



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY	
Staff Initials:	File Number:

Land use application for:

LEVEL TWO MOBILE VENDING UNIT

Application Fee: \$940

APPLICANT INFORMATION			
Applicant name:	Applicant email:	Applicant phone:	
Applicant mailing address:	City:	State:	ZIP:
Contact person name (if other than applicant):	Contact person email:	Contact person phone:	
Contact person mailing address:	City:	State:	ZIP:

PROPOSAL
Brief description of proposal:

SITE INFORMATION		
Site address:	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i>	Land area:	
Adjacent properties under same ownership: <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i>		

Printed names of all property owners:	Signatures of all property owners:	Date(s):
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<i>I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.</i>	
Applicant signature:	Date:

A. Review applicable land use rules:

This application is subject to the provisions of [Section 837, Mobile Vending Units](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$940**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed mobile vending units, structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Proposed accessory items, such as picnic tables and trash cans;
 - Setbacks of all existing and proposed mobile vending units and structures from lot lines;
 - Distance between the proposed mobile vending unit and all other onsite structures and mobile vending units;
 - Type and location of any proposed onsite utility connections for the mobile vending unit, as well as the location of any wells, septic drain fields, and replacement drain field areas;
 - Existing loading areas, driveways, onsite circulation drives, parking lot aisles, bicycle and motor vehicle parking spaces, and walkways;
 - Location of windows and doors on the mobile vending unit that are proposed to be for service to customers;
 - Existing landscaping;
 - Customer queuing areas;
 - Location of proposed signs and sign lighting; and
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.).
- Sign plans:** Attached to-scale plans of all proposed signs that identify the signs' dimensions, height, and total area and that detail how the signs will be lit, if at all.

C. Answer the following questions:

Accurately answer the following questions in the spaces provided. Attach additional pages, if necessary.

1. Is the proposed site already developed? (A “developed site” is one that has previously received design review approval and where that approval has been implemented.)

- YES. The existing development received design review approval under this land use permit number:

Design Review File No. for existing development: Z_____

- NO, the proposed site is *not* already developed. However, the proposed mobile vending unit will not remain on the subject property for more than 120 days in a calendar year. I understand and accept that, for the purposes of this guarantee, if a mobile vending unit is replaced by another, the number of days is calculated by adding the days spend onsite by each unit; and that if a mobile vending unit spends any portion of a day on the subject property, it shall count as one day.

2. What tax lots comprise the subject lot of record on which the mobile vending unit will be located?

Township: _____ Range: _____ Section: _____ Tax Lot: _____

Township: _____ Range: _____ Section: _____ Tax Lot: _____

Township: _____ Range: _____ Section: _____ Tax Lot: _____

3. How many mobile vending units are proposed to be located on the lot of record described in Question 2?

Number of proposed mobile vending units on lot of record: _____

4. a. Will the mobile vending unit be located on a single development that is comprised of two or more lots of record?

YES. The associated development is comprised of multiple lots of record. The development's component lots of record are described with the following tax lot numbers:

Township: _____ Range: _____ Section: _____ Tax Lot: _____

Township: _____ Range: _____ Section: _____ Tax Lot: _____

Township: _____ Range: _____ Section: _____ Tax Lot: _____

(Answer Question 4.b below)

NO. It will be associated with a development that is comprised of only on a *single* lot of record. (Skip to Question 5)

b. How many mobile vending units are proposed to be located on the single development that is comprised of two or more lots of record?

Number of proposed mobile vending units on single development: _____

5. Will there be any attachments to the mobile vending unit, such as awnings or canopies?

NO

YES, but they will be supported entirely by the unit and will not touch the ground.

6. Are any new structures, such as restroom buildings, trash enclosures, or gazebos, proposed?

NO

Only a new *sight-obscuring fence* is proposed because the fence is required by Subsection 837.04(Q) for mobile vending units located less than 20 feet from a residential zoning district. The fence will provide screening from the lot line abutting that zoning district, and will have a minimum height of six feet.

7. a. Will the mobile vending unit utilize utilities (e.g. electrical, gas)?

- NO (*Skip to Question 8*)
- YES, but all the utilities will be self-contained. (*Skip to Question 8*)
- YES. Onsite connections are proposed for the following utility services:

b. Will all of the onsite utility connections proposed in response to Question 7.a be underground?

- YES
- NO, but the *only* aboveground utilities will be: power cords connecting the mobile vending unit to an approved electricity source, as allowed by the utility district or company and the Oregon Electrical Specialty Code; and/or aboveground hoses connecting the mobile vending unit to an approved water source, as allowed by the utility district or company and the Oregon Plumbing Specialty Code.
- NO, the following onsite utility connections will be *aboveground* because underground connections are *prohibited* by the utility district or company (as evidenced with attached documentation from the utility district or company):

- NO, but the mobile vending unit will remain on the subject property for no more than 120 days in a calendar year.

Specifically, the unit will only be on the subject property for no more than:

_____ days in a calendar year

8. Is any portable hand-washing facility proposed?

- NO
- YES, but the facility will not drain to the surface.

9. Is an on-site wastewater treatment system proposed?

- NO
- YES, but the mobile vending unit will be *outside* the Portland Metropolitan Urban Growth Boundary (UGB), Government Camp, Rhododendron, Wemme/Welches, Wildwood/Timberline, and Zigzag Village.
- YES, but the system is allowed by ZDO [Subsection 1006.05\(B\)](#) for the following reasons:

10. Will the mobile vending unit or any elements associated with it occupy any existing onsite automobile parking spaces?

- NO
- YES, but the parking spaces will not simultaneously be used for parking.

11. How far will windows and doors used for service to customers be from the nearest *loading area, driveway, onsite circulation drive, or parking lot aisle* (whichever is nearest)?

Distance from service windows/doors: _____ feet, as shown in the attached site plan

12. How far will windows and doors used for service to customers be from the nearest *bicycle parking space* or *walkway* (whichever is nearest)?

Distance from service windows/doors: _____ feet, as shown in the attached site plan

13. Explain how the mobile vending unit and any attachments or accessory items will comply with the intersection sight distance and roadside clear zone standards of the [Clackamas County Roadway Standards](#):



14. Select one of the following:

- The mobile vending unit will be **inside** the Portland Metropolitan Urban Growth Boundary, and the mobile vending unit will be placed on an existing hard-surfaced area *and* all associated parking, loading, and maneuvering areas for vehicles will also be on an existing hard-surfaced area.

- The mobile vending unit will be **inside** the Portland Metropolitan Urban Growth Boundary, and the unit itself will be placed on an existing hard-surfaced area. However, the unit will utilize an existing *permeable* parking, loading, or maneuvering area surface that was authorized as part of a previously implemented design review approval for the site, as explained in the box below:

- The mobile vending unit will be **outside** the Portland Metropolitan Urban Growth Boundary, and the mobile vending unit will be placed on an area surfaced with screened gravel or better, and any associated parking, loading, and maneuvering areas for vehicles will be surfaced with screened gravel or better, as explained in the box below:

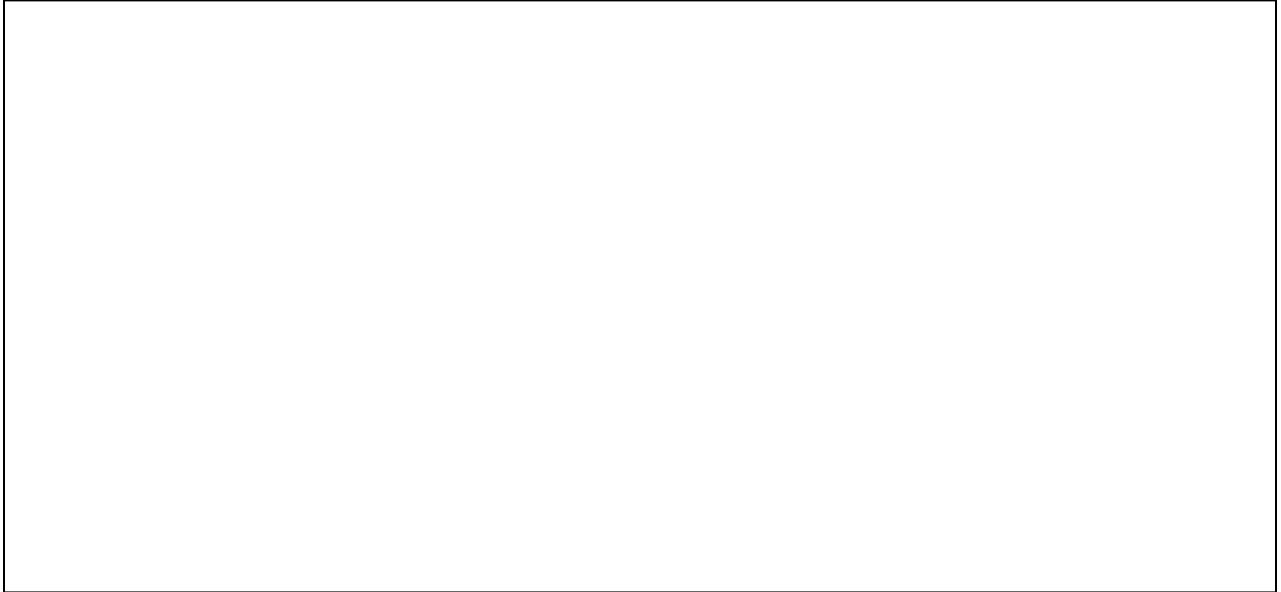
15. Will the mobile vending unit be located less than 20 feet from a residential zoning district?

- NO
- YES, but the unit will be screened from the lot line abutting that zoning district with an existing structure, a fence, or a hedge, as described in the box below, and that screening will be sight-obscuring and have a minimum height of six feet tall:

16. Aside from the mobile vending unit itself, will *other elements* associated with the mobile vending unit, such as seating areas, occupy any landscaping area approved as part of a prior design review or other land use application?

- NO
- YES, but such elements, which are described in the box below, are permitted as pedestrian amenities under ZDO [Subsection 1009.02\(A\)\(9\)](#) for the following reasons:

17. Explain how any proposed signs will comply with ZDO Section 1010, *Signs*, and identify where signs will be located on your submitted site plan:



18. How far from the mobile vending unit will a maintained trash receptacle for customer use be located?

Distance to trash receptacle: _____ feet, as shown in the attached site plan

D. Understand the following conditions:

The Level Two Mobile Vending Unit permit, if approved, will be subject to these (and other) conditions:

1. Neither the mobile vending unit nor any item relating to the unit shall lean against or hang from any structure or utility pole.
2. No structure shall be attached to the mobile vending unit.
3. New structures, such as restroom buildings, trash enclosures, and gazebos, are prohibited, except that a fence may be constructed pursuant to ZDO Subsection 837.04(Q).
4. Except as specifically allowed by ZDO Section 837, items relating to the mobile vending unit shall be stored in, on, or under the unit.
5. Customer seating or vending inside the mobile vending unit is prohibited.
6. Portable toilets are prohibited.
7. Neither the mobile vending unit nor any elements associated with the mobile vending unit, such as aboveground power cords, seating areas, trash receptacles, signs, and customer queuing areas, shall occupy bicycle parking spaces, loading areas driveways, onsite circulation drives, parking lot aisles, or walkways.
8. No new or modified driveway access is permitted.
9. Drive-thru window service is prohibited.
10. The mobile vending unit shall not occupy landscaping areas approved as part of a prior design review or other land use application.
11. Skirting shall be placed around the perimeter of the mobile vending unit.
12. The mobile vending unit shall not be used to sell or dispense marijuana items.

FAQs

What is a mobile vending unit?

Per Zoning and Development Ordinance (ZDO) [Section 202, Definitions](#), a “mobile vending unit” is a vehicle that is used in selling and dispensing goods or services. A “vehicle” is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer. The ZDO identifies zoning districts where mobile vending units may be permitted subject to standards in ZDO [Section 837](#).

When can I operate a mobile vending unit without a land use permit?

No permit is required to operate a “Level One” mobile vending unit. A Level One mobile vending unit: operates on a designated route; does not stop at a fixed location for more than two hours during the work day; is entirely self-contained with no connections to onsite utilities; has no outdoor seating; has no storage outside the unit; and complies with the other standards of ZDO Subsection 837.03.

When is a Level Two Mobile Vending Unit permit required?

A permit is required if the standards for a Level One mobile vending unit cannot be met. When no more than two units are on a single lot of record, or on two or more lots of record that are part of a single development, each unit is subject to the standards for a “Level Two” mobile vending unit, as detailed in Subsection 837.04. Approval requires review of a Level Two Mobile Vending Unit permit application.

What if the proposed mobile vending unit cannot qualify as a Level Two mobile vending unit?

The proposed mobile vending unit may qualify as a Level Three mobile vending unit, subject to approval of a separate Type II land use permit application, or as a Level Four mobile vending unit, subject to Type II approval of a Design Review application.

What is the permit application process?

Level Two Mobile Vending Unit permits are subject to a “Type I” land use application process, as provided for in [Section 1307](#) of the ZDO. Public notice of Type I applications and decisions is not provided. A written decision on a Type I application is made by Planning and Zoning staff, and there is no County-level process to appeal that decision. If the application is approved, the applicant must comply with any conditions of approval identified in the decision.

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type I land use application within 20 days of when we deem the application to be complete.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

For questions about the County’s land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

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