



DEVELOPMENT SERVICES CENTER – PLANNING DIVISION

17575 Peak Avenue Morgan Hill CA 95037 (408) 778-6480 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

**Filing Requirements
for
TEMPORARY USE PERMIT
(not for Temporary Directional Signs)**

PURPOSE

The Temporary Use Permit process is intended to allow uses of a temporary nature on **PRIVATE** property to exist for a specified length of time in a manner which will not adversely impact the general welfare of persons residing in the community. A Temporary Use Permit shall be required for all uses listed in Section 18.54.160 of the Morgan Hill Municipal Code. **The Temporary Use Permit should be filed at least one month prior to the operation of the proposed use.**

A Temporary Use Permit shall also be required for the placement of temporary directional signs in the public right of way as provided in Section 18.76.240 of the Municipal Code. Subdivision directional signs shall only be allowed in combination with a Temporary Use Permit for a tract sales office or model home sales complex. For information on temporary directional signs please see the Filing Requirements for Temporary Use Permit for Temporary Directional Signs.

The Temporary Use Permit application will be processed within two weeks of receipt by the Community Development Department. The Director or other duly authorized staff will approve, conditionally approve or deny the Temporary Use Permit application.

Upon approving the Temporary Use Permit, the Department will notify the applicant in writing, listing all conditions of the approval. Approval of a temporary use permit should not be interpreted as relieving the applicant of any other city standard, regulation and/or requirement stated in the City Codes.

Uses on **PUBLIC** property must conform to regulations relating to Events on Public Property as provide in Chapter 12.16 of the Municipal Code.

USE OF A COMMUNITY-WIDE NATURE

The applicant for a Temporary Use Permit of a community-wide nature is encouraged to contact the City's Economic Development Department and/or the Morgan Hill Chamber of Commerce for their assistance in promoting the community event. They can be contacted as follows:

City of Morgan Hill, Economic Development
17575 Peak Avenue
Morgan Hill, CA 95037
(408) 778-6480

Morgan Hill Chamber of Commerce
17450 Monterey Rd.
Morgan Hill, CA 95037
(408) 779-9444

FILING REQUIREMENTS

Any person wishing to establish a Temporary Use Permit must submit an application to the Community Development Department. The application shall be accompanied by a site plan showing the layout for the proposed use, and other plans as deemed necessary by the city. A statement of proposed operations shall also be submitted. Such application should be filed at least thirty days prior to the operation of the proposed use.

1. Uniform Application
2. **Two (2)** full size sets of submittal plans
 - Site plan for subject property including the following information
 - The location of the existing buildings and improvements
 - The layout of the proposed use including such things as activity areas, tables, booths, displays, portable toilets, etc.
 - For temporary uses proposed for vacant sites show the location of ingress, egress and required off street parking.
 - A Temporary Use Permit application for a tract sales office or model homes sales complex must include
 - A site plan showing the location of the sales office or model complex including setbacks and the parking lot including handicapped parking details
 - Detailed parking lot section including types of materials
 - Location of model home signs and subdivision identification signs if these signs will be included as part of the Temporary Use Permit
3. **Three (3)** sets of submittal plans reduced to 11" x 17" in size
4. **One (1)** cd containing submittal plans in pdf format
5. Additional plan sets may be required upon request
6. Statement of Proposed Operations - Provide a written statement outlining the request for a temporary use permit. All statements must give a detailed description of the proposed use including the following information:
 - Hours and days of operation
 - Number of employees
 - Other information which effectively describes the proposed use
7. Filing Fees (see Fee Schedule attached to Uniform Application)
8. Cash Deposit per section 18.54.130 of the Municipal Code
 - Prior to approval of a Temporary Use Permit, a cash deposit shall be posted. This deposit is intended to defray the cost of cleanup of a site by the city in the event the applicant fails to leave the property in a presentable and satisfactory condition, or to guarantee removal and or reconversion of any temporary use or structure. The cash deposit may also be used to defray the cost of removal of any illegal or unsafe directional signs in the public right of way or on provide property.
 - The following cash deposits shall apply:
 - \$1,500 for model homes
 - \$1,000 for sales/leasing offices
 - \$ 500 for subdivision directional signs
 - \$ 500 for all other types of temporary use permits

9. Hold Harmless Agreement per Section 18.54.150 of the Municipal Code

- The applicant must agree in writing to hold harmless the city, its officers, agents and employees from any liability or claims for damages on account of injury to any person, loss of life, or damage to the property caused by, or arising out of activities authorized by a Temporary Use Permit. The City will prepare the agreement for the applicant to sign.

APPEALS

Appeals of action taken by the Community Development Department will be heard by the Planning Commission. Appeals are processed in accordance with Chapter 18.64 of the Municipal Code.