

10.010 Definitions

Mobile Food Pod: Two or more Mobile Food Vendors or Food Carts, as the primary use of the lot, located on a single unit of land.

Mobile Food Vendor (MFV). Any motor vehicle or enclosed trailer attached to a motor vehicle on which food is prepared, processed, or converted or which is selling and dispensing food to the ultimate customer. Does not include Food Carts or vehicles that typically stop for less than 15 minutes at any given location to deliver or sell goods, such as but not limited to ice cream trucks, delivery vehicles, Meals on Wheel vehicles, etc.

12.000 Uses permitted by zone.

USE	SF	MD	A	NC ¹	GC	DB ³	MU	LI	I	PF	SR ⁴
Commercial Services											
Mobile Food Pod				C	C	C	C	C	C		
Mobile Food Vendor ²⁹				P	P	P ²⁹	P	P	P	P ²⁹	

²⁹ Mobile Food Vendors may be permitted in the DB zone only for City-approved, time-limited special events, such as farmer’s markets, and/or concession agreements.

Chapter 12, Article X - Mobile Food Vendors

- A. *Purpose.* These regulations are intended to establish criteria for the allowance of mobile food vendors in the City of Klamath Falls. Mobile Food Vendors and Mobile Food Pods (MFVs, collectively) provide the community with a wide variety of eating, drinking, and socializing options. MFVs shall comply with all applicable local, state, and federal regulations.
- B. *Review Types.* MFVs are reviewed as follows.
 - 1. *Mobile Food Vendor.* Minor Design Review - Administrative Review. At the discretion of the Director, MFVs siting in the DB zone for a limited time through City-approved special events may operate under the event-holder’s approved review/permit. Additionally, MFVs operating under a concession agreement on certain government-owned lots may require only a Ministerial review.
 - 2. *Mobile Food Pod.* Conditional Use Permit - Quasi-Judicial Review.
- C. *Application Requirements.*
 - 1. *Mobile Food Vendor.* An application form provided by the Department must be completed, and a site plan, drawn to scale, must be provided and must identify compliance with the applicable standards below.
 - 2. *Mobile Food Pod.* Application and submissions must meet the standards of Section 10.505, consistent with a Conditional Use Permits, and identify compliance with the applicable standards below.
 - 3. Documentation showing compliance with Klamath County Public Health standards must be provided.
- D. *Applicable Criteria.* The Director or their designee must review MFV applications against the applicable standards of the associated review type, in addition to the development standards below. Applications for Mobile Food Pods within the Downtown Business Zone must also meet applicable standards within Article 19 – Downtown Business Zone.

1. *Site Standards.*
 - a. All frontages of a property containing an MFV use must meet the standards of CDO Section 14.050, at the discretion of the Director
 - b. MFVs must be sited on an improved lot with paved surfacing
 - c. MFVs must not occupy or obstruct the following:
 - i. Pedestrian walkways and/or required ADA clearance
 - ii. Vehicle access aisles or emergency vehicle access areas, including but not limited to fire lanes, fire hydrant access areas, or other areas containing fire protection devices or equipment
 - iii. Setbacks, required yards, or landscaping
 - iv. Required vehicle or bicycle parking spaces
 - v. Vision clearance triangles
 - vi. Existing or proposed easements
 - vii. Public property and rights-of-way, with the exception of the Downtown Business Zone as separately permitted.
 - d. MFVs must not create tripping hazards in pedestrian and vehicular circulation areas with items such as, but not limited to, cords, hoses, pipes, or cables.
 - e. MFVs must be separated or set back a minimum of 10 feet from parked vehicles, combustible materials, and other MFVs.
 - f. Trash and recycling bins must be provided on site and be accessible to customers at all times if eating is allowed on site.
 - i. MFV operators are responsible for ensuring customers and visitors place trash in trash receptacles and preventing loose trash from accumulating on site.
 - g. Outdoor equipment is permitted within the designated MFV area and includes items such as seating, tables, grills, canopy tents, and other items used for preparing food or accommodating guests.
 - i. *Mobile Food Vendors.* Outdoor equipment area is limited to 250 square feet. All outdoor equipment must be removed from the site at the end of each day.
 - ii. *Mobile Food Pods.* Outdoor equipment area is not automatically limited except by required areas for parking, landscaping, and setbacks. However, the Director, at their discretion, may impose additional limits as part of the Quasi-Judicial Review to mitigate potential land use impacts.
 - h. All food must be fully prepared when sold. "Fully prepared" means ready-to-eat or ready-to-heat.
 - i. Restroom facilities must be provided for employees per state and local environmental health standards.
 - j. Restroom facilities must be provided and available for customers at all times if eating is allowed on site, such as in seating areas. Alternatives to on-site facilities may include signed agreements with adjacent businesses located within 500 feet of the MFV's designated location. An incidental sign must be posted for patrons indicating where restrooms are available.
 - k. Except where otherwise indicated in this code, MFVs are not permitted within public rights-of-way.
2. *Additional site standards for Mobile Food Pods.*

- a. MFVs and related permanent structures must comply with applicable setbacks. The Director, at their discretion, may increase setbacks to mitigate potential land use impacts.
 - b. Trash receptacles shall be provided on site for business trash and screened in accordance with Section 14.150.A. Screens and be accessible for collection and removal.
 - c. Buildings constructed on site for use by MFVs must be incorporated into the site plan. It is the responsibility of the applicant to ensure that all buildings onsite meet the standards of all local and state building and fire codes.
 - d. Temporary membrane structures such as tents or canopies may be used to provide shade or cover from weather for patrons on site. The size and material of the structure must be provided on the site plan. It is the responsibility of the applicant to ensure that all structures meet the requirements of state and local building and fire codes.
 - e. The site plan shall identify the location of seating areas (including the layout of chairs and tables) and any accessory items or amenities, such as fire pits.
 - f. An integrated pest control management plan shall be provided for the site.
 - g. Restroom facilities must be provided and available for customers and employees at all times. Alternatives to on-site facilities may include written agreements with adjacent businesses located within 500 feet of the MFV's designated location. An incidental sign must be posted for patrons indicating where restrooms are available.
 - i. Portable toilets are not permitted within the DB zone.
3. *Design Standards*
- a. Wheels and tongues must remain on all MFVs. Tires must remain inflated and the unit/truck operable. No permanent skirting or base is permitted around MFVs.
 - b. The maximum length of an MFV's food production area shall be determined by the Director based on location and access. The food production area excludes things such as vehicle cabs, bumpers, trailer tongues, slide outs and trailer hitches. See the drawing below for measurement guidance.



- c. In no case may an MFV be so large that it obstructs the flow of traffic or pedestrians around or through the space in which it is situated.
 - d. Attached awnings are permitted if smaller than the size of the food production area. Such awnings must have a minimum of 7 feet of clearance between the ground and the awning for safe pedestrian circulation.
4. *Utilities.*
- a. The vendor's daily need of water must be located on the MFV.

14.005 Off-street parking requirements.

Except as provided in Sections 14.000 (Existing residential uses) and 14.012 (Downtown Business Zone) or unless varied through Section 14.011(B), at the time of erection or enlargement of a structure, increase in capacity or change to one of the following uses, off-street parking spaces shall be provided as follows:

Use	Minimum Number of Off-Street Parking Spaces	Coverage Restriction
Retail/Service		
Retail Store	1 space per 250 square feet	As measured in gross floor area
Automobile Sales	1 space per 700 square feet	
Furniture/Appliance Store	1 space per 700 square feet	
Bank or Professional Office	1 space per 400 square feet	
Medical/Dental Clinic or Office	1 space per 200 square feet	
Restaurant, Tavern or Bar	1 space per 100 square feet	
Restaurant or Coffee Kiosk with drive through only	1 space per employee concurrently on site plus 1 space for use by people with disabilities	
Hotel, Motel or Inn	1 space per 1 guest room plus 1 large vehicle space (for large vehicles and vehicles with trailers) per 30 guest rooms	
Mobile Food Pod	2 spaces per MVF space	Alternate parking arrangements may be allowed at the discretion of the Director
Mobile Food Vendor	2 spaces	
Mortuary	1 space per 4 seats or 8 feet of bench length	