

properties. Accordingly, the following performance standards shall be applicable to all such establishments:

A. Noise levels measured at the property lines shall not exceed the levels prescribed in the noise regulations of the city.

B. The premises shall be kept clean, and the operator shall assure that no trash or litter originating from the site is deposited on the neighboring properties or on the public right-of-way.

C. All exterior lighting shall be designed in such a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

D. Hours of operation, including deliveries to the site, shall be compatible with the needs and character of the surrounding neighborhood. For the purposes of this chapter, the usual operating hours shall be considered to be between six a.m. and ten p.m. if the establishment is within five hundred feet of a residential zone. Any modification of these hours must be approved by the planning commission.

E. No undesirable odors may be generated from the site.

F. Management of the use shall take all necessary steps to assure the orderly conduct of employees, patrons and visitors to the premises.

G. A copy of the required performance standards shall be posted alongside the establishment's permits and licenses and be visible to employees at all times. (Ord. 963 § 20(part), 1995: Ord. 822 § 1(part), 1989)

#### Chapter 17.29

#### CATERING VEHICLE AS A CONDITIONALLY PERMITTED ACCESSORY USE TO RESTAURANT

##### Sections:

- 17.29.010 Purpose.
- 17.29.020 Definitions.
- 17.29.030 Retail sales of food from a catering vehicle.
- 17.29.040 Application requirements.
- 17.29.050 Development and operational standards.

17.29.010 Purpose. The purpose of this chapter is to conditionally permit catering vehicles as an accessory use in conjunction with full-service restaurants. The development standards set forth herein are designed to ensure that any proposed accessory use will be compatible with surrounding uses and will not be detrimental to the health, safety and welfare. (Ord. 1094 § 1, 2007)

17.29.020 Definitions. As used in this chapter: "Restaurant, full-service" is defined in Section 17.04.920.

"Catering trailer" means a vehicle equipped to prepare food to be sold directly from such vehicles transported by a motorized vehicle.

"Catering truck" means a motorized vehicle equipped to transport and prepare food to be sold directly from such vehicles.

"Catering vehicle" means a catering truck or catering trailer as defined herein. (Ord. 1094 § 1, 2007)

17.29.030 Retail sales of food from a catering vehicle. The owner or operator of a full-service restaurant may apply for a conditional use permit pursuant to Chapter 17.68 to sell and serve food from a catering vehicle as an accessory use in conjunction with that restaurant. The city may impose reasonable conditions to ensure that the proposed use will be compatible with surrounding uses and will not be detrimental to the health, safety and welfare. (Ord. 1094 § 1, 2007)

17.29.040 Application requirements. As part of the application, the applicant must provide evidence establishing:

A. Permission to Operate. Ownership of the property upon which the restaurant is located or that the property owner has granted permission to allow the vehicle to be parked on the property for the purpose of conducting sales and service of food therefrom.

B. Restaurant has All Necessary Permits. The restaurant has received all necessary permits.

C. Licensing Requirements. The applicant has complied with the licensing requirements for the vehicle set forth in Sections 5.08.060(i) through (iv).

D. Compatibility with Surrounding Uses and Property. The proposed accessory use will be compatible with uses

and property in the vicinity and will not be detrimental to the health, safety and welfare. (Ord. 1094 § 1, 2007)

17.29.050 Development and operational standards. In addition to satisfying the criteria set forth in Chapter 17.68 and state law governing conditional uses, the applicant must comply with the following:

A. Location Criteria. The catering vehicle shall park in the area designated for parking for the restaurant. The catering vehicles shall not, at any time, block access to or from the parking lot or park in an area used for landscaping or walkway surfaces.

B. Operational Standards. The operator shall comply with the following standards:

1. No flashing lights or temporary signage is permitted on the vehicle or in the parking area.

2. No table or seating is permitted in the parking area.

3. Outdoor speakers or music is not permitted.

4. The restaurant's restroom facilities must be open to employees and patrons at all times when the catering vehicle is open for business.

5. The operator shall provide trash receptacles within ten feet of the vehicle at all times the vehicle is open for business.

6. The vehicle may only be open for business between the hours of six p.m. and two a.m. each day.

7. The parking area shall be clean at all times. During the hours that the catering vehicle is not open for business, the vehicle must be removed from the site or parked in an area where the vehicle is not visible from the street.

8. The vehicle must contain a cash register to record all sales. The operator must maintain register receipts for each month of the year.

9. There shall be no sale or service of alcoholic beverages from the vehicle. Signs shall be posted indicating no consumption of alcohol or loitering in the parking area.

10. The vendor shall maintain the parking area in a neat and orderly condition, and collect and dispose in a sanitary manner all debris, garbage, papers, trash, discarded food and litter generated by the vehicle. (Ord. 1094 § 1, 2007)