



City of
Gainesville

190714B

*City Commission Meeting:
May 21, 2020*

Petition PB-19-94 TCH: Request from Trimark Properties, to amend Sec. 30-5.35 of the LDC to add “Food Truck Parks” as an allowable use in zoning districts that allow “Food Trucks” as a temporary use.



*Department of
Sustainable Development*

Prepared by Lawrence Calderon

Food Truck Parks

Text Change: Legistar #190714B

**CONSIDERATIONS IN DRAFTING
THE ORDINANCE:**

Comprehensive Plan:

Land Development Code:

**SITE PROPOSED
FOR
FOOD TRUCK FACILITY**

Customer Experience:

Public Health

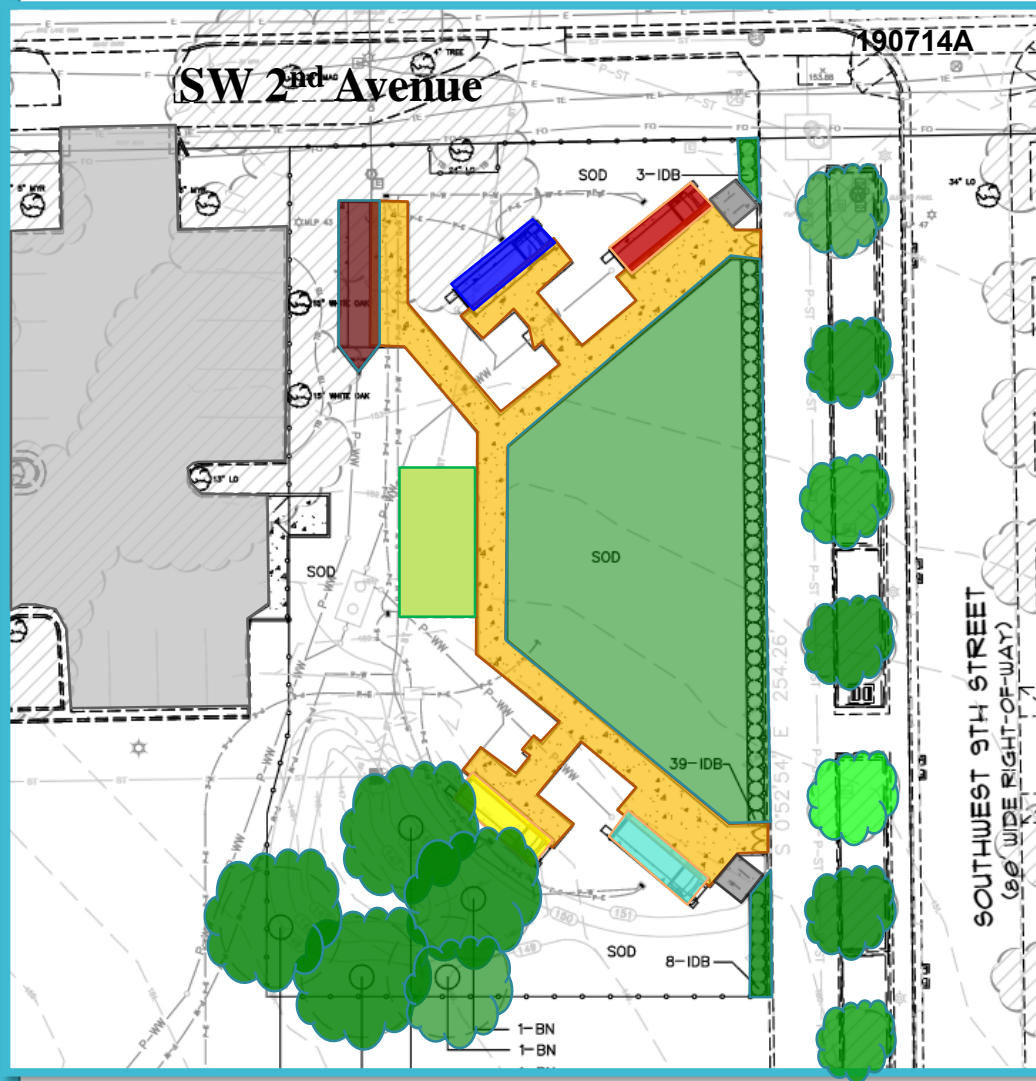
Public Safety

Private Property

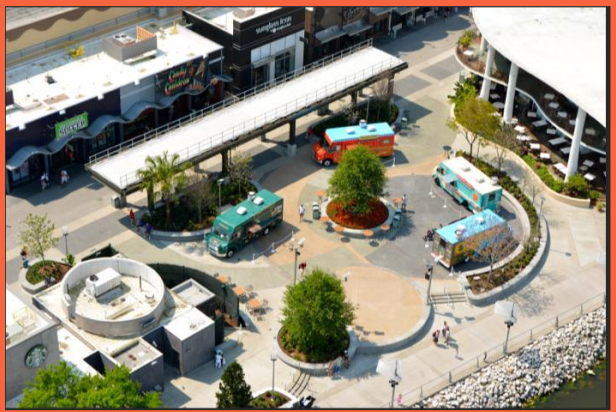
Use of Public Space

Nuisance Concerns

Brick & Mortar Establishments



SUMMARY OF ISSUES ADDRESSED



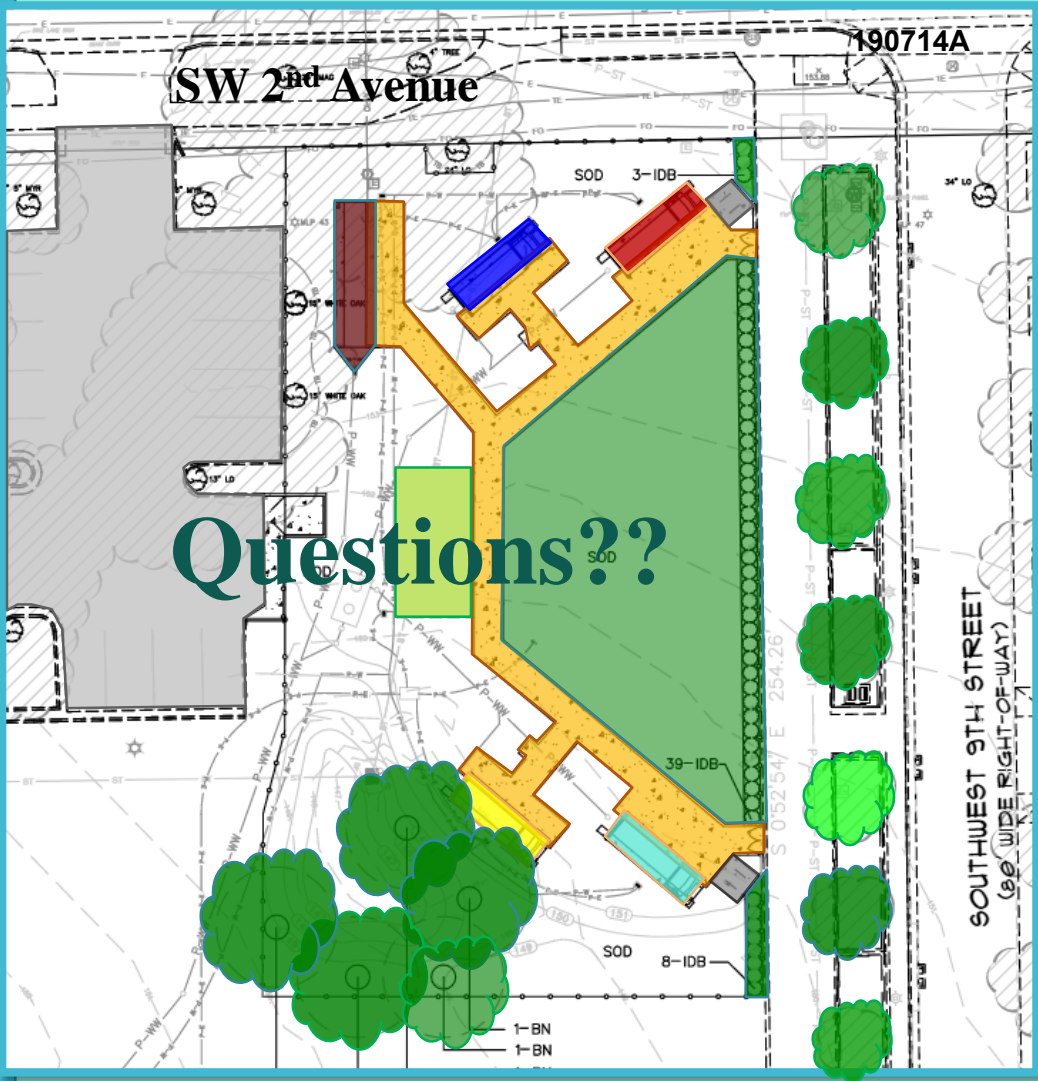
RECOMMENDATIONS

City Plan Board's Recommendation

Approve Petition PB-19-94
TCH with draft ordinance,
Attachment A.

Staff's Recommendation

Approve the City Plan
Board's recommendation



PROPOSED ORDINANCE (*food truck modifications*)

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❖ **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”

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❖ 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*)

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❖ 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.

❖ 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	
U1	Not Allowed	MU-1	Allowed	AGR	Not Allowed	RSF-1 TO RSF-4	Not Allowed
U2	Not Allowed	MU-2	Allowed	AF	Allowed	RC	Not Allowed
U3	Not Allowed	OR	Not Allowed	CON	Not Allowed	MH	Not Allowed
U4	Not Allowed	OF	Allowed	ED	Allowed	RMF-5	Not Allowed
U5	Not Allowed	CP	Allowed	MD	Allowed	RMF-6 TO RMF-8	Not Allowed
U6	Allowed	BUS	Allowed	PD	Allowed		
U7	Allowed	BA	Allowed	PS	Allowed		
U8	Allowed	BT	Allowed				
U9	Allowed	BI	Allowed				
DT	Allowed	W	Allowed				
		I-1	Allowed				
		I-2	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.

❖ 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*)

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❖ 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. Food truck parks must provide restroom facilities that are connected to water and sewer utility services in accordance with Chapter 27 of the Code of Ordinances, and have plumbing facilities in the minimum number as required by the Florida Building Code for classification of “restaurants, banquet halls, and food courts.”

PROPOSED ORDINANCE (*food truck park*)

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❖ Sec. 30-5.13 E. 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*)

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❖ 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.