



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Planning & Community Development

TO: Simsbury Planning Commission

FROM: George K. McGregor, AICP, Planning Director

DATE: July 11, 2023

SUBJECT: **Referrals from Zoning Commission**
ZC 23-18, Dorset Crossing Master Plan Amendment to Planned Area Development (PAD)
ZC 23-27, Text Amendment to permit Food Trucks in Certain Zoning Districts

Section 8-3a of the Connecticut General Statutes states that any municipality which has a separate Zoning Commission and Planning Commission, proposed zone changes and zoning text amendments shall be referred to the Planning Commission for a report and determination of conformance with the Plan of Conservation and Development.

There are two pending applications at the Zoning Commission which require Planning Commission review and recommendation.

Dorset Crossing, LLC, Owner/Applicant, has submitted a modification (amendment) to the Dorset Crossing PAD Master Plan which would reduce the total square footage of commercial/medical/retail from 74,000 square feet to 27,000 sq.ft. and introduce 72 additional multi-family residential units. This would involve land bays A, F, and H, all located on the eastern-most portion of the property.

The PAD process is distinctive from typical Town Zoning Regulations as the master plan is linked directly to the zone change and approval of a PAD. The zone also carries a more complex review period, essentially in two parts: a preliminary review and referral designation to select land use boards followed by a public hearing and zone change process. A second round of land use referrals may also be appropriate. A major revision to the Master Plan constitutes a full zone change process.

The Planning Commission reviewed this application on 5-23-23.

There are no changes to the proposal since the preliminary review.

Telephone (860) 658-3245
Facsimile (860) 658-3205

www.simsbury-ct.gov

An Equal Opportunity Employer
8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Friday

The second application for review and recommendation is:

Simsbury Zoning Commission, Applicant, George McGregor, Agent, for a text amendment to the Simsbury Zoning Regulations pursuant to Sections 4.5, 5.5, and 17.4 and the establishment of a new Section 8.7 to allow mobile food vendors as an accessory use in business, industrial, and planned area development districts.

Relevant documents for both of these items are attached and in drop box for your review.

DRAFT Text Amendment Framework

Mobile Food Vendors

June 8, 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 (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 for a limited duration exceeding thirty minutes.

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 accessory and customarily incidental and subordinate to a permitted principal use for food/beverage service establishments (such as restaurants, bars, or other similar uses) within the following districts: 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 by the property owner.
4. Such vehicle and/or trailer shall be registered with the Department of Motor Vehicles.
5. All mobile vending units shall be commercially manufactured (not homemade).
6. The unit shall not be located where the mobile food vendor will interfere with vehicular or pedestrian traffic.
7. The unit shall not be located where the mobile food vendor will obstruct sight lines at driveway or street intersections.
8. The unit shall obtain all permits required by the Health District and Fire Marshall
9. Safe access shall be provided at all times.

10. 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).
11. The operator shall provide a trash receptacle for public use. All trash shall be removed from the site daily.
12. No signage is permitted (words and decorations painted or permanently affixed to a mobile unit shall not be considered signage).
13. If the mobile unit is not immediately mobile, it shall be considered a structure and may be permitted upon a site plan amendment application.

C. APPROVAL PROCESS

1. An administrative zoning permit application shall be submitted and approved by the Planning Department.
2. 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

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. Mobile Food Vendors treated as an accessory structure (semi-permanent) and approved by site plan amendment.
4. Private Events in any Zoning District, not open to the general public; private events with a with a single payer.
5. Parking of one mobile food vending unit per restaurant establishment shall be allowed as of right provided the mobile food vendor and restaurateur share an address.
6. Mobile Food Vendors on Town of Simsbury Property, with permission of the Town.

4.5 PERMITTED AND SPECIAL PERMIT USES

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

Business Permitted Uses	B-1	B-2	B-3	PO
Mobile Food Vendors (Accessory to food/beverage service establishments)	SP	SP	SP	SP

5.5 PERMITTED AND SPECIAL PERMIT USES

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

Industrial Permitted Uses	I-1	I-2
Mobile Food Vendors (Accessory to food/beverage service establishments)	SP	SP