

James Sorenson replied we would be following what the State Law has put in place. We would be making our code comply with what we have been told to comply with.

Commissioner Lisa Hartman opened this item to public comment.

Steve Van Maren, 11039 Lexington Circle, Sandy, commented that Cindy Sharkey's microphone wasn't working.

Commissioner Lisa Hartman closed this item to public comment.

Commissioner Monica Collard moved that Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "A", for the two reasons outlined in the staff report.

Nancy Day seconded the motion. The vote was as follows: Monica Collard, yes; Nancy Day, yes; Jared Clayton, yes; Cyndi Sharkey, yes; Joe Baker, yes; Lisa Hartman, yes. The vote was unanimous in favor.

3. Mobile Food & Street Vendor Businesses Amend Title 15A, Chapter 11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008

CODE-09-17-5306

The Sandy City Community Development Department has filed a request to amend Title 15A, Chapter 11, Mobile Food Businesses, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that will align it with recent State Code changes relating to food trucks and mobile food businesses. Staff has also proposed several formatting changes to make it easier for mobile food businesses and street vendors to follow and understand our requirements, while also making it easier to enforce. The proposed changes will also make it easier to operate a mobile food business or street vendor.

STAFF RECOMMENDATION

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit "A", attached, for the following reasons:

1. Compliance with the Purpose of the Land Development Code by stabilizing property values by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards under which mobile food and street vendor businesses would be evaluated within the City.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Brian McCuistion presented this item to the Planning Commission. He stated that Senate Bill 250 made changes to several things relating to food trucks. Cities can no longer require multiple business licenses at different locations for the same business. This Bill also requires cities to reciprocate health and safety certificates and inspections, and eliminates our ability to require certain distance from restaurants. Sandy City would be making all the change that the state has put forth as well as reorganizing the way this particular chapter is outlined.

Commissioner Nancy Day asked if food trucks could be in the same parking lot as a restaurant.

Brian McCuistion replied we have locations as to where these food trucks could be as far as handicap stalls, fire hydrants, and other food trucks, but we cannot restrict how close they can be to a restaurant. The property owner would have to give permission for the food truck to be located on their property.

James Sorenson stated food trucks could be in the public areas but not in private areas without permission.

Brian McCuistion stated the provisions on where food trucks could go within the public right-of-way are very restrictive.

Commissioner Cyndi Sharkey asked how would a food truck or cart provides access to a restroom.

Brian McCuistion replied that would typically happen when given permission from a property owner. The restaurant would allow access to a restroom. For larger events, port-a-potty's would have to be delivered or they could work with the adjacent property owner to use their restroom.

James Sorenson stated if there were a food truck court of something larger, they would have to bring in their own restrooms or work with the adjacent property owner.

Commissioner Cyndi Sharkey stated in the Land Use Development Code Purpose Compliance, under "General" it states to stabilize property values. She asked if the reason for implementing the Food Truck Ordinance is to stabilize property values. She also stated stabilize property values would be the least likely reason to do this.

Commissioner Jared Clayton stated it does not state "real" property value.

Commissioner Cyndi Sharkey stated she does not understand why stabilize property values would be the reference of why the city is applying this new ordinance.

Brian McCuistion stated this was an oversight. This is the language that has been used in Code Amendments in past.

Commissioner Cyndi Sharkey replied this language was also sighted in the Home Occupation

Ordinance, but it makes sense to have it there. It should be removed from the Food Truck Ordinance.

Commissioner Jared Clayton stated the language could be changed when a motion is made.

Commissioner Lisa Hartman opened this item to public comment.

Steve Van Maren, 11039 Lexington Circle, Sandy, indicated Nicole Martin stated sales tax was memitted, not based on sales but by business locations.

Commissioner Cyndi Sharkey stated what she was told is that if the food truck chooses to have a business license in Sandy; sales tax would be remitted to Sandy. If the food truck is operating in Sandy but has a business license in another city, sales tax revenue would go to the other city.

Steve Van Maren stated the Ordinance should not say “Sales that occur within Sandy City limits”. It should say, “Any business registered in Sandy”.

Commissioner Lisa Hartman closed this item to public comment.

Commissioner Joe Baker commented on the language, which discusses temporary and permanent mobile food courts.

Commissioner Lisa Hartman commented that there are permanent food truck courts, but the trucks are not permanent.

Commissioner Nancy Day stated the space is permanent and the food trucks are temporary.

Brian McCuistion stated the intent is to have a permanent food court and temporary food trucks.

Commissioner Lisa Hartman commented that food trucks are independent businesses. They travel all over the Valley.

Commissioner Joe Baker stated so, Sandy City would police the food trucks and make them leave every night.

Commissioner Lisa Hartman stated yes, they would have to leave every night.

Commissioner Joe Baker commented on the word “adjacent” in Auxiliary Power under the Purpose. He said the word “adjacent” should be removed. Adjacent would be the property next to you, not the property you are currently on.

Commissioner Cyndi Sharkey moved that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit “A”, for the two reasons listed in the staff report with an amendment to the first reason to read: Compliance with the Purpose of the Land Development Code by facilitating the orderly

growth and development of Sandy City. Also, remove the word “adjacent” in Auxiliary Power Regulations.

Jared Clayton seconded the motion. The vote was as follows: Cyndi Sharkey, yes; Jared Clayton, yes; Monica Collard, yes; Nancy Day, yes; Joe Baker, yes; Lisa Hartman, yes. The vote was unanimous in favor.

Commissioner Nancy Day asked if there was anything in the first recommendation that needs to stay.

Brian McCuiston replied he is fine with the amended recommendation.

4. Minutes

Commissioner Monica Collard moved to approve the October 5, 2017 meeting minutes. Jared Clayton seconded the motion. The vote was unanimous in favor.

5. Sandy City Development Report

6. Planning Commission Attendance List

7. Director’s Report

James Sorenson gave the Directors report.

The meeting adjourned at 6:42 p.m.

The content of these minutes are not intended nor are they submitted as a verbatim transcript of the meeting. These minutes are a brief overview of what occurred at the meeting.

Respectfully submitted: _____
Raima Tobler- Fleming, Minutes Secretary