

REQUEST

At the July 10, 2019 meeting, the Planning Commission initiated a Zoning Ordinance amendment to regulate mobile food vending units. The purpose was to allow food trucks (mobile vending units) with a temporary use permit and to stipulate regulations. The notice was published on July 29, 2019 for a public hearing on September 4, 2019.

(REZ1904) Ordinance 2019-05:

3.25 Temporary Uses or Structures Requiring Zoning Administrator Authorization

C. Mobile food vending.

- (1) The Zoning Administrator, upon receiving an application, may issue a permit for the temporary use of mobile food vending in the OS, NS, CS, and I districts, including PUDs with non-residential components, with written permission of the property owner, unless on public property with approval by the Township Superintendent.
- (2) In considering a request for a temporary permit, the Zoning Administrator must determine that the operation of such a use is seasonal in nature and will not be established as a permanent use.
- (3) Each permit shall be valid for a period of not more than seventy-two (72) consecutive hours in a seven (7) day period. A maximum of 26 permits are allowed per property in a calendar year with a maximum of 3 mobile vending units per permit.
- (4) Each mobile food vending unit shall be parked in a paved parking lot, using only spaces that are not required for another use, and shall not be parked in any road right of way. There shall be sufficient paved ingress and egress. The unit shall meet all setback requirements for the principal building/use.
- (5) There shall be no outdoor storage. All rubbish and litter stemming from the mobile food vending operation shall be removed from the property after each day that the mobile food vending unit is in operation.

~~(C)~~ **(D)** In considering authorization for all temporary uses or structures, the Zoning Administrator shall consider the following standards:

DISCUSSION

The change would allow food trucks to operate in the commercial and industrial districts in the Township with an approved Temporary Use Permit. The permit could be issued for a maximum of 72 hours in a 7 day period for up to 3 vending units.

OPTION FOR MOTION

If the Planning Commission determines to revise the Zoning Ordinance to accommodate this use, the following motion is offered.

Motion: To recommend to the Township Board to approve the following resolution:

(REZ1904) Ordinance 2019-05:

GEORGETOWN CHARTER TOWNSHIP
OTTAWA COUNTY, MICHIGAN
(Ordinance No. 2019-05)

At a regular meeting of the Township Board for the Charter Township of Georgetown, held at the Township Offices on _____, 2019, the following Ordinance/ordinance amendment was offered for adoption by Township Board Member _____, and was seconded by Township Board Member _____, upon recommendation from the Planning Commission:

AN ORDINANCE TO AMEND THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE CHAPTER 3

THE CHARTER TOWNSHIP OF GEORGETOWN (the "Township") ORDAINS:

Article I. The Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to revise Chapter 3:

3.25 Temporary Uses or Structures Requiring Zoning Administrator Authorization

D. Mobile food vending.

- (6) The Zoning Administrator, upon receiving an application, may issue a permit for the temporary use of mobile food vending in the OS, NS, CS, and I districts, including PUDs with non-residential components, with written permission of the property owner, unless on public property with approval by the Township Superintendent.
- (7) In considering a request for a temporary permit, the Zoning Administrator must determine that the operation of such a use is seasonal in nature and will not be established as a permanent use.
- (8) Each permit shall be valid for a period of not more than seventy-two (72) consecutive hours in a seven (7) day period. A maximum of 26 permits are allowed per property in a calendar year with a maximum of 3 mobile vending units per permit.
- (9) Each mobile food vending unit shall be parked in a paved parking lot, using only spaces that are not required for another use, and shall not be parked in any road right of way. There shall be sufficient paved ingress and egress. The unit shall meet all setback requirements for the principal building/use.
- (10) There shall be no outdoor storage. All rubbish and litter stemming from the mobile food vending operation shall be removed from the property after each day that the mobile food vending unit is in operation.

~~(C)~~ **(D)** In considering authorization for all temporary uses or structures, the Zoning Administrator shall consider the following standards:

Article II. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

Article III. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance/ordinance amendment shall be found to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity or the enforceability of the remaining

sections, provisions, phrases, or other words of this Ordinance/ordinance amendment, and the balance of this Ordinance/ordinance amendment shall remain unchanged and in full force and effect.

Article IV. Effective Date. This Ordinance/ordinance amendment shall become effective upon the expiration of seven (7) days after the date that this Ordinance/ordinance amendment or a summary thereof appears in the newspaper as provided by law.

The vote in favor of this Ordinance/ordinance amendment was as follows:

YEAS:

NAYS:

ABSENT/ABSTAIN:

ORDINANCE/ORDINANCE AMENDMENT DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance/ordinance amendment adopted by the Township Board for Georgetown Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____
Richard VanderKlok
Georgetown Charter Township Clerk