LAND MANAGEMENT DIVISION

LAND USE APPLICATION
HEARINGS OFFICIAL: Temporary Permit

PUBLIC WORKS DEPARTMENT ***3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577***

For Office Use Only. *FILE #* *FEE:*

Applicant (print name):_____

Mailing address: _____

Phone: _____ Email: _____

Applicant Signature: _____

Agent (print name):_____

Mailing address: _____

Phone: _____ Email: _____

Agent Signature: _____

Land Owner (print name):_____

Mailing address: _____

Phone: _____ Email: _____

Land Owner Signature: _____

LOCATION

_____

Township Range Section Taxlot

_____

Site address

PROPOSAL: A request for Hearings Official approval of a Temporary Permit, pursuant to Lane Code 16.255.

NOTICE: The Applicant is responsible for providing enough information in this application for staff to make reasonable findings.

ADJOINING OWNERSHIP Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

_____

_____

SITE PLAN A site plan must be included. Refer to the handout entitled "How to prepare your plot plan". Identify nearby driveways. Driveway spacing standards are contained in Lane Code 15.138.

ZONING: _____

ACREAGE: _____

DESCRIBE THE ACCESS TO THE PROPERTY (circle the answer): Access to the homesite must comply with the Lane Code Chapter 15.

State Hwy County Rd Public Rd Private Easement/Private Road (submit a copy)

Road name: _____

NUMBER OF EXISTING DWELLINGS ON PARCEL: _____

EXISTING IMPROVEMENTS: What structures or development does the property contain? Will any structure be removed/demolished besides the existing dwelling?

_____

_____

_____

PHYSICAL FEATURES: Describe the site.

- The Vegetation on the property: _____

  _____

  _____

- The Topography of the property: _____

  _____

  _____

- Any Significant Features of the property (steep slopes, water bodies, etc.): _____

  _____

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APPROVAL CRITERIA

16.255 Temporary Permits

(1) Purpose. The purpose of the Temporary Permit procedure is to allow on an interim basis:

(a) Temporary uses in undeveloped areas of the County not otherwise allowable in the applicable zone.

(b) Use of existing structures designed and intended for a use not allowable in a zone and not otherwise a nonconforming use, and

(c) Erection of Temporary structures for activities necessary for the general welfare of an area; provided such uses and activities are consistent with the intent of this chapter.

No Temporary Permit can be granted which would have the effect of permanently rezoning and granting a special privilege not shared by other property in the same zone.

Answer all questions completely. Attach additional pages if necessary.

(2) Allowable Temporary Uses, Criteria and Limitations.

(a) The following are allowable Temporary Uses and may be permitted in any zone, subject to the following criteria and limitations: (check all that apply)

___ **(i) A different use for existing structures or structures and premises in a combination which are occupied or have been occupied by a nonconforming use; provided it is determined by the Hearings Official that the character and nature of the proposed use will be less incompatible to the surrounding vicinity than the existing or previous nonconforming use.**

Explain: _____

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___ **(ii) Use of existing structures and premises which are designed and intended for a use which is not allowable in the applicable zone and new structures and premises and use thereof necessary for the physical and economic welfare of an area; provided it is determined by the Hearings Official that the location, size, design and operating characteristics of the proposed use and new structure, if applicable:**

(aa) Will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity; and

(bb) Will not be adversely affected by the development of abutting properties and the surrounding vicinity.

Explain: _____

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___ **(iii) Open land uses which do not involve structures with a combined value in excess of $1,000; provided it is determined by the Hearings Official that the location, size, design and operating characteristics of the proposed use:**

(aa) Will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity, and

(bb) Will not be adversely affected by the development of abutting properties and the surrounding vicinity.

Explain: _____

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(b) In applying the criteria for allowable temporary uses provided in LC 16.255(2)(a)(i) and(ii) above, consideration may be given to harmony in scale, bulk, coverage and density; to the availability of public facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets and roads; and to any other relevant impact of the use.

Why should the temporary use be approved, based on the items listed above?

_____

_____

_____

_____

_____

(c) No structural alterations may be made to a nonconforming structure to be utilized by a temporary use which would materially prolong the economic life of the structure.

Is the structure "nonconforming"? Refer to LC 16.251. Are any alterations planned for the structure(s)?

_____

_____

_____

(d) Where new structures and use thereof and new open land uses are permitted, the premises shall be required to be restored to the prior state within three months of the termination of the permit. A performance bond shall be required, if determined necessary by the Hearings Official, at the time of approval in sufficient amount to cover the estimated cost such restoration.

If the Hearings Official determines a performance bond is required, it will be a condition of approval.

(e) Temporary Permits for any one permit shall be approved for a maximum of five years.

The approval period will be a condition of approval and may be limited to less than 5 years. The specific timeline will be determined by the Hearings Official.

(3) Conditions. Reasonable conditions may be imposed in this section. Guarantees and evidence may be required that such conditions will be or are being complied with. Such conditions may include, but are not limited to, requiring:

- **(a) Special yards and spaces.**
- **(b) Fences and walls.**
- **(c) Control of points of vehicular ingress and egress.**
- **(d) Special provisions on signs.**
- **(e) Landscaping and maintenance thereof.**
- **(f) Maintenance of the grounds.**
- **(g) Control of noise, vibrations, odors or other similar nuisances.**
- **(h) Limitation of time for certain activities.**
- **(i) A time period within which the proposed use shall be developed.**
- **(j) A limit on total duration of use.**

(4) Application. Application for a Temporary Permit shall be made as provided by LC 14.050.

(5) Review Procedure. Applications for Temporary Permits shall be reviewed by the Hearings Official pursuant to LC 14.300.