

**TEMPORARY USE PERMIT APPLICATION
PUMPKIN/CHRISTMAS TREE LOT**

IT IS NECESSARY THAT YOUR APPLICATION INCLUDE ALL THE FOLLOWING INFORMATION TO AVOID DELAYED PROCESSING AS YOUR APPLICATION WILL BE RETURNED TO YOU FOR CORRECTED RESUBMITTAL, IF INCOMPLETE.

1. Filing Fee: The filing fee covers the cost incurred by staff in processing of the application. Refer to the City's Fee Schedule or contact the Community Development Department at (805) 449-2323.
2. Application and signed copy of approval conditions
3. Certificate of Insurance with Additional Insured Endorsement (see explanation below).
4. Plot plan of lot and improvements A plot plan of lot showing the proposed site, drawn to scale, building(s), parking location, disabled access, temporary toilet(s), security trailers, truck or trailer storage, inflatables, flocking booths and display racks
5. A copy of the current rental agreement with the property owner's acknowledgment that the use is authorized.
6. A current business tax certificate (business license) or receipt of payment.

Explanation of above items

Required Insurance Documents (*BOTH of the following are required):**

1. Certificate of Liability Insurance form (Accord Form 25 or similar) as the Certificate Holder; and
2. Additional Insured Endorsement form (Form CG 20 10 11 85 or similar)
* Both forms must have the City identified with the following wording: "**City of Thousand Oaks, its officers, officials, employees, agents and volunteers**"

Certificate of Liability Insurance Requirements:

- Commercial General Liability required limits: \$2 Million per occurrence and \$4 Million General Aggregate
- Automobile Liability limits: \$1 Million Combined Single Limit (Each Accident)
- Workers Compensation Limits: Statutory Coverage and Employer's Liability up to \$1 Million Each Accident or Disease

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Community Development Department

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org
Building Division • Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

APPLICATION FOR PUMPKIN/CHRISTMAS LOT

Date _____ Application number _____

Applicant's name _____ Phone number _____

Address or location of lot used _____

Assessor parcel number _____

Property owners name _____ Phone Number _____

Property owners address _____

I, _____, as owner, or corporation officer, and operator of the identified Christmas tree/pumpkin lot do hereby request permission to establish temporary use as described. Said temporary land use is to begin on _____ and shall be completely removed and the site returned to a code complying condition within seven (7) days of the end of business activities. In addition I do hereby agree to hold the City of Thousand Oaks harmless for any damages arising from any act, accident or event that may occur as a result of this permit. I do hereby agree to comply with conditions as attached to this application approval.

Signature of Applicant

Date

(DO NOT WRITE BELOW THIS LINE)

Temporary Use Permit Number _____

Approved by: _____
City Official

Date

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**TEMPORARY USE PERMIT
PUMPKIN/CHRISTMAS TREE LOT
CONDITIONS OF APPROVAL**

The following conditions are part of Temporary Use Permit number _____ for the property described in the attached application. The permit authorizes the land described in the permit application to be used as a Pumpkin/Christmas lot for the period specified in the permit and in accordance with the following conditions.

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS

1. The site shall be operated for the purposes of conducting retail sales (Pumpkin and/or Christmas tree lot). The temporary improvements shall be limited to and erected in conformance with the conditions contained herein and as shown on the attached plot plan labeled Exhibit _____.
2. At least one portable restroom shall be accessible to the disabled. The restroom(s) shall not be installed or permitted in the parking lot drive aisles or parking spaces.
3. Installation of a tent on the property, which is 400 square feet or greater in size, shall require a separate Tent Permit from the Ventura County Fire Protection District.
4. No more than one tent of any size and two temporary stands shall be permitted on each lot. However, another additional tent may be placed within the site if written justification is submitted with the application subject to the review and approval by the Community Development Department.
5. Pennants may be used and are limited to one string not exceeding 40 feet in length and must be securely anchored to the tent and/or to the temporary stands. The pennants shall not be allowed to infringe upon any public right-of-way, sidewalk or overhead utility area.
6. Sign/banners shall be limited to a maximum of 20 feet in length and shall not exceed 60 square feet in total area. The sign may be erected so that it faces the street frontage of the property. No sign may be placed in a public right-of-way or within any area as to obstruct the view of vehicles entering or exiting the property, or causes any danger to the public safety and welfare of the customers, as determined by the City Traffic Engineer or designee.
7. All accessory items shall be displayed within a tent or a temporary stand.

8. Sales are limited to a period of thirty (30) days prior to the said holiday. Lot set-up may occur seven (7) days prior to the allowable opening of the lot.
9. The business activity shall comply with all local, state and federal laws and regulations.
10. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m., seven (7) days a week. If the business is located within 500 feet of residential properties, the hours of operation shall be limited to 7:00 a.m. to 9:00 p.m.
11. The applicant shall obtain a Business Tax Certificate from the City of Thousand Oaks Finance Department.
12. No music or amplified sound shall be emitted from the property which violates the City's Noise Ordinance.
13. The operator shall provide continuous control of dust within the business area.
14. All required electrical permits for temporary power shall be obtained from the Community Development Department, Building Division. Lighting for the lot shall be provided on the perimeter of the lot. Power poles shall not be installed in the drive aisles of the parking lot or within parking spaces. Lighting shall not be installed as to interfere with vehicle or pedestrian traffic flow.
15. Stacks of Christmas trees shall not exceed twelve (12') feet in height and shall not be stored within the protected zones of oak trees. Standards and wiring for lights arranged for advertising purposes, shall not exceed twelve (12') feet in height. Businesses located beyond 500 feet of residential properties may install lighting at a height not to exceed twenty (20') feet for coned shaped lighting where taller Christmas trees are displayed. The applicant shall submit a written justification and proposed location of the lighting as part of the application submittal. Display trailers or display racks on trucks or trailers are prohibited.
16. Fencing shall not exceed (6') feet in height or be placed in a location as to cause a danger to the safety or welfare of the public, as determined by the Community Development Director, City Traffic Engineer or designee. Fencing shall be shown on the submitted plot plan.
17. Persons applying fire-retardant material shall be licensed by the State Fire Marshall. All such treatments shall be in accordance with the Uniform Fire Code.
18. One inflatable children's attraction, such as "jump house", may be used for recreational purposes only. Other decorative ground-mounted inflatable items not exceeding twelve (12') feet in height, such as entry features, may be allowed subject to the review and approval by the Community Development Department.



19. No signs may be placed on any vehicle/trailer on the property for advertising purposes. Vehicles/trailers with signs shall be stored in an inconspicuous location on the site
20. No vehicle/trailer on the property may be used for living purposes, although, a trailer may be used by security personnel. The trailer may not be attached to any utilities except temporary power.
21. The parking lot entrance shall be identified by two (2), 2' X 3' signs. The signs shall be placed on either side of the driveway and installed so as not to obstruct vehicular or pedestrian access as determined by the City Traffic Engineer or designee. All other directional signs are prohibited.
22. The property must be returned to its original condition within seven (7) days after the applicable holiday or when business activities cease. If the lot is to be used for both a pumpkin and Christmas tree sales, all pumpkin related merchandise and advertising must be removed by November 7 of the calendar year. Set-up may begin for the Christmas tree lot seven (7) days prior to the allowable opening day of the lot.
23. No structure, stacked merchandise, vehicles, trailers, toxic materials, display racks or stands may be placed within the protected zone of any oak trees, if existing on the site. The protected zone is the area under and within five (5') feet from the drip line of the oak tree. Christmas trees on stands and individual pumpkins displayed for sale purposes may be allowed within the protected zone of oak trees. No items shall be placed under oak trees if it is determined by the City's oak tree consultant that the displayed items will have a detrimental effect on the oak tree.
24. The applicant agrees to defend, indemnify and hold harmless the City, its agents, officials, and employees from any claim, action or proceeding against the City or its agents, officials of employees to attach, set aside, void or annul an approval of the City. The City shall notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense.

PUBLIC WORKS DEPARTMENT CONDITIONS

DEVELOPMENT ENGINEERING DIVISION

25. The site shall comply with the City's Stormwater Ordinance and National Pollutant Discharge Elimination System (NPDES) Permit CAS004002. The site shall be managed so as to prevent discharge of pollutants (including sediment and debris) into the storm drain.
26. The vehicle parking area and exit shall be stabilized with an all-weather surface such as 3/4" crushed gravel or other surface treatment approved by the



Department. Any sediment, mud, organic matter, trash or debris tracked onto the City street shall be cleaned immediately using sweeping or other dry method.

27. The site shall be maintained free of trash and debris.



**TEMPORARY USE PERMIT
PUMPKIN/CHRISTMAS TREE LOT
INSURANCE CERTIFICATE REQUIREMENTS AND INFORMATION**

Proof of applicable insurance coverage may be made by the applicant's insurance company in one of two ways:

1. A City Certificate of Insurance form (available from the City Clerk's Office);
2. The insurance company's standard accord form.

In addition, the form or accompanying attachments must specifically identify the City of Thousand Oaks as an additional insured under the policies. (A separate endorsement form conferring additional named insured status on the City of Thousand Oaks is required.)

Where multiple types of insurance are required, (general liability, automobile liability, workers' compensation) they must all be on the same form or, if on multiple forms, submitted for approval at the same time. The insurance form must show that the policy limits meet the City's permit requirements.

The cancellation language must be altered to be acceptable to the City. The following language must be specifically deleted:

“endeavor to”

“but failure to mail such notices shall impose no obligation or liability of any kind upon the company, its agents or representative.”

Every certificate of insurance and endorsement will be approved by the City Attorney's Office prior to a permit issuance.

This limited information is provided for public benefit in completing the insurance portion of the permit application. This in no way alters or supersedes any requirements of the city or the Discretion of the appropriate employees.