



MEMORANDUM

TO: Planning and Zoning Board

FROM: Ron Paradise, Director
Planning and Development Services Department

AGENDA DATE: December 15, 2021

SUBJECT: Amendment to Chapter 22 – Businesses (Ordinance No. 03-2022)

The City has proposed regulations for mobile food dispensing vehicles (MFDV) otherwise known as food trucks. Chapter 22 is not a chapter of the Land Development Code often reviewed by the Planning and Zoning Board. However, the Board does have review oversight of zoning and land development matters.

The proposed City mobile food dispensing vehicle (MFDV) regulations are predicated on restricting food truck activity to certain developed and actively used areas within certain zoning classifications. In addition, some land development elements such as parking and access can impact the availability of certain sites to be used for food trucks. The proposed regulations are consistent with a 2020 State law that limits local government regulation of MFDV. Basically, a local government cannot prohibit MFDV within a jurisdiction but can regulate the location and density of the vehicles.

Attached is Ordinance No. 03-2022 which includes changes to Chapter 22 regarding food trucks. Please be aware, this Ordinance only addresses mobile food dispensing vehicles and does not affect other itinerate merchant activity, special event permitting, or solicitation requirements.

Highlights Ordinance No. 03-2022 are as follows:

- 1) Mobile Food Dispensing Vehicles (MFDV) are defined.
- 2) Requirement for a MFDV operation to submit a Department of Business and Professional Regulation license and a fire safety inspection report.
- 3) Permission from the underlying landowner.
- 4) A site plan of the location of the MFDV is required. 1"=100' scale and base map can be an aerial photograph downloaded from the internet.
- 5) Limited to C-1, C-2, C-3 zoning classifications if associated with active commercial uses. Planned Unit Development (non-residential) may allow food trucks if facilitated as part of the Development Agreement.
- 6) Active house of worship properties may be used for MFDV consistent with other provisions of Ordinance No. 03-2022.
- 7) MFDV cannot be located within any right of way, must be located on a paved surface and cannot create parking, access, or internal circulation problems.
- 8) Limited outdoor seating is allowed.
- 9) Fire safety parameters required.

- 10) Hours of operation limited to 8:00 am to 10:00 pm.
- 11) No more than one (1) MFDV can be located on a property under five developed acres. No more than two (2) MFDVs can be located on an eligible site consisting of 5 or more developed acres.
- 12) Businesses with more than 100 full time equivalent employees per 8 hour shift may have multiple MFDVs notwithstanding the limitation above.
- 13) Advertising and signage is limited.
- 14) MFDV activity associated with City approved/permitted special events are exempt.
- 15) Enforcement will be addressed by Code Compliance and compliance will be the responsibility of the landowner.

On September 27, 2021, the City Commission conducted a workshop on mobile food dispensing vehicles to review an early draft of the regulations. This workshop was attended by several food truck vendors/stakeholders. At the workshop comments were accepted and staff did revise the document. On November 10, 2021 City staff scheduled a stakeholder meeting to discuss the revised MFDV regulations. After notifying numerous food truck interest, the stakeholder meeting was attended by one individual. There were no revisions made to the regulations as a result of the November 10, 2021 stakeholder meeting.

Potential Motion: “I hereby move to recommend that the City Commission adopt Ordinance No. 03-2022, amending the Code of Ordinances Chapter 22–Businesses, Article VI - Street Vendors, Section 22-186, Definitions and adding a new section 22-191 regulating mobile food dispensing vehicles and deleting section 2-190 as to food sales at houses of worship.”

Attachments: Draft of Ordinance No.03-2022 - amending the Code of Ordinances Chapter 22–Businesses, Article VI - Street Vendors, Section 22-186, Definitions and adding a new section 22-191 regulating mobile food dispensing vehicles and deleting section 2-190 as to food sales at houses of worship.