

Sec. 62-2131. - Temporary use agreements.

The board of county commissioners may consider a temporary use agreement for the temporary use of property, regardless of the zoning of the property, where such temporary use results in a direct public benefit. The purpose of the temporary use agreement is to acknowledge the need and public advantage to locate temporary uses, such as equipment storage, materials storage, portable asphalt plants, etc. in locations that are convenient to public improvement projects in such a manner that the temporary location would result in a savings to the public, but which would not necessarily be appropriate as a permanent use according to the comprehensive plan designation and zoning of the property. Temporary use agreements shall meet the following conditions:

- (1) Such temporary use agreement shall be approved only in those situations where the request is necessary to fulfill the obligations of a federal, state or local government agency contract to construct, maintain or improve a public facility.
- (2) Such temporary use agreement shall specify the duration of the use, which shall not exceed one year; except lagoon restoration projects managed by the county or a public entity in partnership with the county may be approved for the anticipated project duration, up to five years. Any extension shall be processed as a new agreement.
- (3) Such temporary use agreement shall contain a hold harmless stipulation indemnifying the county against liability.
- (4) No building permits shall be issued for any permanent structure. All equipment shall be portable and easily moveable.
- (5) All temporary equipment, supplies, etc. shall be removed from the property prior to the expiration of the temporary use agreement.
- (6) The temporary use agreement shall specify the location of all equipment storage areas and material storage areas, relative to the property lines.
- (7) The temporary use agreement shall locate all storage areas such that adjacent developed properties are best protected from the impacts of the temporary use.
- (8) The county shall provide written, individual notice to each property owner with 1,000 feet of the site of the proposed temporary use.
- (9) The temporary use agreement shall be considered by the board of county commissioners in public meeting.

(Ord. No. 96-02, § 1, 2-6-96; Ord. No. 2019-19, § 1, 8-20-19)