



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

To: Zoning Commission
From: Laura Barkowski, Code Compliance Officer
Date: March 6, 2023
RE: Mobile Food Vendors

BACKGROUND

The Town's Zoning regulations are relatively silent regarding the permitting of food trucks and their use. Food truck usage are currently only allowed in conjunction with public gathering permits and "Section 3.8B of the Zoning Regulations – Temporary Uses in a Residential Zone" that allow for activities such as carnivals, and festivals. Other than these limited activities, food trucks are currently not permitted.

Recently, there has been heighten interest on this issue as well as unpermitted food trucks operating in the community. Several different stakeholders have voiced opinions ranging from restaurant owner's concerns that the use will detract from sales, to property owners who would like food trucks incorporated into their site plan as a permanent accessory use. Staff has noticed an increased volume of calls regarding food truck questions and concerns. Now may be the best time bring this issue to the table and discuss an appropriate approach for the Town.

DISCUSSION

Would the Commission consider a regulation on food trucks or mobile food vendors?

What is the appropriate scope and scale? As an accessory use and permitted only on occupied private commercial property?

Below please find draft language limited to Purpose and Definitions for discussion purposes.

PURPOSE: The purpose of this regulation provides permit standards for MOBILE food vendors related to uses on private property.

MOBILE FOOD VENDOR – A readily movable vehicle and/or trailer from which food and /or beverages are prepared, sold, and/or served to the public on either public or private property for a time period exceeding thirty (30) minutes.

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday

If the operation is not immediately mobile, it shall be considered a structure and shall comply with all dimensional requirements of the zoning district.

The Commission could address permitting this use in several different ways:

PERMITTING OPTIONS

1. Allowed accessory use by right in any or all zoning districts (no permit required)
2. Allowed accessory use by administrative zoning permit (Zoning Compliance Review Application) **With the applicant supplying** supporting documentation -Include:
 - Written permission from property owner
 - Make, model, and license plate number of vehicles used for vending
 - Site plan
 - Narrative – indicating nature of the operation – Dates and hours of operation
 - Appropriate state/local approval (i.e.: Fire Marshall/Health District)
 - Must obtain license in accordance with Town Code -Chapter 120 Peddlers and Hawkers
 - Signage
3. Allowed Accessory use by Site Plan approval (Commission approval)
 - In addition to requirements above the site plan should indicate the location of vendor of vendor and in relation to existing structures, property setbacks

FACTORS FOR THE COMMISSION TO CONSIDER:

1. Impacts on surrounding areas including other residences and businesses in the vicinity from noise, odor, illumination, visibility, traffic, and/or other potential impacts.
2. Impacts on exiting Town Brick and Mortar restaurants.
3. Mitigating factors such as buffers; location of the operation such as distance restrictions on proximity to existing restaurants; hours of the operation, or other site standards.
4. Seating and/or wait service provided in a way that changes this from an accessory use to a principal use.
5. Have adequate provisions been made for parking, trash receptacles, bathroom facilities
6. Location of truck shall not interfere with vehicular or pedestrian traffic
7. Approval should be secured with Health District and Fire Marshall
8. Signage – None allowed or one temporary free-standing A-frame
9. Partner organization review for health and public safety.

EXCEPTIONS NOT REQUIRING PERMITTING

1. Community events for which a public gathering permits have been obtained
2. No zoning permit required for the hosting of up to two (2) food trucks for **private** events (ON PRIVATE PROPERTY) Trucks not permitted to park in street and not to exceed five days per calendar year **NOT** open to general public