

## Sec. 419. - Mobile Food Units

A. *Purpose*

1. To establish the requirements for Mobile Food Units in order to:
  - a. Maintain and improve property values by ensuring a minimum level of development quality relating to mobile food units.
  - b. Provide direction to business owners that have the opportunity to increase jobs and business.
  - c. Offer opportunities for new and existing food establishments to provide food choices where full restaurants may not be possible.
  - d. Adapt to an evolving economy and support local entrepreneurship.

B. *Applicability*

1. The provisions of this section shall apply to the operation of mobile food units within the city limits.
2. No new food service permits for a mobile food unit may be approved unless the applicable provisions of this section are met.
3. No Certificate of Occupancy shall be issued for any property unless the applicable provisions of this section are met.
4. Reoccupying a structure that has been vacant for more than two years requires compliance with applicable provisions of this section.
5. The Provisions of this section shall not apply to private catering activities which are not open to the public.

C. *General Requirements - Mobile Food Units*

1. Mobile food units are permitted to conduct business in all commercial and manufacturing zoning districts, the Central Business District and Office-Warehouse zoning districts and where Industrial uses are permitted.
2. Mobile food units may operate on residentially zoned properties that have approved conditional/special uses for non-residential uses.
3. Mobile food units may operate up to six hours in a 24 hour period in residentially zoned areas on non-residential use properties that do not have an approved conditional/special use and, except for snow cone and prepackaged vendors, must be at least 100 feet from a residential structure.
4. Mobile food units may operate up to six hours in a 24 hour period within a multi-family residentially zoned property with the property manager's written permission as to location and times of operation. A copy of the written permission shall be kept within the mobile food

unit at all times.

5. A mobile food unit shall not locate on any private or public property other than as legally permitted in parks or within street right-of-way, without written permission of the property owner to do so. A copy of the owner's written permission to operate in a specific location shall be kept within the mobile food unit at all times.
6. A mobile food unit can operate from one location for up to three consecutive days but must then vacate that location for at least three days.
7. A mobile food unit located on private property, except for a commissary location, shall require a minimum of an improved all-weather parking surface.
8. A mobile food unit shall not occupy one location within the public right-of-way for more than 12 hours, or as limited by current parking regulations including downtown, except with an approved special event or street closure permit.
9. A mobile food unit shall not operate in the public right-of-way within 100 feet of a public entrance of a permanent food service establishment when open for business. This buffer may be reduced upon written consent from the owner of that food service establishment agreeing to location and times of operation of the mobile food unit. A copy of the written agreement shall be kept within the mobile food unit at all times.
10. Mobile food units shall not operate within 200 feet of a public or private school without written consent as to location and times for operation from the authorized school authority. A copy of the school's written consent shall be kept within the mobile food unit at all times.
11. Except for snow cone and prepackaged vendors, mobile food units shall not park in the right-of-way within 200 feet of a residential structure, except in the Central Business District (CBD) zoning district.
12. Mobile food units shall only be allowed to park in compliance with current parking regulations.
13. A mobile food unit shall not locate in such a manner or location that obstructs, or can reasonably be expected to result in the obstruction of, any sidewalk, street, alley or other public place by causing people or vehicles to congregate at or about the mobile food unit, unless in accordance with an approved special event or street closure permit.
14. A mobile food unit shall not block any fire lane, drive aisle, or access to any parcel or alley.
15. No mobile food unit shall locate in such a manner as to restrict or obstruct line of sight visibility at or near an intersection of a driveway, approach or alleyway with a street, or at or near a street intersection within an adequate line of sight visibility.
16. Each mobile food unit operator shall be responsible for proper disposal of solid waste associated with the business.

17. Mobile food units shall only be allowed in designated areas within City parks.
18. Mobile food units shall not operate in residentially zoned areas or parks between the hours of 10:30 p.m. and 7:00 a.m.

D. *Mobile Food Unit at Commissary*

1. A mobile food unit may only operate at a location for more than three consecutive days if located at their commissary, except in accordance with an approved special event or street closure permit.
2. A mobile food unit operating from its commissary shall be parked on a paved surface.
3. A mobile food unit operating from its commissary must comply with all setback lines established by the subject property's zoning district.

E. *Commissary Requirements*

1. A commissary is only allowed in a zoning district that allows retail sales and service, either by right or with an approved conditional or special use for retail sales and service.
2. Mobile food unit commissaries shall comply with regulations contained in the zoning ordinance.
3. Mobile food units shall submit a site plan for a commissary location when:
  - a. New certificate of occupancy or change of occupancy for a new commissary is needed.
  - b. Expansion or other improvements to a commissary that would normally trigger site plan review for any building/site expansion is proposed.
  - c. There is an intent to operate a food truck from the commissary for more than three days per week.
4. A mobile food unit commissary that is located within an overlay zone, or other established district, shall comply with all district standards and shall obtain all necessary approvals.

(Ord. No. 2019-030, § 3, 3-5-19)