



## STAFF REPORT

**To:** Snyderville Basin Planning Commission  
**From:** Ray Milliner, County Planner  
**Date of Meeting:** November 14, 2017  
**Type of Item:** Code Amendment – Work Session  
**Process:** Legislative

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**RECOMMENDATION:** Staff recommends that the Planning Commission review the proposed language to regulate Mobile Food Trucks and Mobile Food Courts in the Snyderville Basin and provide direction.

### Proposal

The purpose of the amendments is to create regulations to allow for the operation of Mobile Food Trucks and Mobile Food Courts in certain areas of the Snyderville Basin.

### Background

At its most recent session, the Utah State Legislature passed SB 250 Food Truck Licensing and Regulation. One of the significant purposes of the bill was to require a political subdivision (county or city) to grant a business license to a food truck operator who presents safety certificates from the Health and Fire Departments and a business license from another political subdivision. This change in legislation prompted a number of food truck operators to approach the County for a business license with the intent of operating in Summit County. These business licenses were not issued because the County Land Use Chart does not permit this type of business in any zone. There are two exceptions, the Tanger Outlet Development agreement allows one truck to be parked in the central parking area and the Canyons SPA allows for food trucks in certain instances.

With the changes in State Law in mind, staff approached the Planning Commission to determine whether or not they would be interested in reviewing regulations for food trucks in Summit County. The Commission directed staff to create draft regulations and bring them in for review.

There are two components proposed:

1. **Mobile Food Business.** This language is designed to regulate individual trucks.
2. **Mobile Food Court.** This language is designed to regulate a gathering of 2 or more food trucks in the same location.

## Items for Discussion

Staff is requesting that the Planning Commission review the attached language and provide direction on the following issues.

1. The language proposes to allow trucks in the Service Commercial (SC), Resort Center (RC), Community Commercial (CC), Town Center (TC) and Neighborhood Commercial (NC) zones. Are these zones appropriate? Would it be appropriate to allow trucks in other zones?
2. Are the qualifying provisions/design requirements appropriate? Are there other issues that need to be addressed? Are they too restrictive?

## Recommendation

Staff recommends that the Planning Commission review the proposed language to regulate Mobile Food Trucks and Mobile Food Courts in the Snyderville Basin and provide direction.

## Exhibits

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|------------|-------------------|
| Exhibit A. | Proposed Language |
| Exhibit B. | Photos, Examples  |

## **MOBILE BUSINESSES:**

### **A. Mobile Food Business Allowed:**

1. Persons selling food or beverages from Mobile Food Businesses may do so by use of private property only. Use of private property by Mobile Food Businesses shall be arranged with the real property owner and proof of such property owner authorization shall be required prior to the issuance of a business license.
2. Mobile Food Businesses are allowed only within the SC, RC, CC, TC and NC zones, in accordance with the provisions of this section.
3. Provisions found in this section shall not apply to vending carts, mobile ice cream vendors, seasonal farm stands and other temporary merchants or uses that are specifically defined by this title.

### **B. Business Activity To Be Temporary: All business activity related to Mobile Food Businesses shall be of a temporary nature subject to the requirements below:**

1. A Mobile Food Business may not park in one individual location for more than twelve (12) hours during any twenty four (24) hour period.
2. The Mobile Food Business shall be occupied by the owner or operator at all times.
3. No overnight parking is allowed.

### **C. Location and Placement Requirements: The business operating location must be on private property, within the specified zones, subject to the requirements below:**

1. Parking on a landscaped area is not allowed.
2. Mobile Food Business vehicles must be parked so that neither the vehicle nor the customers block driveways of existing buildings or uses, or in such a manner as to create a traffic hazard.
3. No Mobile Food Business shall occupy required parking stalls of the primary use.
4. No Mobile Food Business shall interfere with internal parking lot circulation.
5. Mobile Food Businesses shall comply with all other applicable County ordinances.

### **D. Design and Operation Requirements: Mobile Food Businesses shall comply with the following design requirements:**

1. All materials generated from a Mobile Food Business that are to be disposed of should be disposed of properly. It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.
2. The Mobile Food Business shall not have a drive-through.
3. All grounds utilized by a Mobile Food Business shall at all times be maintained in a clean and attractive condition.
4. Trash and recycling containers shall be provided for use of the business patrons.

5. Any enclosures or canopy extensions must be integrated into the design of the Mobile Food Business vehicle and must not project onto the public sidewalk or any other part of the public right of way not authorized by the County Engineering Department.

E. Signs: No signs shall be used to advertise the conduct of a Mobile Food Business at the premises other than that which is physically attached to the vehicle.

F. Professional And Personal Services Prohibited: The performance of professional or personal services for sale shall not be provided from a Mobile Food Business.

G. Health Department Approval Required: A Mobile Food Truck operator shall obtain an annual health department food truck permit from the local health department with jurisdiction over the area in which the majority of the food truck's operations take place.

H. Park City Fire Department Approval Required: The Park City Fire District shall inspect the Mobile Food Truck based on the criteria that the Utah Fire Prevention Board, created in Section 53-7-203 of the Utah State Code.

**MOBILE FOOD COURTS:**

A. Mobile Food Courts:

1. Operating a Mobile Food Court is unlawful without first obtaining a Conditional Use Permit as and by meeting the qualifying provisions written below in Section B.
2. Mobile Food Courts are allowed only within the SC, RC, CC, TC and NC zones.

B. Qualifying Provisions:

1. No less than two (2) and no more than ten (10) individual Mobile Food Businesses or other authorized vendors are allowed on a parcel.
2. All applicable requirements of chapter 10-4, of this chapter shall be met prior to the issuance of a permit.
3. Mobile Food Courts are for the sale of food products only. Retail sale of nonfood items is prohibited.
4. A master sign plan for the Mobile Food Court shall be submitted for review and approval as part of the conditional use process. The plan shall provide information relating to permanent signs for the court, as well as individual signs for each business.
5. All the proposed activities will be conducted on private property owned or otherwise controlled by the applicant and none of the activities will occur on any public right of way.
6. The proposed Mobile Food Court will not impede pedestrian or vehicular traffic in the public way.
7. A detailed site plan showing:
  - a. The location and orientation of each vendor pad.
  - b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the international building code, or Summit County Health Department.
  - c. The location of all existing and proposed activities on site.
  - d. The circulation of all pedestrian and vehicle traffic on the site.
  - e. The Mobile Food Court shall not occupy required parking stalls of any other Use of the site.
8. Live music or music played over loudspeakers is allowed in in the Mobile Food Court provided the decibel level is within conformance with the Summit County noise control ordinance.

- C. Summit County Health Department Approval Required: All Mobile Food Truck operators shall obtain an annual health department food truck permit from the local health department with jurisdiction over the area in which the majority of the food truck's operations take place.
- D. Professional And Personal Services Prohibited: The performance of professional or personal services for sale shall not be provided on a Mobile Food Court.

**DEFINITIONS:**

**MOBILE FOOD BUSINESS:** A business that serves food or beverages from a self-contained unit either motorized or in a trailer on wheels, and conducts all or part of its operations on premises other than its own and is readily movable, without disassembling, for transport to another location. The term "Mobile Food Business" shall not include vending carts or mobile ice cream vendors.

**MOBILE FOOD COURT:** A parcel of land where two (2) or more Mobile Food Businesses congregate to offer food or beverages for sale to the public. Any cluster of more than one Mobile Food Business, vending cart and seasonal farm stand, located on the same parcel of land shall be considered a Mobile Food Court.

**MOBILE FOOD TRAILER:** A Mobile Food Business that serves food or beverages from a nonmotorized vehicle that is normally pulled behind a motorized vehicle. The term "mobile food trailer" shall not include vending carts, mobile food trucks or mobile ice cream vendors.

**MOBILE FOOD TRUCK:** A Mobile Food Business that serves food or beverages from an enclosed self-contained motorized vehicle. The term "mobile food truck" shall not include vending carts, mobile food trailers or mobile ice cream vendors.

**SEASONAL FARM STAND:** A sales table, area, or kiosk of food crops and/or a nonfood ornamental crop, such as flowers, that is located off premises from the location where the food was grown, and operates during the time of year coinciding with the growing season of when the crop was grown.

**VENDING CART:** Includes any nonmotorized mobile device or pushcart from which limited types of products, are sold or offered for sale directly to any consumer, where the point of sale is conducted at the cart.



Mobile Food Trucks





SOHO Food Park Holladay Utah



Food Truck Thursday Gallivan Center Salt Lake City