

February 26, 2013

**To: Yachats Planning Commission**

**From: Larry Lewis, City Planner**

**Re: Mobile Vending Unit**

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Mobile vending units are not currently identified in the Zoning and Land Use Code as a specific land use. Mobile vending units have been considered to be a retail use and therefore have been permitted in the C-1 Retail Commercial Zone without any standards. The Planning Commission discussed this issue and determined that mobile vending units are very different than a typical retail use that occupies a building. Therefore, the Planning Commission recommends adding a definition of mobile vending unit and recommends that mobile vending unit be identified as an outright permitted use in the C-1 zone with standards. The draft Code amendments are provided below.

## **Chapter 9.04 – General Provisions and Definitions**

### **Section 9.040.030 Definitions**

*(New definition)*

“Mobile Vending Unit” means any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which any goods, wares, merchandise or food are peddled, vended, sold, served, displayed, offered for sale or given away. This includes any display consisting solely of the goods, wares or merchandise being peddled, sold, served, displayed or offered for sale.

## **Chapter 9.28 – C-1 Retail Commercial Zone**

### **Section 9.28.010 Permitted Uses**

*(New permitted use)*

P. Mobile vending unit subject to the following restrictions:

1. Prior to operating a mobile vending unit:
  - a. The property owner shall provide written authorization for the operation of a mobile vending unit;
  - b. The operator of the mobile vending unit shall obtain a city business license.
  - c. The mobile vending unit operator shall submit a description of operating characteristics, vehicular access and parking, and any other information required by the City. The operating characteristics, access and parking, and additional information are subject to review and approval by the City.
2. Mobile vending units shall not be located in the public right-of-way (the exception to this is a “festival or community event” approved by City Council).
3. The mobile vending unit operator/applicant is responsible for obtaining all required agency permits and approvals.