



Town of Simsbury

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Office of Planning & Community Development

TO: Zoning Commission

FROM: George K. McGregor, AICP, Planning Director
Laura Barkowski, Code Compliance Officer

DATE: April 3, 2023

SUBJECT: **Mobile Food Vendors Draft Text Amendment Framework**

Pursuant to the Zoning Commission's consensus direction at the March 20, 2023 regular meeting, Staff has drafted a zoning text amendment framework for Mobile Food Vendors in Simsbury. This is a draft and is intended for discussion and further amendment.

The draft introduces a definition for Mobile Food Vendors and proposes a permitting process in all commercial zoning districts under the Town Zoning Regulations. In summary:

- Permitted by Staff review of a Zoning Permit Application
- Site must contain an existing, active, permitted use
- Conditions include detailed application submission requirements
- Maximum time limitations
- No additional signage
- Requirement for professional grade trucks, trailers, units.

Staff has attached the draft framework. Please note this draft addresses Town wide Zoning Regulations; it neither addresses the Center Zone nor the Hartford Simsbury Code.

Staff plans to provide this draft to both the Chamber of Commerce and the Main St. Partnership for review and input. Research on best practices and approaches to Mobile Food vendors will continue.+

GKM

DRAFT Text Amendment Framework

Mobile Food Vendors

April 3, 2023

Summary Approach-To permit Mobile Vendors as Temporary Accessory Uses in All Commercial and Industrial Zoning Districts of the Town Zoning Regulations via Administrative Staff Approval

I. Definitions- Add the following new definitions alphabetically to Section 17.4, Definitions:

1. **MOBILE FOOD VENDOR** – Any vehicle, unit, trailer used to store, prepare display or serve food and/or beverages and other merchandise or service intended primarily for immediate use, consumption, or site of in closer proximity, sited on private property for a limited duration lasting longer than ten minutes.

II. Create New Section 8.7 Mobile Food Vendors

1. Mobile Food Vendors are permitted as a temporary accessory use within the B-1, B-2, B-3, PO, I-1, I-2, and PAD Zoning Districts under the following conditions:
 - a. An administrative zoning permit application shall be submitted and approved by the Planning Department.
 - b. The Application submission shall include:
 - i. Written permission from the property owner
 - ii. A picture and description of the Food Truck and/or Mobile Vending unit, including make, model, license plate and registration.
 - iii. A site plan of the proposed unit location.
 - iv. A narrative explanation detailing location, purpose, hours of operation, and availability
 - v. Proof of Town of Simsbury Peddlers & Hawkers license
 - c. No signage is permitted (words and decorations painted or permanently affixed to a mobile unit shall not be considered signage).
 - d. The location shall contain at least one active, permitted primary use. No activity on a vacant parcel shall be permitted.

- e. A separate litter receptacle shall be provided.
- f. Permitted merchandise shall be limited to: reading material such as newspapers, magazines, and books; produce; and ready-to-eat items and finger foods including but not limited to hot dogs, sausages, hamburgers, tacos, burritos, baked potatoes, bagels, pastries, candy, prepackaged sandwiches, cookies, chips, biscuits, popcorn, nuts, pretzels, ice products, ice cream, milk products, frozen yogurt, hot and cold beverages containing no alcohol, flowers, and items related to permitted merchandise. Items specifically banned from being sold by mobile vendors include cigarettes, cigars, and any product containing tobacco and/or cannabis.
- g. All mobile vending units shall be commercially manufactured (not homemade)
- h. Mobile vending units shall be limited to a maximum of two hours at any individual location.
- i. Sites shall be limited to one mobile unit at a time.
- j. Safe access shall be provided at all times.
- k. A mobile food vendor shall not be permitted if the site location of the unit reduces parking spaces on site below the minimum required for the existing permitted use.
- l. If the mobile unit is not immediately mobile, it shall be considered a structure and may only be permitted upon a site plan amendment application.

2. Exceptions (No Permit is required)

- a. Community events for which a public gathering permit has been obtained.
- b. Private Events in any Residential Zoning District not open to the general public and limited to two mobile food vendor units not to exceed five calendar days per year.
- c. Mobile Food Vendors on Town of Simsbury Property.