



**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

<b>STAFF USE ONLY</b>	
Staff Initials:	File Number:

Land use application for:

# LEVEL THREE MOBILE VENDING UNIT

For ≤ 4 mobile vending units on a lot/development

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:	Pre-application conference file number:

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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<b><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></b>	
Applicant signature:	Date:

## A. Complete a pre-application conference:

You must attend a pre-application conference with Planning and Zoning staff before filing this application. [Information about the pre-application conference](#) process and a request form are available from the Planning and Zoning website.

## B. 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.

## C. 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 fee for this application is established in the adopted [Fee Schedule](#). 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, landscaping, signs, outdoor lighting (including sign lighting), 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 utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
  - 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;
  - Customer queuing areas; 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.
- Any additional information or documents advised of during the pre-application conference**

**D. Answer the following questions:**

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

1. 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: \_\_\_\_\_

2. How many mobile vending units are proposed to be located on the lot of record described in response to Question 1?

Number of proposed mobile vending units on lot of record: \_\_\_\_\_

3. 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 3.b)*

- NO. It will be associated with a development that is comprised of only on a *single* lot of record. *(Skip to Question 4)*

***Answer choices continued on next page...***

**Question 3.a answer choices continued...**

NO, because there is no current development on the lot of record where the mobile vending unit will be located. (*Skip to Question 4*)

**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: \_\_\_\_\_

**4.** 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.

**5. a.** Are any new restroom structures proposed?

YES

NO (*Skip to Question 6*)

**b.** How many new restroom structures are proposed?

Number of proposed new restroom structures: \_\_\_\_\_

**c.** What is the combined square footage of the new restroom structures proposed in response to Question 5.b?

Combined square footage: \_\_\_\_\_ square feet

**6. a.** Are any new storage buildings proposed?

YES

NO (*Skip to Question 7*)

**b.** How many new storage buildings are proposed?

Number of proposed new storage buildings: \_\_\_\_\_

**c.** What is the combined square footage of the new storage buildings proposed in response to Question 7.b?

Combined square footage: \_\_\_\_\_ square feet

7. a. Are any new trash enclosures proposed?

YES

NO (*Skip to Question 8*)

b. How many new trash enclosures are proposed?

Number of proposed new trash enclosures: \_\_\_\_\_

8. a. Are any new structures for outdoor seating areas proposed?

NO (*Skip to Question 9*)

YES, and while the structures may have roofs, floors, and railings, they will *not* have walls.

b. How many new structures for outdoor seating are proposed?

Number of proposed new outdoor seating structures: \_\_\_\_\_

c. What is the combined square footage of the new outdoor seating structures proposed in response to Question 8.b?

Combined square footage: \_\_\_\_\_ square feet

d. What is the size of the single largest structure proposed for outdoor seating?

Size of single largest proposed outdoor seating structure: \_\_\_\_\_ square feet

9. Are any other new structures (i.e. other than those for restrooms, storage, trash and/or outdoor seating) proposed?

NO

YES. New structures are proposed for other purposes, as described in the box below:

**10.** Is any grading, filling, paving, stripping of vegetation, or development, or the siting of any structures or impervious surfaces, proposed on a slope greater than or equal to 20 percent, or in an area of land movement, slump or earth flow, and mud or debris flow?

NO

YES, as identified in the attached site plan and explained in the box below. I also understand that a separate application for Steep Slope Review and/or Mass Movement Hazard Area Development permits may be required.

**11.** Will any trees be removed?

NO

YES, and the location of all trees to be removed is identified in the attached site plan and their species, size, and condition (e.g. health) are described in the box below:

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

- NO (*Skip to Question 13*)
- YES, but all the utilities will be self-contained. (*Skip to Question 13*)
- YES. Onsite connections are proposed for the following utility services:

b. Will all of the onsite utility connections proposed in response to Question 12.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

13. Is any portable toilet proposed?

- NO
- YES, and all proposed portable toilets are identified on the attached site plan and will be connected to a sanitary sewer system or an on-site wastewater treatment system as described in the box below:

14. Is any portable hand-washing facility proposed?

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

15. 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:

16. Explain in the box below how all outdoor lighting will comply with ZDO [Subsection 1005.05](#):

17. 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

18. 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

19. Explain how driveway access will comply with the [Clackamas County Roadway Standards](#):

20. 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](#):

21. 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:

22. Will the mobile vending unit provide drive-thru window service?

NO

YES

23. In your attached site plat and in the box below, explain how your proposal will comply with the applicable screening and buffering requirements in ZDO Subsection 1009.04:

24. 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:

25. In the box below, explain how any proposed signs will comply with ZDO Section 1010, *Signs*, and identify where signs will be located on your submitted site plan:

26. a. 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.)

NO (*Skip to Question 27*)

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

Design Review File No. for existing development: Z\_\_\_\_\_

b. Will the mobile vending unit or any elements associated with it, other than new structures, occupy any existing onsite automobile parking spaces?

NO

YES, but the parking spaces will not simultaneously be used for parking.

Number of spaces to be occupied by the unit and associated elements: \_\_\_\_\_

c. Will any new structures be located in existing off-street motor vehicle parking spaces?

NO

YES, but the spaces occupied are in excess of the minimum number required for the existing development.

Number of spaces to be occupied by new structures: \_\_\_\_\_

27. If you answered “NO” to Question 26.a because the site is currently *undeveloped*, how many off-street motor vehicle parking spaces are proposed for the site?

Number of proposed motor vehicle parking spaces: \_\_\_\_\_

28. Do you propose any new motor vehicle parking areas?

NO

YES, and those parking areas will comply with the standards in ZDO [Section 1015, \*Parking and Loading\*](#) for the following reasons:

29. 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

### **E. Demonstrate with supporting plans and narratives:**

Through a combination of attached plans, written narratives, and other supporting evidence as necessary, demonstrate that the proposal meets and/or can meet all applicable approval criteria in:

1. [ZDO Subsection 1002.03, \*Trees and Wooded Areas\*](#); and
2. [ZDO Section 1021, \*Solid Waste and Recyclable Material Collection\*](#), including:
  - Subsection 1021.03, *General Standards*;
  - Subsection 1021.04, *Enclosure and Gate Standards*;
  - Subsection 1021.05, *Receptacle Standards*;
  - Subsection 1021.06, *Vehicle Access*;

- Subsection 1021.07, *Signs*; and
- Subsection 1021.08, *Modifications*.

## **F. Understand the following conditions:**

The Level Three 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. Except as specifically allowed by ZDO Section 837, items relating to the mobile vending unit shall be stored in, on, or under the unit.
4. Customer seating or vending inside the mobile vending unit is prohibited.
5. 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.
6. The mobile vending unit shall not occupy landscaping areas approved as part of a prior design review or other land use application.
7. Skirting shall be placed around the perimeter of the mobile vending unit.
8. 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.

### **When is a *Level Three* Mobile Vending Unit permit required?**

When a permit is required, the proposed mobile vending unit cannot qualify as a Level Two mobile vending unit, *and* no more than four mobile vending 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 Three” mobile vending unit, as detailed in Subsection 837.05. Approval requires review of a Level Three Mobile Vending Unit permit application.

### **What if there will be more than four mobile vending units?**

Five or more mobile vending units on a single lot of record, or on two or more lots of record that are part of a single development, are subject to the standards for “Level Four” mobile vending units in ZDO Subsection 837.06 and require Design Review approval.

### **What is the permit application process for a *Level Three* Mobile Vending Unit?**

Level Three Mobile Vending Unit permits are subject to a “Type II” land use application process, as provided for in [Section 1307](#) of the ZDO. Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director’s decision can be appealed to the County Land Use Hearings Officer.

### **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 II land use application within 45 days of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

## FAQs continued

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

Please see Planning & Zoning Fee Schedule under "Other Fees" [here](#). The \$5 Technology Fee is non-refundable.

### **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](mailto:zoninginfo@clackamas.us). You can also find information online at the Planning and Zoning website: [www.clackamas.us/planning](http://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](mailto:drenhard@clackamas.us).*

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