



## SUBCHAPTER 4. ESTABLISHMENT OF DISTRICTS AND BOUNDARIES.

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### 4.9 MOBILE FOOD VENDOR (MFV)

- A. Mobile Food Vendors (MFV) shall only be permitted in approved Mobile Food Parks (MFP) as provided within this Subchapter, with exception to the following:
1. Temporary shaved ice establishments, as otherwise permitted within this Subchapter;
  2. Temporary vendors permitted by the City of Pflugerville for park concessions or at a temporary event;
  3. Neighborhood “ice cream truck” vendor meeting the following standards:
    - a. Retail sales of only pre-wrapped or prepackaged ice cream, frozen yogurt, frozen custard, or similar frozen dessert products.
    - b. No ice cream truck shall stop for the purpose of making sales for more than 15 minutes in a single location.
    - c. An ice cream vendor in a motor vehicle shall pull as far as practicable to the right side of traffic when stopping for the purpose of making sales and shall operate four-way flashers when so stopped. In no event shall an ice cream vendor stopped for the purpose of making sales prevent the passage of other motor vehicles on the rights of way.
    - d. Each ice cream vendor shall provide a rubbish receptacle for use of its customers. Prior to leaving each stop, the operator shall remove any litter left at the stop by customers.
    - e. Ice cream vendors may stop for the purpose of making sales only between the hours of 11:00 a.m. and 9:00 p.m. Monday – Sunday.
    - f. Use of sound to encourage patronage shall be subject to and comply with noise requirements outlined in Chapter 94 of the Code of Ordinances. Use of a horn to encourage patronage shall be prohibited and considered a nuisance.
- B. The following shall be applicable to all MFVs:
1. Operators shall have a valid food establishment permit and must be annually permitted through the City of Pflugerville. They shall operate from a permitted commissary for food preparation, storage, and disposal.
  2. Operators shall comply with all applicable requirements from the City, County, and State including, but not limited to the Texas Food Establishment Rules, and sales tax requirements.
  3. A MFV utilizing sound to encourage patronage shall be subject to and comply with noise requirements outlined in Chapter 94 of the Code of Ordinances. Use of a horn by a MFV however to encourage patronage shall be prohibited and considered a nuisance.
  4. At no time shall a MFV conduct door to door sales. Solicitation for advertising purposes shall be subject to Chapter 111 of the Code of Ordinances.

5. Nothing written herein shall prevent a MFV from obtaining necessary permits when participating in a temporary event, and nothing written herein shall supersede another section of the Code of Ordinances.
6. All MFV vehicles shall clearly identify the business name and a valid contact telephone number on both sides of the vehicle.

Effective on: 2/25/2015



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### 4.10 MOBILE FOOD PARK (MFP)

A Mobile Food Park (MFP) is permitted as outlined in Tables 4.3.2 and 4.4.2, and subject to the following standards and limitations:

#### A. Mobile Food Parks Generally

1. A MFP shall be allowed to remain open during times that the Texas Alcohol Beverage Control permits on-premise sale or service of alcoholic beverages. At no point shall an MFP remain open for 24-hours.
2. The standards and limitations in this section are in addition to all other applicable standards within the Code of Ordinances. Any applicable standards not expressly detailed in this section shall apply.
3. If a MFP is proposed on a site that requires a new utility connection or if a permanent structure is being constructed, the property must be platted pursuant to Subchapter 15.
4. The commercial design standards in Subchapter 9 of this Code shall apply to any permanent structure on the site. These standards do not apply to any food truck and/or trailer.

#### B. Distance Requirements

With exception of the Downtown District, no MFP shall be located within 200 feet of a conforming single-family residential dwelling unit, or fifty (50) feet of a restaurant establishment that is operating out of a permanent structure. The distances shall be measured as a buffer distance from the proposed MFP property lot lines.

#### C. Site Dimensional Standards

1. The number of MFV spaces allowed on a site shall be calculated at one (1) vendor space per 1,000 square feet of lot space. The minimum number of vendor spaces shall be two (2). The maximum number of vendor spaces allowed on any site shall be limited to ten (10), except that a request may be made to the Planning Director to approve an alternative number of vendors spaces. Vendor spaces do not need to be occupied at all times, but they must be shown and designed during the site plan process.
2. Only one (1) MFV is permitted to occupy each vendor space on a site. The maximum number of MFVs allowed on a site is ten (10), unless the Planning Director approves an alternative number to coincide with the alternative number of approved vendor spaces.
3. No MFV, permanent structures, or seating areas shall be located within the required building setbacks of the applicable zoning district.
4. There shall be a minimum of ten (10) feet of separation between each individual MFV, and a minimum of twenty (20) feet of separation between any MFV and a permanent on-site structure.

5. A MFV shall remain outside of a required fire lane, be located a minimum of 3' from any site fire hydrant and shall not block access to a Fire Department Connection (FDC).
6. A MFP shall establish suite numbers for each MFV space for locating and record keeping requirements.
7. No vehicle drive-through services shall be permitted within a MFP.
8. During hours of operation, each MFV shall be responsible for providing a trash receptacle for use by customers and shall ensure the area is kept clear of litter and debris at all times. A common dumpster may be provided within the MFP if the dumpster is screened in accordance with Subchapter 11 and is in an approvable location.
9. Nothing herein shall prohibit a MFP from establishing or utilizing a permanent structure for indoor seating, entertainment venue, or similar purposes provided the structures comply with all applicable requirements, including but not limited to building and fire department requirements.
10. With exception of the Downtown District, a MFP shall obtain vehicle access from a collector or arterial street.

#### D. Site Design Standards

1. A detailed site plan shall be required for the approval of a mobile food park. At a minimum, the site plan must show the location of, and detail, the following items:
  - a. Each Mobile Food Vendor with appropriate separation distances;
  - b. Outdoor grills, fryers, or smoker pad sites;
  - c. Utility connections, including electric, gas, water, and sewer;
  - d. On-site lighting;
  - e. Activity areas, including playground, movie screen, stage or similar areas;
  - f. Restrooms and hand washing facilities;
  - g. Designated customer seating areas;
  - h. ADA access to parking, vendors, and restrooms;
  - i. Proposed parking areas including on-site and off-site spaces;
  - j. Fire lanes and apparatus routes;
  - k. Dumpsters and service vehicle access for waste removal, moving vendor trailers, etc.
2. Access to a MFP shall be through a single, all weather surface driveway directly connected to a public street, with a maximum driveway width of 35 feet. Where on-site parking is proposed near a driveway, a minimum throat distance of 50 feet shall be provided unless otherwise reduced by the City Engineer.
3. All mobile food vendors, outdoor fryers, grills, and smokers shall be placed on an approved all-weather surface and identified on the site plan.
4. Venues for live music, art performances, movies or similar activities shall be subject to the provisions provided herein, with the proposed location identified on the site plan.
5. In order to improve safety, individual electrical generators shall be prohibited. All electrical services necessary to serve a MFV or MFP shall be provided through permanent on-site connections. Aerial electrical line extensions shall be prohibited.
6. A MFP shall be designed with individual electric connections installed at each MFV space. Individual electric service outlets with lockable connection boxes shall be installed at each space through approved underground utility line extensions.

7. Where individual propane tanks will be utilized, a valid invoice from a Certified Master Plumber indicating an annual pressure test has been successfully completed shall be provided for each MFV. In lieu of individual tanks, a centralized propane tank may be considered within an MFP if the Planning Director and Fire Department approve the location, and it is designed to provide individual service to all MFV spaces through underground extensions.
8. Customer seating shall be provided at a minimum rate of four (4) seats per individual vendor, and may be grouped within the MFP. Seating areas may be located within a permanent building or under a shade structure, provided said building or structure meets all minimum building and fire code requirements. Where outdoor seating is proposed, the surface shall consist of turf grass, crushed granite, pavement, mulch, or other improved surface, as approved by the Planning Director.
9. Use of temporary tents shall require individual approval from the Fire Department.
10. Nothing provided herein shall exempt or preclude compliance with all other provisions of the Code of Ordinances, International Building Code, or other requirements (e.g. Fire Department) to protect health, safety and general welfare.

#### E. Lighting

On-site lighting shall be provided within a MFP and shall be in accordance with Subchapter 13, with exception that string lights shall be permitted throughout a MFC when a colored or warm white light is utilized. String lights shall adhere to the UL standards and shall not be placed in a manner which would establish a safety issue.

#### F. Parking

1. The required number of off-street parking spaces shall be calculated at a rate of two (2) parking spaces per Mobile Food Vendor, provided however that an alternate parking plan may be completed pursuant to Subchapter 10. In the Downtown District, spaces in the right of way within 200 feet of the site, or surface lots within 400 feet of the site may be used in obtaining the required spaces. Where right of way parking within 200 feet of the site is not currently provided, but could be established to meet the minimum required parking spaces for a MFP, those spaces shall be constructed with the mobile food park.
2. If the MFP site plan identifies available space on-site for employees and/or towing vehicles to park, then the Planning Director may approve a reduced number of required parking spaces.
3. All patron vehicular parking shall be provided on an all-weather surface as approved by the Planning Director.

#### G. Signage

1. One (1) monument sign shall be permitted for the entrance to the site. This sign shall comply with all applicable City requirements.
2. Each mobile food vendor within a MFP may have signs mounted to their vehicle and/or trailer. All vehicle and trailer signage shall be mounted flush to the outside surface of the vehicle.
3. Each mobile food vendor within a MFP may have one (1) "A-frame" sign, not to exceed three (3) feet in height, immediately adjacent to their vehicle for the purpose of displaying a menu or special advertisement.
4. If the MFP is located within any special zoning district, additional standards may apply pursuant to the requirements of that zoning district.



#### H. Restroom facilities

1. Each MFP shall provide facilities to accommodate for a minimum of two (2) restrooms. Where portable restroom facilities are utilized, said facilities shall be professionally cleaned a minimum of three times per week. Preference is given to self-contained, portable restroom facilities constructed within an enclosed cargo trailer or similar. Other temporary portable restroom facilities may be considered by the Planning Director.
2. The restroom facilities should be equipped with hand washing facilities, or at a minimum, hand sanitation stations shall be provided at the restroom facility and throughout the MFP.

#### I. Venues

1. Playgrounds, movie areas, stages for musical or art performances, or similar are encouraged within a MFP. Said areas shall be oriented away from neighboring uses to reduce noise and light, and potential nuisance.
2. Nothing stated herein shall exempt the venue from complying with Chapter 94 of the Code of Ordinances.

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