

CITY OF
JOHN DAY

Temporary Use Permit Application

Applicant: Dave Lynn Phone: 541-419-0500 Email: Dave@cascadecp.net

Property Owner(s): City of John Day

Property Address: 433 W. Patterson Bridge Road

Township, Section, Range, and Tax Lot: _____

Zone: GI (NW subdivision) Lot size: _____

Existing Use/Structures: Shop

Proposed Use:

Storage of personal belongings, temporary business location for Cascade Clutch & Performance. Temporary living quarters till building permits can be obtained for new shop and home location. Company does motor sports clutch balancing and clutch service for Side by Sides and Snowmobiles. No chemicals or asbestos involved in the service process.

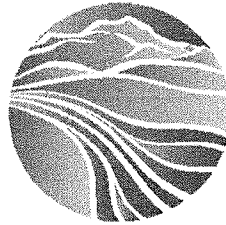


Review Criteria

Chapter 5-4.9- Miscellaneous Permits- Temporary Use Permits

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvement 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. [Note: For Temporary Medical Hardship Dwellings, please refer to Section 5-2.2.100K. 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 thirty (30) days. Using the Type II procedure under Section 5- 4.1.040, 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 5-3.3 - Vehicle and Bicycle Parking;
 4. The use provides adequate vision clearance, as required by Section 5-3.1.020, 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 5-3.1.020 - 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 5-4.1.020, 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:



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- 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, Trailer, Kiosk, or Structure.** Temporary or permanent placement of a building, trailer or recreational vehicle per Chapter 5-2.5, 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 land use approval. Using a Type II procedure, as governed by Section 5-4.1.040, the City may approve, approve with conditions or deny an application for a placement of a building, trailer, 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 trailer or building shall be located within the specified property line setbacks of the parcel of land on which it is located;
 2. The primary use on the property to be used for a temporary trailer is already developed;
 3. Ingress and egress are safe and adequate as demonstrated by an approach permit approved by the road authority, as applicable. See also, Section 5-3.1.020-Vehicular Access; and
 4. There is adequate parking for the customers or users of the temporary use as required by Chapter 5-3.3—Parking;
 5. The use will not result in vehicular congestion on streets;
 6. The use will pose no impediment or hazard to pedestrians in the area of the use;
 7. The use does not create adverse off-site impacts including vehicle traffic, noise, odors,
 8. The building complies with applicable building codes;
 9. 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
 10. 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
 11. Conditions may be imposed regarding temporary utility connections, and as necessary to protect public health, safety, or welfare.



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Signatures

Note: All owners must sign this application or submit a letter of consent authorizing another individual to submit application. Incomplete or missing information may delay the review process.

Applicant: David L. Z... Date: 1/2/21
Owner: _____ Date: _____

Owner: [Signature] Date: 1/2/21

For Office Use Only	
Date Stamp: _____	Received By: <u>[Signature]</u>
Required Fee: \$ <u>50</u>	Date Received: <u>1/2/21</u> 120 Day Deadline: _____

Note: This review does not address a project's compliance with applicable building, fire and life safety regulations. Subsequent review by City officials may be required to determine compliance with applicable regulations.



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Temporary Use Permit Notice of Decision
APPLICATION NO. TUP-21-01

DATE OF NOTICE: February 9th, 2021
APPLICANT: Dave Lynn
SUBJECT: Temporary Use Permit
DECISION ON ACTION TUP-21-01: Approved as Requested
LOCATION: 433 W. Patterson Bridge Road
Map: 13S31E22DD Tax Lot: 2700

Dear Participant:

Dave Lynn, the owner of Cascade Clutch & Performance, has applied for a Temporary Use Permit to allow him to operate his business at the above referenced location and hook up an RV for residential use during the construction of a permanent location. The permit will allow the applicant to utilize the shop for both purposes for a maximum duration of six (6) months. Planning Staff reviewed the above referenced request pursuant to the City of John Day Development Code (the Code) and the requirements for Temporary Use Permits.

After sending notice to property owners within 100 ft. of the subject property and allowing 14 days for public comments, the City Planning Official made a Type II Administrative decision and **APPROVED** the requested TUP as described in the applicant's narrative.

Affected parties with legal standing may appeal this decision to the John Day City Council pursuant to Code Section 5-4.1.030.G.1. Appeals must be filed in writing with the City Planning Official within fourteen (14) days of the date this decision is mailed. **The appeal deadline is 4:00 p.m. on February 23rd, 2021.**

If you have any questions regarding this Notice of Decision or wish to request a copy of the John Day Planning Official decision, or any other documents related to this matter, please contact the City of John Day, 450 East Main Street, John Day, OR 97845; Telephone (541) 575-0028; Email cityofjohnday@grantcounty-or.gov.

Sincerely,

Nicholas Green
Chief Planning Official