

**Planning and Zoning Commission Meeting Minutes of January 13, 2015:**

**14-350M      Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Section 146-42 (Temporary Uses) of the Zoning Ordinance Pertaining to Food Trucks and Temporary Food Sales**

Mr. Michael Quint, Director of Planning for the City of McKinney, explained the proposed amendments to Section 146-42 (Temporary Uses) of the Zoning Ordinance pertaining to food trucks and temporary food sales. He stated that Staff recommends approval of the proposed amendments to Section 146-42 (Temporary Uses) of the Zoning Ordinance.

Commission Member Stevens asked if the amendments addressed food truck courts. Mr. Quint said no. He explained that the Zoning Ordinance might be amended in the future to address food truck courts.

Commission Member Stevens had questions regarding the recommended locations for food trucks. Mr. Quint explained that Staff was recommending that a food truck not be located within 300' of any door, window, or outdoor dining area of any existing restaurant(s) or food service establishment(s). He stated that food trucks shall be exempted from this requirement with the express written permission of the restaurants' or food service establishments' owner or authorized representative. Mr. Quint stated that food trucks shall not be allowed to engage in sales operations within 1,000' of one another.

Commission Member Stevens had questions regarding food truck courts. Mr. Quint stated that they are not intending to address food truck courts with these amendments. He suggested that the ordinance be amended at a later time to address

them. Mr. Quint explained that there were some exceptions where multiple food trucks could participate at special events in McKinney.

Commission Member Zepp questioned why the distance a food truck could be located was not the same for a restaurant or food service location verses another food truck. He felt it would be better to have the same distance requirement to help with enforcement. Mr. Quint stated that under the proposed ordinance that there was a two-prong approval system with the City's Health Officials or Code Department inspecting the food truck and The Building Inspections Department approving the site location. Commission Member Zepp suggested changing the verbiage to say that a food truck could not be located within 300' of a restaurant, food service location, or another food truck. He wanted the required separation distances to be consistent. Mr. Quint stated that he would share this suggestion with City Council.

Commission Member Stevens had questions regarding food truck courts. Mr. Quint stated that someone could request that the zoning be modified on a piece of property to change the regulations. He explained that several people had come to the City requesting food truck courts; however, Staff did not feel the proposed locations were appropriate for that use. Mr. Quint stated that multiple food trucks had participated in various special events in McKinney with positive results.

Commission Member Zepp stated that he had seen a food truck at the Chestnut Square Farmer's Market. He felt more food trucks might want to participate at the event in the future. Mr. Quint felt that would fall under a farmers' market, which would be exempted from these proposed requirements.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Zepp, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing, with a vote of 6-0-0.

Commission Member Zepp was in favor of the amendments and anticipated additional food trucks at other City venues. Chairman Franklin concurred with his comments.

On a motion by Commission Member McReynolds, seconded by Commission Member McCall, the Commission voted unanimously to recommend approval of the proposed amendments to Section 146-42 (Temporary Uses) of Chapter 146 (Zoning Regulations) of the Code of Ordinances as listed in the staff report, with a vote of 6-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting of February 3, 2015.