



CITY OF DURHAM | DURHAM COUNTY
 City-County Planning Department
 101 CITY HALL PLAZA | DURHAM, NC 27701
 919.560.4137
Planning@DurhamNC.gov



TEMPORARY USE PERMIT (TUP) APPLICATION

Request for: New Renewal Amendment

About this Application

ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED

Submittal: Temporary Use Permits are reviewed by the Durham City-County Planning Department. Efforts will be made to process complete applications within five business days. For applications that require multi-department review, the review time may exceed 5 days but will be completed within 30 days. Renewals require an application, documentation, and fee.

Please bring or mail a complete application and fee of \$104.00 to the address above. Make checks payable to "City of Durham." Out of state and starter checks will not be accepted. Cash or credit cards are only accepted in person at City Hall.

A site plan/diagram (11"x 17" max, see page 4) of the subject property **MUST BE ATTACHED**. Uses may also require permits through City-County Inspections. Temporary Use Permits apply to property outside the public right-of-way only.

A temporary use permit is not required for mobile vendors located outside of the DD District that are occupying private property within a commercial zoning district for four hours or less.

A temporary use which lasts less than one year and restores the existing property to its original state, including pervious areas, shall not be required to obtain a site plan or submit a Stormwater Impact Analysis.

No temporary use shall disturb or encroach into any riparian buffer, or other required buffers or landscaping as applicable, per the Durham City-County Unified Development Ordinance (UDO) and other applicable laws.

Contact Information: If you have any questions about the TUP, please contact the Planning Department between 8:00 a.m. and 5:00 p.m., Monday – Friday at Planning@DurhamNC.gov or 919-560-4137. For questions regarding Special Events or Street and Block Parties requiring a street closure, contact Durham Police Department at 919-560-4322.

Other Important Contacts:

Department	Phone	Purpose
Police	919-560-4322	For Police assistance in traffic control, parking direction, route layout.
Fire City and County	City: 919-560-4242 County: 919-560-0660	All tents associated with the temporary use permit shall comply with the North Carolina Fire Code.
City-County Inspections	919-560-4144	To apply for building permits for temporary structures as well as for permits for temporary power needed for temporary use.
Parks and Recreation	919-560-4355	To arrange for use of City property, such as parks, greenways, Community Centers, etc.
City Transportation	919-560-4366	To review traffic and pedestrian circulation, parking, etc. for temporary structures and uses.
Durham County Health Dept.	919-560-7800	To apply for permits for sales of food.
Solid Waste Management	919-560-4186	To make provisions for waste disposal and recycling.

Tracking Information (Staff Only)

Case Number: TUP	Date/ Time Rec'd:	Rec'd By:
Fee: \$104.00 Paid <input type="checkbox"/>	Previous TUP Case #:	Prev. App/ Renewal Date:
COA Required? <input type="checkbox"/> Case#:	COA Approved Date:	COA Conditions:

Type of Temporary Use Proposed (Please Check All that Apply)			
STRUCTURES	SALES	EVENTS	OTHER
<input type="checkbox"/> Construction Trailer Full-Time Staffing? Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> Outdoor Nonresidential Sales	<input type="checkbox"/> Circus	<input type="checkbox"/> LCID (Demolition) Landfill
<input type="checkbox"/> Real Estate Office/ Model Home	<input type="checkbox"/> Christmas Trees Lots-Residential	<input type="checkbox"/> Carnival	<input type="checkbox"/> Summer Day Camp
<input type="checkbox"/> Temporary Public School Modular Classroom	<input type="checkbox"/> Fireworks	<input type="checkbox"/> Other Event (please describe)	<input type="checkbox"/> Temporary Car Wash
<input type="checkbox"/> Manufactured Home Reason:	<input type="checkbox"/> Farmer's Market		<input type="checkbox"/> Other (please describe)
<input type="checkbox"/> Mobile Communication Tower	<input type="checkbox"/> Other Sales (please describe)		
<input type="checkbox"/> Other Structure (please describe)			

Temporary Use/Activity Information

Business Name: Does Not Apply (Not a Business)

Describe Proposed Activities/ Items For Sale:

Days & Hours of Operation (Ex: Mon-Sat 10 am-2 pm):

Planned Start Date: _____ Planned End Date: _____

Property Information (Shaded Boxes to be Completed by Staff)

Name of Existing Use/ Business at Proposed Location (name of shopping center, school, etc.):

Site Address: _____ PID(s): _____

Current Use(s) at Site: _____ PIN(s): _____

Zoning District(s): _____ Tier(s): _____

Overlay District(s): _____ Jurisdiction: City County Floodplain: Yes No

Applicant Information

Applicant Name: _____ Applicant is Owner: Company: _____

Address: _____ Phone: _____ Cell: _____

City/ State/ ZIP: _____ Email: _____

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this temporary use will be conducted per all applicable state and local laws. I certify that I have received the information concerning the regulations for Temporary Uses.

Applicant Signature Date

Temporary Use On-Site Manager/Contact Information (If Same as Applicant, Please Enter Name Only):

Manager Name:	Company:		
Email:	Phone:	Cell:	
Address:	City:	State:	Zip:

Property Owner Information (If Different than Applicant):

Owner Name:	Company:		
Email:	Phone:	Cell:	
Address:	City:	State:	Zip:

Property Owner Affirmation and Information (For Multiple Owners, Please Provide Separate Sheets):

Property Owner(s): I, (please print name) _____, do hereby grant permission for the Applicant, (please print name) _____, to use my property for his/ her temporary use or event.

Signature of Property Owner _____ Date _____

This authorizes Durham City-County Planning Staff to perform site visits related to the review of this application.

Sales Only	Have you applied for a Privilege/ Business License through the Finance Department? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Describe items to be sold:	
Events Only	Will food be sold? <input type="checkbox"/> Yes <input type="checkbox"/> No	Will alcohol be sold? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Will other goods be sold? <input type="checkbox"/> Yes <input type="checkbox"/> No	Have you applied for ABC License? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Security provided by Durham Police or private agency? <input type="checkbox"/> DPD <input type="checkbox"/> Private	
	Private agency name & phone, if applicable:	
	Has Durham Police been notified? <input type="checkbox"/> Yes <input type="checkbox"/> No	Has Durham Fire Department been notified? <input type="checkbox"/> Yes <input type="checkbox"/> No
	The maximum number of people expected:	
	Will animals be restrained? <input type="checkbox"/> Yes <input type="checkbox"/> No	Fireworks or other? <input type="checkbox"/> Yes <input type="checkbox"/> No

-----Planning Staff Use Only-----

For Temporary Uses that Also Need a New Business Verification:

Proposed Use Category: _____

Previous Use/ Tenant: _____

Allowed in Zone? Yes No "D" Plan? Yes No "D" Case #: _____ Use Allowed? Yes No

Limited Use Standards Apply? Yes No Adequate Parking? Yes No

Comments: _____

For All Temporary Uses:

Field Investigation By: _____ Date: _____

Results/ Comments: _____

Permitted Timeframe Per Sec. 5.5: _____ Renewal Allowed? _____ # Allowed: _____

Case Planner: _____ Approved By: _____ Date Approved: _____

Temporary Use Permit Submittal Requirements by Type of Temporary Use

Items Required at Time of Submittal	Const. Trailer	Model Home/Sales	Temp. Classroom	Sales	Events	Summer Day Camps	Temp. Car Wash	LCID Landfill
1. Completed application and fee	X	X	X	X	X	X	X	X
2. Property Owner Affirmation (see page 3)				X	X	X	X	X
3. Sketch plan (11" x 17" maximum size) depicting the following:								
a. Location, size, and description of all temporary structures	X	X	X	X	X	X	X	X
b. Traffic & pedestrian circulation	X	X	X	X	X	X	X	X
c. Parking for temporary use	X	X	X	X	X	X	X	X
d. Location of all permanent structures	X	X	X	X	X	X	X	X
e. Location of all setbacks & buffers	X	X	X	X	X	X	X	X
f. Location & distance to nearest utilities (as needed)	X	X	X	X	X	X	X	X
g. Location of nearest sanitary facilities- one handicap-accessible restroom is required within 500 feet	X	X	X	X	X	X	X	
h. Location of trash receptacles/ disposal sites	X	X	X	X	X	X	X	
i. Location(s) of stormwater collection mat(s)							X	
j. Plan describing how animal waste will be collected and disposed					X			
4. Security plan					X			

General Requirements for All Temporary Uses and Structures

1. Permanent alterations to the site are prohibited. At the conclusion of the event or sale, the property must be restored to pre-event/ pre-sale status. This includes removal of all temporary structures and the removal of debris.
2. The temporary use or structure will not violate any applicable conditions of approval that applies to a principal use on the site.
3. Temporary structures must be located outside any easement, right-of-way, buffers, landscaping, streetscapes, or riparian buffers.
4. If the property is undeveloped, it must contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing protected resources, including required buffers.
5. If the property is developed, the temporary use must be located in an area that is not actively used by an existing, approved principal use; and which would support the proposed temporary use without encroaching or disturbing existing buffers or required setbacks from buffers or streetscapes, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.
6. Tents and other temporary structures must be located so as to not interfere with the normal operations of any permanent use located on the property.
7. Off-street parking is provided in accordance with the requirements set forth in the Unified Development Ordinance (UDO).
8. All inspections and permits required by applicable construction codes must be approved by the City-County Inspections Department.
9. Applications for temporary structures to be located in or near a Special Flood Hazard Area or Future Conditions Flood Hazard Area (see UDO Section 8.4, Floodplain and Flood Damage Protection Standards) will be required to submit a written plan for the removal of such structure(s) in the event of a hurricane or flash flood notification. The plan must include the following:
 - a. Proposed timeframe for which the temporary use will be permitted;
 - b. The name, address, and phone number of the individual responsible for the removal of the temporary structures;
 - c. The time frame prior to the flood event at which a structure will be removed (i.e. minimum of 72 hours before landfall of a hurricane or immediately upon flood warning);
 - d. Copy of the contract or other suitable instrument with a trucking company to insure removal equipment when needed; and
 - e. Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area or Future Conditions Flood Hazard Area to which the temporary structure will be moved.