

ORDINANCE NO. 698

AN ORDINANCE RELATING TO COMMERCIAL AND INDUSTRIAL ZONES AND AMENDING SCAPPOOSE MUNICIPAL CODE CHAPTER 17.62, GENERAL COMMERCIAL; 17.68, EXPANDED COMMERCIAL; AND 17.70, LIGHT INDUSTRIAL AND ADDING SCAPPOOSE MUNICIPAL CODE CHAPTER 17.128, TEMPORARY COMMERCIAL AND INDUSTRIAL USES

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

**Section 1.** Scappoose Municipal Code Section 17.62.030, Permitted Uses, is hereby amended to add:

"CC. Any permitted use on a temporary basis subject to Scappoose Municipal Code 17.128, Temporary Commercial and Industrial Uses"

**Section 2.** Scappoose Municipal Code Section 17.68.030, Permitted uses, is hereby amended to add:

"II. Any permitted use on a temporary basis subject to Scappoose Municipal Code 17.128, Temporary Commercial and Industrial Uses"

**Section 3.** Scappoose Municipal Code Section 17.70.030, Permitted uses, is hereby amended to add:

"Z. Any permitted use on a temporary basis subject to Scappoose Municipal Code 17.128, Temporary Commercial and Industrial Uses"

**Section 4.** Scappoose Municipal Code is hereby amended by adding Chapter 17.128, Temporary Commercial and Industrial Uses, to read as follows:

Chapter 17.128

TEMPORARY COMMERCIAL AND INDUSTRIAL USES

Sections:

- 17.128.010 Purpose.
- 17.128.020 Application submission requirements.
- 17.128.030 Administration and approval.

17.128.010 Purpose. The purpose of the temporary commercial use is to permit activities that are small scale and short term in nature and generally promote celebration of specific events, holidays and seasons. Examples include, but are not limited to, fire works stands, Christmas tree sales, seasonal produce sales, farmers markets, temporary construction and leasing offices for previously

approved developments and retail sidewalk sales of seasonal merchandise.

17.128.020 Application Submission requirements A. All applications shall be made on forms provided by the planner and shall be accompanied by:

1. A site plan drawn to standard scale showing the location of the temporary use, the entrance and exits from the site, areas to be designated for parking and any requested signs;

2. A letter from the property owner of record giving approval for the proposed use.

3. A completed business license application

4. The applicable fee.

17.128.030 Administration and approval

A. The Planner may approve a temporary commercial or industrial use subject to findings based on the following criteria:

1. The temporary use promotes a specific event, season or holiday.

2. The temporary use approval shall be for no more than a single 90 continuous day period in any 365 day period;

3. No regulations prohibiting the activity are identified in a review of the Scappoose Municipal Code and Oregon Revised Statutes.

4. The parcel of land on which the temporary use will be located is zoned consistent with the proposed temporary use.

5. Any structures including tents and signs and any related vehicles will be removed from the site at the end of the proposed temporary use and no changes will occur to existing vegetation or land forms as a result of the temporary use.

6. Any structures including tents and signs and any related vehicles will be located on private property and outside of any right of ways that are owned by the state or the city.

7. The location of any structures including tents and signs and any related vehicles will not negatively impact parking or traffic circulation on the property or on adjacent streets.

8. The location of the sign related to the temporary use

will not negatively impact the line of sight for vehicles entering and exiting the site.

9. Locates are required prior to any activity that requires may impact underground utilities including placing posts for signs or tent stakes.

B. No notice of decision is required except a letter to the applicant stating how the application satisfies the criteria in Section 17.128.030 (A) and specifying the dates for which the approval is valid. A copy of this letter shall be attached to the business license application as filed in City Hall.

C. Approvals issued under Scappoose Municipal Code 17.128 shall not be granted extensions of time.

**Section 5.** In support of the above, the City Council hereby adopts the findings, conclusions and recommendations included in the staff report dated September 21, 2000, a copy of which is attached hereto or on file with the City Recorder.

**PASSED AND ADOPTED** by the City Council this 20th day of November and signed by the Mayor, and City Recorder in authentication of its passage.

**CITY OF SCAPPOOSE, OREGON**

  
Glenn E. Dorschler, Mayor

First Reading: October 19, 2000

Second Reading: November 20, 2000

Attest:   
Debi G. Schmit, City Recorder

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