



Department of Urban Development

Andrew Ellard, Director

601.545.4609 or aellard@hattiesburgms.com

MEMORANDUM

TO: TO ALL IT MAY CONCERN
FROM: ANDREW ELLARD, DIRECTOR OF URBAN DEVELOPMENT;
 GINGER M. LOWREY, AICP, PLANNING DIVISION MANAGER
DATE: MARCH 15, 2021
SUBJECT: LAND DEVELOPMENT CODE AMENDMENT PROPOSAL FOR FOOD TRUCK PARKS

Planning Commissioners and all others it may concern, the April 7, 2021 Planning Commission agenda includes a proposal for amendments specifically related to the new use of “Food Truck Park” including Section 5, 7, & 13 of the Land Development Code. Amend Section 9 for the purpose of improvements to the City’s Community Rating System (CRS) program. These changes are proposed by City staff due to the demand for the new use and the need for established standards for such developments. This document serves as an explanation of the amendments change-by-change.

Code Section	Change proposed	Reasoning
Section 5.1 Table of Uses	Add “Food Truck Park”. “Conditional Use” in B-2, B-3, B-4, I-1, and I-2. “Permitted with conditions” in B-5	Adds new use with appropriate zoning and use type
Add new section to 5.4 for “Food Truck Park” conditions. 5.4.22	Add section for “Food Truck Park” conditions. As 5.4.22 and adjust numbering for all subsections following 5.4 as necessary	Adds section for conditions for “Food Truck Park”
Section 5.4.22.1	Add to read “No part of the active use area of a food truck park, including vendor locations and seating, may be located closer than 300 feet to a lot containing a legal, conforming residential use. This condition does not apply to B-4 or legal, conforming mixed use zones”	Adds conditions for “Food Truck Park”.

Section 5.4.22.2	Add to read "Vehicular drive-through service of food and/or beverages shall not be permitted in Food truck parks."	Adds conditions for "Food Truck Park".
Section 5.4.22.3	Add to read "No mobile food vendor or structures associated with the mobile food park use shall be located in a required zoning setback, driveway, utility easement, fire lane, or other site element not designed for the place of a mobile food vendor."	"Adds conditions for "Food Truck Park".
Section 5.4.22.4	Add to read "No less than 2 and no more than 10 individual mobile food vendors are permitted per site. Vendors should be placed no closer than 10 ft to another vendor or structure."	Adds conditions for "Food Truck Park".
Section 5.4.22.5	Add to read "Permanent restroom facilities shall be provided to accommodate the maximum occupancy."	Adds conditions for "Food Truck Park".
Section 5.4.22.6	Add to read "Mobile food vendors must operate from designated mobile vendor sites as denoted on the approved site plan. Mobile food vendors shall not operate from the parking lot of food truck parks."	Adds conditions for "Food Truck Park".
Section 5.4.22.7	Add to read "Each food truck park must provide wastewater disposal site that meets all applicable and relevant plumbing codes for food disposal including grease interceptor and dumpster requirements per 7.9.10. for the maximum number of vendors the site is designed for."	Adds conditions for "Food Truck Park".
Section 5.4.22.8	Add to read "Mobile Food parks may provide temporary water and electrical connections. Permanent connections are not permitted."	Adds conditions for "Food Truck Park".
Section 5.4.22.9	Add to read "A minimum 10% of the lot will be interior landscaping exclusive of required perimeter landscape and landscape islands. One large tree per 500 sq ft of interior landscaping. Above ground landscaping or alternative amenities may be permitted by SDRC. Food Truck Parks in B-4 are excluded from this condition."	Adds conditions for "Food Truck Park".
Section 7 Table 7.12 – Table of Parking...	Amend Use from "food Truck" to "Food Truck Park" and add "Minimum Spaces Required" to read "2 per vendor space"	Adds parking requirement for "Food Truck Parks"

Requirements; Food Trucks		
Section 9.1.3	Amend to read: "Post Development Discharge. Post development discharge rates shall not exceed pre-development discharge rates from any development site excluding single-family residential as deemed appropriate with impervious coverage exceeding 0.49 acres. Engineering detail and documentation including a stormwater plan for the site shall be required at the time of application as specified herein."	Clarify and make consistent with requirements already administered in other Departments and for CRS purposes
Section 9.1.7.1.3	Amend to add to the end of the third bullet "Refer to 9.1.3. for development discharge requirements."	Clarify and for CRS purposes
Table 9.2 Land Disturbance Permit Requirements	Amend (as presented below) to insert as the third row the following text: "0.5 (½) acre to 0.999 acre resulting in impervious coverage per 9.2.1.1"; "Yes"; "SWPPP & Stormwater calculations"; "City"; and amend "Construction Permits (including Notice of Intent & SWPPP) Required" column for "1 acre to 4.999 acres" to read "Small Construction General Permit including SWPPP & Stormwater calculations".	Clarify and make consistent with requirements already administered and for CRS purposes
13.2 Definition – Add "Food Truck Park"	Amend to add "Food Truck Park" to read "A parcel or group of parcels used or developed to accommodate two (2) to ten (10) mobile food vendors to offer food or beverages for sale to the public with seating for customers while possibly accommodating areas on the property for entertainment or recreational opportunities. Also See "Mobile Food Vendor"	Add definition of "Food Truck Park"
13.2 Definition – Add "Mobile Food Vendor"	Amend to add "Mobile Food Vendor" to read "any person or persons who sell food and/or beverages from a permitted vehicle or mobile push cart/stand (also called "food truck" and "mobile push cart") on a consistent basis for a period of more than 15 consecutive or non-consecutive days each calendar year"	Add definition of "Mobile Food Vendor" to LDC consistent with Ord 3286

Table 9.2 Land Disturbance Permit Requirements

Acre(s) Disturbed	Land Disturbance Permit Required from the City	Construction Permits (including Notice of Intent & SWPPP) Required	Submittal and Approval Required by:
Less than ½ acre (21,780 sq. ft.)	Yes	No	City
0.5 (½) acre to 0.999 acre	Yes	No	City
0.5 (½) acre to 0.999 acre resulting in impervious coverage per 9.2.1.1	Yes	SWPPP & Stormwater calculations	City
1 acre to 4.999 acres	Yes	Small Construction General Permit including SWPPP & Stormwater calculations	City
5 acres or greater	Yes	MDEQ Large Construction General Permit	MDEQ