



City Council Agenda Item Summary Report

Meeting Date: March 2, 2021			
Submitted by: P. Morgan			
Consent	Discussion Only	Public Hearing X	Action/Discussion
Item Title: Hold a public hearing and discuss and consider approval of an Ordinance amending the City of Forney Comprehensive Zoning Ordinance by providing a definition and regulations for Food Trucks/Trailers.			
Attachments: Ordinance			

Item Summary:

The City of Forney Codes and Ordinances currently allow a food truck/trailer to operate only in the following circumstances:

1. As a mobile food truck, not stopping to set up in one location; or
2. As part of a special event permit, with approval of a temporary food permit.

The proposed Ordinance adds a third option, providing for a food truck/trailer to operate with the approval of a Conditional Use Permit. Staff has revised the original proposal to allow for one Conditional Use Permit approval to be valid for one (1) full year. Multiple approvals and extensions will not be necessary during that year. The Ordinance includes the following regulations:

- A. A Food Truck/Trailer may operate as part of a temporary special event (with a temporary food permit), as part of an approved Farmer’s Market, or with the approval of a Conditional Use Permit. If operating with an approved Conditional Use Permit, the use must follow regulations as set by Section 37.2 and by this Section.
- B. The Food Truck/Trailer shall be located on private property where an existing business is currently operating with a valid Certificate of Occupancy (CO). The Food Truck/Trailer shall preferably be located on an improved surface (i.e. concrete or asphalt). Operation within the public right-of-way is prohibited.
- C. An approved Conditional Use Permit for the property shall be valid for a period of one (1) year. Consideration of a Conditional Use Permit shall include a site plan showing the location of the Food Truck/Trailer.
- D. A Food Truck/Trailer is not intended to be a permanent use at one location. Following approval of a Conditional Use Permit, a Food Tuck/Trailer may operate on a property for a maximum of sixty (60) days, followed by a thirty (30) day rest period. This may be repeated throughout the one (1) year approval timeframe.

- E. Food Trucks/Trailers shall only operate between the hours of 7:00 a.m. and 10:00 p.m. and the Food Truck/Trailer shall be required to be removed from the property during non-operation hours (i.e. overnight storage on the site is prohibited unless otherwise approved with the Conditional Use Permit).
- F. The Food Truck/Trailer must pass a special event inspection or must obtain an annual mobile food establishment permit, which includes a health and fire inspection.
- G. The Food Truck/Trailer shall be equipped with trash receptacles and the outside storage of trash shall be prohibited. Water and/or wastewater may not be discharged onto the ground.
- H. The Food Truck/Trailer shall have permanent restrooms available within 300 feet of the facility. Portable restroom facilities are not permitted to meet this requirement unless otherwise approved in conjunction with a special event.
- I. The Food Truck/Trailer shall have access to a minimum of two (2) dedicated parking spaces and shall not reduce the required parking for the existing building/land use.
- J. All noise and lighting shall be subject to the requirements of the City of Forney Code of Ordinance and the Comprehensive Zoning Ordinance. In addition, no lights associated with the operation of a Food Truck/Trailer may be directed towards an adjacent property or onto a public right-of-way.
- K. All signage must be attached to the Food Truck/Trailer, with the exception of one freestanding menu board no greater than eight (8) square feet placed adjacent to the Food Truck/Trailer.
- L. A Food Truck/Trailer may operate on City of Forney owned property at any time with written approval of the City Manager. This request will not require a Conditional Use Permit, but does require the appropriate food permit and inspection, and payment of a \$25 administrative fee.

Recommendation:

On February 4, 2021, the Planning and Zoning Commission voted to recommend approval.