

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: September 4, 2013

AGENDA ITEM: Public Hearing - Ordinance #13-21 for a proposed amendment to Section 13-11-18 of the Taylorsville Land Development Code regarding Food Trucks/Catering Trucks as a Mobile Business

PRESENTER: MARK MCGRATH

AUTHOR: MICHAEL MELDRUM

ISSUE SUMMARY:

The proposed amendments make several changes to the language of Section 13-11-18 (Food Trucks/Catering Trucks as a Mobile Business) of the Taylorsville Land Development Code, including:

1. Allowing Food Trucks/Catering Trucks to locate on public property for community events sanctioned by the City.
2. Allowing Food Trucks/Catering Trucks to locate in Open Space zoning districts for community events sanctioned by the City.
3. Allowing Food Trucks/Catering Trucks to be at the same location for longer than two hours for community events sanctioned by the City.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission unanimously (6-0 vote) recommends that the City Council amend Section 13-11-18 of the Taylorsville Land Development Code regarding Food Trucks/Catering Trucks as Mobile Businesses.

EXHIBIT A:

13-11-18 Food Trucks/Catering Trucks as Mobile Businesses

The following standards shall apply to all Food Trucks/Catering Trucks as mobile businesses within the City:

Application. All Food Trucks/Catering Trucks shall complete an application and pay a special use fee. A written agreement or approval from the private property owner shall also be submitted.

A. General Restrictions and Location Standards

1. Location must not ~~operate on public property or rights-of-way and/or~~ hinder the free flow of pedestrian and other traffic in the area. Permittee must maintain clear, continuous sidewalk width of no less than four (4) feet. Food Trucks/Catering Trucks may be located on public property or rights-of-way only with the consent of the City of Taylorsville for community events sanctioned by the City.
2. Operators of Food Trucks/Catering Trucks are restricted to the Regional Commercial (RC) Community Commercial (CC), and the Mixed Use (MU) zone districts. Food Trucks/Catering Trucks may be located within Open Space (OS) zoning districts with the consent of the City of Taylorsville for community events sanctioned by the City.
3. Operations must not be located within:
 - a. 60 feet from any intersection or 20 feet from any driveway,
 - b. 10 feet of any bus or transit stop,
 - c. 10 feet from any handicap parking space or access ramp,
 - d. 25 feet of any business entrance or display window, and
 - e. 1,000 feet from any restaurant entrance or like business except for community events sanctioned by the City. And
 - f. 500 feet from any other Food Truck/Catering Truck or like business.
4. Food Trucks/Catering Trucks operations shall be of a temporary nature, the duration of which shall not extend for more than two (2) consecutive hours at any one premises or location except community events sanctioned by the City.
5. Food Trucks/Catering Trucks operations activity shall not take place on the premises of a third party without first receiving permission from the property owner.
6. A Food Truck/Catering Truck as a mobile business shall not provide professional or personal services from within a vehicle.
7. As part of the business license approval process, a Food Truck/Catering Truck as a mobile business shall provide the City with a description of its service area and/or route area.

8. A Food Truck/Catering Truck as a mobile business shall conform to all other applicable provisions of this title and other applicable regulations.
9. A parked Food Truck/Catering Truck as a mobile business shall conform to all requirements in the City's idling ordinances.
10. The applicant shall comply with regulations for a Temporary Use Permit.
11. Food Trucks/Catering Trucks participating in a community event sanctioned by the City may operate under the community events umbrella license and not be required to obtain an individual license provided that the Food Truck/Catering Truck meet all other provisions of this section.

B. Operation Standards

1. Submit normal hours and schedule of operation.
2. Submit a plan to mitigate possible odors and other public nuisances.
3. Submit a sanitation plan to ensure the cleanliness of the area within a 50-foot radius of the approved location. This shall include providing a trash receptacle and cleaning the area of all trash and debris before the close of business each day. Sanitary facilities shall be available for waste disposal for protection of community health and safety (may be required to provide approval letter from adjacent business owner for use of restroom facilities).
4. Display Business License in a visible location on the vehicle.
5. Submit a detailed list of items to be sold. Items that may be sold include things such as: food for immediate consumption (including beverages).

C. Restrictions Related to Home Occupation Permits

Food Trucks/Catering Trucks which operate with a Taylorsville Home Occupation Conditional Use Permit in Residential Districts for food preparation only: The following additional restrictions shall apply to Food Trucks/Catering Trucks conducting business within residential districts:

1. Food sales are not allowed in residential districts.
2. No more than four (4) employees of the business may be employed on the customer's premises at any one time;
3. No signage shall be used to advertise the conduct of the mobile business at the premises where the business activity is being conducted other than signage on the mobile business vehicle;
4. No equipment shall be stored in a yard or in an accessory structure, including an attached garage;
5. Business activities that are offensive or noxious by reason of emission of odor, smoke, gas, vibration, magnetic interference, or noise are prohibited; and

6. Vehicle drivetrain repair is prohibited.
- D. **Business License.** Submit application for a Business License with the City and comply with all requirements to obtain a license.
- E. **Health Department.** Comply with all regulations from the Salt Lake Valley Health Department concerning Food Carts, Mobile Food Units, and Shaved Ice Stands. Must provide a letter from the Health Department stating that the vehicle is approved for food preparation.
- F. **Other.** Comply with all applicable fire regulations.
- G. **Obstruction of Sidewalk.** Obey any lawful order of a law enforcement officer to move temporarily to a different location to avoid congestion or obstruction of the sidewalk or to remove the vehicle, if necessary.

Review of Impacts. This special use may be reviewed by staff to determine if any detrimental impacts and effects have been mitigated or eliminated to comply with the above regulations.

TAYLORSVILLE, UTAH
ORDINANCE NO. 13-21

AN ORDINANCE OF THE CITY OF TAYLORSVILLE TO AMEND THE TEXT OF SECTION 13-11-18 OF THE TAYLORSVILLE LAND DEVELOPMENT CODE FOR FOOD TRUCKS/CATERING TRUCKS AS MOBILE BUSINESSES

The City Council of Taylorsville ordains as follows:

WHEREAS, on August 20, 2013 the Taylorsville Planning Commission properly noticed and held a public hearing and voted 6-0 to forward a positive recommendation to amend the text of Section 13-11-18 of the Taylorsville Land Development Code ; and

WHEREAS, on August 15, 2013 a notice of public hearing regarding the proposed Zoning map amendment was posted on the state public notice website; and

WHEREAS, on August 15, 2013 a notice of public hearing regarding the proposed text amendment was posted in 3 different places within the City of Taylorsville boundaries; and

WHEREAS, the Taylorsville City Council met in a regular session on September 4, 2013 to conduct and consider, among other things, a public hearing regarding the proposed text amendment; and

WHEREAS, after careful consideration and review, the City Council has determined that it is in the best interest, health, safety, and welfare of the citizens of Taylorsville to amend Section 13-11-18 of the Taylorsville Land Use Development Code.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville, Utah City Council that this document be adopted to amend the text of Section 13-11-18 of the Taylorsville Land Development Code.

13-11-18 Food Trucks/Catering Trucks as Mobile Businesses

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 - d. 25 feet of any business entrance or display window, and
 - e. 1,000 feet from any restaurant entrance or like business except for community events sanctioned by the City. And
 - f. 500 feet from any other Food Truck/Catering Truck or like business.
4. Food Trucks/Catering Trucks operations shall be of a temporary nature, the duration of which shall not extend for more than two (2) consecutive hours at any one premises or location except community events sanctioned by the City.
5. Food Trucks/Catering Trucks operations activity shall not take place on the premises of a third party without first receiving permission from the property owner.
6. A Food Truck/Catering Truck as a mobile business shall not provide professional or personal services from within a vehicle.
7. As part of the business license approval process, a Food Truck/Catering Truck as a mobile business shall provide the City with a description of its service area and/or route area.
8. A Food Truck/Catering Truck as a mobile business shall conform to all other applicable provisions of this title and other applicable regulations.
9. A parked Food Truck/Catering Truck as a mobile business shall conform to all requirements in the City's idling ordinances.

10. The applicant shall comply with regulations for a Temporary Use Permit.
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4. No equipment shall be stored in a yard or in an accessory structure, including an attached garage;
5. Business activities that are offensive or noxious by reason of emission of odor, smoke, gas, vibration, magnetic interference, or noise are prohibited; and
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E. Health Department. Comply with all regulations from the Salt Lake Valley Health Department concerning Food Carts, Mobile Food Units, and Shaved Ice Stands. Must

provide a letter from the Health Department stating that the vehicle is approved for food preparation.

- F. **Other.** Comply with all applicable fire regulations.
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Review of Impacts. This special use may be reviewed by staff to determine if any detrimental impacts and effects have been mitigated or eliminated to comply with the above regulations.

This Ordinance, assigned Ordinance No. 13-21, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2013.

TAYLORSVILLE CITY COUNCIL

By: _____
Dama Barbour, Chairman

VOTING:

Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Bradley W. Christopherson	Yea ___ Nay ___
Larry Johnson	Yea ___ Nay ___
Kristie S. Overson	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2013.

APPROVED this _____ day of _____, 2013.

By: _____
Jerry Rechtenbach, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2013.

POSTED this _____ day of _____, 2013.