

**LDCT-23-12 / ORDINANCE 24-07
COUNTY-INITIATED LAND DEVELOPMENT CODE TEXT AMENDMENT
FOOD TRUCKS
PLN2306-0086**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE MANATEE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING LAND DEVELOPMENT CODE CHAPTER 2 – DEFINITIONS, CHAPTER 4 - ZONING, CHAPTER 5 – STANDARDS FOR ACCESSORY AND SPECIFIC USES AND STRUCTURES, AND CHAPTER 10 – TRANSPORTATION MANAGEMENT TO DEFINE THE USE OF FOOD TRUCKS, TO ADD FOOD TRUCK UNITS AS AN ACCESSORY AND TEMPORARY USE, TO ADD FOOD TRUCK PARKS AS A USE IN SPECIFIED ZONING DISTRICTS, TO SET FORTH SPECIFIC USE CRITERIA FOR FOOD TRUCK UNITS, FOOD TRUCK PARKS AND APPLICABLE PARKING STANDARDS; PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

1. The proposed text amendment includes Chapter 2 – Definitions, Chapter 4 -Zoning, Chapter 5 – Standards for Accessory and Specific Uses and Structures, and Chapter 10 – Transportation Management to provide language to establish Food Trucks as a permitted use in select zoning districts and to provide standards for such use.
2. A growing trend in the development community is for the establishment of the Food Truck use.
3. The County has initiated LDC Text Amendment No. LDCT-23-12 (the “LDC Text Amendment”) to establish the Food Truck use and related standards in the Land Development Code.
4. The Manatee County Planning Commission has been duly designated in Section 301, Land Development Code as the Local Planning Agency of the County.
5. Section 163.3174(4)c, Florida Statutes, provides that the Local Planning Agency shall review proposed land development regulations and make recommendations to the governing body as to consistency of the proposed land development regulations with the adopted Comprehensive Plan.
6. Section 301.1.D., Land Development Code, authorizes the Planning Commission to hold

public hearings and make recommendations as to proposed amendment to the text of the Land Development Code.

7. The Planning Commission, acting in its capacity as the Local Planning Agency, held duly noticed and advertised public hearings on October 12, 2023, and March 14, 2024, as to the proposed LDC Text Amendment and found it to be consistent with the Manatee County Comprehensive Plan and the standards for review in Section 341, Land Development Code and has recommended their adoption to the Board.
8. The Board of County Commissioners held a duly noticed and advertised public hearings on November 2, 2023, December 7, 2023, January 18, 2024, February 22, 2024, April 4, 2024, and May 2, 2024, to receive public comments and consider the recommendation of the Planning Commission as to the LDC Text Amendment.
9. The adoption of the LDC Text Amendment will foster and preserve the public health, safety and welfare and aid in the harmonious, orderly, and progressive development of Manatee County and thus will serve a valid public purpose.

Section 3. Adoption of the Land Development Code Text Amendment.

The Land Development Code Text Amendment attached to this Ordinance and incorporated herein as Exhibit "A" are hereby adopted as an Amendment to the Land Development Code of the County. The Land Development Code Text Amendment shall consist of the following Chapter and Section of the Land Development Code as set forth in the following Exhibit "A", with deleted text indicated by ~~strikethrough~~ and added text indicated by underline:

CHAPTER 2, DEFINITIONS

- Section 200, *Definitions*, provide definitions to establish the Food Truck use.

CHAPTER 4, ZONING

- Section 401., *Standard Zoning Districts Established.* – 401.2. *Schedule of Uses.*, add the Food Truck use to the schedule of uses.
- Section 402., *Planned Development (PD) Districts.* – 402.5. *Schedule of Uses for PD Districts.*, add the Food Truck use to the schedule of uses.

CHAPTER 5, TRANSPORTATION MANAGEMENT

- Section 511.20., *Food Trucks*, establish criteria for Food Trucks as an accessory use.
- Section 521.13., *Food Trucks*, establish criteria for Food Trucks as a temporary use.
- Section 531.64., *Food Truck Park*, establish specific use criteria for Food Trucks.

CHAPTER 10, STANDARDS FOR ACCESSORY AND SPECIFIC USES AND STRUCTURES

- Section 1005.3., *Number of Vehicular Parking Spaces Required.*, *Table 10-2: Parking Ratios*, establish a parking ratio for the Food Truck use.

Section 4. Codification. The publisher of the County's Land Development Code, CivicPlus, is directed to incorporate the amendment in Section 3 of this Ordinance into the Land Development Code.

Section 5. Applicability. The amendment set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 6. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 2nd day of May 2024.



**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: 
Michael Rahn, Chairman

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court and Comptroller

By: 
Deputy Clerk

EXHIBIT "A"

TEXT AMENDMENT

The proposed text amendment is provided and shown in ~~strikethrough~~ or underline formatting.

Section 200. Definitions.

[***]

Abutting shall mean having property boundaries or zoning lot lines in common, with no separation by a street, alley or right-of-way.

[***]

Accessory Activity Area shall mean an area designated on a site plan which proposes accessory uses that could generate potential adverse impacts to abutting property owners.

[***]

Food Truck Pad shall mean an area designated within a Food Truck Park that is designed for a mobile food vending unit with provisions for applicable utilities that shall include electricity, grease interceptors, natural gas, potable water and propane.

Food Truck Park shall mean a parcel of land containing three (3) or more Food Truck units where these units serve as the principal use of the parcel. This definition does not include any parcel where a Food Truck unit serves as an accessory use.

Food Truck Unit shall mean any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

[***]

401.2. Schedule of Uses.

[***]

Table 4-2: Uses in Agriculture and Residential Districts

Land Use	See Sec. #	CON	A	A-1	RSF	RSMH	RDD	RMF	VIL
[***]									
COMMERCIAL - RETAIL									
[***]									
Food Truck Park	531.64	X	X	X	X	X	X	X	P

[***]

Table 4-3: Uses in Non-Residential Districts

Land Use	See Sec. #	PR	NC	GC	MX	HC	RVP	LM	HM	EX	MP-I
[***]											
COMMERCIAL - RETAIL											
[***]											
Food Truck Park	531.64	X	P	P	P	P	X	P	X	X	P

402.5. Schedule of Uses for PD Districts.

Table 4-12: Schedule of Uses for PD Districts

Land Use		PDR	PDO	PDC	PDRP	PDI	PDPI	PDW	PDMU	PDRV	PDMH	PDGC	PDA	PDEZ

COMMERCIAL - RETAIL														

Food Truck Park	531.64	X	P	P	P	P	X	P	P	X	X	X	X	P

Section 511. – Specific Accessory Uses and Structures Allowed.

[***]

511.20. – Food Trucks.

- A. This section shall only apply to standalone, individual Food Truck units. Sites which allow for the simultaneous operation of three (3) or more Food Truck units shall be referred to as a Food Truck Park and comply with the additional standards provided for in Section 531.64, and where else provided for in this Code.
- B. Freestanding Food Truck units that are accessory to a commercial establishment or other related principal use shall be permitted, be required to provide a signed lease agreement stating such to the County upon request, and only be open during the hours of operation of that commercial establishment.
- C. Each Food Truck pad shall be individually marked with permanent striping and delineated at the following minimum dimensions provided below. The distance between each Food Truck pad shall allow for adequate ingress/egress.

<u>Length:</u>	<u>26 Feet</u>
<u>Width:</u>	<u>10 Feet</u>
- D. Mobile food vending shall be limited to only those areas designated for Food Truck pad areas with visual demarcations at ground level to signify an individual vendor's vending area.
- E. At a minimum, each Food Truck pad shall provide a connection to all utility services necessary for the mobile food vendor to operate on-site.
 - 1. Food Truck Parks shall only be permitted where public utilities are available. Connection(s) to septic and/or well is prohibited.
 - 2. Food Truck units shall be prohibited from operating a generator.
- F. Seating for patrons shall be permitted and removed when the Food Truck unit is not in operation.
- G. Overnight parking and/or storage of Food Truck units shall be permitted.
- H. All Food Truck units shall meet and maintain applicable fire safety requirements as specified under the NFPA (National Fire Protection Association) as well as any other various health and safety requirements for the specific use of their Food Truck unit. Food Truck units shall be subject to a fire safety inspection to ensure that they meet applicable requirements. A Food Truck unit that does not meet the minimum requirements shall not be able to participate until the minimum requirements are met.

Section 521. Temporary Uses Allowed.

[***]

521.13. – Food Trucks.

- A. This section shall only apply to standalone, individual Food Truck units.
- B. Food Truck units shall not be located within any right-of-way, required handicap accessible spaces, loading zone, landscape/buffer area, easement and/or drainage area.
- C. For the purposes of parking, Food Truck units may utilize parking spaces on-site.
- D. Each Food Truck unit shall be located:
 - 1. On property with active retail sales and/or commercial uses; or
 - 2. In a subdivision with a residential community association (i.e., homeowners association) or similar group which runs residential community events; or
 - 3. In a residential development within the off-street parking area of an amenity center;
or
 - 4. Within the off-street parking area or area designated by the property owner of a recreational facility. However, the area designated shall not conflict with other requirements of this Code.
- E. The vendor shall be required to obtain written approval from the property owner to utilize the premises for said use and provide documentation of this approval to the County upon request.
- F. Permanent power supply for Food Truck units will reclassify the use and be required to follow the standards set forth for Food Truck Parks.
- G. Seating for patrons shall be permitted and removed when the Food Truck unit is not in operation.
- H. Overnight parking and/or storage of Food Truck units may be permitted and shall not exceed three (3) consecutive days.
- I. All Food Truck units shall meet and maintain applicable fire safety requirements as specified under the NFPA (National Fire Protection Association) as well as any other various health and safety requirements for the specific use of their Food Truck unit. Food Truck units shall be subject to a fire safety inspection to ensure that they meet applicable requirements. A Food Truck unit that does not meet the minimum requirements shall not be able to participate until the minimum requirements are met.

Section 531. – Standards for Specific Uses.

[***]

531.64. – Food Truck Parks.

A. Sites which allow for the simultaneous operation of three (3) or more Food Truck units shall be referred to as a Food Truck Park and comply with the additional standards provided for herein.

B. Food Truck pads shall be individually marked with permanent striping and delineated at the following minimum dimensions provided below. The distance between each Food Truck pad shall allow for adequate ingress/egress.

Length: 26 Feet
Width: 10 Feet

C. The minimum setbacks for Food Truck pads shall be measured from the property line to the designated Food Truck pad and be provided as follows:

Front: 25 Feet
Side: 25 Feet
Rear: 25 Feet
Waterfront: 30 Feet

D. Mobile food vending shall be limited to only those areas designated for Food Truck pad areas with visual demarcations at ground level to signify an individual vendor's vending area.

E. At a minimum, each Food Truck pad shall provide a connection to all utility services necessary for the mobile food vendor to operate on-site.

1. Food Truck Parks shall only be permitted where public utilities are available. Connection(s) to septic and/or well is prohibited.
2. Food Truck units shall be prohibited from operating a generator.

F. Food Truck Parks shall provide areas/facilities for central solid waste disposal and recycling. These areas/facilities shall be in proximity to eating areas, accessory activity areas and/or other areas of the site where patron traffic is greatest and in accordance with applicable standards.

G. Food Truck pads, drive aisles and parking areas shall be comprised of a smooth, dustless surface in accordance with the County's Public Works Standards Manual.

H. Outdoor speakers shall be prohibited where abutting residential uses/zoning.

I. Areas abutting residential uses/zoning shall be screened in accordance with Section 701.4., Figure 7-3 Option A. All other screening and landscaping shall be in accordance with Section 701.

- J. Restroom facilities shall be provided on-site, be required to connect to public utility services and meet the minimum setback requirements for Food Truck pads. A connection to septic and/or well is prohibited.
- K. Site plans shall clearly designate all areas that will be used as accessory activity areas. The operation of such areas shall comply with all applicable regulations, such as noise regulations.
- L. Designated eating areas for patrons shall be required. Site plans shall clearly delineate all areas that will be utilized as eating areas.
- M. Overnight parking and/or storage of Food Truck units shall be permitted.
- N. All Food Truck units shall meet and maintain applicable fire safety requirements as specified under the NFPA (National Fire Protection Association) as well as any other various health and safety requirements for the specific use of their Food Truck unit. Food Truck units shall be subject to a fire safety inspection to ensure that they meet applicable requirements. A Food Truck unit that does not meet the minimum requirements shall not be able to operate until the minimum requirements are met.

1005.3. Number of Vehicular Parking Spaces Required.

[***]

Table 10-2: Parking Ratios

Use	Spaces/Sq. Ft. or Unit of Measure	Notes
	[***]	
Commercial Uses:		
	[***]	
Restaurants:		
Drive-in/Drive-through (No Seats)	1/150 GFA	5
Sit Down/Walk In	1/80 GFA or 1/2 seats, whichever is greater	
<u>Food Truck Parks</u>	<u>1/2 seats or 2/mobile vending pad, whichever is greater</u>	<u>20</u>

[***]

20. A minimum of one (1) parking space for each employee based on the peak shift.