

16.08.070 Temporary Use Permits

B. Types of temporary use permits and their criteria.

1. Temporary living quarters for farm labor: A temporary living quarters for farm labor is only permitted in conjunction with a bona fide functioning farming or ranching operation where:
 - a. The amount, type and/or frequency of the labor needed in the farm or ranch operation is greater than what could be reasonably expected of the property owner to accomplish without additional help;
 - b. The resident of the temporary living quarters is an employee of the farm; and
 - c. The temporary living quarters will be on the same or adjoining parcel to the farming or ranching operation.
2. Temporary watchman's quarters: A temporary watchman's quarters is only permitted in conjunction with a commercial or industrial operation having a demonstrated need for security where:
 - a. Other reasonable methods of security have been attempted without success; and
 - b. The watchman's quarters is placed on the parcel of the commercial or industrial operation and located in a manner to effectively provide security.
3. Temporary caretaker quarters: A temporary caretaker quarters is only permitted to be used to alleviate hardship on a lot or parcel which has a permanent residence thereon where:
 - a. The temporary caretaker quarters is resided in by a person over seventy (70) years of age or is physically or mentally disabled, that requires care and the residents of the permanent residence will be providing attendant care; or
 - b. The temporary caretaker quarters is resided in by an attendant caring for a person over seventy (70) years of age, or who is physically or mentally disabled, that requires care.
4. Temporary quarters for home construction: A temporary quarters for home construction may only be permitted on a parcel during the construction, placement, renovation, or remodel of an on-site permanent dwelling on that parcel. The temporary quarters for home construction permit may only be issued upon satisfactory evidence that:
 - a. The temporary living quarters is a recreational vehicle (RV) or a camper, and will not include a trailer, mobile home or manufactured home that could be used as a long-term residence;
 - b. The temporary living quarters is placed in a suitable location that will not interfere with home construction as shown on a site plan of the property;
 - c. The permanent dwelling will be constructed in a manner compliant with Churchill County Code as shown by architectural drawings, construction drawings, or building permit for the construction; and
 - d. Constructed in a timely manner as shown by a contract with a licensed contractor to complete the work or a statement that the work will be self-performed according to a provided construction schedule.
5. Temporary office during non-residential construction: A temporary office during non-residential construction may only be permitted on a lot or parcel in any land use district during construction of permanent non-residential facilities where:
 - a. The temporary office is a commercial coach located on the same lot or parcel as the permanent facility or commercial facility;

- b. A valid building permit for construction of the permanent facility has been issued; and
- c. The temporary office will be removed within ninety (90) days of the completion of the permanent facilities.

No temporary use permit of any type may be issued that is incompatible with other existing uses within the same general area, constitutes a nuisance, or overburdens improvements or facilities.

C. *Application requirements.* Before a temporary use permit may be considered for approval the applicant shall file with the Director:

- 1. A complete temporary use permit application signed by at least one owner of record of the property on a form prescribed by the Director. The application shall include all plans, documents, drawings, or other evidence in support of the application;
- 2. A detailed site plan of the subject property including location of the proposed temporary living quarters, location of sewer, water, and electricity connections, setback requirements, and any planned construction on the parcel;
- 3. The fee as prescribed by resolution of the Board of County Commissioners;
- 4. Proof that water and electrical connections for the temporary living quarters are present and ready to be connected;
- 5. Proof that a waste disposal connection or suitable alternative is available on the property for the temporary living quarters; and
- 6. A safety certificate issued by the Nevada Manufactured Housing Division for any manufactured/mobile home or commercial coach.

D. *Application review.* The director shall review each application to ensure that the proposal is consistent with the requirements of this title. The Director shall cause notice to be issued to neighboring landowners in accordance with this title and consider evidence and facts from the applicant and any neighbor or member of the public relative to the proposed temporary use permit. The Director shall issue the temporary use permit if the application indicates, by a preponderance of the evidence, that all required criteria of the permit sought are met and the temporary use will not be incompatible with surrounding land uses, create a nuisance or overburden improvements or facilities.

E. *Conditions of approval.* The Director, in approving any temporary use permit, may require certain conditions under which the lot or parcel may be used, if, in the Director's opinion, the use will otherwise be incompatible with other existing uses within the same general area or will constitute a nuisance or will overburden improvements or facilities.

F. *Renewal requirements.* Temporary use permits are valid for no more than one year. Temporary use permit holders may request renewal prior to the expiration of the permit using appropriate forms and accompanied by required fees. Any renewal for less than one year shall have its fee prorated.

- 1. A temporary use permit renewal request for farm labor must be renewed annually by providing the planning department with an annual renewal fee and must include evidence that the farming operation is active.
- 2. A temporary use permit renewal request for watchman's quarters must include evidence that the commercial or industrial operation is active. The absence of an active business

license for commercial or industrial operations that are required to hold a business license will automatically terminate the temporary use permit.

3. A temporary use permit renewal request for caretaker cases must have evidence including, but not limited to, letters from a medical practitioner, showing the original need for said permit still exists.
4. A temporary use permit renewal request for constructing or renovating a permanent residence must include evidence of substantial progress towards completion and an estimated time for completion. A temporary use permit for renovating or constructing a permanent residence may not extend for a period longer than three years from its original date of issuance.
5. A temporary use permit renewal request for a temporary office during the construction of permanent facilities must include evidence of substantial progress towards completion and an estimated time for completion. A temporary use permit for a temporary office may not extend for a period longer than three years from its original date of issuance.

G. *Termination requirements.* If a temporary permit expires or is not renewed the temporary living quarters or office must be removed from the property within 90 days of receipt of a notice of termination. In cases where a travel trailer or recreational vehicle has been utilized for the purposes of a temporary use permit, said vehicle may remain on the subject property but must be disconnected from any and all utilities and cease to be used for the purposes outlined in the temporary use permit.

H. *Expiration.*

1. A use permitted by an approved temporary use permit must be enacted, which includes, without limitation, setup of temporary residence, connections to existing well and sewer, inspection of connections by the building department, etc., within six months from the date of approval. Failure to enact the permit shall invalidate the temporary use permit. Without further action, the temporary use permit shall be null and void and such use shall not be made of the property except upon the granting of a new temporary use permit.
2. A temporary use permit that is not renewed will be terminated without further action.
3. A temporary use permit shall be, upon violation, subject to revocation or termination by the Director.
4. Once the need for which a temporary use permit has been granted no longer exists the permit is considered void and the temporary use granted must be discontinued.

I. *Reinstatement of Expired Permit.* In all cases where a temporary use permit has terminated, an applicant may submit an application for reinstatement within thirty (30) days of the termination. An application for reinstatement must include all documentation for a standard renewal request in addition to a reinstatement fee set by resolution of the Board of County Commissioners. The Director shall not permit a renewal request more than 30 days after expiration of the temporary use permit.