

BAKER CITY-COUNTY PLANNING DEPARTMENT



1995 Third Street
 Baker City, OR 97814
 Phone: (541) 523-8219
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File No.	_____
Applicant:	_____
Received By:	_____
Date Submitted:	_____
City Planning:	101-131-3-40-4104
Fee Collected: \$	_____
Date Paid:	_____
Receipt By:	_____

MAKE CHECKS PAYABLE TO: **BAKER COUNTY**

TEMPORARY USE PERMIT APPLICATION

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Specific regulations are provided in Baker City Development Code (BCDC) Section 4.9.100.

Applicant Name: _____ Phone: _____

Mailing Address: _____ Interest in Property: _____

Property Address: _____ Map & Tax Lot #: _____

Current Zoning: _____ Size of Parcel(s): _____

NOTICE TO APPLICANT: On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable Code Section prior to submitting an application. Incomplete applications will not be scheduled for review until the Planning Department receives all required submittal materials. Failure to provide materials or address the approval criteria in sufficient detail may cause your application to be delayed or denied.

Description of proposed temporary use: _____

Period of time for use to remain at site: Starting _____ Ending _____

What is the existing use of the property? _____

<i>Please answer the following questions about your temporary use.</i>	Yes	No
Will the proposed use consume any of the existing vehicle parking available at the site? If yes, please specify:		
Will the proposed use be served by a sewer or septic system or water? If yes, please clarify:		
Will the proposed use create additional vehicle traffic to the site or produce noise, odors, vibrations, glare or lights that would affect an adjoining use in a manner different from other uses allowed outright in the district? If yes, please specify:		
Will the proposed use pose any hazard to pedestrians in the area of the use? If yes, please explain:		
Will the use maintain one location (as is reflected on the site plan) throughout its placement at the site? If no, please explain:		

Site Plan showing where the use will be located at the property. The site plan should reflect distances from the proposed use to the parcel's property lines and the distance from the proposed use to other buildings at the site. On this site plan please also reflect where vehicles would access this property.

By signing the application form, applicant certifies that the information provided herein is accurate. Applicant further certifies that he/she is authorized to make the application and that there are no covenants, conditions or restrictions (CC&Rs) that may limit or prohibit the proposed temporary use. The City of Baker City does not monitor, nor does the City have enforcement authority over CC&Rs. Applicant further certifies that the temporary use will conform to the standards of Baker City Development Code Section 4.9.100. Non-compliance with these regulations may result in revocation of this permit.

Applicant Signature: _____ Date: _____

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his/her behalf with regard to this application.

Owner Name: _____ Phone: _____

Mailing Address: _____ Signature: _____

The following standards from Section 4.9.100 of the Baker City Development Code apply to Temporary Use Permits:

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: construction trailers, leasing offices, temporary carnivals and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and vegetable stands. Temporary Use applications shall be processed using a Type I procedure, except that the Planning Official may chose, at his or her discretion, to process a request under a Type II procedure. Three types of temporary uses require permit approval (See A, B and C):

A. Seasonal and Special Events. These types of uses occur only once in a calendar year and for no longer a period than 30 days. Using the Type I procedure under Section 4.1.200, the City shall approve, approve with conditions or deny a temporary use permit based on findings that all of the following criteria are satisfied:

1. The use is permitted in the underlying land use district and does not violate any conditions of approval for the property (e.g., prior development permit approval);
2. The applicant has proof of the property-owner's permission to place the use on his/her property;
3. No parking will be utilized by customers and employees of the temporary use which is needed by the property owner to meet their minimum parking requirement under Chapter 3.3 - Vehicle and Bicycle Parking;
4. The use provides adequate vision clearance, as required by Section 3.1.200, and shall not obstruct pedestrian access on public streets;
5. Ingress and egress are safe and adequate when combined with the other uses of the property; as required by Section 3.1.200 - Vehicular Access and Circulation;
6. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare or lights that affect an adjoining use in a manner in which other uses allowed outright in the district do not affect the adjoining use; and
7. The use is adequately served by sewer or septic system and water, if applicable. (The applicant shall be responsible for obtaining any related permits.)

B. Temporary Sales Office or Model Home. Using a Type I procedure under Section 4.1.200, the City may approve, approve with conditions or deny an application for the use of any real property within the City as a temporary sales office, offices for the purpose of facilitating the sale of real property, or model home in any subdivision or tract of land within the City, but for no other purpose, based on the following criteria:

1. Temporary sales office:
 - a. The temporary sales office shall be located within the boundaries of the subdivision or tract of land in which the real property is to be sold;
 - b. The property to be used for a temporary sales office shall not be permanently improved for that purpose;

- c. Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.

2. Model house:

- a. The model house shall be located within the boundaries of the subdivision or tract of land where the real property to be sold is situated; and
- b. The model house shall be designed as a permanent structure that meets all relevant requirements of this Code and other applicable codes and permit requirements.

C. Temporary Building, Kiosk, or Structure. Temporary or permanent placement of a building, kiosk, or structure, including but not limited to prefabricated building(s), for use on any real commercial or industrial property within the City shall require a development permit. Using a Type I procedure, as governed by Section 4.1.200, the City may approve, approve with conditions or deny an application for a placement of a building, kiosk, or structure for temporary use, or temporary placement, such as a temporary commercial or industrial use or space associated with the primary use on the property, based on following criteria:

1. The temporary building shall be located within the specified property line setbacks of the parcel of land on which it is located;
2. Ingress and egress are safe and adequate as demonstrated by an approach permit approved by the road authority, as applicable. See also, Section 3.1.200 - Vehicular Access and Circulation;
3. There is adequate parking for the customers or users of the temporary use as required by Chapter 3.3 - Bicycle and Vehicle Parking;
4. The use will not result in vehicular congestion on streets;
5. The use will pose no impediment or hazard to pedestrians in the area of the use;
6. The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare or lights that affect an adjoining use in a manner which other uses allowed outright in the district do not affect the adjoining use;
7. The building complies with applicable building codes;
8. The use can be adequately served by sewer or septic system and water, if applicable. (The applicant shall be responsible for obtaining any related permits); and
9. The length of time that the temporary building will be used does not exceed 6 months. When a temporary building exceeds this time frame, the applicant shall be required to remove the building, or renew the temporary use permit; and
10. Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.

D. Temporary Occupancy of Motor Homes and Travel Trailers in Residential Zones. Using a Type I procedure, the City may approve, approve with conditions, or deny an application for the temporary occupancy of motor homes and travel trailers in residential zones. Short-term stays, defined as 28 or fewer consecutive days, are exempt. Manufactured homes (mobile homes) are not eligible for temporary use permits. The following procedures and conditions shall be complied with in the temporary occupancy of motor homes and travel trailers:

1. Motor homes and travel trailers, regardless of location in a residential zone or other standards imposed by this ordinance, may be allowed temporary occupancy for some specified period of time of not more than one year:
 - a. This may be for reasons of providing shelter while a building is under construction, for temporary housing subsequent to disaster, for short-term occupancy where a more permanent facility would be inappropriate or for other good cause as determined by the Planning Official.
 - b. Specific siting requirements may be imposed at the discretion of the Planning Official.
 - c. This provision does not waive any permit requirements of the City or State of Oregon.
 - d. The Planning Official, may if he/she determines that an extension of time is warranted, grant extensions in monthly increments up to one year on the temporary siting of a travel trailer or motor home.
 - e. The unit shall not be parked in or in any way obstruct any public right-of-way and the unit shall maintain a minimum of five (5) feet between it and any structure, and all side/rear property lines.
2. Motor homes and travel trailers in residential zones may be allowed temporary occupancy for the undefined term of a hardship suffered by the existing resident. As used in this section, “hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons. The applicant shall provide written verification of hardship (statement from doctor regarding need for assistance) annually, and within 30 days after the hardship ceases to exist, the temporary occupancy shall cease.
3. Per ORS 197.493, residing in a travel trailer for an unlimited period of time is allowed if it is located in a mobile home park and lawfully connected to water, sewer, and electrical systems.