



## CITY COUNCIL AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** December 13, 2022

**PREPARED BY:** Otis T. Spriggs, AICP, Director of Development Services

**AGENDA CONTENT:** Discussion and possible action on an Ordinance amending the Code of Ordinances of the City of Angleton, Texas, by amending and revising Chapter 8.5 Food and Food Establishments Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required, Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally, and Sec.8.5-63. Unrestricted And Restricted Mobile Food Unit Regulations as contained in "Exhibit A"; Adopting Sec 8.5-66. Mobile Food Courts as contained in "Exhibit B"; providing for the regulation of food and food establishments; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

**AGENDA ITEM SECTION:** Regular Agenda

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**BUDGETED AMOUNT:** N/A                      **FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:** At the request of the City Manager, Staff is introducing text amendment changes to the Food Truck Ordinance for consideration. This will enable greater flexibility for food truck permits in the City of Angleton. Food Truck Courts is also addressed for your consideration, as we are experiencing an increase in interest and demand for more flexibility in mobile food unit vending.

**BACKGROUND AND HISTORY:**

**City Council Discussion and Feedback:** April 26, 2022.

City Manager Chris Whitaker and Judith ElMasri, City Attorney presented the item for discussion to City Council. Details on duration of permits was discussed and measures for provided for solidity in scheduling was discussed. Parking/Surfacing requirements, dining/seating, noise impact and abatement, lighting and security, restroom definitions and requirements (permanent), access to a commercial kitchen were discussed.

**Town Hall: Food Court Ordinance:** June 28, 2022

At this meeting, City leadership staff gathered input from community stakeholders and the City's mobile food truck businesses to explore proposed amendments and revisions to the Angleton Code of Ordinances Chapter 8.5 – Food and Food Establishments. The proposed re-write of the existing Food Truck Ordinance enables greater flexibility for food truck permits and addresses consideration of food truck courts. Public input on the proposed ordinance was gathered by City staff members and presented to the City Council for consideration and we are now seeking possible action and adoption of the new guidelines.

Link to the Town Hall Meeting (6/28/2022) video can be accessed here:

<https://angletontx.new.swagit.com/videos/176488?ts=2>

### Summary of Public Comments/Notes:

- Present were business owners, Council Representation, City Manager, and D.S. staff including the Health Department.
- Defined: Food Courts involving food trucks
- Stipulations with drink standards
- Easier to obtain and maintain permits for a longer duration
- Allowance for flexibility in business hours.
- Roadside food vendor was defined.
- Section 8.5-10: A permit is not required for a beverage stand for a child age 17 or under.
- Operating on (M-S); Sundays was considered and added.
- Restroom written agreement if business is within 150 ft., during hours of operation.
- New regulations for Mobile Food Courts are proposed.
  1. Hookups for electricity and potable water.
  2. Restroom provision
  3. Not allowed on blocks
  4. Subject to the Noise Requirements
  5. Trash/Waste disposal
  6. Parking lots must be concrete or asphalt
  7. Unit separation by 10 Feet.
  8. Food Court use has to be within allowable restaurant zoning district
  9. Site Plan requirements; City Council appeal process.
  10. Seating (Setback requirements of 10 ft.).
  11. MFU will be inspected and permitted. (6 months)
  12. Alcohol sales within a permit building per TABC requirements.



## **Text Amendment Summary of Changes:**

*Food Court and Road Food Vendor terms are now defined in the definitions Section 8.5-2 (See Exhibit A) as follows:*

*Mobile food court* means a property used or developed to accommodate one or more food trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. This definition shall not be interpreted to include a congregation of mobile food vendors as a secondary use, accessory use, or temporary use (less than 30 days).

*Roadside Food Vendor* means a person who operates a mobile retail food store from a temporary location adjacent to a public road or highway. Food is not prepared or processed by a roadside food vendor. Roadside food vendors are classified as mobile food units (MFU).

### **Secs. 8.5-66. Mobile Food Courts (Added Section, See Exhibit B)**

(a) Mobile Food Court Requirements.

(1) Mobile food court site shall be designed and intended for the use of mobile food units as the primary use of the property.

Items 1-12 outlined above in this report are detailed in Exhibit B.

**P&Z COMMISSION RECOMMENDATION:** The Planning and Zoning Commission conduct the public hearing on December 1, 2022, receive public comments and feedback, and adopted this as its final report to approve the proposed Mobile Food Unit/Court text amendments and forwarded to city council for approval subject to the recommended changes or conditions.

### **RECOMMENDATION:**

City Council should adopt the ordinance amending and revising Chapter 8.5 Food and Food Establishments Article I. and the noted subsections in this report for the regulation of food and mobile food establishment and mobile food courts.