

**DRAFT Text Amendment Framework**

**Mobile Food Vendors**

**October 2, 2023**

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Summary: To permit Mobile Vendors as Temporary Accessory Uses in All Commercial and Industrial Zoning Districts of the Town Zoning Regulations via Administrative Staff Approval (Minor Site Plan Amendment).

**Add the following new definitions alphabetically to Section 17.4, Definitions:**

**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 on site or in close proximity, sited on private property.

**8.7 Mobile Food Vendors**

A. PURPOSE

1. The purpose of this section is to recognize mobile food vendors as a permitted accessory use and establish appropriate standards in order to protect the public health, safety and welfare.

B. GENERAL REQUIRMENTS FOR MOBILE FOOD VENDORS

1. Mobile food vendor uses shall be permitted within the following Zones: B-1, B-2, B-3, PO, I-1, I-2, and PAD Zoning Districts.
2. Mobile food vendors shall be located on a site, lot or parcel that contains a minimum of one active, permitted, primary use. No activity on a vacant parcel shall be permitted.
3. Written permission must be obtained from the property owner.
4. Such vehicle and/or trailer shall be registered with the Department of Motor Vehicles.
5. The unit shall not be located where the mobile food vendor will interfere with vehicular or pedestrian traffic.
6. The unit shall not be located where the mobile food vendor will obstruct sight lines at driveway or street intersections.
7. The unit shall obtain all permits required by the Health District and Fire Marshal
8. 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(s).
9. The operator shall provide a trash receptacle for public use. All trash shall be removed from the site daily.

10. No signage is permitted (words and decorations painted or permanently affixed to a mobile unit shall not be considered signage).
11. If the mobile unit is not immediately mobile and is intended as permanent/semi-permanent, but meets the definition of a mobile food vendor, it shall be considered a structure and may be permitted by a minor site plan amendment application.
12. No alcoholic beverages shall be sold or served.

Alternate#2 12. No alcoholic beverages shall be sold or served unless the owner's primary use has a valid Connecticut State liquor permit needed to serve alcohol from the food truck.

Alternate#3 12. No Mobile Food Vendor shall sell or serve alcohol without a special exception approved under Section 8.6 of the Zoning Regulations.

#### C. APPROVAL PROCESS

1. An administrative zoning permit application shall be submitted to, and approved by, the Planning Department.
2. One mobile food vending unit is permitted. **Multiple mobile food vendors on any site requires a site plan submission and approval by the Zoning Commission.**
3. The Application submission shall include:
  - a) Written permission from the property owner
  - b) A picture and description of the Food Truck and/or Mobile Vending unit, including make, model, license plate and registration.
  - c) A site plan of the proposed unit location.
  - d) A narrative explanation detailing location, hours of operation, and availability.
  - e) State liquor permits, as applicable.

#### D. EXCEPTIONS

1. Community events for which a public gathering permit has been obtained.
2. Events held in accordance with §8.5 Agri-tourism in which the permits have been obtained.
3. Private events in any Zoning District, not open to the general public and/or private events with a single payer.
4. Mobile Food Vendors on Town of Simsbury Property, with permission of the Town.
5. Mobile Food Vendors permitted as a part of private Special Outdoor events in the I-1 Zone, pursuant to Section 5.7 of the Zoning Regulations

#### 4.5 PERMITTED AND SPECIAL PERMIT USES

SP- Site Plan, SE- Special Exception, NO- Not allowed

<b>Business Permitted Uses</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>PO</b>
One Mobile Food Vendor-More than one per site requires Commission Approved Site Plan	ZP	ZP	ZP	ZP

#### 5.5 PERMITTED AND SPECIAL PERMIT USES

SP- Site Plan, SE- Special Exception, NO- Not allowed

<b>Industrial Permitted Uses</b>	<b>I-1</b>	<b>I-2</b>
One Mobile Food Vendor-More than one per site requires Commission Approved Site Plan	ZP	ZP