



AGENDA ITEM SUMMARY

Agenda Date	November 4 th , 2024
Requested Action	Consider the proposed amendments to the Unified Development Code (UDC) regarding regulations for mobile food units (MFUs) and mobile food parks, including changes to Chapter 3, Chapter 5, and Appendix A of the UDC.
Contact Person	Jo-Anmarie Andrade, Planner II (830) 816-2040, jandrade@boerne-tx.gov
Background Information	<p>BACKGROUND:</p> <p>The City’s Unified Development Code regulates land use, establishes minimum development standards and design criteria, and identifies the procedures required for City approval. It is used to protect property values and ensure land use compatibility. It is also the primary tool for implementing the future land use policies in the Comprehensive Master Plan.</p> <p>The format and content of most UDC’s are similar, but the regulations within each ordinance are be tailored to fit the needs of the local community.</p> <p>The UDC may be amended twice a year, however, staff has traditionally done only one comprehensive amendment per year. Instead of comprehensive amendments, staff has pinpointed proposing specific sections that require clarification or realignment to meet the intent designed to address key issues.</p> <p>The proposed amendments focus on creating regulations for mobile food parks and updating the existing regulations for individual mobile food units within the City of Boerne. These changes aim to balance the economic benefits of mobile food services with the needs of existing businesses and ensure consistency with city goals for community development.</p> <p>To develop these amendments, the food truck subcommittee, staff, and Lionheart Consulting reviewed feedback from Commission and Council interviews, an initial draft, and regulatory examples from San Marcos,</p>

Fredericksburg, and Buda. Key elements from other cities included limiting operations near residential areas, ensuring access to restrooms, and maintaining mobility standards for mobile units.

The draft amendments were presented for discussion at the May 6th Planning & Zoning (P&Z) meeting, where the Commission provided feedback and identified several important considerations:

- **Community Feedback:**
Concerns were raised about mobile food units parking inappropriately in certain areas like Johns Rd and I-10, and how changes might impact existing operations near locations like Cascade Caverns.
- **Support for Business Growth:**
The commission highlighted the role of food trucks as incubators for new local businesses which successfully transitioned from a mobile unit to a brick-and-mortar location.
- **Need for Stronger Enforcement:**
There was consensus that improved enforcement of mobile food unit regulations is necessary to maintain orderly operations.

REQUEST:

1. The proposal will amend regulations for mobile food units (MFUs) and mobile food parks, including changes to Chapter 3, Chapter 5, and Appendix A of the UDC.
2. The primary objectives of these amendments are to establish clear regulations for the operation of mobile food units and mobile food parks, ensure consistency with health and safety standards, and support the growth of small businesses while maintaining compatibility with existing land uses within the City of Boerne.

ANALYSIS:

- The amendments align with the City Charter by supporting responsible economic growth and maintaining community standards.
- The proposal complies with relevant state and federal regulations, including Texas health standards managed by Kendall County Health Inspector Services, ensuring that mobile food units meet all required health standards without duplicating regulatory oversight.

- The amendments support the Comprehensive Plan’s goals of economic growth by creating accessible opportunities for small, locally owned mobile food businesses. Allowing mobile food units as accessory and temporary uses in commercial zones supports new entrepreneurs, boosts business diversity, and attracts residents and visitors, driving foot traffic to nearby businesses and enhancing Boerne’s appeal as a destination.
- By clarifying zoning, parking, and operational standards for mobile food units, the amendments better support the UDC’s goals of land use compatibility, public safety, and community character. These clear standards benefit applicants and City staff alike, streamlining mobile food unit operations while protecting local businesses and neighborhoods.
- The changes simplify the approval and enforcement process for mobile food units by establishing clear zoning and operational requirements. This structure enhances regulatory efficiency, minimizes potential conflicts, and promotes orderly operations, making compliance and oversight more manageable.
- The amendments encourage growth in Boerne’s mobile food sector, supporting small business development and providing pathways for mobile vendors to transition into permanent establishments, as seen with businesses like Z’s Pizza. These updates modernize the UDC to reflect current trends, enhance regulatory clarity, and align with Boerne’s economic and community objectives.

FINDINGS:

The proposed amendment meets the criteria for approval as outlined in Section 2.2.C of the UDC.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission accept the findings and recommend **APPROVAL** of the proposed amendments to the Unified Development Code (UDC) regarding regulations for mobile food units (MFUs) and mobile food parks.

MOTIONS FOR CONSIDERATION:

The following motions are provided to assist the Commission’s decision and motion.

	<p>I move that the Planning and Zoning Commission accept the findings and recommend APPROVAL of the proposed amendment(s).</p> <p>OR</p> <p>I move that the Planning and Zoning Commission recommend DENIAL of the proposed amendment(s), based on the following findings: (The Commission will need to state the reasons for the denial).</p>
Item Justification	<input checked="" type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Customer Pull <input type="checkbox"/> Increase Revenue <input checked="" type="checkbox"/> Service Enhancement <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Process Efficiency <input type="checkbox"/> Master Plan Recommendation <input type="checkbox"/> Other:
Strategic Alignment	B1 - Utilizing data to drive smart decision making B2 - Advancing master plan recommendations B3 - Providing streamlined and efficient processes:
Financial Considerations	N/A
Citizen Input/Board Review	Notice of the Planning Commission public hearing was published in the Boerne Star on October 17, 2024. No public comments have been received as of the drafting of this report.
Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Proposed Amendments