.

17.82.020 Types of Special Uses and Special Events

- A. Special Uses and Events. These uses and events are activities that are of limited time or duration, but have the potential to adversely affect the health and safety of the surrounding uses and the general community. These impacts can be mitigated through the conditions outlined below in Section 17.82.030.
 - 1. These types of uses or events may include outdoor concerts, parades, farmers markets, and craft shows.
- B. Livestock. May be allowed in the SR zone with a Special Use Permit as outlined below.
 - 1. As defined in ZMC 17.04.020 (B)(48) and meeting the provisions of the animal control ordinances, and:
 - a. The Planning Official is authorized to interpret all provisions of this Title regarding livestock, including but not limited to determinations whether an animal meets the definition of a permitted livestock. Decisions of the Planning Official may be appealed to the Planning Commission in accordance with the provisions of this Title;
 - i. The Planning Official may establish such conditions of Special Use Permit approval as may be necessary to ensure compliance with the requirements of this Title, to promote compatibility with neighboring uses, and to protect environmentally sensitive areas.
 - b. Swine may only be permitted in the SR Zone in accordance with the following provisions:
 - i. The swine may only be kept for a period not to exceed five (5) months in a calendar year and only in conjunction with an approved FFA or 4H approved project/event; and

- ii. No more than four swine per parcel may be permitted.
 - iii. Swine Special Use Permit must adhere to the same provisions of the section 17.14.
 - c. The fees for a Special Use Permit associated with keeping livestock in conjunction with an approved FFA or 4H activity or event shall be listed on the City of Zillah's current land use fee schedule.
- C. Temporary Uses. These uses are not permanent but are for an extended time period. Section 17.82.040 lists allowed temporary uses and associated conditions.

17.82.030 General Conditions. The following conditions must be met in order to issue a special use/event or temporary use permit:

- A. A special use/event conducted in a parking facility shall not occupy or remove from availability more than 25 percent of the spaces required for the permanent use;
- B. Each site occupied by a special use/event must provide or have available sufficient parking and vehicular maneuvering area for customers and must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way;
- C. The special use/event or temporary use permit shall comply with all applicable standards of the Yakima County Health Department. A copy of the current permits, if applicable, must be submitted with application;
- D. All special uses/events or temporary use permit shall obtain, prior to occupancy of the site, all applicable City permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.);
- E. The Applicant for special use/event or temporary use permit shall supply written authorization from the owner of property on which the special use/event or temporary use permit is located;
- F. Each site occupied by a special use/event or temporary use permit shall be left free of debris, litter, or other evidence of the use upon completion of removal of the use;
- G. All materials, structures and products related to the special use/event permit must be removed from the premises between days of operation on the site, provided that materials, structures and products related to the special use/event may be left on-site overnight between consecutive days of operation. They shall be removed at the end of the permit period; and
- H. The Planning Official may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include but are not limited to, time and frequency of operation, special arrangements for parking and traffic circulation, requirement for screening or

enclosure, notification of affected property owners, and guarantees for site restoration and cleanup following uses.

17.82.040 Temporary Uses. The Planning Official may, upon proper application, issue temporary use permits for the following uses:

- A. Temporary structure(s) for the housing of equipment or containing supervisory offices in connection with major construction projects may be erected and maintained during the progress of such construction projects, provided that such temporary structures may not be maintained for a period exceeding one year unless an extension is granted by the City.
- B. Temporary placement of a travel trailer or manufactured home to provide housing while constructing a permanent dwelling on the same lot or parcel of land, provided that such temporary use may not be maintained for a period exceeding six months except that the Planning Official may extend this period for no more than six additional months, provided substantial construction exceeding fifty percent has been made on the permanent building.
- C. Temporary occupancy of a travel trailer adjacent to any existing residence on the lot or parcel of the residence to provide housing for bona fide visitors and guests of occupants of the permanent residence. One temporary permit may be issued for a maximum period of three consecutive weeks, provided the Planning Official may approve one extension for up to three consecutive weeks, except that permits will not be required until forty-eight hours after initially entering the City limits. Temporary trailers shall be required to meet all setbacks, lot coverage and height requirements for the principal use in the applicable zone.
- D. The placement of a temporary manufactured home upon a residential lot as the result of an infirmity due to age or illness of the owner of a residential property who becomes unable to care for him or herself. In this circumstance, a family member will many times volunteer to move a temporary manufactured home upon the property so that the family member lives in close proximity to the person under disability thereby enabling the family member to provide care and services for the person so that he or she can continue to reside in familiar surroundings. Manufactured homes may be temporary and are permitted based on the following criteria:
 - 1. Occupancy of a temporary manufactured home within the city, by a person or persons under a disability or infirmness due to age or illness which precludes and prevents that person or persons from effectively caring for themselves. A person cannot effectively care for oneself if he or she is unable to continuously provide for his or her basic necessities and responsibilities such as the ability to feed oneself; cleanse oneself; maintain the temporary manufactured home and property free from debris or dangerous conditions; and the ability to administer medication to oneself;
 - 2. The development of a temporary site plan for the temporary manufactured home demonstrating that the placement of the temporary manufactured home upon the

property will not constitute a fire threat or a hazard to the health and safety of the Applicant and to persons residing in the immediate vicinity thereof; and

3. The review and approval of a temporary manufactured home, for occupancy by an aged, infirm or incapacitated relative, or by one or more relatives or engaged in care-giving for the aged, infirm or incapacitated person:
 - a. Such home shall be for temporary placement for a period of one year, subject to review prior to renewal by the administrative official;
 - b. The aged, infirm or incapacitated person must be related by blood or marriage to the caregiver;
 - c. The property must be owned by either the caregiver or the aged, infirm or incapacitated relative;
 - d. Such temporary permit shall be issued only for the purpose of providing one temporary manufactured home on the same lot as the existing residence, in reasonably close proximity to each other, with the intent of sharing utility systems and to minimize negative effects on neighbors, where relevant;
 - e. If more than one residence already exists on the property, the reviewing official shall not issue a permit for a temporary manufactured home under this section;
 - f. Seventy years of age is considered aged for purposes of this section. Individuals less than seventy years of age shall be required to furnish a written statement by a licensed medical doctor or osteopath, indicating that the patient is not physically or mentally capable of independent living and is dependent on a relative being close by for personal physical care assistance;
 - g. The caregiver shall be physically capable of providing the needed personal physical care;
 - h. Financial hardships, taking care of the property and other convenience arrangements not relating to age or infirmity shall not be considered grounds for which a permit can be issued;
 - i. Sewage and water shall be connected to the existing city mains located on the property as follows:
 1. In cases where the property is served by public sewer and water, no additional connections to the line shall be permitted, unless required otherwise by the Planning Official.
 2. In cases of on-site water and septic systems, if failure or other inadequacies of the existing water and septic system prevent connection of the temporary manufactured home, the water and

septic system shall either be repaired, replaced or upgraded to the satisfaction of the Yakima Health District so as to be capable of serving both residences.

3. If the system cannot be repaired or upgraded, or topography prohibits connection to the existing system, then a new on-site system may be authorized for the temporary unit; however, the new system shall be abandoned when no longer used for the purposes for which the permit was issued, unless immediately succeeded by a permitted use under this title.
- j. The temporary manufactured home shall conform to setback requirements of Zoning Code, and shall not be permitted within the 100-year floodplain.
 - k. Temporary manufactured homes shall meet the siting requirements of Section 17.88.090 of the City of Zillah's Zoning Code;
 - l. The approval of the temporary manufactured home will not materially harm the public interest, the intent of the zone, or the character of the neighborhood;
 - m. No additional road approaches, access roads or accessory buildings to serve the temporary manufactured home shall be permitted, unless determined to be acceptable by the Planning Official. The temporary manufactured home shall be located within two hundred feet of the existing residence on the property unless this would conflict with subsection (D)(3)(j) above, or if other bona fide physical site constraints or overriding negative impacts to residential activities would prohibit compliance;
 - n. A covenant, to which the city is a party, shall be recorded with the county auditor stating that the temporary manufactured home and any related improvements do not vest the property with any right to subdivide or convert the temporary unit to a permanent dwelling, except in conformance with City Code;
 - o. The temporary manufactured home shall be removed within 90 days if the temporary unit is no longer occupied by the person(s) for whom the permit was issued, or the permit has expired and was not renewed. As an alternative, the temporary manufactured home may remain on the property if the original dwelling is removed within 90 days; provided, the type of dwelling used as the temporary manufactured home is approved on a "permanent" basis through the applicable review process and the unit meets applicable sitting requirements. The applicant may indicate their intent to replace the original dwelling unit with the temporary manufactured home and receive approval for such through the review.