

BAKER CITY-COUNTY PLANNING DEPARTMENT



1995 Third Street | Suite 131 | Baker City, OR | 97814
 Phone: (541) 523-8219 | Fax: (541) 523-8340



APPLICATION FOR A TEMPORARY USE PERMIT

App. No. _____	City Planning: 101-131-3-40-4104
Received by: _____	Date Received: _____
Fee Collected: \$ _____	Date Paid: _____
Date Sent for Interdepartmental Review: _____	

MAKE CHECKS PAYABLE TO: **BAKER COUNTY PLANNING**

APPLICANT			PROPERTY OWNER		
Last Name	First	MI	Last Name	First	MI
Mailing Address			Mailing Address		
Physical Address			Physical Address		
City	State	Zip	City	State	Zip
Telephone			Telephone		
Email			Email		

PROPERTY INFORMATION

Township _____ Range _____ Section _____ Tax Lot _____ Ref. _____

Township _____ Range _____ Section _____ Tax Lot _____ Ref. _____

Property Address: _____

Zone: _____ Overlay: _____ Floodplain: YES NO Historic District: YES NO

What is the existing use of the property? _____

Need for proposed temporary use: Shelter during construction Disaster housing Short-term facility

Please describe the proposed temporary use in more detail: _____

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

<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:		

APPLICATION SUBMISSION REQUIREMENTS

All materials shall be submitted in complete, collated application packets. Packets shall be stapled, bound, or otherwise attached to prevent loss of individual sheets or parts.

1. Original **APPLICATION FORM** signed by all parties. Multiple forms may be used if necessary.
2. **NARRATIVE** including all approval criteria and your responses.
3. **SITE PLAN** showing existing conditions and proposed changes. All site plans should be printed at 1" = 20' scale; 1:40 or 1:100 scale may be used for very large projects. All materials larger than 8 ½ X 11 shall be folded to 8 ½ X 11 size.

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.

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 division of land. The City of Baker City does not monitor, nor have enforcement authority over CC&Rs.

Applicant Signature: _____ **Date:** _____

Property Owner(s) Signature: _____ **Date:** _____

_____ **Date:** _____

**** NOTE: If the applicant is not the owner, by signing, the owner hereby grants permission for the applicant to act in his/her behalf concerning this application.*

APPLICABLE BAKER CITY DEVELOPMENT CODE SECTIONS

BCDC Section 4.9.100 – 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. Four types of temporary uses require permit approval (See A, B, C and D):

- 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 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 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

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.**

1. The temporary occupancy of motor homes and travel trailers in residential zones may be approved, approved with conditions, or denied, following the criteria, procedures and conditions listed below:
 - a. Short-term stays, defined as 28 or fewer consecutive days, are exempt.
 - b. Manufactured homes (mobile homes) are not eligible for temporary use permits.

- c. 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.
 - d. This permit requirement does not waive any permit requirements of the City or State of Oregon, including the City requirements for connection to water or sewer services.
2. Using a Type I procedure, motor homes and travel trailers, regardless of location in a residential zone or other standards imposed by this ordinance, may be allowed temporary occupancy in the circumstances described in sections (a) or (b) below, if the following criteria are met:
- a. The motor home or travel trailer is being used to provide shelter while a dwelling is under construction or for temporary housing subsequent to disaster (i.e., fire, earthquake, landslide, flood, or other similar disaster) for a specified period not to exceed one (1) year and is subject to the following requirements:
 - i. An application shall include a description of the dwelling being constructed or the disaster, and an estimate of the amount of time the motor home or travel trailer will need to be occupied.
 - ii. The criteria in section (c) below shall be met.
 - b. A “hardship” is suffered by the resident that necessitates the use of the motor home or travel trailer in order to provide or receive care. As used in this section, “hardship” means a condition created when a person is aged, infirm or suffers from a medical condition, or when an individual is providing care of such a person. A permit approval for “hardship” is permitted for a period of six (6) months and is subject to the following requirements:
 - i. An application shall include written verification of the hardship and the need for assistance from a medical professional. Specific information regarding medical conditions shall not be requested nor required as part of the application.
 - ii. Within 30 days of the hardship ceasing to exist, the temporary occupancy of the motor home or travel trailer shall cease.
 - c. In addition, the following standards shall be met:
 - i. All application requirements set forth in Chapter 4.1.200 have been met.
 - ii. All property line setback requirements set forth in the applicable underlying zone are met, as well as other specific siting requirements deemed necessary by the Planning Official.
 - iii. The unit is not be parked in, or in any way obstructing, a public right-of-way and is sited a minimum of five (5) feet from any structure.
 - iv. An Any previously granted temporary use permit may be revoked by the Planning Commission, following a hearing, upon the following grounds:
 - A. the applicant or property owner is cited by the Baker City Police Department for any reason relating to the property or activities conducted thereon
 - B. violation of the Baker City Development Code
 - C. violation of any of the conditions of approval required by the temporary use permit