

- 2. **ZOTA 2013-3: MOBILE FOOD UNIT VENDORS AS ACCESSORY USES IN THE WAREHOUSE BUSINESS, INDUSTRIAL, AND ECONOMIC DEVELOPMENT ZONES (7/14/13)*** – petition for a Zoning Ordinance text amendment to permit mobile food unit vendors as accessory uses in the Wholesale & Warehouse Business (B-4), Light Industrial and Heavy Industrial (I-1 and I-2), and Economic Development (ED) zones.

INITIATED BY: Urban County Council

PROPOSED TEXT: Underlined text indicates an addition to the current Zoning Ordinance.

ARTICLE 8: SCHEDULE OF ZONES

8-21 WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE

8-21 (c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

9. Facilities for serving food only for employees and visitors; having no direct access to the exterior, and having no signs visible from the exterior of the building. Mobile food unit vendors may also serve this purpose, and be parked outside of a building to serve employees and visitors, provided that the requirements of Ordinance #17-2013 are met.

8-22 LIGHT INDUSTRIAL (I-1) ZONE

8-22 (c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

4. Facilities for serving food only for employees and visitors; having no direct access to the exterior, and having no signs visible from the exterior of the building. Mobile food unit vendors may also serve this purpose, and be parked outside of a building to serve employees and visitors, provided that the requirements of Ordinance #17-2013 are met.

Note: This change would automatically carry over to the Heavy Industrial (I-2) zone and the Office, Industry and Research Park (P-2) zone.

ARTICLE 23A: EXPANSION AREA ZONING CATEGORIES AND RESTRICTIONS

23A-10 ECONOMIC DEVELOPMENT (ED) ZONE

23A-10(c) ACCESSORY USES

13. For premises not permitted under 23A(1)(c)(12) above, facilities for serving food only for employees and visitors; having no direct access to the exterior, and having no signs visible from the exterior of the building. Mobile food unit vendors may also serve this purpose, and be parked outside of a building to serve employees and visitors, provided that the requirements of Ordinance #17-2013 are met.

Re-number remaining sections as necessary

Alternative Text: Underlined text indicates an addition to the current Zoning Ordinance.

ARTICLE 8: SCHEDULE OF ZONES

8-21 WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE

8-21 (c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

9. Facilities for serving food only for employees and visitors; having no direct access to the exterior, and having no signs visible from the exterior of the building. Mobile food unit vendors may also serve this purpose, and be parked outside of a building to serve employees and visitors, provided that the requirements of Ordinance #17-2013 Section 15-11 of the Code of Ordinances are met.

8-22 LIGHT INDUSTRIAL (I-1) ZONE

8-22 (c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

* - Denotes date by which Commission must either approve or disapprove request.

4. Facilities for serving food only for employees and visitors; having no direct access to the exterior, and having no signs visible from the exterior of the building. Mobile food unit vendors may also serve this purpose, and be parked outside of a building to serve employees and visitors, provided that the requirements of Ordinance #17-2013 Section 15-11 of the Code of Ordinances are met.

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Re-number remaining sections as necessary

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

The Staff Recommends: **Approval**, for the following reasons:

1. The text amendment to Articles 8 and 23A will permit food service as an accessory use either within a structure or by a mobile food unit vendor in the Wholesale and Warehouse Business (B-4); Light Industrial (I-1); Heavy Industrial (I-2); Office, Industry and Research Park (P-2); and Economic Development (ED) zones, which are many of the community's employment-generating zones.
2. The amendment will permit additional options for businesses and employees within warehouse/wholesale and industrial business areas with minimal impact and will avoid incompatible land use decisions that have been suggested for these areas of the community in the past.

Staff Presentation: Ms. Wade stated that this text amendment was initiated by the Urban County Council earlier in 2013 to allow mobile food unit vendors (aka "food trucks") as an accessory use in the B-4; I-1 and I-2; P-2; and ED zones. The impetus for this request was to permit food trucks more widely in the community. Currently, mobile food unit vendors are permitted in any zone where a restaurant is first permitted; but they are not explicitly permitted, even as an accessory use, in the Industrial and Warehouse Business zones. The current Ordinance does permit the ability to have an accessory food service in the I-1 zone. This proposal would expand that to allow a food truck to locate on the property to provide food for employees and visitors.

Ms. Wade stated that, in reviewing this request, the staff found that there are several areas in the community that are comprised primarily of Industrial and Warehouse Business uses that could benefit from this text change. The staff believes that the proposed text amendment will present additional options for employees and visitors of those businesses with minimal impact, while avoiding potentially incompatible land use decisions that have been suggested for industrial areas in the past.

Ms. Wade said that the staff did suggest one change to the Council's proposal. The staff recommends that these sections refer to the Code of Ordinances, rather than the ordinance number. She stated that the staff and the Zoning Committee recommended approval of this request.

Before closing, Ms. Wade displayed for the Commission a map of the county where mobile food units would be permitted by right and as accessory uses under the proposed text amendment.

Citizen Comments: There were no citizens present to speak to this request.

Action: A motion was made by Ms. Blanton, seconded by Ms. Mundy, and carried 8-0 (Berkley, Brewer, and Roche-Phillips absent) to approve ZOTA 2013-3, for the reasons provided by staff.