

**PLANNING COMMISSION MEETING**  
**May 7, 2024**

Minutes for the Regular Meeting for the Planning Commission of the City of Auburndale, Florida held Tuesday, May 7, 2024, at 4:00 pm in the City Commission Room at City Hall, after having been properly advertised with the following members present – Chairman Perry Price, Commissioners Mike Chevalier, Dave Holt, and Brian Toune. Also, present was Community Development Director Julie Womble, City Planner Jesse Pearson, and Secretary Marsha Johnson. Absent were Commissioners Danny Chandler, Matt Maloney and Jodi Miller.

Chairman Perry Price declared a quorum and the Meeting was called to order and opened with the pledge to the American Flag.

**Motion** was made by Commissioner Brian Toune and seconded by Commissioner Mike Chevalier to approve the minutes as written from the March 18, 2024, meeting. Upon vote all ayes.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

**AGENDA ITEM 1: PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS (LDR'S) AMENDMENT – CHAPTER 04 ESTABLISHING THE DEFINITION OF FOOD TRUCKS, AND THE TEXT OF CHAPTER 05, ZONING, ESTABLISHING FOOD TRUCK REGULATIONS**

Community Development Director Julie Womble stated Notice of Public Hearing was made in the Lakeland Ledger on 04/24/2024.

The Florida Statutes (Chapter 2020-160, Laws of Florida) preempts local governments from requiring a separate license, registration, or other permit or permit fees other than the license required by the State in section 509.241, and from prohibiting mobile food vendors/food trucks from operating within the entirety of the City. Currently, the City does not have Land Development Regulations to define or allow for food trucks within City limits. Staff conducted research to provide definitions and regulations in Chapter 4 and 5 of the Land Development Regulations to allow for food trucks within certain uses. Chapter 4, Definitions, would define a food truck as a mobile food dispensing vehicle meaning 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 as described in F.S.509.102(1). Adding regulations to Chapter 5, would provide the intent, applicability, permitting and location requirements for food trucks. Food trucks would be located at permitted use locations only and would include:

- Tourism Destinations, which for purposes of this Section shall mean motor sports tracks, resorts and water parks.
- Breweries, which for purposes of this Section those establishments which produce brewed products as authorized under applicable Florida Law.
- Those locations, as authorized under an approved Special Event Application as more specifically set forth herein below.

Food Trucks are also permitted to operate during Special Events as approved through a Special Event Application as submitted to the City's Community Development Department. Food Trucks associated with a Special Event shall only be allowed to operate in accordance with a Special Event approval two times a calendar year, for the duration of one day, between the hours of 8:00 a.m. and 10:00 p.m., and shall also meet all regulations of the Land Development Regulations. A Special Event, which for purposes

of this Section, is defined a planned activity by a group, such as a HOA, a sporting event, business grand openings, festivals, etc., that is open to the general public and that is approved by the City's Community Development Department. Food Trucks are prohibited from operating on public property and rights of way, unless approved by the City under a Special Event Application. Food trucks shall be required to operate on a parcel of land or a lot with an existing, operating primary use and intended to be temporary. Food Trucks shall not engage in the selling, transport, or storage of alcoholic beverages, unless at a Special Event approved by the City, and only in the designated location of the Special Event. Food Trucks must adhere to City regulations on the sale of alcohol with times, location distance from schools and churches and display an alcohol license and/or any requirements by the State of Florida. Food Trucks shall also remain at least one hundred and fifty feet (150') from any residential property line or zoning classification. The amendment was read at this time. Following Staff's presentation of the amendment and public comment, the proposed text amendment will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval of the proposed Land Development Regulation text amendment.

Chairman Perry Price stated there is no one here from the public to comment.

Chairman Perry Price closed the Public Hearing and opened the Regular Meeting.

**AGENDA ITEM 2: PUBLIC HEARING – RECOMMENDATION AMENDING CHAPTER 04 ESTABLISHING THE DEFINITION OF FOOD TRUCKS, AND THE TEXT OF CHAPTER 05, ZONING, ESTABLISHING FOOD TRUCK REGULATIONS**

**Motion** was made by Commissioner Mike Chevalier and seconded by Commissioner Dave Holt to recommend to the City Commission to amend Chapter 04 Establishing the Definition of Food Trucks, and the text of Chapter 05, Establishing Food Truck Regulations.

Discussion was had regarding why establishing a text amendment is needed, where food trucks are allowed/not allowed and for how long.

Chairman Price asked about food trucks offering alcohol.

Community Development Director Julie Womble said they would need a permit to serve alcohol and follow the requirements listed in the analysis. She also stated staff had asked neighboring cities about their policy and the City of Auburndale Attorney John Murphy was consulted.

Upon Vote all ayes.

Chairman Perry Price stated the meeting was adjourned at 4:25 p.m.

I HEREBY CERTIFY that the foregoing minutes are true and correct.

  
Marsha Johnson, Secretary