

Unified Development Code

Requests	Hold a public hearing and make a recommendation to City Council on revisions to Chapter 125 of the Code of Ordinances of the City of League City, Article 3, entitled “Zoning Regulations” and Appendix D, entitled “Definitions”, to revise regulations related to food trucks.
Applicant	City of League City
City Council	Public Hearing & First Reading – <i>May 23, 2023</i> ; <i>Second Reading – June 11, 2023</i>
Attachments	Exhibit A. Detailed list of changes with redlines and strikeouts.

Background

October 22, 2019 – Initial Food Truck Ordinance adopted by City Council.
August 9, 2022 – An ordinance was approved allowing food trucks to be parked in front of a business, rather than to the side or rear.
January 24, 2023 – Work session requested by City Council to discuss amendments to the food truck ordinance.
February 14, 2023 – An ordinance was adopted allowing food trucks to hook into existing electrical facilities at a location (quick-connect outlets).
March 28, 2023 – A City Council work session was held discussing potential amendments to the food truck ordinance.
May 1, 2023 – The Planning and Zoning Commission is scheduled to hold a public hearing and make a recommendation to City Council.
May 23, 2023 – City Council is scheduled to hold a public hearing and hear the item on first reading.
June 13, 2023 – Subject to approval on first reading, City Council is scheduled to hear the item on second reading.

City Council Work Session

City Council held a work session on March 28, 2023, related to potential ordinance amendments to the City’s food truck regulations. The City Council discussed several concerns at the work session, including:

- Lack of regulations related to special events (HOA events),
- Food trucks dumping waste into the storm sewer system,
- Food trucks staying overnight at locations,
- Sales tax collection,
- Quality of food trucks, and
- Food truck parks.

Changes to the Ordinance

As a result of the City Council work session, the following changes are proposed to Chapter 125, Section 3.14.17, “Mobile Food Vendors”:

- Clarification that a permit is not required for food trucks participating in a Special Event.
- Require a sales tax report be submitted showing taxes paid in League City for the annual permit renewal.

- Clarify that food trucks cannot remain on a property between the hours of 1:00 AM and 6:00 AM.
- Create specific regulations for Food Truck Special Events.
- Create a definition of “Food Truck Park” and “Food Truck Special Event”
- Modify the use chart to allow Food Truck Parks with a Special Use Permit in several commercial zoning districts.

Recommendation Staff recommends approval of the proposed text amendments.

For additional information, you may contact Kris Carpenter, Director of Planning at 281-554-1098 or at Kris.carpenter@leaguecitytx.gov.

CHAPTER 125: Article 3. Zoning Regulations

3.14 Standards for Specific Uses.

3.14.17 Mobile Food Vendors

- a. ~~*Compliance and Permit Required, Exception.*~~ It shall be illegal to sell food and/or drink items from a food truck, concession trailer, or similar vehicle parked on private property within the city except in compliance with regulations adopted in this division and a valid permit issued pursuant thereto. A permit is not required for a mobile food vendor at a Food Truck Special Event, subject to the regulations in Section 3.14.17.f.

- b. ~~*Eligibility, Application and Permit requirements.*~~ A mobile food vendor may conduct business only on private property where an existing, permanent business operates in a building and pursuant to a certificate of occupancy. Said property must be zoned commercial, industrial, or Planned Unit Development where the base zoning district is commercial. An application for a mobile food vendor permit shall be submitted to the Building Department. The application shall include the following documentation:
 1. the ~~applicant's~~ mobile food vendor's Texas driver's license;
 2. a site plan depicting the exact location on the nonresidential property where the mobile food vendor proposes to park to conduct business;
 3. written permission, signed and dated no more than thirty (30) days before the application date, from the owner of the nonresidential property allowing mobile food ~~vendor~~ operations at said site and the use of the onsite commercially plumbed public restroom by the mobile food vendor and its customers;
 4. a Texas Sales Tax certificate for the ~~business~~ mobile food vendor seeking a permit; For annual permit renewals, provide a sales tax report showing the remitted tax to the City of League City.
 5. a County Health Department permit for the food truck, concession trailer, or similar vehicle and any related equipment; and
 6. proof of current license plates, registration, and automobile liability insurance for the food truck, concession trailer, or similar vehicle and any related equipment;
 7. a copy of an approved mobile food preparation vehicle permit application that has been submitted to the Fire Marshal Office. A passing inspection by the League City Fire Department is required prior to the Business permit being issued.

- c. ~~Business-P~~permits for mobile food vendors are valid for one year, not transferable, and may be renewed annually. The City ~~business~~-permit and the County Health Department permit shall be displayed during all times of operation in a location where it can be read by the general public.
- d. **Rules of Operation.** Mobile food vendors shall operate their business in compliance with the following rules of operation:
1. **Items for sale.** Only food and non-alcoholic drink items may be sold by a mobile food vendor.
 2. **Utilities.**
 - i. Water needed for the operation shall be provided from a tank carried on the food truck, concession trailer, or similar vehicle. Connection to a potable water supply system at the property is prohibited.
 - ii. Electricity for the operation shall be from an internal or portable generator. Connection to an electrical outlet at the property is not allowed.
 - iii. Each mobile food vendor is responsible for providing covered solid waste containers in which its customers may dispose of trash and food waste. All such solid waste containers and the solid waste collected therein shall be removed from the site by the mobile food vendor when leaving the site each day.
 3. **Hours of operation.** A mobile food vendor may operate only during the hours that the primary business on the property is open. ~~for business and shall not remain parked overnight at said property. In no case, shall a mobile food vendor (and his/her food truck, concession trailer, or similar vehicle and any related equipment) remain on a property between the hours of 1:00 a.m. and 6:00 a.m.~~
 4. **Noisemakers prohibited.** Mobile food vendors shall not use loudspeakers or noisemakers to play music or make noises for the purpose of attracting attention to a mobile food vendor.
 4. ~~**Sales Tax Reporting.** Mobile food vendors are required to report all sales tax at the place of sale. Any sales from a mobile food vendor in League City shall be reported to the State Comptroller's Office as having occurred in League City, Texas.~~
 5.
 6. **Site Regulations.**
 - i. A mobile food vendor parked to conduct business shall:
 - (a) Be set back a minimum of fifty (50) feet from residential single-family properties; and

(b) Not be in or on required parking spaces, driveways, fire lanes, unimproved surfaces, or any location where the mobile food vendor can obstruct traffic movement or impair visibility and safety to the site.

~~e. Site regulations.~~

~~1. A mobile food vendor may conduct business only on private property where an existing, permanent business operates in a building and pursuant to a certificate of occupancy. Said property must be zoned commercial, industrial, or Planned Unit Development where the base zoning district is commercial.~~

~~2. A mobile food vendor parked to conduct business shall be:~~

~~a. Set back a minimum of fifty (50) feet from residential single family properties; and~~

~~Not located in or on required parking spaces, driveways, fire lanes, unimproved surfaces, or any location where the mobile food vendor can obstruct traffic movement or impair visibility and safety to the site.~~

~~i.ii. Only one mobile food vendor is allowed per property, and no drive through may be marked or otherwise established for the mobile food vendor to conduct business.~~

f. **Special Event Regulations.** Mobile Food Vendors operating at a Food Truck Special Event are subject to the following regulations:

1. **Owner Permission.** A mobile food vendor must have permission from the owner of property on which a special event is occurring.

2. **Permit.** No permit, as described in Section 3.14.17.b, is required for a mobile food vendor to operate at a special event. However, a mobile food vendor must have a valid mobile food preparation vehicle permit issued from the Fire Marshal Office.

3. **Noise.** Mobile food vendors at a special event must comply with Chapter 42, Article II, Noise.

4. **Alcohol Sales.** Subject to a valid TABC license, mobile food vendors at a special event may serve alcohol.

5. **Duration of Special Event.** Unless approved by the City Manager, a mobile food vendor cannot operate at a special event for more than three consecutive days.

6. **Parking.** Mobile food vendors may utilize required parking spaces at community facilities or parks for neighborhood (HOA) special events. In no case shall a mobile food vendor obstruct any required fire lane.

Sec. 3.13 Use of Land and/or Buildings

3.13.1 Use of Land and/or Buildings. The use of land and/or buildings shall be in accordance with those listed in the following Table of Permitted Uses. No land or building shall hereafter be used and no building or structure shall be erected, altered, or converted other than for those uses specified in the zoning district in which it is located. The regulations for each district are established by letter designations as follows:

"P" indicates the land use is permitted in the zoning district.

"S" indicates the land use may be permitted after review and approval of a Special Use Permit by the City Council.

indicates the use is prohibited in the zoning district.

1.13.2 Classification of New & Unlisted Uses. In cases where a specific land use or activity is not listed or defined, the City Planner or designee shall assign the land use or activity to a classification that is substantially similar in character.

USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
RESIDENTIAL																				
Child Care Family Home, Listed	P	P	P	P	P	P	P													
Child Care Family Home, Registered	S	S	S	S	S	S	S													
Dwelling, Caretaker Unit												P	P							
Dwelling, Duplex				S	P	P	P													
Dwelling, Live/Work Unit								P		P	P					P	P		P	P
Dwelling, Multi-Family						P	P													
Dwelling, Single Family	P	P	P	P	P														P	P
Dwelling, Single Family with Secondary Dwelling	S	S	S	S	S														S	
Dwelling, Townhouse					P	P	P										P			
Dwelling Units, Single-Family or Multi-Family Residential 2 nd floor and above								P		P	P					P				
Manufactured Home				S		S	S													
Industrialized Home	P	P	P	P	P	P	P													
Group Residential, Assisted Living Facility (Must comply with Sec. 3.14.11)						P	P	P	P	P	P									
Group Residential, Continuing Care Facility (Must comply with Sec. 3.14.11)						P	P	P	P	P	P									
Group Residential, Disabled Group Dwelling (Must comply with Sec. 3.14.11)	P	P	P	P	P	P	P	P	P	P	P									
Group Residential, Emergency Shelter (Must comply with Sec. 3.14.11)						P	P	P	P	P	P									
Group Residential, Halfway House (See Sec. 3.14.11)												S	S							
Group Residential, Homeless Shelter (See Sec. 3.14.11)									S		S	S	S							
Group Residential, Nursing Home (Must comply with Sec. 3.14.11)						P	P	P	P	P	P									
PUBLIC AND SEMI-PUBLIC																				
Cemeteries	S	S	S	S	S	S	S							S	S					
Clubs and Lodges								S	P	S	P	S		P		P	P	P		
Colleges, Public or Private								S	P	P	P	P		P		P	P	S		
Cultural Institutions	S	S	S	S	S	S	S	P	P	P	P	P		P			P	P	S	P
Day Care						S	S	P	P	P	P			p						

USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
Educational Research and Development									P	P	P	P		P		P		S		
Event Venue									P		P					S			S	P
Government Offices and Facilities, large scale									P	P	P	P		P	S					
Government Offices and Facilities, small scale								P	P	P	P	P		P	S	P		P		
Hospitals, may have heliport								S	P	P	P			P						
Parks and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Maintenance Facilities (See Sec. 3.14.5)									S			P	P	S						
Public Safety Facilities	S	S	S	S	S	S	S	P	P	P	P	P	P	P		P	P	P	P	P
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Schools, Public or Private	S	S	S	S	S	S	S	P	P	P	P			P		P	P	S	P	P
COMMERCIAL																				
Alcoholic Beverage Sales, On-Premise Consumption (Must comply with LC Ordinance Ch. 10 and TABC)								S	S	S	S					S		S		S
Alcoholic Beverage Sales, Off-Premise Consumption (Must comply with LC Ordinance Ch. 10 and TABC)									P		P					S				S
Ambulance Services									P	P	P	P	P	P						
Amusement Parks, Carnivals, and Other Similar Uses									S			S	S							
Animal Sales and Services, no outdoor kennels or outdoor storage								S	P		S					P	P		S	S
Animal Sales and Services with outdoor kennels, areas, and runs									S		S	S						S		
Automobile/Vehicle/Equipment Sales and Rental Incidental parts, sales, servicing, and repair facilities shall be located within a completely enclosed building. Used vehicle sales permitted as accessory use only.									P		S							S		
Automobile Rentals								P	P	P	P	P	P					S		
Car Wash									S		S	P						S		
Vehicle Fueling Stations								S	S		S	P						S		
Light Vehicle Service								S	P		S	P						S		
Auto Repair and Other Heavy Vehicle Service									S			P	P							

USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
Offices								P	P	P	P	P	P	P		P	P	P	S	P
Parking Facilities								S	P	P	P			P		P	P	P		
Pawn shops (Must comply with Texas Pawn-shop Act Texas Finance Code, Title 4, Chapter 371).									P		S							P		
Personal Instructional Services								P	P		P					P	P	P	S	P
Personal Services								P	P	S	P					P	P	P		P
Recreation and Entertainment, Large-scale, Outdoor	S	S	S	S	S	S	S	S	P	S	S	S	S	P	P					
Recreation and Entertainment, Small-scale, Indoor	S	S	S	S	S	S	S	S	P	S	P	S	S			P		P		
Recreational Vehicle Park (See Sec. 3.14.6)									S											
Retail Sales (See Sec. 3.14.4)								P	P		P	P				P	P	P	S	P
Self-Storage (See Sec. 3.14.5)									S		S	P	P							
Sexually Oriented Businesses (Must comply with LC Code of Ordinances Ch. 26, Art. III)												P	P							
Tattoo Parlor/Body Piercing Studio												S	S							
Temporary Sales and Uses (Must comply with Sec. 3.14.15)												P	P	P	P			P	S	P
Temporary Sales																				
Undertaking, Funeral and Interment Services								S	P		P			P				P		
INDUSTRIAL																				
Contractor's Storage (See Sec. 3.14.5)												P	P							
Nursery and Landscaping Materials, Wholesale (Must comply with Sec. 3.14.12)												P	P							
Production Industry, Artisan (See Sec. 3.14.4)								S	P	S	S	P				P	P	S	S	P
Production Industry, General (See Sec. 3.14.4)												S	P							
Production Industry, Limited (See Sec. 3.14.4)									S		S	P	P							
Recycling Collection												P	P							
Research and Development									S	S	S	P	P	P						
Warehousing and Indoor Storage (See Sec. 3.14.5)									P	S	S	P	P							
Warehousing and Outdoor Storage (See Sec. 3.14.5)												P	P							

APPENDIX A – DEFINITIONS

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FOOD TRUCK PARK means a location where two or more Mobile Food Vendors congregate to offer food or beverages for sale to the public as the principal use of the land.

FOOD TRUCK SPECIAL EVENT: A food truck or trucks locating on property that extends beyond the normal uses and standards allowed by the Unified Development Code. These events are typically sponsored by a nonprofit or public organization lasting not more than three days. Food Truck Special Events include, but are not limited to, HOA events, city sponsored events, and festivals.

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Permit Fee Schedule

Residential

Residential Building Permit—New Single Family Residence	\$0.40/sqft
Residential Plan Review — New Single Family Residence	\$0.20/sqft
Outdoor Structures/Patio Covers/Accessory Structures *fee is per structure	\$0.75/sqft; minimum of \$150.00
Fences 7ft and over/Decks	\$100.00
Remodel/Repairs	\$150.00
Generator	\$150.00
Solar Panels	\$150.00
Roof/Window/Exterior Doors/Garage Doors	\$150.00
Siding	\$250.00
Boathouse/Bulkhead	\$200.00
Driveway/Flatwork	\$150.00
Foundation repair	\$150.00
Area Drain	\$50.00
Grade/Fill	\$50.00
Culvert	\$50.00
Demolition	\$150.00
Swimming Pool	\$250.00
Mobile Home/Construction Trailer	\$150.00
Contractor Registration	\$150.00/annually
Business Occupancy Registration	\$100.00
Food Truck	\$100.00 \$250
Re-Inspection Fee*	\$100.00 first re-inspection \$300.00 second re-inspection for same failure \$500.00 third (and each thereafter) re-inspection for same failure
After Hours/Same Day Inspection (Emergency utility reconnect only.)	\$50.00 per hour, 2-hour minimum Due in advance.
Working Without Permit Fee	Double the cost of the regular permit fees
Residential Multiple Plan Reviews *to be charged on each review after the 2nd review	50% of the permit fee

Electrical Permit

Base Fee	\$50.00
Meter Loop	\$10.00/ea
Circuit	\$10.00/ea
T-Pole	\$25.00/ea
Temporary Cut-In (TCI)	\$25.00/ea
Transformer (per KVA)	\$5.00/ea

Plumbing Permit

Base Fee	\$50.00
Fixtures	\$5.00/ea
Water Line	\$10.00/ea
Sewer Line	\$25.00/ea
Backflow Preventer	\$25.00/ea

Gas Permit

Base Fee	\$50.00
Fixtures	\$5.00/ea

Mechanical Permit

Base Fee (per unit)	\$50.00
Units over 5 tons	\$10.00 per ton over 5T

Irrigation Permit

Residential	\$100.00
Commercial	\$100.00 plus \$25.00 per zone

Sign Permit

Permanent	\$100.00/each sign
Temporary	\$50.00/each sign



Permit Fee Schedule

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Commercial (based on valua-

\$1 to 500	\$23.50
\$501 to 2,000	\$23.50 for the first \$500; plus \$3.50 for each additional \$100 or fraction thereof, to, and including \$2,000
\$2,001 to 25,000	\$69.25 for the first \$2,000; plus \$14.00 for each additional \$1000 or fraction thereof, to, and including \$25,000
\$25,001 to 50,000	\$391.25 for the first \$25,000; plus \$10.10 for each additional \$1000 or fraction thereof, to, and including \$50,000
\$50,001 to 100,000	\$643.75 for the first \$50,000; plus \$7.00 for each additional \$1000 or fraction thereof, to, and including \$100,000
\$100,001 to 500,000	\$993.75 for the first \$100,000; plus \$5.00 for each additional \$1000 or fraction thereof, to, and including \$500,000
\$500,001 to 1,000,000	\$3,233.75 for the first \$500,000; plus \$4.75 for each additional \$1000 or fraction thereof, to, and including \$1,000,000
\$1,000,000 and up	\$5,608.75 for the first \$1,000,000; plus \$3.15 for each additional \$1000 or fraction thereof
Plan Review Fee	25% of Permit Fee