

# Temporary Use Permit Application

**Community Development**  
Located at 1300 S. Kodiak Circle, Cornelius, Oregon 97113  
www.ci.cornelius.or.us

OFFICIAL USE ONLY			
Date Received: _____	Permit No.: _____	Fee Pd.: _____	Check No.: _____
Receipt No.: _____	Approved: _____	Denied: _____	Issued By: _____
Effective Date: _____	Expiration Date: _____	Business License No.: _____	

Before this application will be processed, all applicable information on this page must be completed. All applicable criteria shall be addressed as part of the application.

**APPLICANT**

Name \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Phone/Fax \_\_\_\_\_

Signature \_\_\_\_\_

**PROPERTY OWNER**

Name \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Phone/Fax \_\_\_\_\_

Signature \_\_\_\_\_

**PERMIT TYPE**

\_\_\_\_\_ Temporary Business/Event Permit (per Chapter 18.120.040 of the City Code)

\_\_\_\_\_ Temporary Buildings (per Chapter 18.120.050 of the City Code)

\_\_\_\_\_ Temporary Building Occupancy (per Chapter 18.120.060 of the City Code)

Please Provide

- Site Plan
- Narrative describing type of Temporary Use Permit, requested dates & times and how the proposed temporary use will comply with the applicable Code requirements.

Attached is a copy of the Temporary Use Permit Code.

**Chapter 18.120**  
**TEMPORARY USE PERMITS**

Sections:

[18.120.010 Purpose.](#)

[18.120.020 Types of applications.](#)

[18.120.030 Procedures.](#)

[18.120.040 Temporary business/event permit.](#)

[18.120.050 Temporary buildings.](#)

[18.120.060 Temporary building occupancy.](#)

**18.120.010 Purpose.**

The provisions of this chapter are established with the recognition that temporary uses serve a useful purpose in the life of the community. Such activity does not mandate application of the requirements relating to permanent activity, but there is the potential of adverse impact on surrounding property created by temporary activity, and therefore specific requirements are necessary. These regulations are not intended to govern temporary uses in permanent buildings which meet all title requirements. [Ord. 810, 2000; Code 2000 § 11.30.61.]

**18.120.020 Types of applications.**

For the purpose of this chapter, temporary uses are defined below. The various uses are separated into three types depending upon their respective impacts.

(A) Temporary Business/Event Permit. A person, firm, organization, group or corporation which intends to conduct an event and/or business within the city for a period not to exceed 90 days in any 12-month period.

(B) Time Limit on Approvals.

(1) A permit for a temporary business/event cannot exceed 90 days' total duration, with an approved extension.

(2) A permit for a temporary business/event for up to 90 days may be issued without notice.

(C) Temporary Building Occupancy. Situations periodically arise where businesses need to occupy a building without bringing the site up to the specifications of the development code. A true hardship must exist when allowing occupancy without meeting all standards of the development code.

Examples of a hardship can include damage or loss by fire, flooding, a business losing its lease,

which is forced to move, or other hardships as determined by the community development director, but may not include financial hardship. [Ord. 810, 2000; Code 2000 § 11.30.62; Ord. 841 Exh. 2, 2003; Ord. 916 § 1 (Exh. A), 2010.]

#### **18.120.030 Procedures.**

A request for a temporary use permit may be initiated by a property owner or his authorized agent by filing an application form prescribed by the community development director and shall be filed with the community development director. The community development director shall have the initial authority to determine the type of all proposed temporary uses. Such a determination shall be based upon the general characteristics of the use as described for each type. [Ord. 810, 2000; Code 2000 § 11.30.63; Ord. 841 Exh. 2, 2003.]

#### **18.120.040 Temporary business/event permit.**

Activities operating up to 45 days shall be approved by the community development director. Permits issued for 45 days or fewer may be extended to a total of 90 days' operation upon submission of a written request approved by the community development director. In hardship situations the city may exempt registered nonprofit organizations located within the city from the temporary use permit fee and temporary sign permit fee. The applicant shall submit a written request for fee exemption with their application materials to be reviewed by the city manager. [Ord. 916 § 1 (Exh. A), 2010.]

#### **18.120.050 Temporary buildings.**

(A) Approval Criteria. The applicant shall demonstrate compliance with and is subject to the following requirements:

- (1) Temporary space to supplement a permanent structure:
  - (a) Temporary buildings are allowed for existing business activities located within the city, and not for new activities desiring to locate in the city.
  - (b) The temporary structure shall be located on the same lot or a lot immediately adjacent to the existing activity. If the adjacent lot is separately owned, written authorization from the owner must be provided.
  - (c) Such request shall be reviewed by the community development director in accordance with CMC 18.15.010, Application review.
- (2) Temporary buildings for real estate offices:
  - (a) The office is located within the boundaries of the subdivision or tract of land for sale.
  - (b) The property used for the temporary sales office shall not be permanently improved for that purpose; provided, however, that a dwelling or structure designed primarily for

other purposes may be used temporarily for a sales office.

(c) Application for a temporary real estate office shall be approved by the community development director.

(3) Temporary buildings while permanent space is being constructed and construction offices:

(a) A building permit has been issued for the permanent structure and the permit has not expired.

(b) The temporary structure shall be located on the same lot or a lot immediately adjacent to the construction site. If the adjacent lot is separately owned, written authorization from the owner must be provided.

(c) The request shall be approved by the community development director.

(4) All temporary activities shall be conducted at the particular location authorized.

(5) Temporary uses shall be conducted wholly on private property.

(6) No temporary use shall be permitted in the vision clearance area of an intersection as specified under CMC 18.150.070.

(7) Signs shall be of the type and size specified by the sign standards of the city. They shall be sufficiently stable to resist movement by high winds, and be affixed to the ground or other nonmovable object.

(8) The operator of a temporary use must have the permit available for inspection upon request by city personnel.

(9) The community development director may impose additional conditions consistent with the scope and purpose of this title necessary to safeguard the public health and safety and to minimize potential adverse impact created by the use on surrounding property and uses.

(10) Adequate parking and provisions for safe circulation must be provided. The applicant shall demonstrate that the site has adequate parking facilities to accommodate the anticipated needs. The community development director may make such conditions as are necessary to ensure that adequate parking exists and that automobiles entering or exiting the site do not create a safety hazard.

(11) The property owners must give written authorization for the use of their property by the applicant for a temporary use.

(12) The community development director may require a cash deposit or other security intended to guarantee that any property used will be left after the use terminates in a neat and

orderly condition.

(B) Time Limit on Approvals.

(1) Permits shall be valid for up to six months. An applicant may apply for one 60-day extension which shall be approved by the community development director. An extension shall be allowed only when an applicant can demonstrate to the community development director that permanent space will become available within the 60-day limit through lease, rent or construction.

(2) Temporary real estate sales permits shall only be valid for one year. Upon re-application, unlimited extensions for up to a year may be granted. However, each request shall be approved by the community development director.

(3) The temporary building may remain on the site until the permanent structure is completed or until the building permit expires, whichever occurs first.

(4) The community development director is authorized to suspend or revoke any permit if the director has probable cause to believe that the conditions of the permit or any provisions of this title have been violated or that the use is causing a nuisance to the public or surrounding properties. In any case where the director finds a serious danger to the public health or safety, the director may suspend the permit without a hearing. In all other cases, the applicant may appeal the director's decision of revocation per CMC 18.15.010(A)(4).

(C) Appeal of a Decision. Pursuant to CMC 18.15.090. [Ord. 810, 2000; Code 2000 § 11.30.65; Ord. 841 Exh. 2, 2003.]

**18.120.060 Temporary building occupancy.**

(A) Approval Criteria. The applicant shall demonstrate compliance with and is subject to the following requirements:

(1) The building meets all building and fire code standards.

(2) Within 120 days, the site can meet title criteria or assurance the business will vacate the site.

(3) Documentation, as determined by the community development director, of hardship.

(4) Documentation, as determined by the community development director, that a permanent solution can be found within 120 days from date of occupancy.

(5) The site shall be vacated at the end of 120-day time limit if the building and/or the site does not conform to all standards of the development and zoning code. The applicant shall enter into such agreement as determined by the city attorney and community development director

to ensure that this condition is met. [Ord. 810, 2000; Code 2000 § 11.30.66; Ord. 841 Exh. 2, 2003; Ord. 2016-011 § 1 (Exh. A), 2016.]