

URBAN COLLABORATORS

Resource Guide Series



Temporary Uses

The Urban Collaborators is a group of MSU Extension educators and the School of Planning, Design, and Construction faculty whose goal is to help revitalize Michigan's urban cities by linking research, outreach, and learning. The group helps bring MSU resources to local communities through MSU Extension in eight targeted cities: Detroit, Flint, Grand Rapids, Jackson, Lansing, Pontiac, Saginaw, and Ypsilanti.

The Urban Collaborators' Resource Guides are a series of bulletins on single topics related to community development and urban planning. These Resource Guides are the result of the successful linkages between research, outreach, and learning that the Urban Collaborators strive for. The Resource Guides provide practical techniques for citizen planners, community activists, and field educators to implement within their own communities. The guides are grounded in research and their practices have been test-

ed in other communities to ensure that they are practical and accurate.

Each year, small teams of students are assigned to work in Michigan's communities for one semester on revitalization projects. The students carry out planning-related studies for community partners ranging from neighborhood associations to municipal governments. In this way, MSU faculty transfer the knowledge they've gained through research to students; students implement the practice through an outreach project in a community; communities gain valuable and practical technical assistance and resources; and students, faculty, and community representatives all learn through a collaborative process. These Resource Guides capture this process and transfer out the lessons learned so that other communities and local organizations can build their capacity to address their own community needs.

Urban Collaborators' Goals

- ✦ Implement key initiatives that enhance the linkage of research and outreach resources of the University with the community development needs of seven target cities.
- ✦ Provide substantive support for MSU Extension educators, community and economic development.
- ✦ Contribute to and learn from community development assignments in urban communities.
- ✦ Engage communities and scholars in ways that translate into new knowledge.
- ✦ Build the capacity of local organizations to address urban issues.

*Teaching and Learning
Practice and Outreach
Research*

Temporary Uses

WHAT IS A TEMPORARY USE?

Communities employ land use planning as a way to standardize how a community looks and ensure that land uses are distributed in an efficient and ethical manner. Most land uses are permanent and can only be changed through official planning processes (e.g., comprehensive development plan or master plan), but residents can also petition to have their land uses changed.

There is another kind of use which is not permanent and which communities are increasingly using for a variety of reasons—temporary, seasonal, or interim use. As its name implies, a temporary use is in effect for a defined purpose and a set period of time, after which it expires. Temporary uses can be almost anything and can transform any vacant space, such as an abandoned lot, a public park, or a sidewalk, to another productive use. The best temporary uses are often ones that are created with a specific community's needs in mind.

It is often hard to tell the difference between a temporary use and a temporary event. Events are temporary uses that require temporary space and borrow or rent use from another permanent use (e.g.,

a carnival on a parking lot). Not all temporary uses are temporary events. Some temporary uses, like city gardens, can last for years and occupy their own space. Unlike a temporary event, temporary use is its own land use class designation.

There are two types of temporary uses: principal uses and accessory uses. Temporary principal uses act as a primary use on a site or portion of a site for a temporary period of time. They include carnivals, circuses, outdoor gatherings, fairs and yard sales.

Temporary accessory uses are activities or facilities that are temporarily allowed on the same lot with a permanent principal use or dwelling in specific situations. Temporary accessory uses include trailers and mobile home/offices for contractors, caretakers, equipment storage, and real estate sales offices.

Although both principal and accessory uses can be vital temporary uses, this Resource Guide will focus on principal uses. Principal uses meet temporary use goals, while accessory uses are more often utilized by private individuals to support permanent uses, and therefore do not always benefit the public in a similar way.

A land use, event, or structure that is in place for a short period of time.

Examples of Uses

- ✦ Flea markets
- ✦ Exhibition spaces
- ✦ Art fairs/displays
- ✦ Skateboard parks/ice-skating rinks
- ✦ Food/Beverage tents
- ✦ Putt-putt courses
- ✦ Sports facilities
- ✦ Public/private party spaces
- ✦ Space for use by community centers
- ✦ Community agriculture/gardens
- ✦ Outdoor theaters/amphitheaters
- ✦ Drive-in movies
- ✦ Start-up business space
- ✦ Art-contest spaces (sculpture, ice, or sand)
- ✦ Urban beaches/water parks
- ✦ Playgrounds/tot-lots/pocket parks
- ✦ Community tool sheds
- ✦ Fairs/festivals
- ✦ Wildlife areas
- ✦ Dog exercises areas
- ✦ Christmas tree stands
- ✦ Horse drawn carriage tours
- ✦ Magic shows
- ✦ Parades
- ✦ Charity walks
- ✦ Home tours

Temporary uses can be created by two entities: municipalities and an independent party. Each kind has advantages and disadvantages.

- reduction of blight/crime
- development of interest/investment in an area
- increased standard of living
- market demand to incubate future permanent uses
- safe, affordable activities for citizens

Municipality	Independent Party
planned, financed, and operated by a city	<ul style="list-style-type: none"> • planned, financed, and operated by an independent party • operator must get all events approved by the city and may have to pay fees to the city
Requires city capital	Does not require city capital
Can earn revenue for a city	Rarely earns direct money for the city, except for application and other fees
Supports temporary use goals	Supports temporary use goals
Brings outside money into city businesses	Brings outside money into city businesses

Aside from these benefits, temporary uses can also spur economic activity for surrounding permanent businesses by attracting likely shoppers into the area. This in turn can increase tax revenue received by a community and can increase household incomes.

Regardless of how a community decides to implement a temporary use, it should all be created through a collaborative process with input from stakeholders. See the Resource Guide titled *Community Assessment: Creating the Vision (Part 1)* for information on methods to obtain stakeholder input.

{bumpout}In economics, it's called the agglomeration principle. The concept is that the more thriving businesses that are located together, especially if they sell similar goods, the more they all prosper. Small businesses usually think vendors take away their business, but that's not always true.

Why are Temporary Uses Important?

Many cities have experienced or are experiencing disinvestment. This trend has left many cities with areas of underutilized, or vacant, land and building space. Vacant land is not only a signal of disinvestment but can also become a targeted area for activities that could threaten the health and safety of a community. Finding productive, temporary uses for vacant land and buildings can reverse this trend and instead foster a sense of community. In addition, maintenance of vacant or abandoned lots and buildings can be a significant drain on a municipality's resources.

Implementation of temporary uses to build strong communities has become a common economic development technique. Independent planning and research firms are now beginning to recommend temporary uses as a way to create market demand and raise property values. In addition, research has shown that temporary uses can have not only short-term benefits for cities but also long-term advantages. By retaining and leasing an open lot dedicated toward temporary uses, a city could create revenue and increase interest in the area. Increased interest could result in increased property values, making the lot more valuable for sale and development in the future. Maintenance of the lot would have to be considered.

In addition to creating a productive use, curbing crime, and saving on maintenance costs, other possible benefits of temporary uses include:

Lastly, temporary uses are not only for periods of disinvestment. They can enhance the overall atmosphere and vibrancy of any city and can help develop and incubate new businesses. Temporary uses are also a great way for cities to ensure economic diversity and help prevent future disinvestment.

- revenue for a city
- income for businesses/residents in a city

Temporary Uses

Types of Temporary Uses

TYPES OF TEMPORARY USES

What follows is not an exhaustive explanation of how to implement temporary uses in a community, but rather offers an overview of common practices and key points for consideration. Temporary uses can be an effective community and economic development tool, but proper planning and analysis are keys to their success. While there are limitless opportunities for temporary uses, this guide will explore four increasingly popular uses: events, building reuse, urban agriculture, and street vending.

Events

As was previously stated, it is often hard to tell the difference between a temporary use and a temporary event. Events are temporary uses that require temporary space and borrow or rent use from another permanent use (e.g., a carnival on a parking lot). Temporary use events can be a onetime occurrence; however, the most successful events often turn into permanent, annual events such as festivals. See the Milford case study for an example.

For cities with limited budgets and planning staff, it is often more realistic to encourage outside parties to plan, finance, and implement temporary uses. This method is often the best of both worlds for a city, because it can bring in uses without investing man hours or city capital. To establish a successful temporary use program in this manner, a city must be willing to be flexible and may need to waive site

rental fees. See the Pontiac and Plymouth case studies for examples.

Cities in Michigan are blessed with four seasons and should consider all seasons, particularly winter, when planning city spaces and temporary uses. Temporary uses should be safe and compatible with the given season. Planning and implementing temporary uses year round ensures that areas of a city are not left vacant during large portions of the year. See the Detroit case study for an example.

Temporary uses do not necessarily need to be “something to do.” They can also include places that create visual interest, meeting places, or identifiable landmarks. Artistic creations can easily, and sometimes inexpensively, serve all of these functions. This type of temporary use could be a place to display sculptures, large installations, murals or other art forms. This type of use can also add definition and curb appeal to underutilized areas and create a sense of unity for a community. See the Ann Arbor case study for an example.

Festival Tips:

- ✦ Show sponsors what they will be getting from the event (e.g., advertising).
- ✦ Provide sponsors a written explanation of the benefits, and follow through on them.
- ✦ Be creative and work with sponsors. Some may be able to donate in-kind services (security) or products (sound systems, golf carts) rather than cash.
- ✦ The *Michigan Festivals and Events Association!* helps promote events across Michigan and also offers seminars to train community event planners.
- ✦ *Art in the Park Inc.* operates the art fair portion of many festivals. This company finds artists, arranges their space, collects fees, insures the art portion of the festival, and provides some security.

Cities wishing to plan movie events can choose to rent or buy their own inflatable movie screen. These screens can be rented from suppliers such as *Open Air Cinema*, who also offer full service: from acquiring the movie, setting up the screen, and operating the concession stand. If a city plans on making outdoor movies a more regular fixture, it may be more economical to invest in the purchase of a system. Inflatable screens range in size and price from \$6,995 to \$48,995, with or without the projector and auxiliary equipment.

Milford, Michigan

Milford Memories began as a small festival in 1991 that was centered on the performance of a play. That year, the festival included four artists and one food tent, and was located entirely within the city's Central Park. By the second year, the festival had its first sponsor and has continued to add sponsors, live music, artisans, food, and events yearly. Twenty years later, *Milford Memories* is a sustainable, large weekend festival that features live entertainment, tournaments, an art show, food and beverage venues, and children's activities.



Although the Festival is run by the *Huron Valley Chamber of Commerce*, it requires the support of over 300 volunteers and several community service groups. The Chamber also employs a small number of security workers. Volunteers are asked to give time in two- to four-hour blocks as well as attend an open house orientation before the event. Without the help and involvement of the community this event would not be possible.

SOURCE: http://www.milfordmemories.com/1/mm/mm_souvenir_photo.asp

Pontiac, Michigan

The City of Pontiac is the first home of "*The Blast*," a unique adventure race that involves two-person teams in a day long race consisting of running, biking, canoeing, and a ropes course. This event is operated entirely by the Southeast Michigan Adventure Racing Team (SMART). Although this event is planned and run by an independent party, the City of Pontiac waived the site rental fee and promised local newspaper coverage. This enabled the City to have a very large event located within its borders and bring outside dollars into its businesses without having to use any of its own manpower or funds.

Detroit, Michigan

From November to March, large areas of Detroit's *Campus Martius Park* are used as ice-skating rinks. During the summer months, the Park turns into a central town square with free events including music, movies, fireworks, art exhibits, book clubs, and children's shows.



SOURCE: Campus Martius Park, <http://www.campusmartiuspark.org/>

Ann Arbor, Michigan

Within the campus of the University of Michigan in Ann Arbor *the Wave Field* created by Maya Lin consists of fifty "grass waves" or mounds of dirt covered with grass, evenly arranged in eight rows. This grass-covered art form creates a peaceful place for children to play and for students to sit and study. Practical, community-centered art can be easily created by community members and can greatly improve the aesthetics of an urban area.



SOURCE: Wave Field, <http://www.pbs.org/art21/artists/lin/card2.html>

Plymouth, Michigan

Open nightly from June through September, *Compuware Arena*, an ice rink, converted its parking lot into a summer drive-in movie theater with a concession stand. Although this type of use takes place on private land, it has multiple benefits for the local community. It brings in tax funds, provides entertainment for its citizens, and draws more people into a once empty area, making the city more attractive and safer at night. It also creates a sense of community and attachment for its residents.

Building Reuse

As useful as temporary use events can be for vacant open land, events do not often solve the challenge of vacant buildings. Partnering with nonprofits and other entities that deliver community programming may bring life to otherwise vacant buildings and peak interest in available real estate.

The *Open Studio Program* in the City of Chicago is one of many ways vacant buildings can be transformed. In 2003, the Department of Planning and Development partnered with the Cultural Resources Department to create a new temporary use in a vacant retail building located in downtown Chicago.

Together they created the Open Studio Project which continued through December 2009. This program supplied studio space (rotated monthly) and a stipend of \$500 to artists who were accepted into the program. In exchange for the space and the stipend, the artists agreed to work in the studios and provide full access to the public, who were encouraged to come and watch the art be created. The building was sold and the program moved to its second location.



SOURCE: Painter D.J. Brennan at Work in Open Studio, http://egov.cityofchicago.org/city/webportal/portalContentItemAction.do?blockName=Public+Art%2fI+Want+To&deptMainCategoryOID=0&channelId=0&entityName=Public+Art&topChannelName=SubAgency&contentOID=536941984&FailedReason=Invalid+timestamp,+engine+has+been+restarted&contentTypeName=COC_EDITORIAL&com.broadvision.session.new=Yes&Failed_Page=%2fwebportal%2fportalContentItemAction.do

Urban Agriculture

In some cities vacant land is very common, but there is not a demand for many types of temporary uses. However, almost every urban area could benefit from some type of urban agriculture, and its popularity is increasing. The most common type, community gardens, not only provides healthy, fresh food but can also improve appearances in blighted neighborhoods, add green space in urban areas, and cultivate a sense of belonging, community attachment, and self-sufficiency for residents.

Many cities such as Detroit are starting to see large numbers of groups promote urban gardening and

provide resources for residents. Programs such as the *Gardening Resource Program*, which provides resources as well as organization to participants, can work with local governments to explore funding options as well as sharing resources such as water use.

{bumpout} “For a nominal fee, participants receive quality seeds and plants for their garden, subscription to the Detroit Farmer’s Quarterly Newsletter and opportunities to access additional resources and participate in other valuable educational series and training workshops. In 2008, over 169 community gardens, 40 schools and 359 families received support from the Garden Resource Program. Through the program, participants received 32,320 seed packets and approximately 129,360 Detroit-grown plants and successfully produced thousands of pounds of food in the city.”

Street Vending

Once viewed as an illegal nuisance, street vending is now becoming a valuable temporary use choice and an economic asset to cities. Street vending supplies convenient shopping choices, adds vibrancy to city streets, and offers people the opportunity to own their own business. If zoned properly, street vending can benefit everyone involved and can offer a city the following benefits.

- **Economics:** Street vending can be a huge economic asset to an area. National data from 1999 shows that the average wage for street vendors was \$13.91 per hour and a mean annual wage of \$28,940. In cities such as New York, Philadelphia, and Washington D.C., vending carts averaged revenues of \$250,000 or more per year.
- **Entrepreneurialism:** Street vending offers opportunities for people who may not otherwise be able to own their own business or work at all to become entrepreneurs. This includes people with both mental and physical disabilities.
- **Convenience:** Street vendors provide quick and convenient retail options for office workers, citizens, and tourists in a city without the need for parking or building space.
- **Vibrancy:** Vending draws people onto streets, or sidewalks, creating a vibrant feel-

ing for a city, increasing activity and interest, and creating a more human scale in large cities.

- Safety: Research has shown that crime and vandalism are reduced simply by the presence of people. By drawing people to the streets, vending can supply a safer environment.

There are some common concerns or misperceptions associated with street vending. These issues must be addressed to create a successful experience for vendors, permanent business owners, residents, and shoppers.

- Safety: The increase of people on sidewalks can create overcrowding forcing people to walk in streets and potentially creating dangerous conditions between vehicular and pedestrian traffic. This can be remedied by proper cart zoning, including regulations that limit the size, location, density, and setbacks of carts.
- Competition: Permanent business owners, especially retail businesses, are often concerned that vendors selling similar goods and not paying for store space will have cheaper prices. This is almost never true, as the economic agglomeration principle describes. The principle implies that the more thriving businesses there are in one area, especially if they sell similar goods, the more they all prosper.
- Aesthetics: Historically, street vending was considered an eyesore. Today, cities may regulate the kind of cart, cart materials, and method of displaying goods that vendors use to ensure an aesthetically-pleasing and standard appearance.
- When a city begins to regulate, license, and charge licensing fees for vending there will inevitably be people who try to vend illegally to avoid paying for fees and taxes, and carrying insurance. Street vending regulation codes should include the methods for finding and penalizing violators. Street vending regulations should have clear and specific zoning laws including:
 - ◆ Location (who/where)
 - ◆ What can be sold

- ◆ Kinds of carts
- ◆ Safety/storage of goods and carts
- ◆ Permit/cost for vendors
- ◆ Insurance

The City of Atlanta has outlined several outcomes it hopes to realize as part of its street vending initiative. These principals are realistic goals for many cities to use and achieve.

- Serve and protect the health, safety, and welfare of the general public.
- Establish a uniform set of rules and regulations which are fair and equitable.
- Develop a vending system which will enhance the overall appearance and environment along public streets, pedestrian ways, and other public properties.
- Provide economic development opportunities for small entrepreneurs in the city.
- Provide a variety of goods and services for sale and a diverse street life that will enhance the city's international image.
- Promote stable vendors who will enrich the city's ambiance and who will be assets to public security.
- Provide a vending review board as a liaison between the City and the vending industry.

Temporary Uses

How to Implement Temporary Uses

HOW TO IMPLEMENT TEMPORARY USES

While there are many ways to implement temporary uses in a community, there are a few standard factors that should be considered germane when implementing temporary uses.

Insurance

It is important for communities to evaluate how safe each temporary use will be, and identify possible safety concerns. This is necessary to keep citizens safe as well as to protect municipalities from liability or litigation. One way communities can release themselves from liability is by obtaining appropriate event insurance. This insurance can be bought from many different companies and should cover:

- third party bodily injury
- property damage
- assumption of legal claims
- event cancellation

Insurance can be used for events such as

- fairs
- festivals
- consumer shows
- fundraisers
- dances
- meetings
- luncheons
- parties

Communities can also require that private users, i.e. street vendors and festival operators, carry their own insurance. Alternatively a community can acquire one large insurance package that private entities buy into. Vancouver, British Columbia employs this option through a citywide master policy. Vendors wishing to participate simply contact the insurance company, pay their premium, and are added to the policy. The system was arranged to help ensure premiums are consistent and reasonable; however, vendors are not required to use the policy and may supply their own insurance coverage. The premiums are assessed on a per-cart basis and basic policy requirements include a \$1 million occurrence limit, a \$2 million aggregate limit, \$5,000 medical payments coverage, theft coverage, and personal injury coverage.

Safety

Temporary uses can help reduce blight and crime in cities; however, it can be difficult to draw non-resident visitors into an area to utilize temporary uses and start the cycle of rebuilding if the perception of crime is high. It is imperative to have a solid marketing plan in place and to increase safety measures and police visibility. If safety measures are implemented successfully the chances for return visitors, positive feedback, and word-of-mouth promotion will be much higher.

In the past several years, Detroit has been working to promote and provide safe, fun entertainment. Through the success of events such as the Downtown Hoedown, Freedom Festival Fireworks, and other concerts (as well as the introduction of the casinos and increased nightlife) more and more people can be found enjoying downtown Detroit.

While the list of safety measures below were used for such venues as the Freedom Festival Fireworks, they can be easily adapted for any type of event

- Enforced curfew for persons under the age of 17
- Closed viewing sites when capacity is reached
- Limited access to surrounding roads, parking lots, and parking structures
- Disallowed pets, alcohol, or contraband
- Increased lighting in viewing areas with flood lights after dark
- Installed stationary cameras to monitor crowds and determine the desired capacity of certain areas
- Established a location for children separated from their family/group to be taken to for reuniting

Funding Options

If a city decides to implement a temporary use there are many fundraising options available that do not

involve general community funds. These can include creating tax increment financing (TIF) districts and business improvement districts (BIDs), and applying for grants. See the Resource Guide titled *Revitalizing Neighborhood Retail* for information on TIFs and BIDs and other financing tools cities have at their disposal.

Planning Principles

The Michigan Association of Planners has created several Community Planning Principles to help guide planning within communities. These principles are meant to create strong, sustainable healthy communities, and can be valuable for all municipalities to implement within their master plans and comprehensive development plans. Temporary uses are a cost effective way for communities to meet these goals.

General Statements:

- The community planning decision-making process should, first and foremost, be concerned with the long-term sustainability of our communities, environment and economy.
- Public policy and development practices should support development of communities that are:
 - ◆ diverse in land use, population and character;
 - ◆ designed for pedestrians and non-motorized transit as well as for motorized transit;
 - ◆ shaped and physically defined by parks, open space and other natural resource areas;
 - ◆ structured by physically defined, accessible public space and community institutions and;
 - ◆ based on local history, climate, ecology, and building practices

- The quality of life for the citizens of Michigan can be enhanced by developments that:
 - ◆ support and restore existing community centers;
 - ◆ reconfigure existing low density, centerless communities into communities of diverse neighborhoods and districts;
 - ◆ preserve and protect natural environments;
 - ◆ maintain and build a positive social and strong economic climate;
 - ◆ improve the physical design and condition of our region, cities, villages, townships, neighborhoods, districts, corridors, parks, streets, blocks and homes

Community:

- Development should be encouraged in existing city, village and township centers.
- Complete communities have defining edges with an identifiable center. A center should consist of a full and balanced mix of residential, commercial, office, recreational, cultural and civic uses.
- Community planning should involve balances between physical, environmental, economic, social, and cultural conditions within the region.
- Strategies encouraging development and re-development of communities should include previously developed sites (brownfields), infill development and reuse of existing facilities rather than continuing outward expansion.

Zoning/Regulations

Traditionally, zoning has treated temporary uses as a necessary nuisance which needed to be allowed but limited so that they do not overstay their welcome (e.g., Christmas tree lot). Although limits and restrictions on temporary uses are still valid, they now can be zoned in a more welcoming way than in the past. Some typical rules of thumb for zoning regulations are in the table on the next page.

TEMPORARY USES ALLOWED-NUMBER OF DAYS ALLOWED						
Temporary Use Types	Urban Centers	Urban Districts	Urban Residential	Agriculture Forest Land	Rural Centers	Rural Residential
Produce (1)	120	120		120	120	120
Flowers (1)	30	30		30	30	30
Fireworks (1)(2)	14	14			14	
Christmas Trees (1)	45	45		45	45	45
Carnivals/Circuses (1)	14	14			14	
Community Festivals (1)	14	14	14	14	14	14
Garage Sales (3)	8	8	8	8	8	8
Parking Lot Sales (1)	14	14			14	
Camping and Recreational Vehicle Use (4)	20	120	120	120	120	120

From Pierce County Planning and Land Services Department. Temporary Uses. <http://www.co.pierce.wa.us/xml/services/home/property/pals/pdf/temp%20use%20handout.pdf>

Although some situations require limits to temporary uses, regulations which ban more than three temporary uses per year may be unnecessary and may inhibit economic growth. Each use should be evaluated against the community’s needs.

Other cities can provide sample language to include in zoning codes. Language should clearly outline who is responsible for reviewing and approving temporary use permits and what requirements need to be met, and yet be flexible enough to allow a variety of temporary uses.

Temporary Use Permit: The Director of Community Development is authorized to issue a permit for a temporary use provided it meets the requirements of this Section. The permit shall be issued for a specific period of time and shall contain health, safety, and traffic restrictions and may require such assurances or guarantees of compliance with conditions as is reasonable and appropriate under the circumstances. (*Dekalb, Illinois*)

Most zoning laws contain language that regulates all temporary uses in general terms, like that above. Other standard requirements should include

- Traffic access to and from the site
- Traffic control on the site
- Off-street parking
- Handicapped parking
- Buildings, tents, structures, fences, and screens
- Outdoor lighting, illumination, and electrical wiring
- Litter control
- Noise control and sound amplification
- Site security, maintaining order, and public safety

However, zoning language can also be written for specific temporary uses as in the example below.

Carnival or Circus: Temporary use permits may be issued for circuses for a maximum of eight days and carnivals for a maximum of ten days. The application shall depict the locations of pedestrian circulation areas and equipment storage areas. The use shall be located at least 100 feet from any residential property line. Additional City and County regulations may apply to carnivals and circuses. (*Durham, North Carolina*)

Zoning policies can also be adapted into an application for a temporary use as in the example from Jefferson County, Colorado regarding a Christmas tree lot. The last section can be easily changed to accommodate most smaller temporary uses.

5.8.6. All temporary buildings or trailers moved onto the sales lot or erected at the sales lot must be removed and the site must be fully cleared of all debris, trees, and other materials by January 15. (*Jefferson County, Colorado*)

It also establishes requirements that all lots must be cleaned upon conclusion of the use. Many communities also require a cleaning deposit or specifically outline a fee, as is the case in the example from Menasha, Wisconsin regarding a Christmas tree lot.

(6) Penalty. Failure to obtain a Christmas tree permit and comply with this ordinance will result in a penalty of not less than \$10.00 per day and not more than \$100.00 per day. Should the Town be required to clean up a lot, a \$100.00 fine will be charged to the licensee. (*Menasha, Wisconsin*)

Some communities require licensees to sign an escrow agreement along with a deposit. The escrow, which is temporarily deposited into a community's account, can be used to complete a use or clean up after one in the event the licensee is unable to do so.

To ensure that all regulations will be followed, cities should require all temporary uses to submit an application for approval. It is important, however, to remember that one-size-fits-all applications won't work. For example, a large, public carnival and a sidewalk sale don't need to adhere to the same set of standards. A community can easily have three or four levels of temporary use applications that are user-friendly and still create an efficient process. Some standard considerations include

- Site plan
- Application fee
- Liability insurance certification (or signed form stating insurance will be acquired if approved)
- Parking plan
- Clean-up fee/bond
- Signed escrow agreement
- Proof of ownership/Property owner acknowledgement

Such applications can be required for each event and should be submitted by a deadline that is set a certain number of days before the event occurs. In the case of repeat events, extensive, multi-year permits can be issued for events that occur at the same time/location each year, with only a short renewal application required every year after the initial application/approval.

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