

# EL DORADO COUNTY PLANNING DEPARTMENT

2850 Fairlane Court, Placerville CA 95667

<http://www.co.el-dorado.ca.us/planning>

phone: (530) 621-5355 | fax: (530) 642-0508

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## TEMPORARY USE PERMIT

(Revised 07/02)

### PURPOSE

Chapter 17.23 of the County Zoning Code makes provisions for uses of a temporary nature which are generally not permitted by right in the zoning district. A temporary use is a use which lasts more than one hour within any 24-hour period, usually does not require permanent structures, and does not exceed the frequency of use allowed within the Zoning Code. Typical temporary uses include: Christmas tree lots, subdivision model homes, temporary construction yards, outdoor carnivals, auctions, religious revival meetings, and similar uses which the Planning Director determines to be compatible with the existing zone and surrounding land uses. (See requirements on second page for carnivals and outdoor music festivals.)

Section 17.23.030 of the Zoning Ordinance permits "other temporary uses not specified" to be permitted by processing and obtaining approval of a special use permit. This is a longer, more complicated and costly process, and would typically apply to those temporary uses which may last for more than a year and are not specified as permitted uses in Section 17.23.020 of the Zoning Ordinance. Should you be interested in this process, obtain an application handout for special use permits for further information.

### PROCESS

1. Applicant/agent prepares all required submittal information and makes an appointment to submit the application to the Planning Department.
2. Planner is assigned and the application is distributed to concerned County departments for comment and recommendation within ten (10) days.
3. Assigned planner meets on-site with the applicant/agent, if deemed necessary.

### CONDITIONS OF APPROVAL

The Planning Director, upon approval of a temporary use permit may attach conditions which may include some of the following:

1. Time limits for the use. These are generally noted in Section 17.23.050 of the Zoning Code.
2. Bonds or other security to guarantee the removal of any materials resulting from the temporary use.
3. Sign limitations.
4. Setback requirements from roads or road easements.
5. Any other condition that may be reasonable to reduce potential adverse impacts of the proposed use.

### **TIMING**

A typical application should be processed within a 15- to 25-day period. Some of the more complicated uses such as carnivals, concerts, or other activities attracting large crowds will take 30 to 60 days to process.

### **APPEALS**

The decision of the Planning Director may be appealed to the Board of Supervisors by either the applicant or affected neighbors. Said appeal must be made, and appeal fee paid (\$100.<sup>00</sup>) within ten (10) working days after the decision of the Planning Director. The matter will then be set for review by the Board of Supervisors. Their decision on the matter is final.

### **CARNIVALS AND OUTDOOR MUSIC FESTIVALS**

Both of these types of temporary uses in addition to obtaining a temporary use permit must also comply with the requirements of Chapters 5.12 and 5.32 of the County Code. Generally, the following is required:

Chapter 5.12 Carnivals: A business license cannot be issued for a carnival until the applicant obtains a resolution from the Board of Supervisors declaring that "the public health, safety, and welfare will not be endangered by the business....." To provide this resolution, a request must be made to the Tax Collector to establish a public hearing before the Board of Supervisors. The hearing notice shall be published in a newspaper of general circulation in the County one time at least ten (10) days prior to the hearing.

Chapter 15.32 Outdoor Music Festivals: Where the festival will attract over 2,000 persons, a written application must be made, and appropriate fees paid to the Board of Supervisors for approval of the proposed activity. Said application must be submitted 60 days or more prior to the date of the proposed event. This application will be set for public hearing with notice being published at least ten (10) days prior to the hearing. Written notice of the hearing is also mailed to all property owners within 500 feet of the music festival site.

In both of these instances, a properly filed temporary use permit will be processed concurrently by the Planning Department. The proposed conditions (if any) will be made available to the Board of Supervisors for their consideration/deliberation at the public hearing.

**To meet the processing requirements for both of these applications, they must be submitted well in advance of the proposed event to permit ample processing time as required by County Codes.**

### **FEES**

Current application and revision fees may be obtained by contacting the Planning Department at (530) 621-5355 or by accessing the Planning Department's online fee schedule at <http://www.co.el-dorado.ca.us/planning>.

**NOTE:** Should your application be denied, application fees are nonrefundable. Should you request withdrawal of the application before a decision has been made, you may receive only that portion of the fee which has not yet been expended.

### **SUBMITTAL REQUIREMENTS**

The following information is required with the submittal of each application:

1. Temporary use permit application adequately filled out and signed by the property owner or authorized agent.
2. A site plan of sufficient detail to show the location of the intended use on the property and a written description adequately defining the location of the temporary use.
3. Christmas tree lot applications located within existing parking lots shall include a site plan which shows the total quantity of existing parking available, and the number of spaces lost for the Christmas tree use.

### **DEED RESTRICTIONS**

Please review and understand any private deed restrictions recorded against your property to insure your proposed application does not violate such deed restrictions. If a conflict exists between the deed restrictions and your application, the County can still approve your application and issue necessary permits. However, County approval does not absolve your obligation to comply with deed restrictions.

### **APPLICATION**

If the application and submittal requirements are not attached to this information packet, please contact the Planning Department. You may also call the Planning Department at (530) 621-5355 for general assistance.

### **APPOINTMENT**

Applications are accepted by appointment only. Please call ahead for an appointment with a planner when you are ready to submit your application. Please have all required submittal information completed before your appointment. Appointments are generally made within 48 hours of your call to the Planning Department at (530) 621-5355.

# EL DORADO COUNTY PLANNING DEPARTMENT

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## REQUIRED SUBMITTAL INFORMATION for Temporary Use Permit

The following information must be provided with all applications. **If all the information is not provided, the application will be deemed incomplete and will not be accepted.** For your convenience, please use the check (√) column on the left to be sure you have all the required information. **All plans and maps MUST be folded to 8½" x 11"**.

### FORMS AND MAPS REQUIRED

Check (√)  
Applicant County

- |       |       |    |                                                                                                                                                                                                                        |
|-------|-------|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| _____ | _____ | 1) | Application Form <b>and</b> Agreement for Payment of Processing Fees, completed and signed.                                                                                                                            |
| _____ | _____ | 2) | Letter of authorization from <u>all</u> property owners authorizing agent to act as applicant, when applicable.                                                                                                        |
| _____ | _____ | 3) | A copy of official Assessor's map, showing the property outline in red.                                                                                                                                                |
| _____ | _____ | 4) | An 8 ½ x 11" vicinity map showing the location of the project in relation to the distance to major roads, intersections, and town sites.                                                                               |
| _____ | _____ | 5) | A site plan of sufficient detail to show the location of the intended use on the property and a written description adequately defining the location of the temporary use.                                             |
| _____ | _____ | 6) | Christmas tree lot applications located within existing parking lots shall include a site plan which shows the total quantity of existing parking available, and the number of spaces lost for the Christmas tree use. |

### SITE PLAN REQUIREMENTS

Ten (10) copies of the site plan detailing what exists on the site at time of application shall be submitted on 24" x 36" sheets or smaller, drawn to scale, and of sufficient size to clearly show all details and required data. **All plans MUST be folded to 8½" x 11", plus one 8½" x 11" reduction. NO ROLLED DRAWINGS WILL BE ACCEPTED.** For your convenience, please check the Applicant column on the left to be sure you have all the required submittal information.

Check (√)  
Applicant County

- |       |       |    |                                                          |
|-------|-------|----|----------------------------------------------------------|
| _____ | _____ | 1) | Project name (if applicable)                             |
| _____ | _____ | 2) | Name, address of applicant and designer (if applicable)  |
| _____ | _____ | 3) | Date, north arrow, and scale                             |
| _____ | _____ | 4) | Entire parcels of land showing perimeter with dimensions |

SITE PLAN REQUIREMENTS

Check (✓)  
Applicant County

- \_\_\_\_\_ 5) All roads, alleys, streets, and their names
- \_\_\_\_\_ 6) Location of easements, their purpose and width
- \_\_\_\_\_ 7) All existing and proposed uses (i.e. buildings, driveways, dwellings, utility transmission lines, septic systems and wells, etc.)
- \_\_\_\_\_ 8) Parking and loading stalls with dimensions (refer to Zoning Ordinance Chapter 17.18)
- \_\_\_\_\_ 9) Trash and litter storage or collection areas, and propane tank location(s)
- \_\_\_\_\_ 10) Total gross square footage of proposed buildings
- \_\_\_\_\_ 11) Proposed/existing fences or walls
- \_\_\_\_\_ 12) Sign location and size (if proposed)
- \_\_\_\_\_ 13) Pedestrian walkways, courtyards, etc. (if proposed)
- \_\_\_\_\_ 14) Exterior lighting (if proposed)
- \_\_\_\_\_ 15) Existing/proposed water, sewer, septic systems, and wells (if applicable)
- \_\_\_\_\_ 16) Existing/proposed fire hydrants

**NOTE: APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.**

**EL DORADO COUNTY PLANNING DEPARTMENT**

**APPLICATION FOR Temporary Use Permit**

ASSESSOR'S PARCEL NO.(s) \_\_\_\_\_

PROJECT NAME/REQUEST: (Describe proposed use) \_\_\_\_\_

IF SUBDIVISION/PARCEL MAP: Create \_\_\_\_\_ lots, ranging in size from \_\_\_\_\_ to \_\_\_\_\_ acre(s) / SF

IF ZONE CHANGE: From \_\_\_\_\_ to \_\_\_\_\_ IF GENERAL PLAN AMENDMENT: From \_\_\_\_\_ to \_\_\_\_\_

IF TIME EXTENSION, REVISION, CORRECTION: Original approval date \_\_\_\_\_ Expiration date \_\_\_\_\_

**APPLICANT/AGENT** \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone ( \_\_\_\_\_ ) \_\_\_\_\_ FAX ( \_\_\_\_\_ ) \_\_\_\_\_

**PROPERTY OWNER** \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone ( \_\_\_\_\_ ) \_\_\_\_\_ FAX ( \_\_\_\_\_ ) \_\_\_\_\_

**LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE**

**ENGINEER/ARCHITECT** \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone ( \_\_\_\_\_ ) \_\_\_\_\_ FAX ( \_\_\_\_\_ ) \_\_\_\_\_

**LOCATION:** The property is located on the \_\_\_\_\_ side of \_\_\_\_\_ street or road

\_\_\_\_\_ feet/miles \_\_\_\_\_ of the intersection with \_\_\_\_\_ major street or road

in the \_\_\_\_\_ <or pick from list> area. **PROPERTY SIZE** \_\_\_\_\_ acreage / square footage

X \_\_\_\_\_ Date \_\_\_\_\_  
signature of property owner or authorized agent

**FOR OFFICE USE ONLY**

Date \_\_\_\_\_ Fee \$ \_\_\_\_\_ Receipt # \_\_\_\_\_ Rec'd by \_\_\_\_\_ Census \_\_\_\_\_

Zoning \_\_\_\_\_ GPD \_\_\_\_\_ Supervisor Dist \_\_\_\_\_ Sec/Twn/Rng \_\_\_\_\_

**ACTION BY:**  **PLANNING COMMISSION**  
 **ZONING ADMINISTRATOR**  
 **PLANNING DIRECTOR**

**ACTION BY BOARD OF SUPERVISORS**

Hearing Date \_\_\_\_\_

Hearing Date \_\_\_\_\_

Approved  Denied (findings and/or conditions attached)

Approved  Denied (findings and/or conditions attached)

**APPEAL:**  Approved  Denied

\_\_\_\_\_  
Executive Secretary

\_\_\_\_\_  
Executive Secretary

**COUNTY OF EL DORADO  
CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Application or Solicitation Number: \_\_\_\_\_

Application or Solicitation Title: \_\_\_\_\_

Was a campaign contribution, regardless of the dollar amount, made to any member of the El Dorado County Board of Supervisors or to any County Agency Officer on or after January 1, 2023, by the applicant, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: \_\_\_\_\_

Contributor or Contributor Firm's Name: \_\_\_\_\_

Contributor or Contributor Firm's Address: \_\_\_\_\_

Is the Contributor:

- The Applicant Yes \_\_\_\_\_ No \_\_\_\_\_
- Subcontractor Yes \_\_\_\_\_ No \_\_\_\_\_
- The Applicant's agent/ or lobbyist Yes \_\_\_\_\_ No \_\_\_\_\_

**Note:** Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

\_\_\_\_\_

Identify the Board of Supervisors Member(s) and County Agency Officer(s) to whom you, your subcontractors, and/or agent/lobbyist made campaign contributions on or after January 1, 2023, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Board of Supervisors Member or County Agency Officer: \_\_\_\_\_

Name of Contributor: \_\_\_\_\_

Date(s) of Contribution(s): \_\_\_\_\_

Amount(s): \_\_\_\_\_

(Please add an additional sheet(s) to identify additional Board Members or County Agency Officer to whom you, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Board Members or County Agency Officers by the applicant, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit, or entitlement to use.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Firm Name if applicable

\_\_\_\_\_  
Print Name of Applicant

**EL DORADO COUNTY BOARD OF  
SUPERVISORS AND COUNTY AGENCY  
OFFICERS**

**Board of Supervisors**

John Hidahl, District One

George Turnboo, District Two

Wendy Thomas, District Three

Lori Parlin, District Four

Brook Laine, District Five

**County Agency Officers**

Jon DeVille, Assessor

Joe Harn, Auditor-Controller

Vern Pierson, District Attorney

Janelle K. Horne, Recorder-Clerk

Jeff Leikauf, Sheriff-Coroner-Public Administrator

K.E. Coleman, Treasurer-Tax Collector



## Attachment A

### GOVERNMENT CODE SECTION 84308

(a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.

(5) "License, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(b) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(c) Prior to rendering any decision in a proceeding involving a license, permit, or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars (\$250) from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution

in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

(d)(1) If an officer receives a contribution which would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, the officer shall be permitted to participate in the proceeding.

(2)(A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than two hundred fifty dollars (\$250) during the 12 months after the date a final decision is rendered in the proceeding in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of the contribution in excess of two hundred fifty dollars (\$250), within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.

(B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.

(C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.

(e)(1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party or the party's agent.

(2) A party, or agent to a party, to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding shall not make a contribution of more than two hundred fifty dollars (\$250) to any officer of that agency during the proceeding and for 12 months following the date a final decision is rendered by the agency in the proceeding.

(3) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.

(f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

## **Attachment B**

### **COUNTY OF EL DORADO CAMPAIGN CONTRIBUTION DISCLOSURE INFORMATION**

The attached Campaign Contribution Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, or other entitlement for use, including most contracts and franchises, pending before the Board of Supervisors ("Board") of the County of El Dorado or any of its affiliated agencies.

#### **IMPORTANT NOTICE**

Government Code section 84308 (also known as the "Levine Act") contains requirements that are summarized generally as follows:

- A. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of more than \$250 to any member of the Board of Supervisors or other County official who may participate in your proceeding. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends 12 months after a final decision is rendered by the Board of Supervisors or other County officer. In addition, no Board member or other County official who may participate in your proceeding alternate may solicit or accept a campaign contribution of more than \$250 from you during this period.
- B. These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholder as well. These prohibitions also apply to your subcontractor(s), joint venturer(s), and partner(s) in this proceeding. Also included are parent companies and subsidiary companies directed and controlled by you, and political action committees directed and controlled by you.
- C. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed more than \$250 to any Board member or other County officer who may participate in your proceeding during the 12-month period preceding the filing of the application or the initiation of the proceeding.
- D. If you or your agent have in the aggregate contributed more than \$250 to any individual Board member or other County officer who may participate in your proceeding during the 12 months preceding the decision on the application or proceeding, that Board member or other County officer must disqualify himself or herself from the decision. However, disqualification is not required if the Board member or other County official returns the campaign contribution within 30 days from the time the member or official knows, or should have known, about both the contribution and the fact that you are a party in the proceeding. The Campaign Contribution Disclosure Form should be completed and filed with your application or proposal, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving “a license, permit, or other entitlement for use” includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment contracts), and all franchises.
2. Your “agent” is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are “agents.”
3. To determine whether a campaign contribution of more than \$250 has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency relationship, whichever is shorter. Contributions made by your majority shareholder (if a closely held corporation), your subcontractor(s), your joint venturer(s), and your partner(s) in this proceeding must also be included as part of the aggregation. Campaign contributions made to different Board of Supervisors members or other County officer who may participate in your proceeding are not aggregated.
4. A list of the Board of Supervisors members and other County officials is attached.

This notice summarizes the major requirements of Government Code section 84308 of the Political Reform Act and California Code of Regulations, Title 2 sections 18438.1-18438.8.