



City of Auburndale
Auburndale, Florida 33823

#1 Bobby Green Plaza
Community Development Department

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PLANNING COMMISSION MEETING
May 7, 2024 4:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Chair Perry Price

PLEDGE OF ALLEGIANCE – Chair Perry Price

ROLL CALL – Marsha Johnson, Secretary

APPROVE COMMISSION MINUTES - Special Meeting March 18, 2024

ANNOUNCEMENTS – Julie Womble, Community Development Director

AGENDA

1. **PUBLIC HEARING**- LAND DEVELOPMENT REGULATIONS (LDRs) AMENDMENT – CHAPTER 04 ESTABLISHING THE DEFINITION OF FOOD TRUCKS, AND THE TEXT OF CHAPTER 05, ZONING, ESTABLISHING FOOD TRUCK REGULATIONS
2. RECOMMENDATION AMENDING THE LAND DEVELOPMENT REGULATIONS (LDRs) – CHAPTER 04 ESTABLISHING THE DEFINITION OF FOOD TRUCKS, AND THE TEXT OF CHAPTER 05, ZONING, ESTABLISHING FOOD TRUCK REGULATIONS

Ref. F.S. 286: If an individual decides to appeal any decision made by the Planning Commission with respect to this meeting, a verbatim transcript may be requested. If so, the individual should make provision for a transcript to be made at the meeting. Persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk no later than five days prior to the proceeding at 968-5133.

**Planning Commission Meeting
May 7, 2024**

AGENDA ITEM 1: PUBLIC HEARING – RECOMMENDATION AMENDING CHAPTER 04 ESTABLISHING THE DEFINITION OF FOOD TRUCKS, AND THE TEXT OF CHAPTER 05, ZONING, ESTABLISHING FOOD TRUCK REGULATIONS

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

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The Planning Commission will take public comment and consider a proposed text amendment to the Land Development Regulations before making a recommendation to the City Commission.

ATTACHMENTS:

- Notice of Public Hearing – 04/24/2024
- Proposed Text Amending the Land Development Regulations, Chapter 4, DEFINITIONS and Chapter 5 ZONING
- Ordinance – Food Trucks

ANALYSIS:

The Florida Statutes (Chapter 2020-160, Laws of Florida) preempts local governments from requiring a separate license, registration, or other permit or 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 has 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.

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 RECOMMENDATION: Recommend approval of the proposed Land Development Regulation text amendment.