

ORDINANCE NO. O-2015-2758

AN ORDINANCE AMENDING CHAPTER 46, SECTIONS 46-5 AND 46-161, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, BY ADDING MOBILE FOOD ESTABLISHMENTS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 46, Section 46-5, Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended as follows, with the new definitions set forth below being appropriately inserted alphabetically:

Sec. 46-5. - Definitions.

Term	Definition
<u>Event center</u>	<u>A facility consisting of multipurpose rooms, outdoor courtyards, or recreational facilities used for hosting social gatherings such as weddings, parties, receptions, and dances.</u>
<u>Mobile food establishment</u>	<u>A motor vehicle or enclosed trailer that is used for the purpose of cooking, preparing, and/or assembling food items for sale to the public.</u>
<u>Small scale-alcohol production</u>	<u>The production of limited amounts of alcoholic beverages for on-site and/or off-site consumption. Includes facilities such as microbreweries, microdistilleries, and microwineries, plus brewpubs in which the restaurant aspect of the establishment is accessory to the brewing aspect.</u>

II.

That Chapter 46, Section 46-161, Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended to add subsection (c) to read as follows:

Sec. 46-161. - Accessory uses.

(c) Mobile food establishments.

(1) General. A mobile food establishment is a temporary food service operation that supports certain types of businesses in certain locations in the City.

- 1 (2) Accessory use only. Mobile food establishments are prohibited except as an accessory
2 use supporting the following primary uses:
- 3 a. Eating and drinking establishments located on lots zoned MU-1 or a PUD which
4 abuts an MU-1 or MU-2 zoned parcel;
- 5 b. A multi-tenant center where the mobile food establishment is located within an
6 internally oriented pedestrian promenade which is not visible from the public right
7 of way;
- 8 c. Small-scale alcohol production facilities;
- 9 d. Event centers;
- 10 e. Municipal parks and recreation facilities; and
- 11 f. Higher education facilities, corporate office campuses, and business/ industrial
12 parks, at which the mobile food establishment provides service to the students or
13 employees of the hosting organization.
- 14 (3) Temporary in nature. Mobile food establishments are meant to be open and on-site only
15 on a temporary basis. As such, the following requirements shall be met:
- 16 a. New connections to city water or wastewater infrastructure are prohibited;
- 17 b. New electric meters are prohibited; and
- 18 c. It shall be unlawful for the owner of a mobile food establishment which is visible
19 from public rights-of-way to park the vehicle overnight at the location of their
20 associated primary use on any Sunday, Monday, Tuesday, Wednesday, or
21 Thursday night, with the exception of Sunday and Thursday nights that coincide
22 with a federal holiday the following day.
- 23 (4) Permit required.
- 24 a. Except as provided below, an annual permit from the city for each calendar year
25 beginning January 1 shall be required for the operation of a mobile food
26 establishment. The property owner or tenant who is hosting the mobile food
27 establishment shall be responsible for obtaining the permit.
- 28 b. A site map showing the proposed location of the mobile food establishment(s)
29 shall be provided.
- 30 c. All applications for mobile food establishment permits shall be accompanied by
31 the appropriate fee as set forth in appendix A of this code.
- 32 (5) Site location criteria.
- 33 a. Mobile food establishments shall not locate on public streets or in public parking
34 lots, but may locate in an unimproved alley of a property zoned MU-1.
- 35 b. Mobile food establishments shall not be located within 50 feet of a single family
36 dwelling unit. This measurement shall be taken from the property line of the
37 dwelling unit to the closest point of the mobile food establishment location.
- 38 c. Mobile food establishments shall not locate in access drives, fire lanes, or
39 improved alleys.
- 40 d. Mobile food establishments shall not locate on sidewalks in or along the right-of-
41 way without prior approval from the city. Approval may be granted if a minimum
42 width of five (5) feet of sidewalk remains free of any obstructions.
- 43 e. Mobile food establishments may not occupy any parking spaces needed for the
44 minimum required parking for the primary use.

- f. Mobile food establishments shall be located a minimum of 15 feet from fire hydrants and five (5) feet from any utility box, ADA accessibility ramp, or building entrance.

(6) Other requirements.

- a. The mobile food establishment shall be in compliance with Williamson County & Cities Health District regulations and applicable City fire department regulations.
- b. All signage and identification for the mobile food establishment shall be on or attached to the vehicle. Menu items may be displayed on sandwich boards which are not attached to the vehicle.
- c. The mobile food establishment shall not operate during hours that the primary use is closed.
- d. All food vending transactions shall occur from the vehicle.
- e. No trash or grease shall be left at the site after the departure of the mobile food establishment, except in existing on-site containers specifically designed for such waste.
- f. Vehicles, generators, and other equipment shall be maintained so as to be in operable condition at all times.
- g. Durable exterior-grade finishes and decorations shall be utilized for all exterior materials on the vehicle and shall be maintained in accordance with minimum property, structural and health standards.
- h. Sites smaller than one acre are prohibited from having more than two (2) mobile food establishments on-site at any one time.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the _____ day of _____, 2015.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2015.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk