



LAND USE APPLICATION

MOBILE FOOD VENDOR

Process Type I

City of Canby
Planning Department
222 NE 2nd Avenue
P.O. Box 930
Canby, OR 97013
Ph: 503-266-7001

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

☐ Applicant Name: _____ Phone: _____
Address: _____ Email: _____
City/State: _____ Zip: _____

☐ Representative Name: _____ Phone: _____
Address: _____ Email: _____
City/State: _____ Zip: _____

☐ Property Owner Name: _____ Phone: _____
Signature: _____
Address: _____ Email: _____
City/State: _____ Zip: _____

☐ Property Manager Name: _____ Phone: _____
Signature: _____
Address: _____ Email: _____
City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above.

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

Street Address or Location of Subject Property	Property Size	Tax Lot Numbers
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Describe the Proposed Development or Use of Subject Property: _____

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Required Materials Checklist

All required application submittals detailed below must be submitted in electronic format on a CD, flash drive or via email: PlanningApps@canbyoregon.gov

1. One copy of this application packet. Includes a complete application form and all listed materials. The City may request further information at any time before deeming the application complete.
2. Payment of appropriate fees. Refer to the city's Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.
3. One (1) copy of a written narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria. Mobile Food Vendor regulations can be found in **CMC 16.08.150**. Other criteria may apply.
4. A valid license from the Oregon Health Authority as required by ORS 624.320.
5. A copy of the lease between the property owner and the mobile food vendor detailing the terms of agreement between the two parties.
6. A copy of a City business license for the mobile unit.
7. One (1) 11" x 17" copy of a site plan, scale no smaller than 1"=25'.
 - A. All legal lot lines, north arrow, lot size and dimensions, and location and names of all adjacent streets.
 - B. Location & dimensions of all existing structures, landscaped areas, pavement, driveways, parking fire lanes, and parking and loading areas.
 - C. Location & dimensions of the proposed Mobile Food vendor activity. Provide dimensions and height of any proposed structures. Also illustrate the proposed location of all furniture, trash receptacles, fuel tanks, generators, signs, and electrical hookups. Call out the distance between the proposed structures and equipment, and the lot lines in order to demonstrate that all required setbacks are met.
 - D. Indicate how equipment such as trash cans, fuel tanks, or generators will be screened so that they are not visible from any abutting public right-of-way.

Standards and Criteria

16.08.150 Mobile Food Vendor

A. Permit process.

- 1.** A request for a Mobile Food Vendor permit shall be processed as a Type I decision pursuant to the procedures set forth in Chapter 16.89. A Mobile Food Vendor permit applicant shall demonstrate that the proposed activity meets all fire and life safety codes, and is in compliance with this section and with all other applicable sections of the Canby Municipal Code.
- 2.** An application for a Mobile Food Vendor permit shall include a site plan drawn to scale, which includes all existing lot lines, setbacks, structures, landscaped areas, paved areas, and parking and loading spaces; and illustrates the proposed location and layout of all the Mobile Food Vendor's structures, equipment, furnishings, signage, and inventory.
- 3.** The Mobile Food Vendor activity (e.g., retail, restaurant, etc) shall be an outright permitted use in the zoning district in which it is located; Or if the use is conditionally permitted in the zoning district, a Conditional Use Permit approval shall be required prior to issuance of a Mobile Food Vendor permit.
- 4.** The Mobile Food Vending unit shall not require connection to public utilities that do not already exist on site and can be provided by the property owner/manager.
- 5.** A "Site and Design Review" permit is not required for a permitted Mobile Food Vendor.
- 6.** Any signage displayed by the Mobile Food Vendor must be in compliance with Chapter 16.42 sign standards, and all required Sign permits must be obtained.
- 7.** A Mobile Food Vendor must obtain a City of Canby business license.

B. Duration. A Mobile Food Vendor permit may be granted for a site for up to 6 months, and then may be renewed upon request for an additional 1 year, provided that the Mobile Food vendor activity has been conducted in compliance with all applicable codes, and no public safety incidents have occurred on the site related to the Mobile Food vendor activity.

C. A Mobile Food Vendor shall be located on a paved surface with adequate vehicular and pedestrian ingress and egress, in compliance with Section 16.10.070. Inventory and equipment shall not be displayed or stored in any landscaped areas.

D. A Mobile Food Vendor shall comply with all required development standards, such as height limitations, setbacks, vision clearance areas, and applicable conditions of any previous land use decisions for the site as well as the development standards of the zone.

- E. Equipment such as trash cans, fuel tanks, or generators shall be screened such that it is not visible from any abutting public right-of-way. Portable amenities shall be packed inside the mobile food unit or screened from public view when the business is not in operation. This includes but is not limited to: weather protection elements, seating, tables, trash cans, and signage.
- F. A Mobile Food Vendor shall not displace any vehicle parking spaces that are required to meet the minimum off-street parking requirements of another use on site or on a nearby site. A Mobile Food Vendor shall not encroach into required loading space areas, driveways, or vehicle maneuvering areas.
- G. A Mobile Food Vendor that displaces one or more vehicle parking spaces is prohibited for any site that:
 - 1. Is non-conforming in terms of meeting minimum required vehicle parking or loading space requirements; or
 - 2. Has been granted a vehicle parking exception, and currently has less than the required minimum number of off-street vehicle parking spaces.
- H. The property owner and the vendor permit holder shall be jointly and severably responsible for any violation of this section or other applicable sections of the Canby Municipal Code. Any such violation may result in the immediate revocation or non-renewal of a Mobile Food vendor permit, and may result in the denial of any future Mobile Food vendor permit for the site upon which the violation occurred.

Application Process

- 1. At the time an application is submitted to the City, payment of all required application processing fees is required. City Staff can provide you with information concerning application fees.
- 2. Type I applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and materials.
- 3. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
- 4. The Planning Director's decision shall address all of the standards and criteria. Based on the criteria and the facts contained within the record, the Planning Director shall approve, approve with conditions, or deny the requested permit. A written record of the decision shall be provided to the applicant and kept on file at the City.
- 5. The decision shall be final on the date it is mailed or otherwise provided to the applicant.