



**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, MONDAY, FEBRUARY 1, 2016, AT 6:30 P.M., HELD IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I PURPOSE OF THE WORKSHOP:**

**A COMMISSION INPUT AND DISCUSSION:** FOOD TRUCK ORDINANCE

**B COMMISSION INPUT AND DISCUSSION:** TRAINING OF THE PLANNING & ZONING COMMISSION.

- 1) *The Role of the P&Z Commissioner*, Presented by Frankie Legaux.
- 2) *Open Meetings Law*, Presented by Lawrence Provins.
- 3) *Platting and Subdivisions*, Presented by Vince Husted

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## Mobile Food Units Zoning Ordinance

### I. Purpose

- a. The purpose of this section is to allow Mobile Food Units in appropriate area in the City.

### II. Applicability

- a. The regulations will apply to all operators of Mobile Food Units within the city limits off Pearland.

### III. Location

Subject to the provisions of this article, mobile food units shall be permitted to conduct business:

- on public or private property in association with public festivals, fairs, and special events sponsored by schools, churches, The City of Pearland, and other non-profit (501(c)3) organizations. Vendors must have written authorization from the event sponsor to operate on their property.
- In Integrated Business Developments of 50 or more acres
- Mobile food vendors shall be allowed to operate on the public street abutting the north side of Zylinski Park during the hours of the Farmers Market. This is the only exception for operating a unit on public streets.

What other areas would you like to see mobile food units?

### IV. Separation Requirements

- a. A mobile food vendor shall not conduct business within two hundred (200) feet of the boundary line of any residential zoning district.
- b. Other separation requirements?

### V. Performance standards

- a. No mobile food vendor shall operate between the hours of 2:00 a.m. and 6:00 a.m. The mobile food unit shall be properly stored at its commissary location.

Do you want to limit hours to festival, fair or event hours?

- b. Electrical service shall be provided by on-board generators.

## VI. Parking

- a. Sponsors of festivals, fairs, and special events are responsible for providing an off street parking area in their paved parking lot for mobile food units to set up operations. The only exception to this is in conjunction with the Farmers Market at Zylinski Park
- b. A mobile food unit shall not locate closer than 15 feet to any front property line (adjacent to any street) or any rear property line (adjacent to any alley).
- c. A mobile food unit shall not be located within 15 feet of a fire hydrant or within five (5) feet of any driveway, sidewalk, utility box, handicapped ramp, building entrance or exit, or emergency call box.
- d. The mobile food unit shall not be located in such a manner or location that obstructs or causes to be obstructed the passage of any sidewalk, street or alley or any other public place, by causing people to congregate at or near the mobile food unit.
- e. A mobile food unit shall not block any fire lane, drive aisle or ADA accessible parking space.
- f. No mobile food unit shall locate in such a manner as to cause any obstruction within a visibility triangle.
- g. No mobile food unit may park on a lot without a primary structure.

**Are mobile food units allowed to stay on site for the duration of the event including overnight?**

## VII. The following regulations shall apply to mobile food units:

- a. A mobile food unit shall comply with all federal, state and local laws, regulations and policies.
- b. Each mobile food unit shall be equipped with a portable trash receptacle and the mobile food vendor shall be responsible for proper disposal of solid waste and wastewater in compliance with the Code of Ordinances of the city.
- c. No noise which is loud or noxious, as per the City noise ordinance, shall project from the mobile food unit.
- d. While operating, units shall maintain a five (5) feet clear space around the mobile

food unit.

- e. Signs are limited to signs mounted to the exterior of the unit. All signs mounted on the unit shall be secured and mounted flat against the unit and shall not project more than six inches from the exterior of the unit.
- f. The Vendor may sell only food or beverage items as described in the Vendor Permit.
- g. Grease and liquid waste may not be disposed in tree pits, storm drains, the sanitary sewer or on public streets.

#### Other regulations regarding operations?

#### VIII. Commissary location

- a. Any mobile food unit, whose stationary location is on a commercial lot, shall be entirely enclosed within a building, or hidden from view by a screening wall as per the UDC requirements.
- b. Any mobile food unit stored in a residential area shall comply with the Code of Ordinances of the city as to the recreational vehicle standards for storage.

#### Definitions

- a. **Commissary.** A fixed, non-mobile establishment or place where food service providers can prepare and store their food, as well as a location to clean, service and/or store a mobile unit while not in use.

Note: commissary will be added to the Land Use Matrix. Generally, commissaries are restaurants that have grease traps etc.

- b. **Edible goods.** All food products designed for human consumption, including but not limited to:
  - i. Pre-packaged food such as candy, beverages and ice cream;
  - ii. Prepared food such as hot dogs, hamburgers, sandwiches, and pizzas; and
  - iii. On-site prepared food such as shaved ice, sandwiches and tacos.

- c. **Mobile food vendor.** Any person that sells edible goods from a mobile unit within the city.
- d. **Mobile Food Unit.** A Mobile Food Unit (unit) is an enclosed unit, truck, or trailer or similar vehicle mounted unit that is:
  - i. mobile or capable of being moved by a licensed motor vehicle;
  - ii. independent with respect to water, wastewater, and power utilities;
  - iii. used for the preparation, sale, or donation of food products and beverages; and,
  - iv. No longer than thirty-five feet.
- e. **Stationary location.** Position of the mobile food unit when not in motion and addressing the public for the purpose of sales.

X. Inspections, Permits, Fees

- a. A mobile food vendor shall complete and submit an application for a mobile food vending permit to **XXX** and shall complete all required inspections from \_\_\_\_\_. All required inspections must be successfully completed prior to consideration and approval of a mobile food unit permit. The fee for submitting an application for a mobile food unit permit shall be **\$XXX.XX**, said fee to be paid at the time the application is submitted.

Do you want a local food vendor permit issued? For each event (temporary) or for a period of time 6 months? one year (semi-permanent)?

Do you want to have required inspections through Fire Marshall's office or Health Inspection?

How much do you want to charge for the permit?

Do you want to allow permit to be revoked for cause?

Do you want to include reasons to deny permit?

If permit revoked or suspended when can they re-apply?