



17-267M2

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on an Amendment to Section 146-42 (Temporary Uses) of the Code of Ordinances and the Establishment of Chapter 138, Article VIII (Food Trucks, Operation Sites and Food Truck Courts) of the Code of Ordinances, and Accompanying Ordinance

**COUNCIL GOAL:** Enhance the Quality of Life in McKinney

**MEETING DATE:** October 17, 2017

**DEPARTMENT:** Development Services

**CONTACT:** Michael Quint, Executive Director of Development Services

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the proposed amendments to the Code of Ordinances pertaining to food trucks, operation sites and food truck courts.

**ITEM SUMMARY:**

- Staff is proposing to modify the City's existing regulations governing food trucks by moving the existing regulations in Section 146-42 (Temporary Uses) of the Code of Ordinances to a new part of the Code, Chapter 138, Article VIII (Food Trucks, Operation Sites and Food Truck Courts) while also supplementing the existing regulations with new provisions establishing food truck courts and also making operating a food truck in McKinney easier.
- Recently, the City Council requested that McKinney's food truck regulations be revisited. At the August 14, 2017 work session, the City Council provided consensus that Staff should draft amendments making operating a food truck in McKinney easier while also allowing for the creation of food truck courts. At the September 18, 2017 City work session, the City Council provided consensus that the draft amendments proposed by Staff should be moved forward for consideration and final action.
- The attached proposed regulations generally address the following areas:

- The food truck regulations are being removed from the Zoning Ordinance and relocated to the special use section of the Code of Ordinances; where uses such as sexual oriented businesses, donation bins, and private clubs are currently addressed.
- The buffer distance of food truck operation sites from all residential zones and uses is reduced from 300' to 100' and now food trucks only need to be buffered from single family (attached and detached) and duplex residential uses instead of all residential zones and uses.
- The buffer distance of food truck operation sites from traditional “brick and mortar” restaurants has been reduced from 300' to 100'.
- The minimum distance between food truck operation sites has been removed.
- A food truck court definition has been created along with new regulations addressing the construction of such uses.
- Minor changes have been made throughout the existing regulations to clarify which regulations apply to food truck operation sites versus food truck courts.

#### **BACKGROUND INFORMATION:**

- The City’s current regulations governing food trucks on private property were adopted in February of 2015.
- The food truck industry began to grow rapidly during the recession when traditional “brick and mortar” restaurants were struggling and after food truck courts in cities throughout the country gained popularity. In fact, some reports show this industry grew approximately 12% annually between 2009 and 2014.
- The food truck boom made its way to McKinney in the 2012-2014 timeframe but regulations in place at the time were prohibitive.
- In February of 2015, the City Council approved ordinance number 2015-02-006 which established regulations allowing food trucks as a temporary use.
- These regulations represented an iterative, cautious step into new market for McKinney. At the time, the regulations were regarded as a “baby step” knowing that the regulations would eventually need to be modified to address new trends in the industry and intended/unintended consequences of the adopted regulations.
- Some of the feedback regarding the current food truck regulations include:

- The separation requirement between food trucks and residential uses is too large.
  - Current requirement: “Food trucks shall not be allowed to engage in sales operations within 300’ of any residential zoning district or any property used for residential purposes.”
- The requirement for the food truck to leave the permitted food truck site every day is too prohibitive.
  - Current requirement: “Food trucks shall not be located or stored at the operation site between the hours of 11 pm and 7 am.”
- The minimum distance required between food truck sites is too large.
  - Current requirement: “Food trucks shall not be allowed to engage in sales operations within 1,000’ of one another.”

**FINANCIAL SUMMARY:**

- N/A

**BOARD OR COMMISSION RECOMMENDATION:**

- At the October 10, 2017 meeting, the Planning and Zoning Commission voted unanimously to recommend approval of the proposed amendments.

**SUPPORTING MATERIALS:**

[Proposed Ordinance](#)

[PZ Meeting Minutes](#)

[Proposed Food Truck Regulations](#)

[Proposed 146-42 Changes](#)