

LAND MANAGEMENT DIVISION



LAND USE APPLICATION
Temporary Permit

PUBLIC WORKS DEPARTMENT 125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 682-3807

For Office Use Only. FILE #

CODE: **HOTEMP**

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.

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. Driveways spacing standards are contained in Lane Code 15.138.

ZONING: _____

ACREAGE: _____

FIRE DEPARTMENT: _____

DESCRIBE THE ACCESS TO THE PROPERTY (circle the answer):

State Hwy County Rd Public Rd Private Easement

ROAD NAME: _____

GENERAL ACCESS REQUIREMENTS

Access to the home site must comply with Lane Code Chapter 15. All lots, parcels, or building sites shall have reasonably safe and usable vehicular access either directly to a Public Road, County Road, State Road or an approved Private Access Easement. The access to the homesite must pass a two part test. First, the homesite must have legal access. Second, that access must be reasonably safe and useable.

First: A lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel: (check the one that applies)

- ___ (A) Was created in an approved and recorded land division; or
- ___ (B) Is part of an unrecorded subdivision filed with the County as a survey recorded prior to January 1, 1955, and the roads in the unrecorded subdivision were dedicated to the County but may not have been accepted as Public Roads as defined in LC 15.010(35); or
- ___ (C) Is adjacent to a Public Road or County Road, and meets the frontage requirements of LC 15.120; or
- ___ (D) Is served by a Private Access Easement meeting the requirements of LC 15.055; or
- ___ (E) Is adjacent to a state road and meets any applicable state access and permit requirements.

Second: A lot or parcel shall be considered as having reasonably safe and usable vehicular access for purposes of development if the road providing access to the lot or parcel is: (check the one that applies)

- ___ (A) a County-maintained road or State-maintained road; or
- ___ (B) a Public Road, Local Access Road, or Private Access Easement physically constructed and maintained to the requirements specified in this chapter; and any applicable dedication and improvement requirements of this chapter are met.

EXISTING IMPROVEMENTS

Does the property contain any roads, structures, etc.?

PHYSICAL FEATURES: Describe the site. Identify any steep slopes, water bodies (creeks, ponds, etc.) or other significant features. Include additional pages if necessary.

___ (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: _____

___ (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: _____

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

(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.