

Planning Commission – Unified Development Code Amendment

MOBILE FOOD VENDING SERVICES- staff report

Proposed Motion:

The Planning Commission recommends that the Mayor and City Council approved amendments to the Chapter 55 – Unified Development Code as presented.

Background:

The City has received numerous inquiries for food trucks on private property over the past several years, with no specific provision to enable such use. Furthermore, such uses are desired based on such inquiries and the presence of such uses at different locations through the City of Ann Arbor. Based on this, the Planning Manager has initiated this proposed ordinance for consideration.

The Planning Commission discussed conceptual ideas for such amendments at their working session on May 8, 2016 and referred the matter to the Ordinance Revisions Committee for further discussion and refinement. On September 25, 2018, the Ordinance Revisions Committee recommended amendments, and the Planning Commission further discussed and made suggestions to staff to consider prior to presentation of the draft ordinance to the Planning Commission for consideration.

Since this time, staff has consulted with the Washtenaw County Environmental Health Department, who suggested amendments to the definition, that more explicitly linked such uses to state license requirements; and suggested an expansion of the waste/litter provision to include solid and liquid waste, potentially generated by customers or the vendor. These changes, as well as a proposed one Mobile Food Vending Service per 10 parking spaces, are the most recent changes to circulated drafts.

Current regulations

The zoning ordinance does not specifically allow or regulate mobile food vendors (food trucks).

Proposed UDC Amendments:

Add New Definition to Article VIII: Definitions, 5.37.2 Specific Terms

Mobile Food Vending Service

Any vehicle or trailer, designed to be portable and not permanently attached to the ground, from which food is prepared and/or sold, and licensed under the Michigan Food Law of 2000, as amended.

Add New Provisions to Article III: Use Regulations, 5.16.6 Accessory Uses and Structures

Mobile Food Vending Service

(1) Mobile Food Vending Services shall meet the following requirements:

- a. The Mobile Food Vending Service and associated fixtures shall not be located less than 10 feet to any public right of way or within any required sight distance triangle.

On a property adjacent to any Residential Zoning District, the Mobile Food Vending Service shall not be located within the required setback established by the zoning district immediately adjacent to the residentially zoned district.

- b. Any operator of a Mobile Food Vending Service must receive a Zoning Compliance Permit annually and display at service. All applications for Zoning Compliance Permit must include documentation of property owner permission for any proposed location, which may be amended over course of permit term, and Washtenaw County or other applicable Health Department approval.
- c. Trash and recycling receptacles must be provided for customers to dispose of waste. Such receptacle shall be located no more than ten (10) feet from the mobile food vendor.
- d. The Mobile Food Vending Service is responsible for removing all associated solid and liquid trash, litter, and refuse from the site at the end of each business day. This includes food wrappers, food utensils, paper products, cans, bottles, food, wastewater, grease, oil and other such waste generated by the mobile food vendor or discarded improperly by customers.
- e. Up to one Mobile Food Vending Service may occupy a property with an improved parking area of 10 or fewer parking spaces. Mobile Food Vending Service may occupy other properties at a rate not to exceed one Mobile Food Vending Service per 10 parking spaces, or fraction thereof, at a single time.
- f. A Mobile Food Vending Service shall not present any parking, traffic, vehicular accessibility or pedestrian or other non-motorized conflicts or impediments on the property. A Mobile Food Vending Service shall not block or obstruct any fire lanes. A Mobile Food Vending Service shall not violate any provisions of the local or State Building Codes.

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Add Mobile Food Vending Service to Article III: Use Regulations, Table 5-15 as Accessory Use in all Mixed Use and Non-Residential/Special Purpose Districts

Drafted by B. Lenart