



TO: Fruita City Council and Mayor

FROM: Planning & Development Department

DATE: February 15, 2022

AGENDA TEXT: ORDINANCE 2022-10, 2nd Reading – An Ordinance amending Chapters 17.07 and 17.09 of the Fruita Land Use Code concerning Mobile Food Vendors and Mobile Vendor Courts.

BACKGROUND

These proposed amendments include a number of different sections of the Land Use Code in order to create more transparent regulations concerning mobile food vendors on private property and create a process to allow the use of a Mobile Vendor Court. City Council provided Staff direction on this topic at their November 30, 2021, workshop. The amendments include defining a Mobile Food Vendor and Mobile Vendor Court. Currently, the Land Use Code does not include a definition of a mobile food vendor, this amendment would include a definition.

The proposed additions to the Land Use Code also include language on how a Mobile Vendor Court could be allowed as a permanent type of use in zone districts that allow food service and general retail sales, the changes would require that the application be reviewed in the same fashion as a Site Design Review process. This would help ensure that signage, parking, access, landscaping, wastewater discharge, sanitary facilities, and utilities are adequate to the proposed use. The changes included would also allow Mobile Food Vendors to operate as an accessory use to a permitted primary use in the commercial zone districts without the need of a temporary use permit.

At their January 11, 2022, public meeting, the Planning Commission recommended approval of the proposed amendments by a vote of 5 to 0 to the Fruita City Council. Additional direction was provided to Staff to include general retail sales as being included in the uses for the Mobile Vendor Courts. Staff has included an option for Council to consider adding retail sales and personal services to being allowed in a Mobile Vendor Court. Attached for reference is the Land Use Table, which identifies the retail sales land use category.

No public comments were received at this Planning Commission meeting nor have there been any written public comments received by Staff at this time.

FISCAL IMPACT

Staff does not expect any negative fiscal impacts associated with these amendments.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Allowing Food Trucks, or mobile food vendors, has been in the Land Use Code for several years. Although mobile food vendors are not specifically addressed in the Master Plan, it is important to continue to be flexible while implementing the intentions of creating and maintaining a vibrant, pedestrian-oriented downtown.

The Master Plan calls out five (5) Plan Themes, one of which is ‘A Thriving Downtown’ which states, *“The City of Fruita supports a thriving downtown with strong local businesses, an inviting streetscape, and events and places that encourage the community to gather. Flexible design standards support creative uses of downtown spaces, and higher-than-existing surrounding residential densities creates a variety of housing units and types for residents to frequent businesses”* (Page 5, Fruita In Motion Comprehensive Plan).

Staff does not believe that the proposed amendments would deviate from the Plan Vision which states, *“The City of Fruita values quality of place. It’s an inclusive city, with a small-town feel and vibrant downtown, surrounded by public lands. People love to live, work, and play in Fruita because the City facilitates community, safe neighborhoods, family-friendly events, and walking and biking. The City governs in a way that’s responsive to its citizens and prioritizes high-impact services and projects. Fruita fosters a fun and funky ambiance around the arts, agriculture, and recreation.”* (Page 3, Comprehensive Plan).

Additionally, it is a commitment of Staff to continue to review the Land Use Code to help ensure that the regulations reflect the best promotion of Fruita’s Core Services.

OPTIONS AVAILABLE TO THE COUNCIL

1. Adopt Ordinance 2022-10, an Ordinance amending certain sections of Title 17 of the Fruita Municipal Code concerning Mobile Food Vendors and Mobile Vendor Courts as proposed in the Ordinance.
2. Adopt Ordinance 2022-10, an Ordinance amending certain sections of Title 17 of the Fruita Municipal Code concerning Mobile Food Vendors and Mobile Vendor Courts to include retail sales and personal services.
3. Deny Ordinance 2022-10.

RECOMMENDATION

It is the recommendation of Staff that the Council by motion:

ADOPT ORDINANCE 2022-10, 2ND READING, AN ORDINANCE AMENDING CERTAIN SECTION OF TITLE 17 OF THE FRUITA MUNICIPAL CODE CONCERNING MOBILE FOOD VENDORS AND MOBILE VENDOR COURTS TO INCLUDE RETAIL SALES AND PERSONAL SERVICES.