



PREPARED FOR THE PLAN COMMISSION

**Proposal:** Zoning Text Amendment

**Legistar File ID #:** [51574](#)

**Prepared By:** Planning and Zoning Staff

The following is a summary of the proposed zoning text amendment related to allowing free-standing vending establishments (food carts) to operate on certain private property.

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**51574 Free-standing vending on private property.**

This ordinance allows *free-standing* vending (food carts) on private property that do not contain a residential use. The uses are temporary in nature, meaning they are set-up and taken-down daily. This ordinance will have the effect of allowing food carts on private property in many areas where they are currently prohibited and thus responds to a long-history of requests from employers and other business owners who wish to have more convenient access to food for their employees or customers.

The ordinance creates enabling language in the zoning ordinance to allow the use, while also being sensitive to certain existing brick-and-mortar food establishments and nearby residents that could be negatively affected by the vending activity. A Conditional Use process is required where the use is proposed in proximity to residences. A licensing requirement is also included.

The ordinance establishes districts where the use is permissible: The use is listed as a Conditional Use in residential districts and DR1/DR2 (on sites containing non-residential uses only), as a Permitted/Conditional Use in mixed-use and commercial districts, as a Permitted/Conditional Use in employment districts, as a Permitted/Conditional Use in all Downtown and Urban Districts, and as a Permitted/Conditional Use in certain Special Districts.

This ordinance creates a definition for “free-standing vending” and supplemental regulations applicable in all districts, which include: hours of operation, distance separation and Conditional Use trigger from residential uses, a distance separation from existing food/beverage uses, a site plan approval requirement, and links to certain relevant sections of the City’s licensing requirements for *free-standing vending*, to maintain consistency between on-street food carts and private property *free-standing vending*.

Staff supports this amendment.