

DEPT  
OF  
DOING

*City Plan Board Meeting:  
December 10, 2019  
Prepared by Lawrence Calderon*

**The process shall be similar to implementation of any use allowed by right or by Special Use Permit in any zoning district.**





*Department's Work Schedule*





*So!  
Where, Why and How do we address such  
a diverse industry?*



# COMPREHENSIVE PLAN: A vision of the community

## Supported Policies:

**Goal 1 : Quality of Life - Land Use Choices**

**Policy 1.3.3: Allow a range of mixed uses**

**Goal 4: Foster unique character of the City**

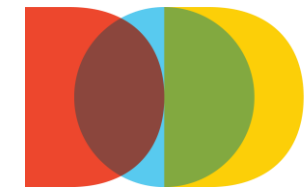
**Objective 5.4: Implement neighborhood objectives**

- ❖ The use occupies a void, culturally and physically within the urban environment and must be addressed as part of the community's obligation to cater for work, education, recreation, social and cultural expressions

## LAND DEVELOPMENT CODE:

- Existing ordinance: Reflects an attempt and provide examples
  - We have experienced the co-existence of uses
- Proposed ordinance is a more decisive step in fulfilling the community's objectives, consistent with zoning standards.

**CONSISTENCY AND COMPATIBILITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE**



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# FOOD TRUCKS AND FOOD TRUCK PARKS



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## FOOD TRUCK PARK

A site that is pre-approved with specific locations for the operation of food trucks.



ILLUSTRATIVE MASTER PLAN

VILLAGE GARDEN FOOD TRUCK PARK

MS+H Project No. 16-14.1



Marquis Latimer + Halback  
LANDSCAPE ARCHITECTURE · PLANNING







An entertainment section will feature a stage for live music and a movie screen for



A children's play area will feature a spinning structure. (Courtesy of KTUA)



Artist rendering of the concrete North Park letters (Courtesy of KTUA)



# WHY FOOD TRUCKS AND FOOD TRUCK PARKS ???

## *CONSIDERATIONS IN DRAFTING THE ORDINANCE:*

In drafting this ordinance we examined the food truck industry and attempted to implement regulations that would promote the good, control the bad, and recommend measures that would enable the community to enjoy all that food trucks have to offer.

A significant consideration in drafting this ordinance is the need to preserve the characteristics of the food truck industry that make it successful:

- Flexibility of operation

- Low capital investment required to start and operate

- Its complimentary and support service to businesses and activity centers, among others.



## **A SUMMARY OF PROPOSED CHANGES**

- ❖ **Refined the definitions of Food Truck, remove distance Requirement and provide consistency with State permitting**
- ❖ **Identify where Food Truck Parks are allowed and established a process for review with option for Special Use Permit.**
- ❖ **Set a minimum number of pads for a Food Truck Park and addressed parking, bicycle and pedestrian facilities**
- ❖ **Addressed the need and provision for restrooms and utilities**
- ❖ **Addressed landscaping, signage and management of the facility once permitted.**
- ❖ **Provide for the use of accessory activity areas, licensing and administrative rules.**
- ❖ **Established the local permitting process to be closely related to the requirements of State permitting agencies; e.g. Florida Administrative Code: 61C-4.0161 Mobile Food Dispensing Vehicles.**



## Staff Recommendation

- **Recommendation**

**Approve Petition PB-19-94 TCH with the Draft Ordinance, Attachment A. Forward a recommendation of approval to the City Commission**



**Staff  
Recommendation**

**DRAFT MOTION FOR CONSIDERATION**

- **Approve Petition PB-19-94 TCH with the Draft Ordinance – Attachment “A” and any proposed modifications. Forward a recommendation of approval to the City Commission.**



# PROPOSED CHANGES TO THE CURRENT ORDINANCE

- ❖ **Propose a new definition of “Food Truck”**  
**Add clarity – Provide consistency with the State permitting agencies**
- ❖ **Removed the 50-foot separation requirement from brick-and-mortar restaurants.**
- ❖ **Link the permitting of “Food Trucks” and “Food Truck Special Events” to the relevant State agency permitting the facility**
- ❖ **Require “Food Truck Special Events” to comply with Florida Administrative Code: 61C-4.0161 Mobile Food Dispensing Vehicles.**



# PROPOSED ORDINANCE (*food truck modifications*)

## ❖ **Sec. 30-2.1 Definitions**

*Food truck* means a motorized self-contained wheeled vehicle or wheeled trailer and other conveyances, regardless of the means of propulsion that is used to vend immediately consumable food and beverage products and is classified as either a “Class I” or “Class II” relative to permitting by State agency regulating the food trucks.

## ❖ **Sec. 30-5.35.B.3**

~~Food trucks shall be located at least 50 linear feet from any restaurant during such restaurant's operating hours. This distance shall be measured by extending a straight line from the food truck to either the main entrance or any outdoor seating area of the restaurant. This regulation shall not apply if the owner(s) or authorized agent(s) of all restaurants within 50 linear feet have provided written consent, and shall not apply to food trucks that operate as part of and on the location of a restaurant.~~

## ❖ **Sec. 30-5.35.D.4**

Food trucks shall comply with state/county health department licensing requirements for preparing and selling food items. All food truck operation must comply with Florida Administrative Code 61C-4.0161 Mobile Food Dispensing Vehicles.

# PROPOSE ORDINANCE FOR “FOOD TRUCK PARKS”

## ❖ Definition of “Food Truck Park” and “Food Truck Pad”

*Food Truck Park* means a parcel or group of parcels of land containing three (3) or more Food Truck Pads where food trucks are parked to sell immediately consumable food products and beverages to the public as the principal use of the parcel. This definition shall not be interpreted to include a congregation of mobile food establishment and/or vending carts, as a secondary and/or accessory use of the land.

*Food Truck Pad* An area designated within a Food Truck Park which is designed with connections offering City Services (for example, Water/Waste-Water/Electricity/Gas/Grease/Solid Waste/Sewer) to a food truck which is parked on the pad.

*Mobile Food Vendor* means a person who prepares, dispenses, or otherwise sells food, or beverages from a mobile food truck.

## Purpose and Intent - Sec. 30-5.13 A.1 Purpose and Intent

## ❖ Where Food Truck Parks are allowed

Allowed in zoning districts where temporary food trucks are allowed.

## Development Standards - Sec. 30-5.13 C.1 - Development Plan Review

Less than six (6) pads: Rapid Review



# PROPOSED ORDINANCE (*food truck park*)

## ❖ Sec. 30-5.13 A.1 Purpose and Intent

The intent of this section is to provide opportunities for sites to be considered as a permanent location for the operation of food trucks and related activities in accordance with the classification and standards of the Florida Department of Business and Professional Regulations, The Florida Department of Health, The Florida Department of Agriculture and Consumer Services and the City of Gainesville. The ordinance intends to minimize potential negative and detrimental impacts of food truck operations on neighborhood properties and adjacent land uses while ensuring that the sites and operating food trucks do not become a hazard or public nuisance. The ordinance seeks to encourage the symbiotic business relationship between food truck service and the social and economic sectors by supporting and maintaining the unique characteristics of the food truck industry that make it successful.

## ❖ **Sec. 30-5.13.B. 1 Location – Where Food Truck Parks are Allowed**

### 1. Use by Right

- a. Food Truck Parks may be allowed within all zoning districts that allow food trucks as a use permitted by right and 2) planned development (PD) zoning districts that allow either restaurants or alcoholic beverage establishments, both as defined in Article II.
- b. A Food Truck Park shall not abut existing single-family and two-family residential developments and/or properties zoned RSF-1, RSF-2, RSF-3, RSF-4, RC.
- c. A Food Truck Park with five (5) or fewer Food Truck Pads shall be allowed without a Special Use Permit, subject to compliance with the required standards.

# PROPOSED ORDINANCE (*food truck park*)

## ❖ Sec. 30-5.13 B.2. Use by Special Use Permit

- a. A Special Use Permit is required if a Food Truck Park proposes six (6) or more Food Truck Pads and whose external boundaries are less than 300 feet from the boundary of property zoned single-family residential or any property that is occupied by a single-family residential development.

### Zoning Districts Where Food Truck Parks Are Allowed

Transects		Mixed-Use and Nonresidential		Special Districts		Residential	
<b>U1</b>	Not Allowed	<b>MU-1</b>	Allowed	<b>AGR</b>	Not Allowed	<b>RSF-1 TO RSF-4</b>	Not Allowed
<b>U2</b>	Not Allowed	<b>MU-2</b>	Allowed	<b>AF</b>	Allowed	<b>RC</b>	Not Allowed
<b>U3</b>	Not Allowed	<b>OR</b>	Not Allowed	<b>CON</b>	Not Allowed	<b>MH</b>	Not Allowed
<b>U4</b>	Not Allowed	<b>OF</b>	Allowed	<b>ED</b>	Allowed	<b>RMF-5</b>	Not Allowed
<b>U5</b>	Not Allowed	<b>CP</b>	Allowed	<b>MD</b>	Allowed	<b>RMF-6 TO RMF-8</b>	Not Allowed
<b>U6</b>	Allowed	<b>BUS</b>	Allowed	<b>PD</b>	Allowed		
<b>U7</b>	Allowed	<b>BA</b>	Allowed	<b>PS</b>	Allowed		
<b>U8</b>	Allowed	<b>BT</b>	Allowed				
<b>U9</b>	Allowed	<b>BI</b>	Allowed				
<b>DT</b>	Allowed	<b>W</b>	Allowed				
		<b>I-1</b>	Allowed				
		<b>I-2</b>	Allowed				

1. *A Special Use Permit is required if a Food Truck Park proposes six (6) or more Food Truck Pads and whose external boundaries are less than 300 feet from the boundary of property zoned single-family residential or any property that is occupied by a single-family residential development.*



# PROPOSED ORDINANCE (*food truck park*)

## ❖ Sec. 30-5.13 D.1. Parking and Facilities for Food Truck Parks

1. Except as provided in this section, the design, placement, dimensions and orientation of all parking provided for patrons of the Food Truck Park shall be regulated in accordance with standards listed in the City of Gainesville's Land Development Code Article VII – Parking and Loading of the City of Gainesville's Land Development Code.
2. Vehicular and bicycle parking are required and shall be provided at a ratio of two (2) spaces per Food Truck Pad. No automobile parking is required in zoning districts where automobile parking is not required. The applicant may request that existing parking, (automobile, bicycle, scooter and motorcycle) within 600 feet of the site be considered as part of required parking for the Food Truck Park.
3. Parking reductions may be granted for the facility based on estimated pedestrian traffic, subject to the criteria for parking reduction in Article VII. – Parking and Loading of the Land Development Code. Alternatives to asphalt and cement may be approved as part of the development review process if the applicant is able to demonstrate that the alternative will not result in the need for stormwater management and accumulation of mud or debris on the city right-of-way. Preference shall be given to designs focused on reducing automobile parking, that integrates tree preservation with the park design, integrate patron seating in a compatible manner with existing trees and natural physical environmental elements of the site.
4. Parking provided for a Food Truck Park shall not include any parking spaces that are reserved, encumbered, or designated to satisfy the off-street parking requirement of a business or activity that would operate at the same time as the Food Truck Park.

# PROPOSED ORDINANCE (*food truck park*)

## ❖ Sec. 30-5.13 D.1. Parking and Facilities for Food Truck Parks

5. The surface of Food Truck Pads and associated facilities may be gravel or some other materials as approved by Public Works based on permeability and acceptable alternatives to Stormwater management practices.

## ❖ Sec. 30-5.13 E. Pedestrian Facilities and Equipment

1. A Food Truck Park with five (5) or fewer Food Truck Pads may be allowed to use existing pedestrian and service infrastructure to service the proposed facility. Where it is determined that there is a need to facilitate the circulation of pedestrians accessing the site, sidewalk facilities shall be required.

## ❖ Sec. 30-5.13 F. Restrooms and Utilities

1. A Food Truck Park shall provide the quantity and type of restroom facilities in accordance with Table PR II of FL Rule 64E-6.0101. A Food Truck Park may satisfy the required number of restroom facilities by demonstrating access to existing surrounding bathroom facilities. Any allowable use accessory to the Food Truck Park may be required to provide temporary restroom facilities in accordance with FL Rule 64E-6.0101, Table PR I.



# PROPOSED ORDINANCE (*food truck park*)

## ❖ Sec. 30-5.13 F. Restrooms and Utilities

2. Electric services shall be provided to service the Food Truck Park in accordance with Chapter 27 (Utilities) of the City's Code of Ordinance. Each pad designed to accommodate Class I food trucks shall provide connections to allow electrical services in accordance with the regulations and standards of Gainesville Regional Utilities, Energy Delivery Service Guide.
3. Where applicable, the Food Truck Parks shall provide grease interceptors in accordance with the regulations and standards of Chapter 27 of the Code of Ordinances and the Gainesville Regional Utilities Service Guide. types.
4. Food Truck Parks shall provide central disposal areas to handle solid waste disposals and recycling facilities, consistent with Sec. 30-6.11-Solid waste disposal facilities of the Land Development Code and Article III – Solid Waste Disposal of the Code of Ordinance.
5. Food trucks operating within the park shall not operate a generator at the site unless emergency circumstances necessitate the need for use of a generator.

## ❖ Sec. 30-5.13 G. Ownership and Management of the Food Truck Park

1. Each Food Truck Park shall designate management personnel or team as the responsible agent for the park. The agent shall be registered with the City as the responsible agent for the park. The manager shall be responsible for the orderly organization of mobile vending units, the cleanliness of the site, and the site's compliance with all rules and regulations during working hours. Such persons shall have the authority to address and resolve issues of permitting and compliance, operations and maintenance of the facility.

# PROPOSED ORDINANCE (*food truck park*)

## ❖ Sec. 30-5.13 H. Accessory Central Activity Areas

1. All areas designated as accessory central activity areas for the Food Truck Park shall be clearly designated on the development plan.
2. The operation of those areas shall comply with the City's noise ordinance and shall be regulated in the same manner as a typical theatre, performance area or activity stage located within the limits of the City of Gainesville.

## ❖ Sec. 30-5.13 I. Landscaping, Tree Preservation and Environmental Considerations

1. Except as provided in this section, landscaping, tree management and environmental elements of a site proposed as a Food Truck Park shall comply with the requirements of Article VIII of the City of Gainesville's Land Development Code.
2. During development plan review, existing landscaping or natural vegetation shall be used to assess compliance with required landscaping. The relationship of the proposed facility to the adjacent street shall be assessed to determine the need for street buffers or incompatible use buffers as necessary to achieve compatibility with surrounding uses.

## ❖ Sec. 30-5.13 J. Signage

1. Except as provide herein, signage shall be in accordance with Article IX of the Land Development Code.
2. A Food Truck Park may have a single free-standing sign identifying the park. The allowable signage area may include panels for identifying food truck located and operating within the park.



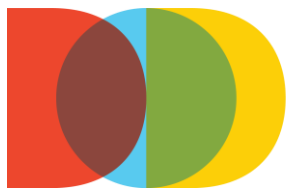
ground level plan  
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**NOTE:**  
 All measurements in the new landscape  
 are for rough estimation purposes only.  
 Final measurements should be calculated  
 manually due to varying grades and construction  
 methods into the existing terrain.  
 All site measures are in CM.



USE CATEGORIES	TRANSECTS AND ZONING DISTRICTS											
Transects Zones	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT		
Residential Districts	RSF-1	RSF-2	RSF-3	RSF-4	RC	MH	RMF-5	RMF-6	RMF-7	RMF-8		
Mixed-Use and Non-residential Districts	OR	OF	MU-1	MU-2	CP	BUS	BA	BT	BI	W	I-1	I-2
Special Districts	AGR	AF	CON	ED	MD	PS	PD					
Permitted by Right		Permitted as an Accessory Use							Not Permitted			



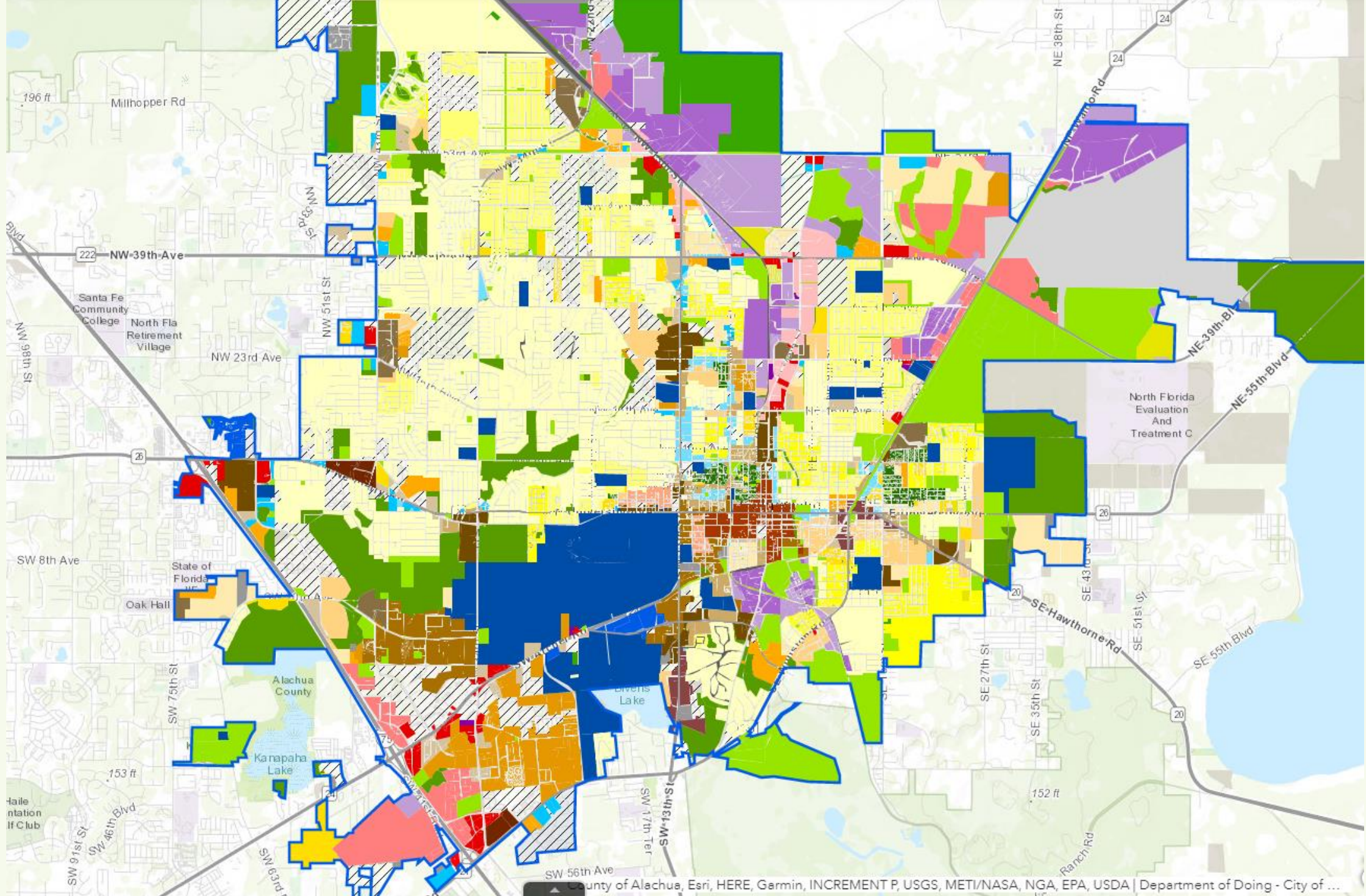
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# Planning for the next mobile business

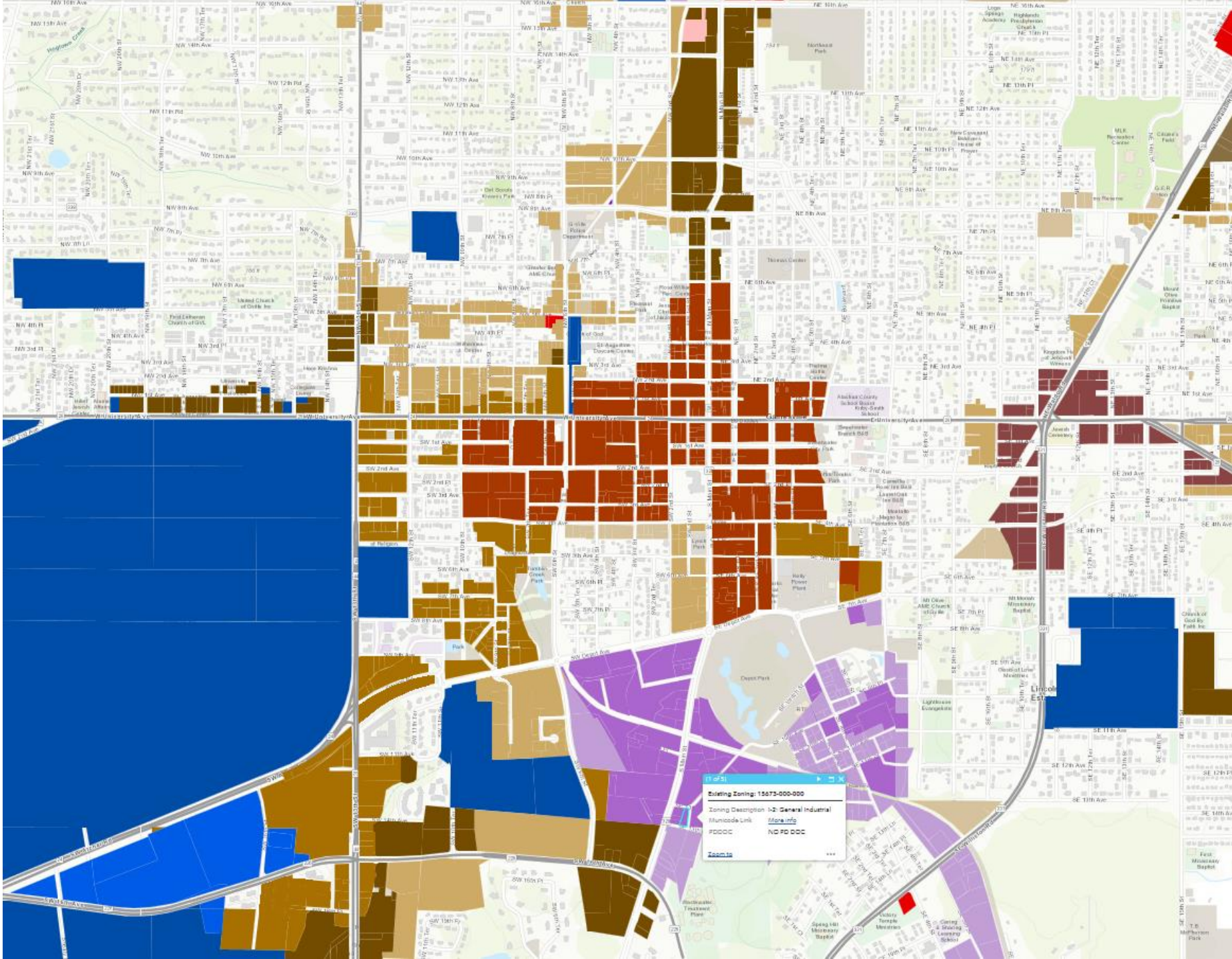
“Food trucks are also the leading edge of a broader trend toward mobile, truck-based commerce. Entrepreneurs in a wide range of other product and service categories, such as clothing, personal services and even business to business goods and services are recognizing the economic advantages of food trucks and applying this approach.” (Intuit)



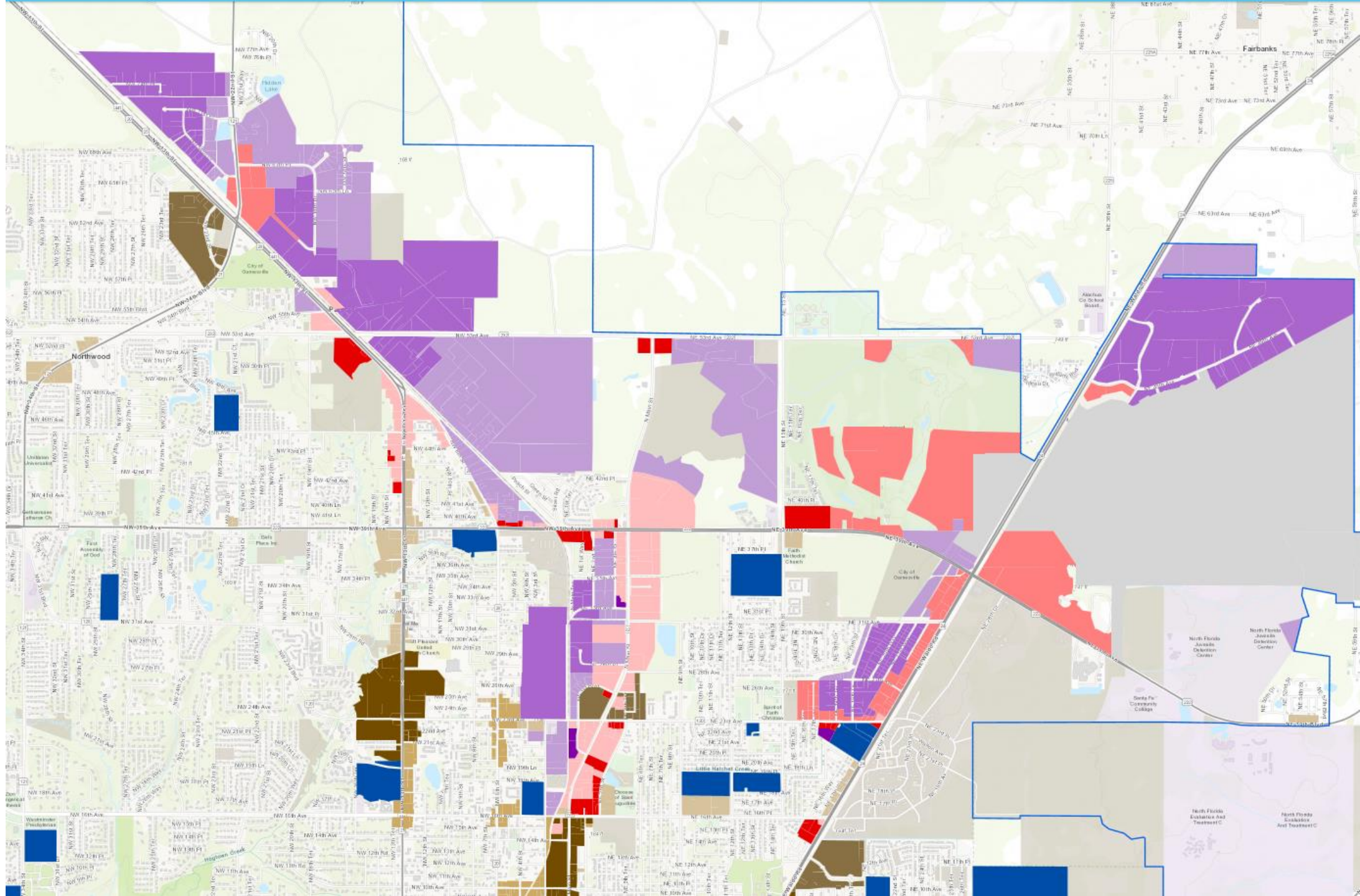




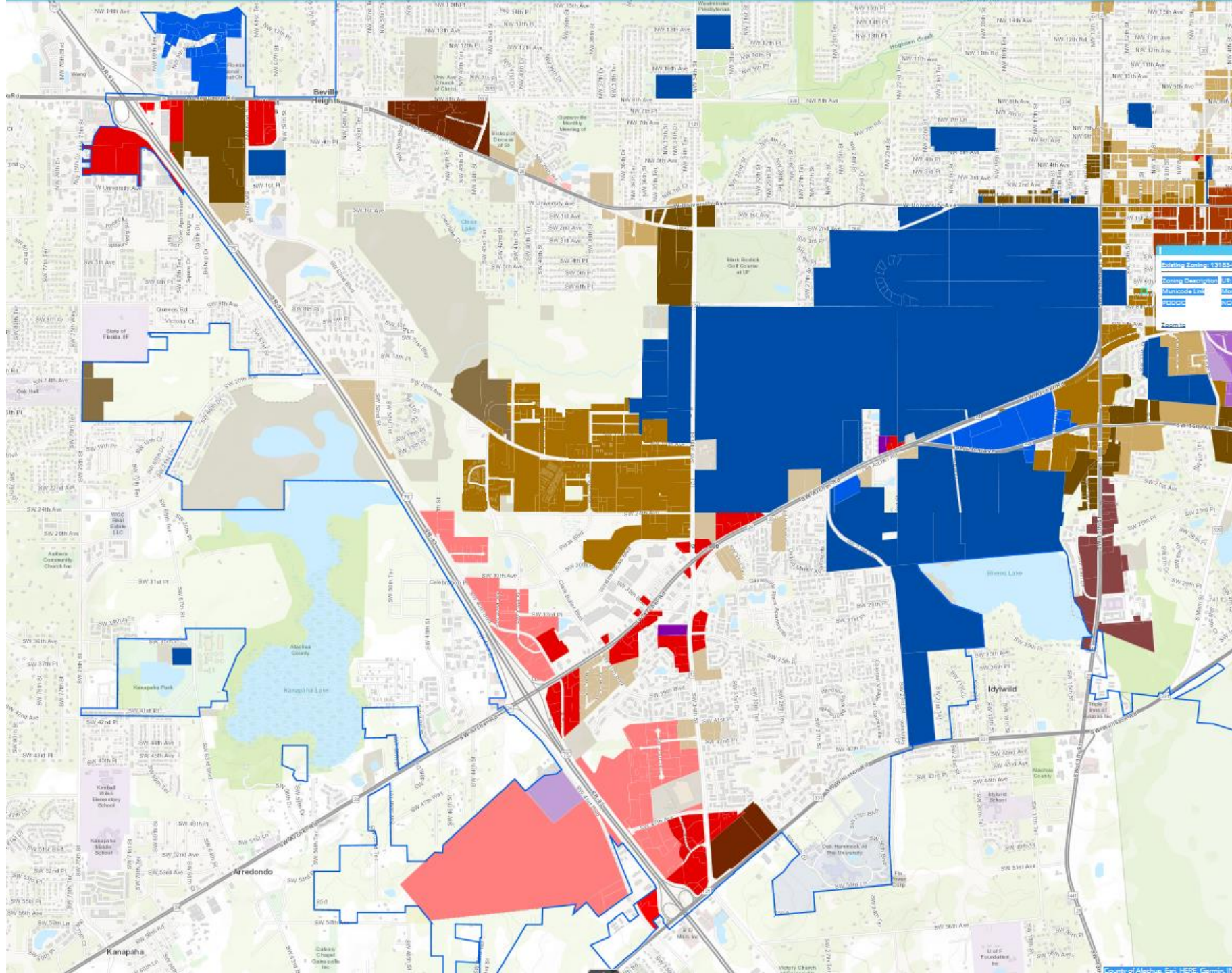












Relating Zones: 13185-  
County Description: 131  
Jurisdiction: 131  
Zoning: 131















