

STAFF ANALYSIS

PURPOSE

The ever-expanding food service industry may be the world's most widespread industry, including restaurant establishments such as fast-food eateries, formal dining, as well as food trucks. As a result of the growing popularity of food trucks, staff is requesting for approval to amend the Comprehensive Zoning Ordinance by amending Article XXVIII to add provisions regulating food trucks in the (TC) Transit Center District and Article XXXIV to add a definition for Food Trucks. Staff chose to focus on allowing food trucks in the Transit Center District because of its attractive environment for pedestrians. Unlike regulations applied city-wide, the smaller focus area will allow staff to regulate and better observe its impact to the area. This well-defined area will be easier to observe and make any necessary adjustments to the regulations than if it was allowed in a broader manner throughout Carrollton. Like any new regulation, this regulation may be expanded upon depending on its impact to the described area.

Knowing that food trucks have increasingly become a way of life for some communities, Carrollton recognizes that there is no "one size fits all" prescription for how to most effectively incorporate food trucks into the fabric of our community. With the intent of helping the city regulate food trucks, staff has crafted standards and procedures to incorporate food trucks into the makeup of our transit center areas. The proposal does not directly address health safety since the city already has regulations governing sanitation as it relates to proper cleaning of preparation area and utensils, as well as disposal of garbage, wastewater (gray water) and grease.

Staff believes the proposed set of standards and procedures for regulating food trucks goes beyond health and safety, but also ensures the property is neat and tidy. The following language is proposed for Article XXVIII to effectively regulate the location and standards for food trucks in Carrollton:

FOOD TRUCKS.

Food trucks shall be permitted only in the (TC) Transit Center District.

A. Definition

A food truck is a licensed, self-propelled motorized vehicle which is temporarily located on a lot from which food items are sold.

B. Permitted Locations

1. To locate on a property in this district, the property must have a restaurant as the primary use. A stand-alone parking lot or an unimproved grass or dirt lot is not a primary use.
2. The food truck must be parked on a concrete or asphalt pad as constructed, per the General Design Standards.
3. The food truck may not conduct sales while parked on a public street.

4. The food truck must be located within one hundred (100) feet from an approved restroom and provides access during the food truck's hours of operation.
5. Only one food truck permitted per property. Outdoor seating associated with a food truck must be provided on the primary lot and cannot be located in the required parking spaces.
6. Trash receptacles shall be provided to dispose of trash or waste.

C. Prohibitions

1. Audio amplification, bells, chimes, microphones, strobe lights, spot lights or any other similar audible or visual disturbance as part of the food truck operation.
2. Drive-thru services.
3. Free standing signage.
4. No grease, waste or water can be disposed in the storm drains, public streets or sanitary sewer systems without proper connections and approved by the Public Works Department.

D. Required Permits

1. All necessary City permits shall be obtained from the appropriate City departments prior to locating the food truck on the property.
2. A signed agreement from the property owner authorizing the use of the owner's property for the food truck operation must be submitted with all applications.
3. A signed agreement from the on-site restaurant owner authorizing the use of the owner's restroom during food truck hours of operation must be submitted with all applications.

PLANNING & ZONING COMMISSION ANALYSIS 07/07/16

During the July 7, 2016, Planning & Zoning Commission meeting, the Commission reviewed the city-initiated request to amend the Comprehensive Zoning Ordinance to regulate food trucks in Carrollton. The Commission expressed the following concerns:

1. Food trucks should be allowed on a parking lot or an unimproved grass or dirt lot without a primary building on it.
2. If a primary building is required on the lot, then the primary building should not be limited to a restaurant use.
3. Requiring the food truck to be within a distance of 100 feet from an approved restroom during the food truck's hours of operation is too restrictive.
4. Food trucks should be removed from the lot daily at the close of business.

The Planning & Zoning Commission continued the case to the August 4, 2016 meeting to allow the Commission additional time to study the request and provide a recommendation to the City Council.

CONCLUSION

Staff believes the proposed amendment to the Comprehensive Zoning Ordinance will allow the City to regulate Food Trucks in the (TC) Transit Center District. As stated early in this report, there is no “one size fits all” prescription for how to most effectively incorporate food trucks into the fabric of our community.