

# BINGEN MUNICIPAL CODE

## Chapter 17.52

### TEMPORARY USE (TU) DISTRICT

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#### **17.52.010 Intent.**

It is the intent of this chapter to provide for addition of special districts established to meet changing conditions and needs. (Ord. 440, Att. A (part) 1997).

#### **17.52.020 Purpose.**

The purpose of the temporary use district is to provide opportunities for the development and establishment of dwelling, commercial and industrial facilities primarily temporary in character and necessary in the public or private works projects. (Ord. 440, Att. A (part) 1997).

#### **17.52.030 Establishment.**

The city council may, upon proper application, or upon its own motion, and after public hearing, establish and cause to be shown on the zoning map temporary use districts where the need for such districts is clearly demonstrated and their use determined to be in the public interest and necessary to promote the general welfare. (Ord. 440, Att. A (part) 1997).

#### **17.52.040 Permitted uses.**

Uses permitted in the TU district shall be as follows:

Any principal or accessory use permitted outright by conditional exception in any district for which use classifications are contained in this title. (Ord. 440, Att. A (part) 1997).

**17.52.050 Application—Procedure.**

The application procedure shall be the same as provided in Section 17.76.030 of this code for changed in district boundary or zone classifications. (Ord. 440, Att. A (part) 1997).

**17.52.060 Application—Contents.**

The application shall clearly state the intended use of the property and shall be accompanied by plans, maps, or drawings to be furnished at a suitable scale showing:

- A. Property lines or boundaries;
- B. Principal natural features;
- C. Principal existing land improvement features, public facilities, buildings and other structures;
- D. Proposed principal uses of land and new improvements, including approximate locations of buildings, structures, and other facilities and their intended uses, and source of water supply and sewage conditions;
- E. Temporary or permanent character of proposed new land uses, building and facilities. (Ord. 440, Att. A (part) 1997).

**17.52.070 Special permits—Issuance.**

After a public hearing in accordance with the provisions of Section 17.76.030 of this code, the city council may establish a TU district and issue appropriate special permits authorizing approved land uses and setting forth conditions, restrictions, and requirements applying thereto. Such special permits shall specify the period during which approved uses may be continued, the manner of their discontinuance, and other matters of public concern. (Ord. 440, Att. A (part) 1997).

**17.52.080 Special permits—Time period extension.**

Extension of the time period allowed in the special permit may be granted by the board of adjustment upon application in accordance with the provisions of Section 17.76.030 of this code. Such application shall be treated in the same manner as specified in Sections 17.52.050 through 17.52.070 an action of the board of adjustment in extending the time allowed for temporary use shall be in accordance with Section 17.88.040 of this code. (Ord. 440, Att. A (part) 1997).

**17.52.090 Minimum standards and regulations.**

- A. Recognizing that temporary land uses necessary in the public interest to serve and support public or private projects or undertakings which relate to the general welfare will vary considerably as to classification, and be intended for specific purposes, and that such

uses cannot reasonably be anticipated in the comprehensive plan, the board of adjustment shall have the power to authorize such uses and to establish such minimum standards and regulations in connection therewith as it deems equitable in terms of the problems and difficulties attendant upon private development for temporary use and justifiable in terms of the general welfare.

- B. Such temporary uses may be permitted, and minimum standards and regulations applying thereto established without regard to standards and regulations contained elsewhere in this title, including, but not limited to those governing principal and accessory uses permitted outright, conditional exceptions, density provisions, and general and supplementary provisions. (Ord. 440, Att. A (part) 1997).

**17.52.100 Superimposition on other districts.**

If any area of the city wherein a zoning district classification has been established and is shown on a zoning map, a TU district shall be in effect and take precedence for the period stipulated in the special permit. (Ord. 440, Att. A (part) 1997).

**17.52.110 Termination.**

It is the intent that the establishment of a TU district shall not constitute a permanent zoning, whether such TU district is superimposed on a zoning district in effect at the time or applied to an area not designated on the zoning map as being a part of a classified district. Consistent with this intent, a TU district shall cease and be terminated, and removed from the zoning map, upon the expiration of the period stipulated in the special permit or any valid extension of such stipulated period, and the use of the land described in the special permit shall be governed thereafter by the regulations of the district established and in effect at the time such TU district is terminated. (Ord. 440, Att. A (part) 1997).