



Development Services Department
Escambia County, Florida

For Office Use Only
Permit #: _____
Invoice # _____
Fee \$ <u>N/A</u> Up to 30 days
Fee \$ <u>45.00</u> Between 31 & 180 days
(fee includes \$5 technical fee)

Land Use Certificate for Temporary Structures/Mobile Vending Units

Owner's Name:			
Project Address:			
Property Reference #:			
Temporary Structures & Mobile Vending Units <small>(LDC 4-7.13 attached)</small>	___ up to 30 days	___ between 31 & 180 days	Longer than 180 days DRC approval required
	___ Recreational Use ___ Commercial Use ___ Commercial Amusement Use		
	Construction Type:		Square Feet:
Applicant/ Contractor/ Agent	Name:		Escrow Account # : <small>(if applicable)</small>
	Address:		
	Phone:	Fax:	
<p>I certify that the site plan below (or attached) accurately describes the property for which the Temporary Structure is intended and that I intend to place the structure as indicated on the site plan. I understand and agree to comply with all of the requirements of the Land Development Code for construction of the above referenced project and that by signing below; I assume all responsibility for the placement and location of the temporary structure.</p>			
Applicant's Signature:			Date:
<p>SITE PLAN: You must furnish your own site plan (below or attached), drawn to scale, with the following information: The location and dimensions of the proposed structure in relation to existing structure(s) and property lines, the property length and width, names and locations of streets and/or roads bordering the property & a north arrow.</p>			
OFFICE USE ONLY			
Up to 30 Days	Zoning District: ___ complies with zoning district ___ does not comply with zoning		Verified By: _____ Date: _____
Between 31 and 180 days	Planning Official/Designee: _____		Date: _____



Development Services Department

Escambia County, Florida

Sec. 4-7.13 Temporary uses and structures.

(a) General limitations. Where authorized by the parcel owner and applicable permits, uses and structures are allowed temporarily according to the provisions of this section.

(1) Time of use. Except as may otherwise be provided for specific uses and structures, the temporary establishment of a use, or the temporary placement of one or more structures, on the same parcel for more than 30 days shall require county land use approval. Establishment or placement for more than 180 days shall require LDC compliance review and approval as prescribed in Chapter 2 for permanent development. Prior to the expiration of their authorized time of use on a parcel, all temporary uses shall be discontinued on the parcel and all temporary structures shall be removed from the parcel unless authorized for permanent use. Unless authorized by a separate land use permit, the time limit for all temporary uses and structures is measured from the time any temporary use is established or any temporary structure is placed on the parcel until all the uses are discontinued and all structures are removed.

(2) Temporary uses. A temporary use may be established outdoors on a parcel or within an authorized permanent or temporary structure on the parcel, provided the use is a permitted use within the applicable zoning district or is otherwise authorized. Minor alterations in a temporary use (e.g., changing items offered at a sales event) do not modify the permitted duration of the use and are not considered discontinuation of the use.

(3) Temporary structures. A temporary structure may be erected on a parcel for an authorized use for a limited time provided the structure complies with the requirements of the applicable zoning district or is otherwise authorized as a specific structure. A temporary structure may be the principal structure on a parcel and a permanent structure is not required to be on the same parcel as the temporary structure. Change of use or occupancy, including periods of disuse or vacancy, does not modify the permitted time of placement for a temporary structure, and relocation within the same parcel is not considered removal of the structure or discontinuation of its use.

(b) Specific uses and structures. The following uses and structures are allowed temporarily under the conditions prescribed for each:

(1) Construction sites. Real estate sales and construction management may be carried out within separate or combined temporary construction site offices when in compliance with the applicable provisions for each use.

a. Construction offices. A construction office is allowed by land use permit as a temporary use and structure on a construction site, or on an adjoining parcel, during authorized site construction. The temporary office shall be set back a minimum of five feet from any property line of the host parcel, be a State of Florida approved modular building, and be removed no later than 90 days from the date of issuance of a certificate of occupancy or other applicable final county approval of the site construction.

Development Services Department

Escambia County, Florida

b. Sales offices. A real estate sales office is allowed by land use permit as a temporary use and structure on a construction site, or on an adjoining parcel, and can be authorized prior to the start of construction if a pre-application review of the proposed development has been completed by the county. The setback and building type shall be that required for a construction office, but removal of a temporary sales office shall be within 24 months of the issuance of pre-application review comments if construction has not begun. Extension of the time may only be authorized as prescribed in Article 6 of Chapter 2. These provisions do not apply to real estate sales offices authorized within model homes by other provisions of this section.

(2) Disaster recovery housing. A temporary structure or recreational vehicle is allowed by land use permit to provide disaster recovery housing when a fire, flood, windstorm, or other natural or man-made disaster requires the temporary housing of a single-family residential use or a non-residential use to facilitate repair or replacement of a damaged structure. The following provisions apply to such housing:

- a. Permit conditions.** As a condition of its land use permit, a temporary structure providing disaster recovery housing shall be removed from the property within ten days after a certificate of occupancy is issued for the new or rehabilitated structure, or upon the expiration of the permit, whichever occurs first. Failure to remove the temporary structure shall authorize the county to remove it without further notice and at the expense of the permit holder or property owner. After a recreational vehicle is no longer authorized to be used for disaster recovery housing, the vehicle becomes subject to the normal use provisions of the LDC.
- b. Date of disaster.** If an official disaster declaration is issued, the date of the declaration shall be the date of the disaster for the purpose of permitting.
- c. Utilities required.** Electrical power, potable water, and sanitary sewer connections complying with the Florida Building Code shall be provided to the temporary structure.
- d. Flood considerations.** Placement of the temporary structure shall comply with all floodplain management regulations.
- e. Single-family dwelling.** During post-disaster rehabilitation or reconstruction of a single-family dwelling made unfit for human habitation, the Building Official may permit the use of a manufactured (mobile) home or recreational vehicle as temporary living quarters on the lot of the damaged dwelling, regardless of zoning district requirements. However, no more than one such temporary structure or vehicle may be permitted per lot, and the resident of the damaged dwelling must occupy it. Additionally, the applicant must apply for such permit within six months of the date of the disaster and the maximum length of the temporary use shall be 18 months after the date of the disaster. [
- f. Alternate residential sites.** When the lot of a damaged single-family dwelling is not suitable for placement of a manufactured (mobile) home or recreational vehicle as temporary living quarters, the applicant for the temporary quarters

Development Services Department

Escambia County, Florida

may designate an alternate site for either type of quarters. However, a manufactured home must be a permitted use under the zoning of the alternate site and shall comply with the setback requirements for an accessory dwelling. When an alternate site is designated, both the person whose home has been made uninhabitable and the owner of the alternate site shall join in the application for the permit and be responsible for the timely removal of the temporary housing-

g. Non-residential use. During post-disaster rehabilitation or reconstruction of commercial or industrial use structures made unfit for business activities, the Building Official may permit the use of a State of Florida approved modular building as a temporary structure to carry out business activities on the lot of the damaged building. However, such temporary structures may be permitted only for use on the site of the damaged structure and only if there remains adequate parking (including handicap) based on the temporary structure. Additionally, the applicant must apply for such permit within six months of the date of the disaster and the maximum length of the temporary use shall be nine months after the date of the disaster.

h. Permit extension. When any temporary use structure or vehicle permitted under these disaster recovery provisions is replaced due to damage from a subsequent disaster, the duration of the original temporary use permit shall not be extended unless the Building Official determines the subsequent disaster caused sufficient damage to the permanent structure to require additional repairs that will slow the rehabilitation or reconstruction process.

(3) Medical hardship temporary living quarters. A manufactured (mobile) home or park trailer is allowed as a temporary use within any mainland zoning district that does not otherwise allow such living quarters if approved by the Board of Adjustment (BOA) for use due to medical hardship as prescribed in Article 6 of Chapter 2. The following standards apply to the temporary living quarters:

a. Maximum structure size. The temporary-quarters shall not exceed 1280 square feet in gross floor area.

b. Minimum lot size. The lot where the temporary quarters will be located shall be at least one-quarter acre if served by public sewer. If a septic tank is used, the lot shall be at least one-half acre. Additionally, the lot shall be sufficient in size to allow compliance with all zoning district lot coverage and setback requirements.

c. Location. The temporary quarters shall be located on the same parcel (same property identification number) as the primary residence.

d. Limited occupancy. Only the caregiver and their immediate family, or the person in need of medical care and their immediate family, shall occupy the temporary quarters.

e. Indemnification. Prior to placement of the temporary quarters on the approved parcel, the landowner shall execute an agreement with the county (in a form acceptable to the County Attorney) providing for indemnification from all claims

Development Services Department

Escambia County, Florida

arising in connection with the temporary quarters and acknowledging the county's right to remove the temporary use at the owner's expense if the owner, or his heirs and assigns, fails to remove it within 60 days after the expiration of the temporary use approval granted by the BOA.

- f. Building code compliance.** The installation of the temporary quarters shall comply fully with the Florida Building Code and is subject to all associated compliance inspections.
- g. Temporary status maintained.** The wheels and axles of the temporary quarters shall not be removed, and no additions shall be constructed, except that handicapped access ramps may be provided.

(4) Mobile vending units. A mobile vending unit is allowed as a temporary use on any parcel within the Agr, Com, HC/LI, Ind, Com-PK, CC-PK, CG-PK, and PR-PK zoning districts. The following additional restrictions apply to any use of mobile vending units:

- a. License.** The operator of the mobile vending unit must obtain any applicable occupational license from the Escambia County Tax Collector and affix a copy of the occupational license to the mobile vending unit in a conspicuous location. The operator is additionally responsible for obtaining all other applicable authorizations required to store, prepare, serve, distribute, or sell by mobile vending.
- b. Nuisance conditions.** The mobile vending unit shall be designed, placed, maintained, and operated so as to prevent the creation of nuisance conditions, including surface discharges of waste water, oil, or grease. Solid waste receptacles of adequate capacity and convenience shall be provided to prevent the scattering of beverage containers, paper products, and other vending related debris.
- c. Placement.** The mobile vending unit shall not be placed within a parking lot drive aisle or required landscape area of a developed site used by another active use; within any active driveway, or sidewalk, or within any public right-of-way; in any location obstructing the line of sight for traffic; or in any location otherwise presenting a safety hazard.

(5) Model homes. Within any residential subdivision for which a preliminary plat has been approved by the county, the construction of no more than two principal dwellings for temporary use as model homes or real estate offices for the promotion and sale of lots or houses within the subdivision may be authorized prior to final plat approval. For the annual "Parade of Homes" event or other special circumstances the Board of County Commissioners (BCC) may authorize at a public hearing the issuance of additional model home permits if additional assurances of infrastructure completion are provided. However, issuance of a model home permit does not authorize issuance of a certificate of occupancy, and no permanent certificate of occupancy may be issued for any dwellings until the final plat is approved by the BCC and recorded as prescribed in Article 5 of Chapter 2. Additionally, the dwellings cannot be permanently occupied as residences until

Development Services Department

Escambia County, Florida

certificates of occupancy are issued. Any office use of a model home shall cease when sales within the subdivision have been completed.

- (6) Portable storage containers.** On a lot where a portable storage container is not allowed as outdoor storage by the applicable zoning, the container may be allowed as a temporary use according to the following provisions:
- a. The on-site use of a container for 30 days or less only requires notification to the Planning Official of the placement by the provider of the container, and tracking by the official for enforcement purposes.
 - b. The on-site use of a container for more than 30 days requires issuance of a 90-day permit by the Planning Official after a reasonable demonstration by the applicant of temporary circumstances that make the additional on-site storage time necessary. Such circumstances may include damage to or destruction of the principle structure, remodeling, renovation, construction, or relocation. A weatherproof copy of the permit indicating the date of issuance, date of expiration, and address of the approved placement shall be attached to the container.
 - c. Prior to expiration of the original permit and upon additional demonstration by the applicant of unforeseen circumstances, the Planning Official may grant not more than one 90-day extension to the permit for good cause shown. If granted, a weatherproof copy of the extension shall be attached with the initial permit.
 - d. Applicants are generally limited to one portable storage container per principal use. For residential uses the limit is one container per dwelling unit. The use of more than one storage container per principal use may be approved by the Planning Official upon a demonstration of need, such as the scope of work or extent of construction.
 - e. The exterior dimensions of a container shall not exceed nine feet in height, 20 feet in length, and eight feet in width.
 - f. The container shall not obstruct the line of sight for traffic or otherwise present a safety hazard. The placement of containers in fire lanes or public rights-of-way is prohibited.
 - g. Front yard placement of a container may only be permitted where no alternative location on the parcel exists, or if placement at an alternative location would create an unreasonable hardship on the owner or occupant.
 - h. The provider of a container shall be responsible to ensure that it is in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, rips, tears or other holes or breaks.
- (7) Special events.** For the purposes of this section, a special event is an infrequent short-term outdoor use or activity not specifically identified as allowed by the applicable zoning district, but not otherwise prohibited by law or ordinance. Special event uses and activities include art shows, garage and yard sales, estate sales, sidewalk sales, festivals, school carnivals, church bazaars, classic car shows,

Development Services Department

Escambia County, Florida

tournaments, concerts, fairs and circuses, haunted houses, pumpkin and Christmas tree sales, grand openings, and similar temporary events likely to attract crowds.

a. Limitations. A special event is allowed as a temporary use without a land use permit for up to 30 days, but on any parcel used as or zoned residential a special event is limited to no more than 14 days in a calendar year. No special event or associated temporary structure on any parcel shall endanger public health, safety, or welfare, particularly in consideration of nuisance or other adverse impacts from the scale, extent, intensity, time, or duration of the event.

b. Associated structures. Temporary structures may be placed on special event parcels for the duration of the associated event according to the provisions of this article and the conditions of any applicable permits. Nothing in this section shall be construed to prohibit temporary structures associated with civic, community, or religious events, including authorized events on public lands, social and religious activities on parcels occupied by places of worship, and events on private lands developed to include special events (e.g. Pensacola Interstate Fairgrounds).

(8) Temporary shelters. The use or placement of one or more temporary structures, shelters, or any other accommodations on a parcel for the residence, dwelling, or habitation of any person(s) on that parcel is allowed as a temporary use on the parcel for no more than 14 days in any calendar year outside of a duly licensed campground or recreational vehicle park, except as may be authorized through the disaster recovery housing or medical hardship provisions of this section. See also the additional provisions of this article regarding the use of manufactured (mobile) homes and recreational vehicles.