



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Seth Rios, Associate Planner, seth.rios@slcgov.com, 801-535-7758
Date: June 12, 2024
Re: PLNPCM2023-00938, Mobile Business Text Amendment

Zoning Text Amendment

PROPERTY ADDRESS: Citywide
GENERAL PLAN: All General Plans
ZONING DISTRICT: All Zoning Districts

REQUEST:

Mayor Erin Mendenhall has initiated a petition to amend regulations in Titles 5, “Business Taxes, Licenses, and Regulations,” and 21A, “Zoning,” regarding mobile businesses. The proposed updates address legislative changes in state law, which requires that the city allow mobile businesses in all zones that permit restaurants. Other changes include the creation of a pedestrian clearance zone for sidewalk vending carts, the removal of prohibited design criteria, and the reorganization of code chapters.

RECOMMENDATION:

Forward a recommendation to City Council to approve the proposed text amendment.

ATTACHMENTS:

- A. [ATTACHMENT A: Proposed Code](#)
- B. [ATTACHMENT B: Zoning Text Amendment Standards](#)
- C. [ATTACHMENT C: Public Process & Comments](#)

PROJECT DESCRIPTION

The state legislature approved changes to the state mobile business code in 2017 and 2023. Salt Lake City’s mobile business code has not been updated during this time, creating a conflict between city code and state code. This proposal aims to update the city’s mobile business code to address these conflicting regulations. The city code regulates mobile businesses in [Title 5](#) and [Title 21A](#). [Title 5](#) contains regulations for mobile businesses in the public right-of-way, while [Title 21A](#) regulates mobile businesses on private property. In some instances, those regulations overlap.

Food trucks and trailers are currently regulated differently than vending carts. The current code for food trucks regulates where they can operate. They are only permitted in specific zones found in [Chapter 21A.36.160.A](#) of the city code. Vending carts are regulated more strictly than food trucks, and when they operate on public property are only permitted in 4 small, defined areas in the city. Vending

carts on private property are only permitted on lots larger than 2 acres and must be listed as a permitted use in [the land use table](#). Salt Lake City is required to update where these businesses are allowed, due to changes in state regulations.

Significant Changes Required by State Code

- Update land use tables to allow mobile businesses in zones that permit restaurants.
- Update mobile business definition to include vending carts, food trucks, enclosed mobile businesses, and ice cream trucks.
- Remove language prohibiting mobile businesses within a certain distance from existing restaurants.
- Remove restrictions on the size of mobile businesses.
- Remove the requirement for a lease agreement for vending carts on public property.
- Update code to require only one business license for a mobile business. We can no longer require a separate license for each location.

The proposed changes will bring Salt Lake City’s mobile business code into compliance with state code. In addition to the state-required changes, this text amendment makes general changes to improve the organization of city code and reduce confusion. The proposed changes are described below and include feedback from the City’s Business License and Real Estate Services Divisions.

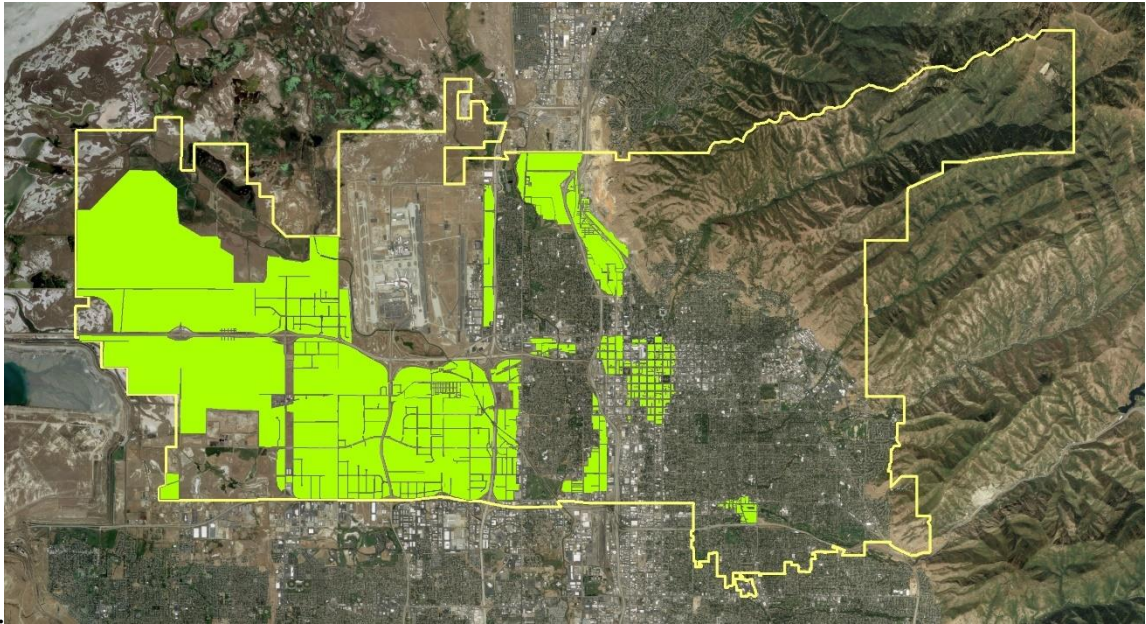


Figure 1: A map of where mobile businesses are permitted, under the current city code.

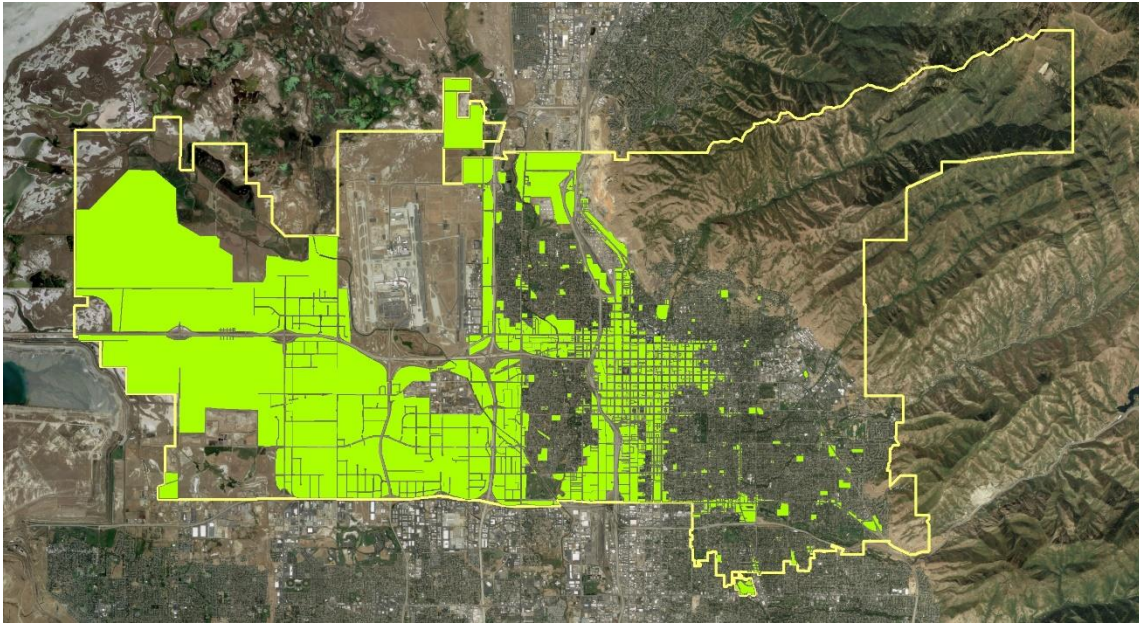


Figure 2: A map of where mobile businesses are required to be permitted, under Utah state code 11-56-106-1. This applies to mobile businesses in the public right-of-way and on private property.

Changes Made to Chapter 5.65 Vending Carts

The proposed changes apply to vending carts operating in the public right of way. Current location restrictions and design standards will be removed because the state code prohibits them. Regulations for the pedestrian clear zone will be added to ensure that mobile businesses will not impede pedestrian traffic in zones where mobile businesses are permitted.

- Create the requirement for the pedestrian clear zone to ensure sidewalk clearance.
- Remove standards that are already requirements from the Health Department.
- Remove design standards for vending carts.
- Delete or move regulations for vending carts on private property to Title 21A.

Vending carts on the public sidewalk are currently restricted to areas specified in [5.65.120](#). Because state code has expanded where they are permitted, staff is proposing the creation of a pedestrian clear zone to address potential impacts. The pedestrian clear zone is a term used in outdoor dining regulations and ensures that outdoor dining does not block or reduce sidewalks. It is defined as the *unobstructed public sidewalk space dedicated to the path of travel for pedestrians*. Similar to outdoor dining, mobile businesses will not be permitted in the pedestrian clear zone and could only operate on sidewalks large enough to accommodate a pedestrian clear zone and space for the vendor to operate. This will limit the operation of mobile businesses to public sidewalks large enough to comply with the new rules. The example below illustrates the pedestrian clear zone requirement on the sidewalk.

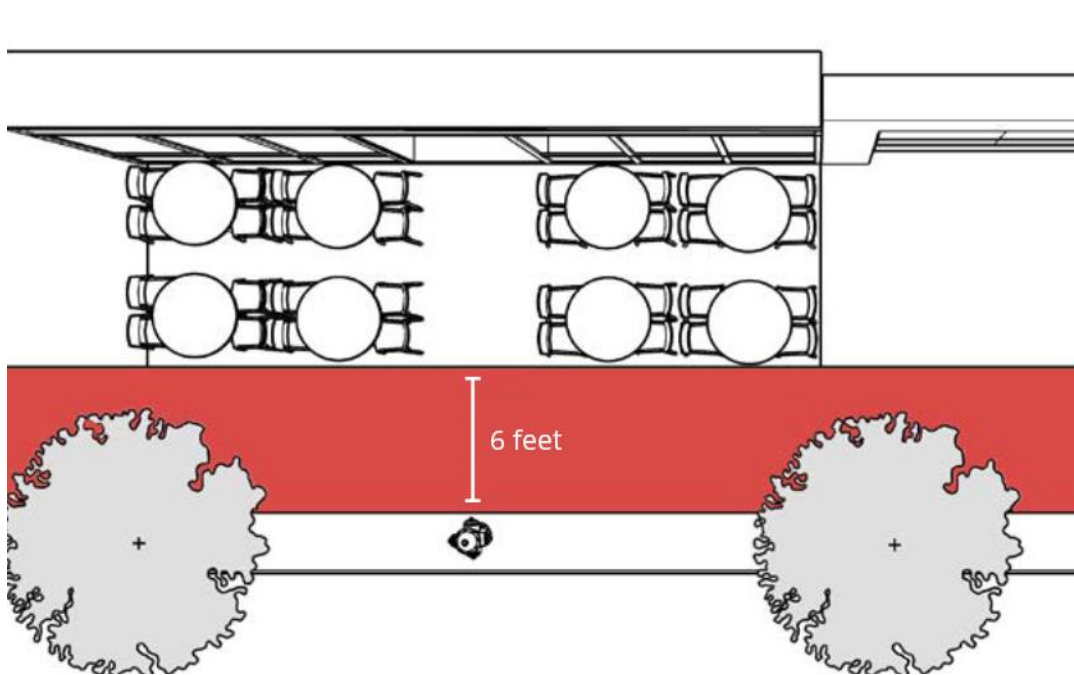


Figure 3: Aerial image of the required pedestrian clear zone as it applies to sidewalk dining. This space will be required for a street vending cart to operate on the sidewalk. Bigger pedestrian clearance zones will be required for downtown areas, where there is an increase in pedestrian activity.

Changes Made to [Chapter 5.69 Mobile Businesses in the Public Right of Way](#)

This chapter will affect any mobile business that is not a vending cart, such as a food truck, ice cream truck, or enclosed mobile business. Certain regulations will need to be removed to comply with the state code. The most significant changes include:

- Update definitions to include all mobile businesses prescribed by state law.
- Remove regulations prohibiting the operation of mobile businesses within 100 feet of restaurants.
- Remove restrictions that require mobile businesses to sell food and drinks exclusively. Retail goods and services will also be allowed.

Changes Made to [Title 21A Zoning](#)

Definitions and land use tables will be updated to comply with the state changes. This chapter applies to mobile businesses operating on private property.

- Update land use tables to reflect where mobile businesses are allowed.
- Update definitions to include all mobile businesses prescribed by state law.
- Add language to clarify parking and surfacing requirements for mobile businesses.
- Add language to reference Public Utility waste disposal requirements.
- Remove the chapter of code for mobile food courts, as multiple mobile businesses are now allowed on the same property.

The full scope and language of the proposed changes have been included in [Attachment A](#).

APPROVAL PROCESS AND COMMISSION AUTHORITY

The proposal is for a zoning text amendment. The Planning Commission may make a recommendation to the City Council on this type of proposal per [21A.50.050.A](#). The Planning Commission may make modifications to the proposed amendments, direct staff to make changes, or forward a recommendation to the City Council. Staff recommends that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed text amendment.

KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. Updating City Code to Address Changes in State Code
2. Equity Concerns with Current Regulations
3. Concerns from Business Owners and Residents

Consideration 1: Updating City Code to Address Changes in State Code

The proposed changes will bring the mobile business code into compliance with state law. Several changes have been made to state law, dating back to 2017. Since then, the City has been unable to enforce current location requirements because state code takes precedence over outdated city code. The outdated portions of code make the regulations difficult to administer because staff must assess what is applicable in the current code and what state code allows. This text amendment allowed staff to take a closer look at the state code and propose changes that are in line with city goals. The proposal streamlines review and avoids violation of state law.

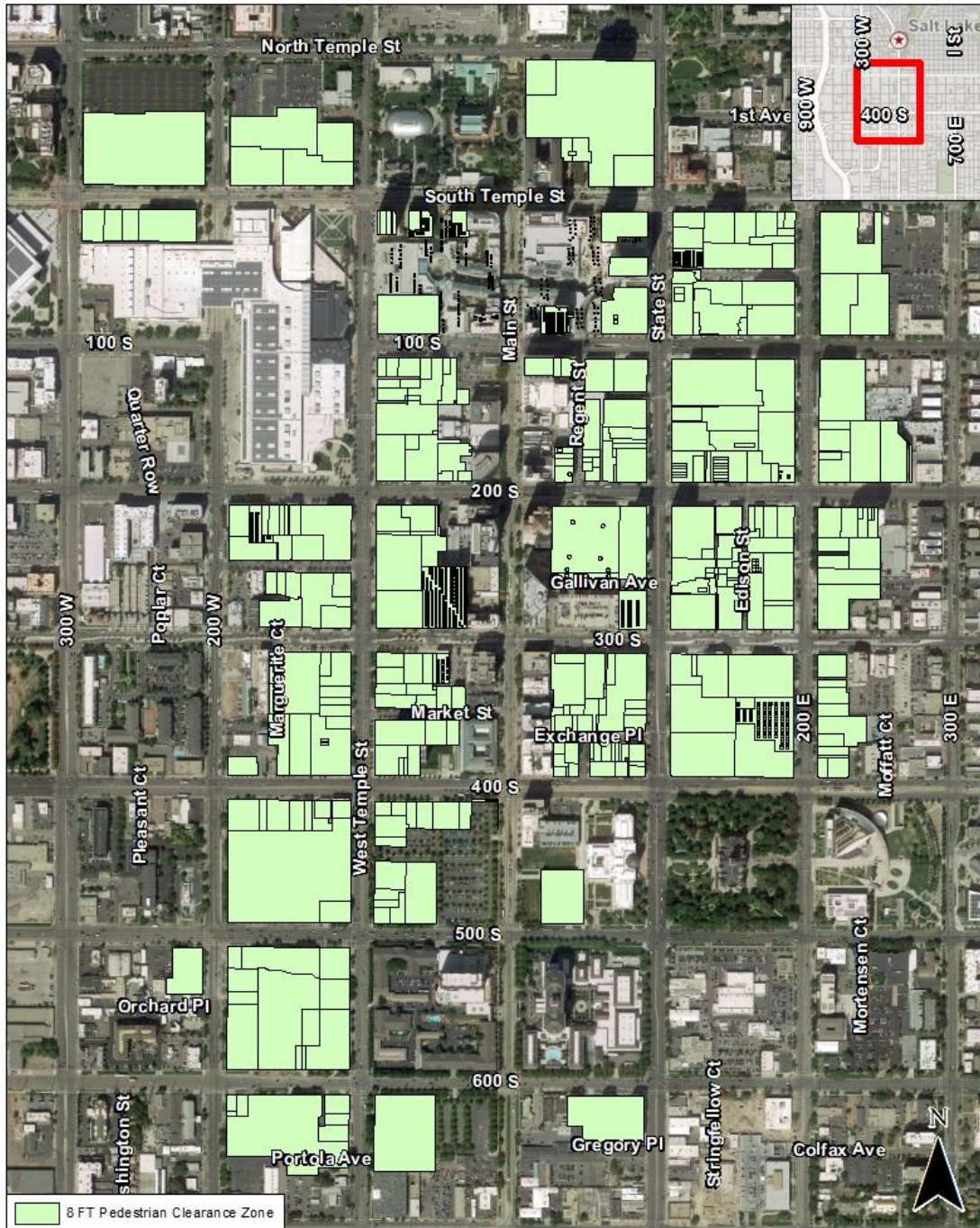
Overall, the proposal includes changes that will improve the organization and clarity of mobile business standards. The current location restrictions for vending carts are very restrictive and difficult to understand. Vending carts are only allowed to operate in specific business districts and parks when on a sidewalk, and on lots larger than 2 acres on private property where vending carts are a permitted land use. Under the proposed ordinance and as required by state code, vending carts will be treated the same as other mobile businesses and allowed in all zones that permit restaurants.

To help minimize the impacts of vending carts on sidewalks, Staff is proposing to maintain certain location requirements, such as distance to driveways and display windows, and the creation of a required pedestrian clearance zone. A pedestrian clear zone is defined as “the continuous, straight, unobstructed public sidewalk width dedicated to the path of travel for pedestrians” and the city currently requires it for outdoor dining spaces to ensure that the sidewalk can accommodate pedestrian traffic. Vending carts will only be permitted to operate on a sidewalk where an adequate pedestrian clearance zone is provided. A larger pedestrian clear zone will be required in the D-1 Central Business Zoning District to ensure that the operation of mobile businesses will not conflict with the increased pedestrian traffic in this area.

Required Pedestrian Clearance Zones

- Sidewalks in the D-1 Central Business Zoning District on Main Street: **10 feet**
- Other sidewalks in the D-1 Central Business Zoning District: **8 feet**
- All other sidewalks in permitted zoning districts: **6 feet**

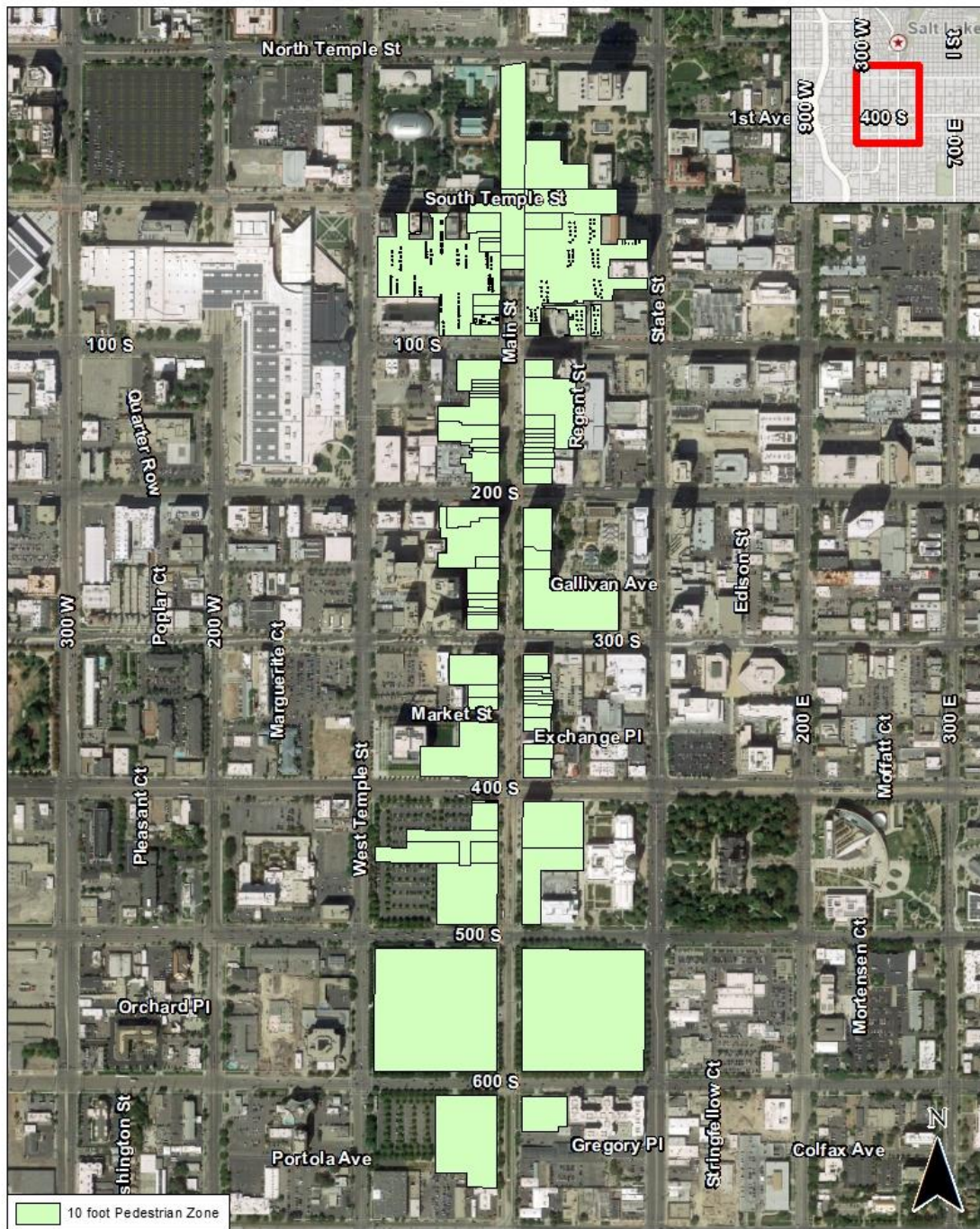
8 Foot Pedestrian Clearance Zone Required



Salt Lake City Planning Division 3/27/2024

Figure 4: Planning Staff is recommending larger pedestrian clear zones be required in the downtown area. Sidewalk vendors in the D-1 Central Business District, not adjacent to Main Street will be required to provide a pedestrian clear zone that is 8 ft wide.

10 Foot Pedestrian Clearance Zone Required



Salt Lake City Planning Division 3/27/2024

Figure 5: Planning Staff recommends requiring larger pedestrian-clear zones in the downtown area. Sidewalk vendors in the D-1 Central Business District, directly adjacent to Main Street, will be required to provide a 10-foot-wide pedestrian-clear zone.

In addition to allowing mobile businesses in zones that permit restaurants, the proposal allows them in zones that permit retail uses. The proposal goes beyond state requirements because restaurants and retail uses have similar impacts. This inclusion results in the addition of 3 zoning districts to those allowing mobile businesses: SNB, PL-2, and BP (Small Neighborhood Business District, Public Lands, and Business Park). These are districts where the operations of a mobile business could benefit employees working in the area and would be appropriate in the context of these zones.

All regulations for vending carts on private property will be moved from Title 5 to Title 21A to reduce confusion. This will follow the current organization of the mobile business code. Title 21A, which is the zoning code, includes regulations for mobile businesses operating on private property. Title 5 is the business license code and includes regulations for mobile businesses operating in the public right-of-way.

Consideration 2: Equity Concerns of Current Regulations

Mobile businesses are an equitable option to increase the number of business owners in Salt Lake City. The initial investment required for a vending cart, food truck, or other mobile business is significantly lower than that of a traditional brick-and-mortar restaurant. The cost of purchasing and outfitting a food truck or cart is a fraction of the expense of leasing, renovating, and maintaining a commercial space. This lower barrier to entry allows individuals who might not have access to large amounts of capital to start their own businesses.

Under the current code, the city regulates vending carts much more strictly than other types of mobile businesses. We require detailed plans and a separate payment before business owners can begin operating. Only one vending cart is permitted per block face or every 660 feet of block frontage. The current code requires a minimum 2-acre lot to operate a vending cart on private property. This, in addition to the frequent language barrier (most applicants are not English speakers), presents an equity issue in the city.

The proposed text amendment will address these concerns by expanding where these businesses can operate and removing a number of design requirements. The proposed changes will reduce the number of requirements and sections of code that applicants will need to check, making the process more straightforward. It will be easier to begin operating a mobile business in a zone that permits it. Certain location standards will remain in the code, and new ones have been added to ensure that mobile businesses only operate in places where they do not conflict with pedestrian traffic.

Consideration 3: Concerns from Existing Business Owners and Residents

Planning Staff presented the mobile business code changes to the Business Advisory Board in their April and May meetings. The Business Advisory Board consists of Salt Lake City-based business owners who help direct economic policy and support local businesses. Members expressed concern with mobile businesses being able to operate close to their own brick-and-mortar businesses. While the removal of proximity restrictions is mandated by state code, other measures would mitigate the impacts of these businesses. Requirements such as the pedestrian clear zone, distance from driveways and display windows, will limit the number of mobile businesses operating in one area. The following table includes all location requirements for vending carts and mobile businesses that are included in the proposal.

Restricting Regulations for Mobile Businesses	Restricting Regulations for Vending Carts
Health Department approval	Health department approval
Fire safety inspection	Fire Safety Inspection
Must park in parallel parking spaces	Pedestrian Clear Zones
Power source needs to be self-contained	Limited to food and drinks
No drive-throughs	
Cannot create a dangerous situation	
Can only park in one location 12 hours in a day	
No selling to person standing in the street	
Parking must comply with the Off-Street Parking Manual	
Cannot operate within these areas	Cannot operate within these areas
On a park strip	10 feet from intersections
On a landscaped area	10 feet from midblock walkway and sidewalk intersection
Place that blocks driveway	10 feet from a bus stop
Place that blocks street or sidewalk traffic	10 feet from driveway
Place that blocks pedestrian, bike, or vehicle access to property	10 feet from alley
Sight distance triangle (30 ft triangle)	5 feet from display window
In a fire zone	5 feet from doorway or building entrance
Near a fire hydrant	5 feet from any ADA parking space
On public roads where speed limit is more than 45 mph	5 feet from access ramp
	Site Distance Triangle (within 30 feet of street intersections, 10 feet for alleys and driveways)
	Any place that obstructs pedestrian, bike, or vehicle access to a property
	Any place that creates a dangerous situation
	Fire Zone
	Near a Fire Hydrant
	In a park strip

There was some discussion about potential reductions in available on-street parking, and restroom agreements resulting in conflict between brick-and-mortar businesses and customers of a mobile business. Although staff understand these concerns, food trucks have been allowed to operate in the right of way in the same manner as proposed in this text amendment since state code changed in 2018. As for restroom agreements, that remains a requirement from the Health Department, and it is outside of the city’s ability to regulate or modify.

Other members of the Business Advisory Board expressed a desire to prohibit vending carts from operating on shared-use bike trails like the 9-Line or 300 West. Staff revised the definition of sidewalk to exclude multi-use paved trails. Board members also proposed creating a handout that summarizes the mobile business code changes. Since the city is not allowed to require compliance prior to a business license, this handout would educate operators of the rules and could minimize conflicts and enforcement. The handout would be provided in English and Spanish and given to every new applicant. Staff is working on designing such document and will have it available to the public once the text amendment is adopted.

STAFF RECOMMENDATION

The proposed ordinance amendments have been reviewed against the Zoning Amendment consideration criteria in [Attachment B](#). The proposed amendment will bring city code into compliance with state code and add consistency and clarity to the ordinance. The proposed amendment also

further the purpose of the city's policies and goals, including those in the applicable general plans. The recommended text changes were routed to other City departments and divisions and their concerns are incorporated into the proposed text amendment. Due to these considerations, **staff is recommending that the Commission forward a positive recommendation on this request to the City Council.**

NEXT STEPS

The Planning Commission can provide a positive or negative recommendation for the proposal and can request that changes be made to the proposal. The recommendation and any requested changes will be sent to the City Council, who will hold a briefing and additional public hearing on the proposed changes. The City Council may make modifications to the proposal and approve or decline to approve the proposed changes.

If ultimately approved by the City Council, the changes would be incorporated into the City Zoning code and development would be required to follow the new regulations.

ATTACHMENT A: Proposed Code

This proposed ordinance makes the following amendments (for summary purposes only):

- Amends sections 5.65, 5.69, 21A.33.020, 21A.36.160, 21A.36.161, 21A.42, 21A.44, and 21A.60.040
- Makes technical changes
- Makes changes to references associated with the amended sections

Underlined text is new; text with strikethrough is proposed to be deleted. Modifications made as part of the Planning Commission recommendation are highlighted in yellow. All other text is existing with no proposed change.

TITLE 5 BUSINESS TAXES, LICENSES AND REGULATIONS

CHAPTER 5.65 VENDING CARTS

5.65.010: DEFINITIONS:

For the purpose of this chapter, the following words shall have the meanings as defined in this section:

~~EXPANDED CENTRAL BUSINESS DISTRICT: The following streets within the City and all areas bounded within such streets:~~

- ~~—A. North Temple Street on the north, from Sixth West Street to Third West Street;~~
- ~~—B. Third West Street on the east, from North Temple Street to South Temple Street;~~
- ~~—C. South Temple Street on the north, from Third West Street to Second East Street, on the south side of South Temple Street only;~~
- ~~—D. Second East Street on the east from South Temple Street to Sixth South Street;~~
- ~~—E. Sixth South Street (north side only) on the south from Second East Street to Sixth West Street;~~
- ~~—F. Sixth West Street on the west from Sixth South Street to North Temple Street.~~

PEDESTRIAN CLEAR ZONE: The continuous, straight, unobstructed public sidewalk width dedicated to the path of travel for pedestrians.

PERMIT OPERATING LOCATION: A portion of a sidewalk which has been designated by the City for the conduct of business.

~~SECONDARY CENTRAL BUSINESS DISTRICT: The following streets within the City and all areas bounded within such streets:~~

- ~~—A. 600 South (south side only) on the north;~~

- ~~–B. 200 East on the east;~~
- ~~–C. 900 South on the south; and~~
- ~~–D. West Temple Street on the west.~~

SIDEWALK AREA: "Sidewalk area" means that portion of a street or highway, between the curb lines or the lateral lines of a roadway and the adjacent property lines that is a paved path intended for pedestrian use. A sidewalk area does not include multi-use paved trails.

SIDEWALK VENDING CART: A mobile device or pushcart meeting all of the requirements of this chapter for the conducting of business in a specified permit operating location approved by the City. A type of mobile business that is a cart that is not motorized; and that a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food, beverages, or similar items. A mobile device or pushcart meeting all of the requirements of this chapter for the conducting of business in a specified permit operating location approved by the City.

SIDEWALK VENDOR: A person meeting all of the requirements of this chapter and being issued the appropriate business license and revocable land use permit to conduct business in a specified permit operating location by the use of a sidewalk vending cart.

SPECIAL EVENT: The Days of '47 Parade, Christmas Parade, children's parades or other special events which the Mayor shall so designate.

SUGAR HOUSE BUSINESS DISTRICT: ~~Those streets within Salt Lake City as follows:~~

- ~~–A. Twenty First South Street from Ninth East Street to Thirteenth East Street;~~
- ~~–B. Highland Drive between Ramona Avenue and the I-80 Freeway;~~
- ~~–C. Wilmington Avenue from Highland Drive to Thirteenth East Street.~~

5.65.020: SIDEWALK VENDING ALLOWED:

A. Sidewalk vending shall be permitted when:

1. Mobile business is listed as permitted in the land use tables found in Chapter 21A.33;
2. The sidewalk vending cart is located on a sidewalk area as defined in this chapter;
3. It complies with all location requirements provided in section 5.65.110; and
4. The sidewalk vendor has obtained all licenses and permits required by this chapter and any other applicable section of city code.

B. Vendors of products specified in this chapter may conduct business by use of sidewalk vending carts within the expanded Central Business District, the Secondary Central Business District, the Sugar House Business District, City parks and Washington Square, in accordance with the provisions of this chapter. It shall be unlawful for any person to sell any goods or services, for profit, on any sidewalk within the City, except as provided by this chapter or by subsection 5.64.010C of this title pertaining to sidewalk sales by abutting property owners or possessors. The provisions of this chapter notwithstanding, nothing in this chapter shall pertain to news racks, telephone or telex booths or stands, postboxes, nor to the sale by nonprofit organizations of merchandise which is inextricably intertwined with a statement carrying a religious, political, philosophical or ideological message.

5.65.030: BUSINESS LICENSE, REVOCABLE ~~LAND-USE~~ PERMIT, AND FEES REQUIRED:

No person shall conduct business ~~on any City sidewalk~~, without first obtaining a valid base business license. All businesses conducted on City sidewalk shall also entering into a revocable ~~land-use~~ permit for the use of City property, and ~~paying~~ the required fees. In addition to the base business license fee, the annual revocable ~~land-use~~ permit payment shall be shown on the Salt Lake City consolidated fee schedule.

5.65.040: APPLICATION FOR REVOCABLE ~~LAND-USE~~ PERMIT:

Application for a revocable ~~land-use~~ permit to conduct business at a particular permit operating location shall be made with property management on forms prepared by property management. Such application shall require the following information:

A. The applicant's true and correct legal name, including any former names or aliases used during the last ten (10) years.

B. The applicant's present residence address, telephone number, and mailing address, if different.

C. Type of product to be sold.

D. If the vending cart includes an area for food preparation and/or sale, a copy of all permits required by State or local health authorities, ~~including:~~

~~— 1. A copy of signed restroom agreement for a restroom that must be accessible to the cart operator during all hours of the applicant's food service cart operations. The food service portion of applicant's vending cart operations will only be permitted to operate during the hours that the restroom facility is open. The restroom facility must be within five hundred feet (500') of the vending cart site. Restroom agreement must be submitted annually.~~

~~— 2. A copy of the signed commissary agreement.~~

E. The proposed permit operating location for conducting applicant's business, including a diagram showing the proposed area in proximity to nearby streets, intersections, and property owners, and adjacent ground level tenants.

5.65.041: APPLICATION FOR BUSINESS LICENSE:

Application for a business license shall be made with the Licensing Office on forms prepared by the Business Licensing Administrator. Such application shall, in addition to providing any information required under section 5.02.060 and in chapter 5.69 of this title or its successor section, also require the following information:

A. The applicant's true and correct legal name, including any former names or aliases used during the last ten (10) years.

B. The applicant's present residence address, telephone number, and mailing address, if different.

C. A list of three (3) persons who can attest to the applicant's honesty, good reputation and good moral character.

D. A statement affirming or denying whether the applicant has any felony or misdemeanor convictions or pleas of nolo contendere for a crime involving moral turpitude, narcotic or dangerous

drugs, or offenses against persons or property, except those which have been expunged, and the disposition of all such arrests for the applicant for ten (10) years prior to the date of the application. Traffic offenses need not be disclosed unless a felony.

E. A statement affirming or denying whether there are any criminal charges currently pending against the applicant for a crime involving moral turpitude, narcotic or dangerous drugs, or offenses against persons or property.

F. The expiration date of applicant's base business license, if any.

G. Type of product to be sold.

H. A copy of all permits required by State or local health authorities.

~~I. A copy of signed restroom agreement for a restroom that must be accessible to the cart operator during all hours of cart operations. Vending cart operations will only be permitted to operate during the hours that the restroom facility is open. The restroom facility must be within five hundred feet (500') of the vending cart site. Restroom agreement must be submitted annually.~~

~~J. A signed statement that the permittee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees for any claims for damage to property or injury to persons arising from any activity carried on under the terms of the permit.~~

~~K. J. A description of the means to be used in conducting business including, but not limited to, a description of any mobile container or device, to be used for transport or to display products or services to be offered for sale. The description of the container or device may be in the form of detailed scale drawings of the device to be used, material specifications, and an isometric drawing in color of at least two (2) views showing all four (4) sides of the vending device and any logos, printing or signs which will be incorporated and utilized in the color scheme. Said description may include any additional items (e.g., color and material samples, layouts of signage and graphics, or photographs) which may reasonably be necessary to clearly visualize the proposed design.~~

~~5.65.042: NOTIFICATION FOR VENDING CART APPROVAL:~~

~~Prior to the approval of an administrative decision to issue a business license for a vending cart, the Business Licensing Administrator shall provide written notice of the intent to issue the business license to all property owners and licensed businesses within three hundred thirty feet (330') or six hundred sixty feet (660'), whichever is applicable per section 5.65.120 of this chapter or its successor section. The notice shall provide a twenty one (21) day comment period. The Business Licensing Administrator shall, within seven (7) days of the expiration of the comment period, either issue the license or refer the application to the Director of Financial Operations and/or Community and Neighborhoods Director who shall determine within seven (7) days to either issue or deny the application. For vending carts located on private property, written notice of the intent to issue the business license shall not be required. Adjacent property owners will be notified through the applicable land use process per title 21A of this Code. (Ord. 49-16, 2016)~~

~~5.65.043: CRIMINAL BACKGROUND CHECK:~~

~~At the time of application or renewal, the person desiring to obtain a vending cart license pursuant to this chapter, or its successor chapter, shall furnish the Business Licensing Administrator an original, dated no older than thirty (30) days prior to the date of application of either: a) a verified criminal history report personal to the applicant or b) verification from the Utah Department of Public Safety~~

~~Bureau of Criminal Identification, that no criminal history exists. Said verification shall be presented in a sealed envelope from the Utah Department of Public Safety Bureau of Criminal Identification.~~

5.65.050: SEPARATE APPLICATIONS:

Separate revocable ~~land use~~ permit and business license applications shall be required for each mobile container or device to be used for transportation or display. Individual applications shall be accepted for one primary permit operating location. In order to allow a single cart mobility to coincide with daily changes in activity, the City may authorize, per administrative policy, up to four (4) additional secondary locations, based upon availability after awarding primary locations. Multiple operating locations may not be contiguous. A separate revocable ~~land use~~ permit must accompany each operating location. No application shall be accepted for a permit operating location for a term of which a current sidewalk vendor permit has been issued, remains unexpired or otherwise is not terminated or for which an application is pending. The permit operating location may be changed upon written application therefor accompanied by an additional application fee.

5.65.060: INSURANCE REQUIRED:

No sidewalk vending permit shall be issued or continued in operation, unless there is on file with the city recorder a certificate of insurance executed by an insurance company or association authorized to transact business in this state, approved as to form by the city attorney, that there is in full force and effect public liability, food products liability and property damage insurance covering the operation of applicant's business operations with minimum limits of two hundred fifty thousand dollars/five hundred thousand dollars (\$250,000.00/\$500,000.00) for personal injury and one hundred thousand dollars (\$100,000.00) for property damage or such greater amounts as set forth in section 63-30d-604, Utah Code Annotated, 1953, as amended, or its successor section. An original certificate of insurance shall be kept on file with the city's recorder at all times that a sidewalk vending permit is held verifying such continuing coverage and naming the city as an additional insured. The certificate shall contain a statement that the city will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage without reservation of nonliability for failure to so notify the city. Cancellation shall constitute grounds for revocation of the sidewalk vending permit issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of the cancellation/termination. (Ord. 54-07 § 1, 2007)

5.65.070: LICENSE ISSUANCE CONDITIONS:

A. The business licensing administrator shall approve the issuance of a business license to the applicant, unless the business licensing administrator finds one or more of the following:

1. The applicant has failed to provide the information on the application required by this chapter;
2. The applicant has falsely answered a material question or request for information as authorized by this chapter;
3. The applicant has failed to meet any of the provisions of this chapter;
4. There are grounds for denial as set forth in section 5.02.250 of this title, or its successor section, or in any other city ordinance or state or federal law or regulation;
5. The applicant has failed to provide a copy of his or her revocable ~~land use~~ permit required under section 5.65.040 of this chapter, or its successor section.

5.65.080: FORM AND CONDITIONS OF REVOCABLE ~~LAND USE~~ PERMIT:

The revocable ~~land use~~ permit issued shall be on a form deemed suitable by property management. In addition to naming the permittee, the permit shall contain the following conditions:

- A. The city will issue permits first to vendors seeking renewal of existing permits.
- B. Each permit issued shall expire at twelve o'clock (12:00) midnight on December 31 of the year so issued.
- C. The permit issued shall be personal only and not transferable in any manner.
- D. The permit shall be valid only when used at the permit operating location designated on the permit.
- E. The permit is valid for one cart only.
- F. The city transportation engineer ~~shall~~ may consider the need for parking to accommodate patrons of carts ~~operating in locations outside the expanded central business district~~ and may require written verification of a parking use agreement with an adjacent business that provides a reasonable number of parking spaces, as determined by the city transportation engineer, for the vendor's use without compromising the main business's compliance with minimum parking requirements.
- G. The permit operating location may be changed, either temporarily or permanently, by written notice from property management to permittee, in the event of construction or remodeling of any nearby structure or of a force majeure which, in the opinion of the city transportation engineer, renders permittee's continued operation at the original permit operating location unsafe for any person. The term "force majeure", as used in this section, means acts of God, acts of public enemy, blockades, wars, insurrections or riots, epidemics, landslides, earthquakes, fires, storms, floods or washouts, civil disturbances, or explosions.
- H. The permit is subject to the further restrictions of this chapter.
- I. The permit as it applies to a given permit operating location may be suspended by the mayor for periods of not to exceed ten (10) days for special events, as defined by section 5.65.010 of this chapter.

5.65.090: USE, SITE AND DESIGN REVIEW REQUIRED:

Prior to issuance of a sidewalk vending revocable ~~land use~~ permit, all applications therefore shall be reviewed and approved by property management to assure the proposed vendor meets the use and design criteria and by the transportation engineer to assure compliance with the location criteria as set forth in this chapter.

~~5.65.100: ITEMS FOR SALE:~~

- ~~—A. Items approved for sale from sidewalk vending carts shall be limited to the following:~~
 - ~~—1. Food for immediate consumption, including beverages;~~
 - ~~—2. Inflated balloons;~~
 - ~~—3. Fresh cut flowers; and~~
 - ~~—4. Daily or monthly news publications.~~

~~—B. The performance of personal services for sale shall not be provided from a sidewalk vending cart except as such may be necessary in connection with the sale of items allowed for sale under this section.~~

~~5.65.110: LOCATION REVIEW:~~

~~—A. The permit operating location must be located within the expanded central business district, the secondary central business district, the Sugar House business district, city parks or Washington Square.~~

~~—B. The use of the permit operating location for sidewalk vending must be compatible with the free flow of pedestrian and other traffic and with public safety. In making such determination, the city transportation engineer shall consider the width of sidewalk, the presence of bus stops, truck loading zones, taxi stands or hotel zones, the proximity of entrances to nearby business establishments, and the proximity and location of existing street furniture, including, but not limited to, signposts, lampposts, fire hydrants, parking meters, bus shelters, benches, phone booths, street trees and newsstands. Property management may modify an approved permit operating location at any time a change is deemed necessary to ensure safe and reasonable operating conditions for all users of the public right of way.~~

5.65.100: LOCATION REQUIREMENTS:

A. The permit shall be issued for a specific location and no more than one vending permit shall be issued for each three hundred thirty feet (330') of block frontage on Main Street between South Temple and 400 South. On other blocks, one permit shall be allowed per block face except that if the block face exceeds six hundred sixty feet (660'), one permit shall be allowed for each additional six hundred sixty feet (660') of block frontage. Pedestrian Clear Zone: All sidewalk vending carts shall maintain a pedestrian clear zone. The pedestrian clear zone shall be generally parallel to property lines to minimize changes and obstructions to pedestrians' path. The minimum width of the pedestrian clear zone shall be provided as follows:

1. Sidewalks abutting Main Street, in the D-1 Central Business Zoning District: 10 feet.
2. Sidewalks in the D-1 Central Business Zoning District: 8 feet.
3. Sidewalks all other zoning districts unless specified otherwise in those districts: 6 ft.
4. For sidewalks abutting more than one zoning district, the greatest width shall apply to the entire block frontage.

~~B. The number of vendors in city parks and Washington Square shall be determined by administrative policy.~~

~~—C. Vending carts may be located on private plazas and private open space within the expanded central business district. No more than one sidewalk vending cart shall be allowed per every forty thousand (40,000) square feet of private plazas and private open space. At least one vending permit may be awarded for any private open space larger than twenty four (24) square feet.~~

~~Vending carts on private property are subject to all of the requirements of this chapter except for the requirement of a revocable land use permit from the city under section 5.65.030 of this chapter or its successor section. Use of private property by sidewalk vendors hereunder shall be arranged with the real property owner.~~

~~—D. No person may conduct business from a sidewalk vending cart in any of the following places:~~

1. Within ten feet (10') of the intersection of the sidewalk with any other sidewalk or midblock crosswalk. ~~In the secondary central business district, within fifty feet (50') of the intersections of the sidewalk with any other sidewalk. The city transportation engineer may waive this restriction in writing for any location upon finding that construction of extra width sidewalks makes such use consistent with the standards established by section 5.65.110 of this chapter;~~

2. Any location which would reduce the clear, continuous sidewalk width to less than four feet (4');

~~—3. Within five feet (5') of an imaginary perpendicular line running from any building entrance or doorway to the curb line;~~

~~—4. 3. Within five feet (5') of any parking space for persons with disabilities, or access ramp;~~

~~—5. 4. Within ten feet (10') of any bus stop;~~

~~—6. 5. Within five feet (5') of any office or display window; or~~

~~—7. 6. Within ten feet (10') of any driveway or alley.~~

7. In any location that obstructs pedestrian, bicycle, or vehicle access to a property or that creates a dangerous situation, including within a clear view triangle, a fire zone, or near a fire hydrant.

~~—E.—C. Vending cart customers shall not block driveways of existing businesses.~~

~~—F. No food vendor shall operate within one hundred feet (100') on the same linear block face of a door to a restaurant, city authorized special event selling food (outside public right of way), Gallivan Plaza (during events), or fruit or vegetable market, with direct access to the sidewalk. No flower or balloon vendor shall operate within one hundred feet (100') on the same linear block face of a door to a flower or balloon shop or city authorized special event selling flowers/balloons (outside public right of way), Gallivan Plaza (during events), with direct access to the sidewalk. No newspaper/magazine vendor shall operate within one hundred feet (100') on the same linear block face of a door to a newspaper/magazine shop or city authorized special event selling newspapers/magazines (outside public right of way), Gallivan Plaza (during events), with direct access to the sidewalk. In the event of multiple entries/spacing requirements, the above requirement does not invalidate a legally authorized vending permit location. The vendor will still be authorized to operate at a maximum available spacing from all affected entries. The above requirement may be waived if the application is submitted with the written consent of the proprietor of such restaurant or shop. The consent shall be on forms deemed appropriate by the business license administrator. Payment of any consideration to a proprietor of such restaurant or shop or receipt of such consideration by a proprietor for such written consent is prohibited. Such waiver shall not except the permittee from compliance with the other location and distance restrictions of this chapter.~~

5.65.110: DESIGN REQUIREMENTS: SIGNS:

Signs to advertise the conduct of the mobile business shall be physically attached to the vending cart, except temporary signs authorized by section 21A.46.055 of this Code.

~~—A. The location occupied by the mobile device or pusheart, together with the operator and any trash receptacle, cooler or chair, shall not exceed thirty four (34) square feet of sidewalk space.~~

~~—B. The mobile device or pusheart shall not exceed three feet (3') in width and eight feet (8') in length including the hitch.~~

~~–C. The height of the mobile device or pushcart, excluding canopies, or umbrellas, shall not exceed five feet (5').~~

~~–D. Umbrellas or canopies shall be a minimum of seven feet (7') above the sidewalk if they extend beyond the edge of the cart.~~

~~–E. Umbrellas or canopies shall not exceed thirty four (34) square feet in area.~~

~~–F. The mobile device or pushcart shall be on wheels and of sufficiently lightweight construction that it can be moved from place to place by one adult person without any auxiliary power. The device or cart shall not be motorized so as to move on its own power.~~

~~–G. The vendor shall be limited to three (3) coolers (stacked), one beverage container, one trash receptacle and one chair external to the cart. Coolers shall not exceed 3.75 square feet each in size.~~

~~–H. Enclosures and canopy extensions are prohibited.~~

5.65.120: FIRE MARSHAL INSPECTION:

Prior to the issuance of any permit, the fire marshal shall inspect and approve any mobile device or pushcart containing cooking or heating equipment to assure the conformance of any such equipment with the provisions of the city fire code.

5.65.130: APPROVED KITCHEN:

If the vending cart includes an area for food preparation and/or sale, it must be approved by the Salt Lake Valley health department. ~~Vending carts shall only be kept at a commissary approved by the health department for the purposes of cleaning, stocking and preparation of food. The keeping of vending carts at a personal residence or other location not approved by the health department is strictly prohibited.~~

5.65.140: OPERATIONAL REGULATIONS:

A. All persons operating under a sidewalk vendor revocable ~~land use~~ permit issued by the city shall comply with the following regulations:

1. Display in a prominent and visible manner the business license issued by the city under the provisions of this chapter and conspicuously post the price of all items sold;

2. Pick up any paper, cardboard, wood or plastic containers, wrappers, or any litter in any form which is deposited by any person within a fifty foot (50') radius of the place of conducting business; and clean up all residue from any liquids spilled upon the sidewalk within said fifty foot (50') radius. Each person conducting business on a public sidewalk under the provisions of this chapter shall carry a suitable container for the placement of such litter by customers or other persons;

3. Vending carts whose operations involve the cooking of food which will result in suspended grease or oil particles that end up as deposits on the immediate sidewalks or adjacent walls shall at the permittee's sole expense be required to clean their assigned location twice monthly, except during the months of December 1 through March 31, in accordance with the standards set forth and approved by the department of public utilities. The cleaning method must use a solution which dissolves the grease, and contains the wastewater while the cleaning process takes place so that the cleaning water or solution is not allowed to drain into the street or storm drain. A plan for cleaning shall be submitted to the city before a revocable ~~land use~~ permit is issued;

4. All materials generated from a sidewalk vending cart that are to be disposed of shall be disposed of properly. Per Title 17, it is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.

5. Obey any lawful order of a police officer to move temporarily to a different location to avoid congestion or obstruction of the sidewalk or to remove the vending cart entirely from the sidewalk, if necessary, to avoid such congestion or obstruction;

—5: 6. Conduct no sidewalk vendor business at a location other than that designated on his/her permit;

—6: 7. Make no loud or unreasonable noise of any kind by vocalization or otherwise for the purpose of advertising or attracting attention to his/her wares;

—7: 8. Leave no permitted cart or device unattended on a sidewalk;

—8: 9. Except for the day of the Days of '47 Parade, vending carts shall not remain on the sidewalk between twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. of any twenty four (24) hour period;

—9: 10. Conduct no business in violation of the provisions of any ordinance or mayor's executive order providing for a "special event", as defined by section 5.65.010 of this chapter;

—10: 11. Park no vehicles adjacent to the assigned location, except temporarily for purposes of restocking cart supplies. Permittee's vehicle will not violate city parking regulations or block private parking access at any time.

5.65.150: SPECIAL EVENTS:

The restrictions of this chapter notwithstanding, nothing herein shall prohibit the city from authorizing vendors, other than those licensed under this chapter, to conduct concurrent sidewalk vending operations within the ~~expanded central business district, or such other permitted~~ areas as the city may deem appropriate, during special events (special event vendors). The special event vendors shall not be governed by this chapter, but shall be governed by such other ordinance, city policy, or executive order as may be applicable. However, as long as the public right of way remains open to the general public, such authorization of special event vendors shall not require removal of a permittee under this chapter from operating within his/her designated permit operating location or a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under the city's ordinances. If the city is closing a public right of way to general access, either partially or fully, in order to accommodate a special event, the city may relocate the vendor to an adjacent location outside the special event boundary, subject to the spacing requirements of subsection 5.65.120D of this chapter.

5.65.160: DENIAL, SUSPENSION OR REVOCATION OF BUSINESS LICENSE:

A. The Business License Administrator may revoke or suspend the business license or deny renewal thereof, of any person to conduct business on the sidewalks of Salt Lake City if he/she finds:

1. That such person has violated or failed to meet any of the provisions of this chapter;

2. That there are grounds for denial, suspension or revocation as set forth in section 5.02.250 of this title, or its successor section, or in any other City ordinance or State or Federal law or regulation;

3. That such person has been convicted within the last seven (7) years of any crime involving moral turpitude, narcotic or dangerous drugs, or offenses against a person or property;

4. Any required license or permit has been suspended, revoked or canceled; or

5. The permittee does not have a currently effective insurance policy in the minimum amount provided in this chapter; or

6. That the permittee has abandoned the use of the permit operating location for the conducting of business. The failure of a permittee to vend from a vending cart within the permittee's permit operating location for thirty (30) continuous calendar days or more, except during the period of December, January, and February, shall constitute abandonment.

B. Upon denial, suspension or revocation, the Business License Supervisor shall give notice of such action to the permit holder or applicant, as the case may be, in writing stating the action he/she has taken and the reasons therefor. Such notice shall contain the further provision that it shall become final and effective within ten (10) days, unless such action is the result of a failure of the permittee to maintain liability insurance as required by this chapter, or is the result of a threat to the public health, safety or welfare in which case the action shall be effective immediately upon issuance of such notice. Any person receiving such notice, other than a notice effective upon issuance, shall have ten (10) days from the date of receipt thereof to file a written request with the Business License Administrator for a hearing thereon before a hearing examiner appointed by the Mayor. Upon receipt of such request the Business License Administrator shall schedule a hearing in accordance with the procedures set forth in chapter 5.02 of this title, or its successor chapter. If the notice of denial, suspension or revocation is effective upon issuance thereof, as provided in this section, a hearing shall be held within five (5) business days of the date of issuance without any requirement of a request for such hearing from the permit holder.

5.65.160: VIOLATION A NUISANCE; SUMMARY ABATEMENT:

The placement of any cart or device on any sidewalk in violation of the provisions of this chapter is declared to be a public nuisance. The Business Licensing Administrator may, as provided by law, cause the removal of any cart or device found on a sidewalk in violation of this chapter and is authorized to store such cart or device until the owner thereof shall redeem it by paying the removal and storage charges.

~~5.65.220: VENDING CARTS ON PRIVATE PROPERTY OUTSIDE THE EXPANDED CENTRAL BUSINESS DISTRICT:~~

~~—A. Permits for vending carts on private property outside the expanded Central Business District may be approved pursuant to the applicable district regulations in title 21A, "Zoning", of this Code, where they conform to the requirements below:~~

~~—1. Vending carts on private property are subject to all of the requirements of this chapter except for the requirement of a revocable land use permit with the City under section 5.65.030 of this chapter; the requirement of a signed statement of liability and indemnity with the City under subsection 5.65.041J of this chapter; the requirement of insurance under section 5.65.060 of this chapter; the requirement of location review under section 5.65.110 of this chapter; the suspension or revocation of business license due to a lack of use under subsection 5.65.190A6 of this chapter, and geographic location limits under section 5.65.020 of this chapter;~~

~~—2. Use of private property by vendors shall be arranged with the real property owner and proof of such property owner authorization shall be required prior to the issuance of a business license;~~

- ~~—3. Allowed only in zoning districts that permit vending carts as a permitted use, as defined by individual zoning district land use tables;~~
- ~~—4. Allowed only on sites two (2) acres or larger and only as a secondary use to another primary commercial, office or industrial use. Vending carts on vacant or residentially used lots, regardless of zoning district, is prohibited;~~
- ~~—5. No vending cart or device shall occupy required parking stalls;~~
- ~~—6. No vending cart or device shall interfere with the internal parking lot circulation; and~~
- ~~—7. Vending carts adjacent to residential zones shall be subject to site review to ensure compatibility.~~

CHAPTER 5.69

MOBILE ~~FOOD~~ BUSINESSES IN THE PUBLIC RIGHT OF WAY

SECTION:

- 5.69.010: Purpose And Intent
- 5.69.020: Definitions
- 5.69.030: Mobile ~~Food~~ Business License Required ~~Allowed~~
- 5.69.040: Application For A Business License
- 5.69.050: Separate Applications
- 5.69.060: Fees; Annual Operation
- 5.69.070: Business Activity To Be Temporary
- 5.69.080: Use Of Public Right Of Way
- 5.69.090: Design And Operation Guidelines
- 5.69.100: Signs
- ~~5.69.110: Professional And Personal Services Prohibited~~
- 5.69.120: Compliance Responsibility
- 5.69.130: Special Events

5.69.010: PURPOSE AND INTENT:

The city council expressly finds that mobile ~~food~~-businesses within public streets pose special dangers to the public health, safety and welfare of residents ~~in the city~~ of Salt Lake City. It is the purpose and intent of the city council, in enacting this chapter, to provide responsible companies and individuals who engage in the operation of mobile ~~food~~-businesses with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the community.

5.69.020: DEFINITIONS:

EVENT PERMIT: a permit that the city issues to the organizer of a mobile business event located on public property.

ICE CREAM TRUCK:

- a. A fully-encased food service establishment on a motor vehicle or on a trailer pulled by a motor vehicle;
- b. that can signal the ice cream truck's presence in the area by loudspeaker or by playing music;
- c. and which may stop at the signal of a patron to serve ice cream or other frozen desserts;
- d. from a location within the frame of the vehicle.

~~MOBILE FOOD-BUSINESS: A business that serves food or beverages from a self-contained unit maintains ongoing mobility and is either motorized, or in a trailer on wheels or a cart pushed by a vendor, and conducts all or part of its operations on premises other than its own and is readily movable, without disassembling, for transport to another location. The term "mobile food business" shall not include vending carts or mobile ice cream vendors.~~

~~MOBILE FOOD TRAILER: A mobile food business that serves food or beverages from a nonmotorized vehicle that is normally pulled behind a motorized vehicle. The term "mobile food trailer" shall not include vending carts, mobile food trucks or mobile ice cream vendors.~~

~~MOBILE FOOD TRUCK: A mobile food business that serves food or beverages from an enclosed self-contained motorized vehicle. The term "mobile food truck" shall not include vending carts, mobile food trailers or mobile ice cream vendors. (Ord. 24-12, 2012)~~

OPERATOR: a person, including a vendor, who owns, manages, controls, or operates a mobile business

5.69.030: MOBILE ~~FOOD~~ BUSINESS LICENSE REQUIRED ALLOWED:

A. No person shall operate a mobile ~~food~~ business, without first:

- 1. obtaining ~~having obtained~~ a business license from the city in accordance with chapter 5.02 of this title, or its successor; or
- 2. obtaining a reciprocal non-city permit after demonstrating that they possess a currently-valid business license to operate a mobile business that was issued another political subdivision of the state and that satisfies the requirements of subsection B:

~~B. Mobile food truck vehicles are allowed to operate in the public right of way only within the M-1, M-2, D-1, D-2, D-3, D-4, G-MU, in accordance with the provisions of this chapter. A business license to operate a mobile business will not be valid if:~~

- 1. the nature of the mobile business requires the business to obtain a health department permit, and the mobile business does not have a current health department permit from a local health department within the state; or
- 2. the nature of the mobile business requires the business to have current evidence of passing a fire safety inspection performed by a political subdivision, and the mobile business does not have current evidence that it passed such a fire safety inspection.

C. A mobile business operator must keep a copy of any required business licenses, reciprocal non-city permits, health department permits, and fire safety inspection documentation in the self-contained operating unit of the mobile business.

D. Mobile businesses operating in the public-right-of-way shall be permitted when the use is listed as permitted in the land use tables found in Chapter 21A.33.

E. Provisions found in this section chapter shall not apply to, sidewalk vending carts (Chapter 5.65), mobile food trailers, mobile ice cream vendors (Chapter 5.64), seasonal farm stands and other temporary merchants or uses that are specifically authorized-regulated by other chapters of this title or other city ordinances.

5.69.040: APPLICATION FOR A BUSINESS LICENSE:

Application for all mobile food-business licenses pursuant to section 5.69.030.A.1 shall be made with the city business licensing division, prior to the commencement of operation. The applicant shall submit the following information:

A. Name and address of applicant.

~~B. Name and address of the approved commercial supply source and primary licensed food establishment, if applicable.~~

~~C. Pass a background check on owner/driver(s).~~

B. License plate number if applicable

~~D. C. A description of any the services to be performed and any products that will be offered preparation methods and food product offered for sale, including the intended menu, display, and distribution containers~~

~~E. D. A description of the vehicle to be used in conducting business including, but not limited to, a description of any method to display food or products to be offered for sale.~~

~~F. The anticipated volume of food to be stored, prepared and sold.~~

~~H. E. A valid copy of all necessary licenses or permits required by State or local health, fire and transportation authorities.~~

~~I. — Each applicant for a license or renewal under this chapter shall submit, with its application, a certificate of insurance executed by an insurance company or association authorized to transact business in this State, approved as to form by the City Attorney, that there is in full force and effect general liability insurance in an amount not less than amounts as set forth in section 63-30-34 of the Utah Code, as amended, or its successor. Such policy or policies shall include coverage of all motor vehicles used in connection with applicant's business. A current certificate of insurance shall be kept on file with the City Recorder at all times that applicant is licensed by the City verifying such continuing coverage and naming the City as an additional insured. The certificate shall contain a statement that the City will be given written notification at least thirty (30) days prior to cancellation or material change in the coverage without reservation of nonliability for failure to so notify the City. Cancellation shall constitute grounds for revocation of the license issued hereunder unless another insurance policy complying herewith is provided and is in effect at the time of cancellation/termination.~~

~~J. A signed statement that the permittee shall hold the City and its officers and employees harmless from any and all liability and shall indemnify the City and its officers and employees for any claims for damage to property or injury to persons arising from any activity carried on under the terms of the permit.~~

~~K. Where applicable, the written consent of the property or business owner.~~

5.69.050: SEPARATE APPLICATIONS:

Separate business license applications may be required for each mobile business self-contained unit ~~mobile food business and separate business licenses will be issued for each mobile business self-contained unit.~~ Separate business license fees shall be required for each business license issued ~~mobile food business vehicle operating under one (1) business license.~~

5.69.060: FEES; ANNUAL OPERATION:

A. No business license to operate a mobile business shall be issued or continued in operation unless the holder thereof has paid the any pertinent business regulatory fees set forth in the Salt Lake City consolidated fee schedule for each mobile food business.

B. In connection with the issuance of a business license for a mobile business, the City will only charge the fee shown on the Salt Lake City consolidated fee schedule.

C. City will charge only the reciprocal non-city permit fee set forth on the Salt Lake City consolidated fee schedule, if a mobile business demonstrates they have obtained a currently-valid license to operate a mobile business from another political subdivision.

5.69.070: BUSINESS ACTIVITY TO BE TEMPORARY:

All business activity related to mobile ~~food~~ businesses shall be of a temporary nature, the duration of which shall not extend for more than twelve (12) hours within a twenty four (24) hour period at any one (1) premises or location.

5.69.080: USE OF PUBLIC RIGHT-OF-WAY:

~~Each mobile food business, offering food from or on motorized vehicles within the public right-of-way shall abide by the following conditions and requirements. Failure to comply may result in the suspension or revocation of a business license, and shall constitute a violation of this title:~~

~~A. Mobile food businesses shall obey all parking and traffic regulations as stated in title 12 of this Code.~~

B. Parking on a park strip, or otherwise landscaped area is not allowed.

C. Mobile ~~food truck business~~ vehicles utilizing the parking space within the public right-of-way shall park only in parallel parking spaces. Mobile ~~food truck business~~ vehicles must be parked so that neither the vehicle nor the customers block driveways of existing buildings or uses.

~~D. The operator shall locate the vending window facing the sidewalk. Mobile food truck vehicles manufactured to vend out the rear of the vehicle must obtain special permission from the Transportation Division to operate in the public right-of-way. The mobile business vehicle shall not operate vending out from a location that would cause customers to obstruct street or sidewalk traffic, block pedestrian, bicycle, or vehicle access to a property or create a dangerous situation, including within a clear view triangle, a fire zone, or near a fire hydrant.~~

~~E. No mobile food truck vehicle shall occupy required parking stalls of the primary use.~~

~~F. The mobile ~~food truck business~~ vehicle operator shall proactively ensure that the vehicle's shall use positive action to assure that its use of the right-of-way, including the sidewalk, in no way interferes with or limits sidewalk users' free and unobstructed passage.~~

~~G. The mobile food truck vehicle shall be prohibited from pulling any type of trailer.~~

~~H. F. The operator of the mobile ~~food truck business~~ vehicle shall not sell to any person standing in the roadway unless approved by the Transportation Division.~~

~~I. G. Mobile ~~food truck business~~ vehicles shall not operate on public streets where the speed limit exceeds forty five (45) miles per hour.~~

~~J. H. Unless licensed prior to January 1, 2013, a A parked mobile ~~food~~ business shall conform to all requirements in the Salt Lake City idling ordinances (title 12, chapter 12.58 of this Code).~~

~~K. I. Any auxiliary power required for the operation of the mobile ~~food truck business~~ shall be self-contained. No use of public or private power sources are allowed without providing written consent of ~~from the owner.~~~~

~~L. J. All motorized vehicles of the mobile business applicant and operators shall comply with all other requirements of this chapter and any other requirements of ordinance or statute that may be applicable.~~

~~M. K. All materials generated from a mobile ~~food~~ business that are to be disposed of should be disposed of properly. It is illegal to discharge or dispose of any substance, material, food, or waste into~~

the storm drain system. (~~Sections 17.84.100, prohibition of discharge into storm drain system; 17.36.220, prohibition against opening manhole covers, of this Code.~~)

5.69.090: DESIGN AND-OPERATION GUIDELINES:

Mobile ~~food trucks~~ businesses operating in the public right-of-way shall comply with the following design requirements:

A. Mobile ~~food truck~~ business vehicles shall be designed to meet all applicable Salt Lake Valley Health Department requirements relating to the handling and distribution of food.

B. The mobile ~~food truck~~ business shall not have a drive-through.

C. Mobile ~~food truck~~ business vehicles shall be kept in good operating condition, ~~no peeling paint or rust shall be visible.~~

~~D. No mobile food truck vehicle operating in the public right of way shall operate within the same block face of another mobile food vendor at any one time.~~

~~E. No mobile food truck vehicle shall operate within one hundred feet (100') on the same linear block face of a door to a restaurant, mobile food vendor, food cart, or City authorized special event selling food, except:~~

~~1. The above requirement may be waived if the application is submitted with the written consent of the proprietor of such restaurant or shop. The consent shall be on forms deemed appropriate by the Business License Administrator. Such waiver shall not exempt the applicant from compliance with the other location and distance restrictions of this chapter.~~

~~F. All grounds utilized by a mobile ~~food~~ business shall at all times be maintained in a clean and attractive condition.~~

~~G. E. Trash and recycling containers shall be provided for use of the business patrons.~~

~~H. Mobile food businesses shall source local products when available.~~

~~I. Any enclosures or canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto the public sidewalk or any other part of the public right of way not authorized by the Transportation Division.~~

5.69.100: SIGNS:

No signs shall be used to advertise the conduct of the mobile business at the premises other than that which is physically attached to the mobile business vehicle, except temporary signs authorized by section 21A.46.055 of this Code.

5.69.110: PROFESSIONAL AND PERSONAL SERVICES PROHIBITED:

The performance of professional or personal services for sale shall not be provided from a mobile food truck.

5.69.110: APPROVED KITCHEN:

If the vending cart includes an area for food preparation and/or sale, it must be approved by the Salt Lake Valley health department.

5.69.120: COMPLIANCE RESPONSIBILITY:

The holder of the business license shall not be relieved of any responsibility for compliance with the provisions of this chapter, whether the holder of the business license pays salary, wages or any other form of compensation to drivers or operators.

5.69.130: SPECIAL EVENTS:

The restrictions of this chapter notwithstanding, nothing herein shall prohibit the city from authorizing mobile food-businesses, other than those licensed under this chapter, to conduct concurrent vending operations within the public right of way, or such other areas as the city may deem appropriate, during special events (special event vendors). The special event vendors shall not be governed by this chapter, but shall be governed by such other ordinance, city policy, or executive order as may be applicable. However, as long as the public right of way remains open to the general public, such authorization of special event vendors shall not require removal of a ~~permittee~~ mobile business operating under this chapter from operating within his/her a designated ~~permit~~ operating location or a mutually acceptable adjacent alternative location during such special event, unless otherwise provided under the city's ordinances. If the city is closing a public right of way to general access, either partially or fully, in order to accommodate a special event, the mobile food-business may not access that right of way unless specifically authorized by the city

TITLE 21A ZONING

21A.33.020: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Use	Permitted And Conditional Uses By District																		
	FR-1/	FR-2/	FR-3/	R-1/	R-1/	R-1/	SR-1	SR-2	SR-3	R-2	RM F-	MF-	RM F-	RM F-	RB	R-MU -	R-MU -	R-MU	RO
	43,560	21,780	12,000	12,000	7,000	5,000					30	35	45	75		35	45		

Vending cart, private property	P	P
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21A.33.050: TABLE OF PERMITTED AND CONDITIONAL USES FOR DOWNTOWN DISTRICTS:

Use	Permitted And Conditional Uses By District			
	D-1	D-2	D-3	D-4
Mobile food business (operation in the public right-of-way)	P	P	P	P
Mobile food business (operation on private property)	P	P	P	P
Mobile food court	P	P	P	P
Vending cart, private property	P	P	P	P
Vending cart, public property				

21A.33.060: TABLE OF PERMITTED AND CONDITIONAL USES IN THE GATEWAY DISTRICT:

Use	G-MU
Mobile food business (operation in the public right-of-way)	P
Mobile food business (operation on private property)	P
Mobile food court	P
Vending cart, private property	P
Vending cart, public property	P

21A.33.070: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Use	Permitted And Conditional Uses By District																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NO S	A	PL	PL-2	I	U I	MH	E I	MU
Mobile food business	P	P									P	P		P	P		P

(operation on private property)																			
Vending cart, private property	P	P																	
Vending cart, public property							P												

21A.33.080: TABLE OF PERMITTED AND CONDITIONAL USES IN FORM BASED DISTRICTS:

Use	Permitted Uses By District			
	FB-UN1	FB-UN2	FB-SC	FB-SE
Mobile Business		P	P	P
Vending cart, private property		P	P	P

21A.36.160: MOBILE BUSINESSES:

A. Mobile Food Business Allowed: A mobile business is permitted as indicated in this section.

1. Public Rights of Way: Mobile businesses located in a right of way shall comply with Title 5, chapters 5.65 and 5.69. Persons selling food or beverages from mobile food businesses may do so by use of private property only, unless otherwise permitted under title 5, chapter 5.69 of this Code. Use of private property by mobile food businesses shall be arranged with the real property owner and proof of such property owner authorization shall be required prior to the issuance of a business license.
2. Private Property: Mobile food businesses shall be permitted on private property when: are allowed only within the SNB, CN, CB, CS, CC, CSHBD, CG, TSA, M-1, M-2, D-1, D-2, D-3, D-4, G-MU, RP, BP, UI, MH, MU, R-MU, R-MU-35, and R-MU-45 Zones, in accordance with the provisions of this section
 - a. the use is listed as permitted in the land use tables found in 21A.33.
 - b. the property is located on government-owned property and the government entity has authorized the mobile business to operate on the property.
 - c. the mobile business is associated with a special event or temporary use located in any zoning district and is less than 12 hours in duration.
 - d. the mobile business is associated with a public event located in any zoning district that has been authorized by the city, including when the private property is within 1/4 mile of a public event held on a public right of way.

3. Limitations on vending carts: Nonmotorized mobile pushcarts may only prepare and sell food, beverages, or similar items.

B. Business License And Fees Required: ~~No mobile food business shall continue in operation unless the holder thereof has paid an annual business regulatory fee and has met all applicable requirements as set forth in section 5.04.070 of this Code, or its successor section for each mobile~~

~~food business. A business license is required for the operation of a mobile business as set forth in Title 5, chapters 5.65 and 5.69.~~

~~C. Separate Applications: Separate business license applications may be required for each mobile food business. Separate business license fees shall be required for each mobile food business vehicle operating under one business license.~~

~~D. Business Activity To Be Temporary: All business activity related to mobile food businesses shall be of a temporary nature subject to the requirements below:~~

- ~~1. A mobile food truck business may not park in one individual location for the purpose of conducting business for more than twelve (12) hours during any twenty four (24) hour period.~~
- ~~2. The mobile food truck shall be occupied by the owner or operator thereof at all times.~~
- ~~3. No overnight parking is allowed in a public right of way.~~

~~E. D. Location And Placement Requirements: The business operating location must be on private property, on City streets as defined in title 5, chapter 5.69 of this Code, within the specified zones, or as otherwise authorized by applicable City ordinance, subject to the requirements below: A mobile business shall:~~

- ~~1. Only access a property using driveways and park on surfaces that comply with the standards for surfacing in the Off Street Parking Standards Manual; Parking on a park strip, or otherwise landscaped area is not allowed.~~
- ~~2. Park in legally established parking areas or areas that allow vehicular staging. Parking shall not be allowed when blocking traffic, such as to a sidewalk, driveway, trail, or other pedestrian way open to the public, and when creating a dangerous situation, including within a clear view triangle, a fire zone, or near a fire hydrant. Exceptions to this provision may be approved as part of a special event permit authorized by the city; and A mobile food business shall park on a hard surface. Alternatives to asphalt and cement may be approved by the transportation engineer if the applicant is able to demonstrate that the alternative will not result in the accumulation of debris on the City right of way.~~
- ~~3. Not obstruct pedestrian, bicycle, or vehicle access to any land use, including properties that contain multiple land uses or businesses. Mobile food business vehicles must be parked so that neither the vehicle nor the customers block driveways of existing buildings or uses, or in such a manner as to create a traffic hazard.~~
- ~~4. No mobile food business shall occupy required parking stalls of the primary use.~~
- ~~5. No mobile food business shall interfere with the internal parking lot circulation.~~
- ~~6. Mobile food businesses shall not use the public right of way unless otherwise allowed by ordinance.~~
- ~~7. Any auxiliary power required for the operation of the mobile food truck shall be self-contained. No use of public or private power sources are allowed without providing written consent from the owner.~~

~~8E.~~ Unless licensed prior to January 1, 2013, a parked mobile food business shall conform to all requirements in the Salt Lake City vehicle idling ordinances (title 12, chapter 12.58 of this Code).

~~9F.~~ All materials generated from a mobile food business that are to be disposed of ~~should~~ shall be disposed of properly. It is illegal to discharge or dispose of any substance, material, food, or waste into the storm drain system.

~~10G.~~ Mobile food businesses shall comply with all other applicable City ordinances. Provisions found in this section shall not apply to downtown vendors, vending carts, mobile ice cream vendors, seasonal farm stands and other temporary merchants or uses that are specifically authorized by this title or other City ordinances.

~~FH.~~ Design And Operation Guidelines: Mobile food trucks operating in the public right of way shall comply with the following design requirements:

1. ~~Mobile food truck vehicles~~ businesses that include the handling and distribution of food shall obtain approval from the Salt Lake Valley Health Department. ~~shall be designed to meet all applicable Salt Lake Valley Health Department requirements relating to the handling and distribution of food.~~

2. The mobile food truck business shall not have a drive-through.

3. ~~Mobile food truck v~~ Vehicles shall be kept in good operating condition, ~~no peeling paint or rust shall be visible.~~

4. ~~No mobile food truck vehicle operating in the public right of way shall operate within the same block face as another mobile food vendor at any one time.~~

5. ~~No mobile food truck vehicle shall operate within one hundred feet (100') on the same linear block face of a door to a restaurant, mobile food vendor, food cart, or City authorized special event selling food, except:~~

~~a. The above requirement may be waived if the application is submitted with the written consent of the proprietor of such restaurant or shop. The consent shall be on forms deemed appropriate by the Business License Administrator. Such waiver shall not exempt the applicant from compliance with the other location and distance restrictions of this section.~~

6. All grounds utilized by a mobile food business shall ~~at all times~~ be maintained in a clean and attractive condition at all times.

7. Trash and recycling containers shall be provided for use of the business patrons.

8. Mobile food businesses shall source local products when available.

9. ~~Any enclosures or canopy extensions must be integrated into the design of the mobile food business vehicle and must not project onto the public sidewalk or any other part of the public right of way not authorized by the Transportation Division.~~

~~GI.~~ Signs: No signs shall be used to advertise the conduct of a mobile food business at the premises other than that which is physically attached to the self-contained business, except temporary signs authorized by section 21A.46.055 of this title.

~~H. Professional And Personal Services Prohibited: The performance of professional or personal services for sale shall not be provided from a mobile food business.~~

~~I. Approved Kitchen: If the mobile food business includes an area for food preparation and/or sale, it must be approved by the Salt Lake Valley Health Department.~~

~~J. Multiple Mobile Businesses on a Property: Multiple mobile businesses may be located on the same property and at the same time.~~

~~21A.36.161: MOBILE FOOD COURTS:~~

~~A. Mobile Food Courts A Conditional Use:~~

~~1. Operating a mobile food court is unlawful without first obtaining conditional use approval subject to the qualifying provisions written below as well as those in chapter 21A.54 of this title.~~

~~2. Mobile food courts are allowed by administrative conditional use approval only within the M-1, M-2, D-1, D-2, D-3, D-4, G-MU, in accordance with the provisions of this chapter.~~

~~3. Provisions found in this section shall apply to mobile food businesses, vending carts, and seasonal farm stands that are specifically authorized by this title or other City ordinances.~~

~~B. Qualifying Provisions:~~

~~1. A mobile food court is required to be on a parcel of at least two thousand (2,000) square feet in size.~~

~~2. No less than two (2) and no more than ten (10) individual mobile food businesses or other authorized vendors are allowed on a parcel.~~

~~3. No participating mobile food business or other authorized vendor shall continue in operation at the mobile food court unless the holder thereof has paid an annual business regulatory fee as set forth in section 5.04.070 of this Code, or its successor section.~~

~~4. All requirements of chapter 21A.48, "Landscaping And Buffers", of this title and section 21A.36.020, "Conformance With Lot And Bulk Controls", of this chapter, or their successor chapter or section shall be met prior to the issuance of a permit.~~

~~5. Mobile food courts are for the sale of food products only. Retail sale of nonfood items is not permitted.~~

~~6. A master sign plan for the mobile food court shall be submitted for review and approval as part of the conditional use process. The plan shall provide information relating to permanent signs for the court, as well as individual signs for each business.~~

~~7. All the proposed activities will be conducted on private property owned or otherwise controlled by the applicant and none of the activities will occur on any public right of way.~~

~~8. The proposed mobile food court will not impede pedestrian or vehicular traffic in the public way.~~

~~9. The proposed mobile food court complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.~~

~~10. All activities associated with a mobile food court must comply with all Salt Lake Valley Health Department requirements.~~

~~11. A detailed site plan demonstrating the following is required:~~

~~a. The location and orientation of each vendor pad.~~

~~b. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers or any other site requirement by the International Building Code, or Health Department.~~

~~c. The location of all existing and proposed activities on site.~~

~~d. The circulation of all pedestrian and vehicle traffic on the site.~~

~~e. The mobile food court shall not occupy required parking stalls of any primary use of the site.~~

~~12. Live music will not be performed nor loudspeakers played in the mobile food court area unless the decibel level is within conformance with the Salt Lake City noise control ordinance, title 9, chapter 9.28 of this Code.~~

~~13. Parking for a mobile food court is required at a ratio of two (2) stalls per mobile food business. This requirement may be waived by the Planning Commission as part of the conditional use process. No additional parking is required in the D-1, D-2, D-3, D-4, G-MU, CSHBD1, CSHBD2, R-MU, R-MU 35, R-MU 45, MU, G-MU and TSA Zones. Hard surface paving at the vehicular entrance to the mobile food court, and for each individual mobile food business is required. Alternatives to asphalt and cement may be approved as part of the conditional use process if the applicant is able to demonstrate that the alternative will not result in the accumulation of mud or debris on the City right-of-way.~~

21A.42.020: APPLICABILITY:

This chapter regulates temporary uses not otherwise regulated by title 3, chapter 3.50 of this Code. ~~Mobile businesses Food trucks and trailers~~ are subject to chapter 21A.36 of this title if on private property or title 5, ~~chapter 5.69~~ of this Code if on public property. Art festivals, neighborhood fairs and other similar activities, authorized by other City regulations to operate on public property or within the public way, are not subject to the provisions of this chapter.

21A.42.060: STANDARDS FOR ISSUANCE AND REVOCATION OF TEMPORARY USE PERMITS:

A. Application: An application shall be submitted to the Zoning Administrator. ~~Every application for a temporary use permit shall include a site plan and a traffic plan listing the date, time, location, anticipated attendance, anticipated access routes, ingress and egress for emergency vehicles, and available parking in the vicinity. The application shall be submitted to the Zoning Administrator at least thirty (30) calendar days before the scheduled date that the temporary event or use is to take place unless the Zoning Administrator approves a shorter application deadline. The application shall include:~~

1. A site plan;

2. A traffic plan listing the date, time, location, anticipated attendance, anticipated access routes, ingress and egress for emergency vehicles, and available parking in the vicinity; and

3. A plan for cleaning and associated wastewater disposal showing that all materials generated from the temporary use are properly disposed, in accordance with title 17 of this code.

21A.42.080: PERMITTED TEMPORARY USES:

D. Temporary Food Service And Other Small Scale Temporary Uses: Temporary food service and other small scale temporary uses are permitted for a maximum of one hundred twenty (120) days each calendar year. Such facilities shall be less than two hundred (200) square feet and shall not interfere with pedestrian access to other businesses on the site. ~~Food trucks and trailers~~ Mobile businesses are subject to chapter 21A.36 of this title if on private property or title 5, chapter 5.69 of this Code if on public property.

21A.44.040: REQUIRED OFF STREET PARKING:

TABLE 21A.44.040-A: MINIMUM AND MAXIMUM OFF STREET PARKING:					
DU= dwelling unit sq. ft.= square feet					
Land Use	Minimum Parking Requirement				Maximum Parking Allowed
	General Context	Neighborhood Center Context	Urban Center Context	Transit Context	
	All zoning districts not listed in another context area	RB, SNB, CB, CN, R- MU-35,R-MU - 45, SR- 3, FB-UN1, FB-SE, SSSC Overlay	D-2, MU, TSA-T, CSHBD1, CSHBD2	D-1, D-3, D-4, G-MU, TSA-C, UI, FB-UN2, FB-UN3, FB-SC, R- MU	

TABLE 21A.44.040-A: MINIMUM AND MAXIMUM OFF STREET PARKING:		
TEMPORARY USES		
Mobile food business (operation in public right-of-way)	No minimum, unless required by temporary use permit or as determined by the Zoning Administrator	No Maximum
Mobile food business (operation on private property)		
Mobile food court		
Vending cart, private property		
Vending cart, public property		
Farm stand, seasonal		

21A.62.040: DEFINITIONS OF TERMS

MOBILE FOOD-BUSINESS: A business that serves food or beverages from a self-contained unit maintains ongoing mobility and is either motorized, or in a trailer on wheels or a cart pushed by

~~a vendor, and conducts all or part of its operations on premises other than its own and is readily movable, without disassembling, for transport to another location. The term "mobile food business" shall not include vending carts or mobile ice cream vendors.~~

~~MOBILE FOOD COURT: A parcel of land where two (2) or more mobile food businesses congregate to offer food or beverages for sale to the public. Any cluster of more than one mobile food business, vending cart and seasonal farm stand, located on the same parcel of land shall be considered a mobile food court.~~

~~MOBILE FOOD TRAILER: A mobile food business that serves food or beverages from a nonmotorized vehicle that is normally pulled behind a motorized vehicle. The term "mobile food trailer" shall not include vending carts, mobile food trucks or mobile ice cream vendors.~~

~~MOBILE FOOD TRUCK: A mobile food business that serves food or beverages from an enclosed self-contained motorized vehicle. The term "mobile food truck" shall not include vending carts, mobile food trailers or mobile ice cream vendors.~~

~~VENDING CART: Includes any nonmotorized mobile device or pushcart from which limited types of products, as listed in title 5, chapter 5.65 of this code, are sold or offered for sale directly to any consumer, where the point of sale is conducted at the cart, where the duration of the sale is longer than fourteen (14) days and where the vending cart meets the requirements of title 5, chapter 5.65 of this code for the conducting of business in a specified permit operating area approved by the city.~~

ATTACHMENT B: Zoning Text Amendment Standards

ZONING TEXT AMENDMENTS

21A.50.050: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision concerning a proposed text amendment, the City Council should consider the following:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.

The main purpose of the proposed text amendment is to address the changes in state law. The city's mobile business regulations will comply with state code if the amendment is approved. The text amendment fulfills this purpose while meeting the goals of the following city-wide plan.

Plan Salt Lake

Consideration 11 of Plan Salt Lake establishes goals to provide equitable access to privately provided amenities in the city. This is accomplished by allowing mobile businesses to operate in places that will support them across the city. Consideration 12 of the same plan establishes goals to support the growth of small businesses and entrepreneurship. Mobile businesses accomplish this by providing business owners the chance to operate a business without the large upfront costs that exist with a traditional brick-and-mortar store. Rent, furniture, and maintenance are costs that can be saved when operating a mobile business.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance.

21A.02.030 Zoning Ordinance Purpose and Intent

One of the purposes of the Zoning Ordinance is to foster the City's business development. Updating the mobile business regulations will enable more small businesses to begin operating throughout the city. Mobile businesses support the daily needs of residents and workers in the area. This economic activity not only supports the livelihoods of the vendors themselves but also stimulates local economies by attracting foot traffic and promoting local spending. The new ordinance will add important definitions and standards that will help regulate the operation of mobile businesses in the city.

21A.50.010 Zoning Amendments Purpose Statement

The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve

particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.

The proposed amendment will adjust zoning standards to comply with the state code. These changes will affect the general public and are not intended to relieve the hardship of any particular individual.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.

The proposal is consistent with the overlay districts and will not adversely impact any zoning district.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Urban planning principles encourage pedestrian activity to activate public spaces. Mobile businesses help cities realize this goal by creating a continuous stream of activity along sidewalks, which encourages walking. The variety of goods sold by mobile businesses can make walking a more appealing and interesting mode of transportation, reducing reliance on cars and contributing to a more sustainable urban environment. Issues that stem from the operation of mobile businesses, such as pedestrian congestion and waste management, have been addressed in the proposed text amendment. The text amendment supports mobile businesses while providing regulations to ensure these businesses will not compromise the functionality of public spaces.

ATTACHMENT C: Public Process & Comments

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project since the applications were submitted:

- November 20, 2023—As a courtesy, a 45-day required notice was sent to all city’s recognized community organizations. No formal comments have been submitted at the point of publishing.
- November 20, 2023 – April 24, 2024 – The project was posted to the Online Open House webpage.
- April 10 and May 8, 2024- The proposal was presented to the Business Advisory Board. Board members recommended updating the definition of sidewalk to exclude share-use trails and expressed a desire to make the code changes easily understandable for applicants. They proposed a handout that summarizes the code changes and could be given to every mobile business applicant. The handout would help operators understand the regulations.

Notice of the public hearing for the proposal included:

- May 30, 2024
 - Notice was posted in the newspapers
 - Notice was sent to recipients of listserve
 - Public notice posted on City and State websites

Public Input:

Staff did not receive public input on this amendment. Any comments received after the publishing of this staff report will be forwarded to the Planning Commission for consideration.