



**DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION**  
REPORT: Site Plan for a Food Truck Park at 510 Farmington Avenue for consideration on Tuesday February 22, 2022

**STAFF REPORT**

**TO:** Planning and Zoning Commission

**FROM:** Evelyne St-Louis, Senior Planner  
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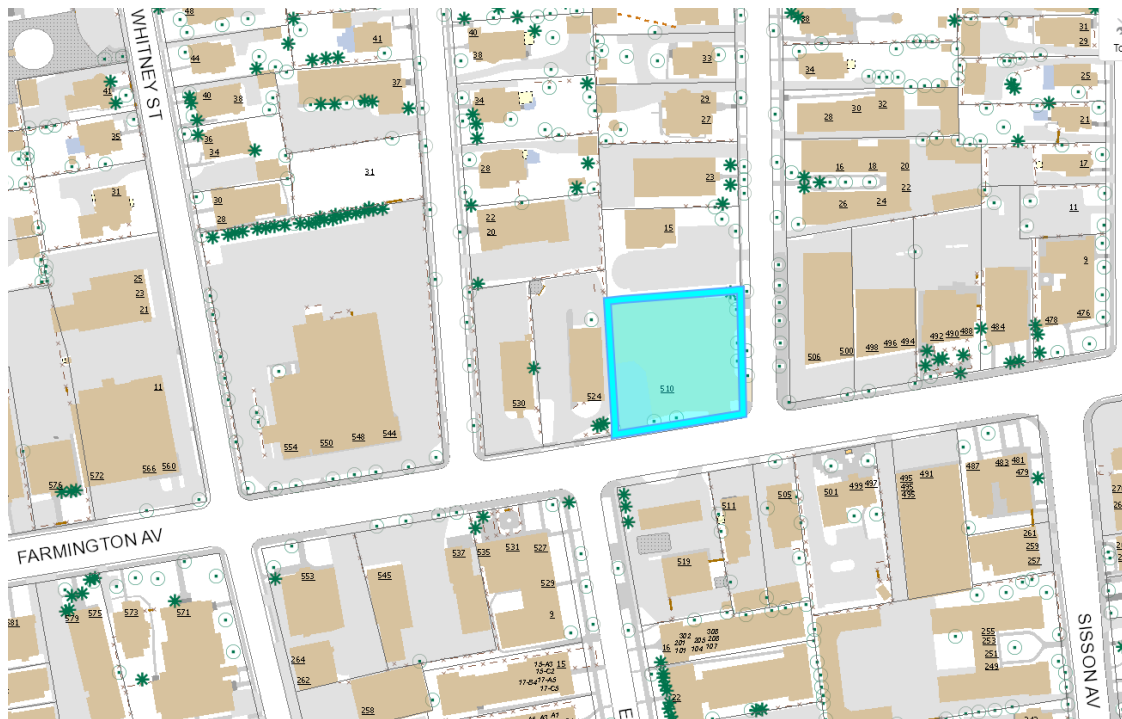
**PROJECT:** Site Plan for a Food Truck Park  
510 Farmington Avenue  
**PARCEL ID:** 133-310-072  
**ENERGOV ID:** ADMIN-2021-2670

**ZONE:** MS-1, Main Street district  
Sisson-South Whitney National Historic District

**TYPE:** Site plan application for a food truck park, pursuant to Section 1.3.C.(1) and Section 3.7.3 of the Zoning Regulations.

**APPLICANT:** Rebeca Quach

**OWNER:** Farmington-Girard, LLC



**Figure 1: Location Map (City of Hartford GIS, 2022)**

## **BACKGROUND INFORMATION**

This application for a food truck park, called West Side Park, at 510 Farmington Avenue. The subject property is a vacant lot at the northwest corner of Farmington and Girard Avenues, in the MS-1 Main Street district and the Sisson-South Whitney National Historic District.

The application was originally received on November 29, 2021. It was administratively approved for historic review on December 6, 2021 (ADMIN-2021-2676). The proposal was also presented to the Historic Preservation Commission for informational purposes on December 15, 2021. The application was assigned to planning staff for site plan review on January 4, 2022. Given the lack of specificity in the Zoning Regulations on how to regulate food truck parks, the zoning administrator chose to refer the site plan to the Planning & Zoning Commission for their full review, pursuant to Section 1.3.3.C.

As additional context, the Planning and Zoning Commission denied a special permit for an eating place with a drive-through for this property on January 11, 2022 (COMM-2021-0504). The City of Hartford is still in ongoing litigation settlement with the property owner regarding this application. Nonetheless, the food truck park applicant submitted a letter of authorization from the owner, as required by the Regulations, and also submitted a lease agreement signed by the owner, indicating the owner's full knowledge and consent to this application.

## **LEGAL STANDARD**

Standard for Application Type:

The Commission reviews site plans in accordance with Zoning Regulations Section 1.3.3. Site plans may be modified, conditioned, or denied only if they fail to satisfy the zoning regulations, inland wetland regulations, or subdivision regulations. The Commission may deviate from the minimum requirements for building siting, height, street facades, accessory structures dimensions, tree installation, landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15% upon certain findings.

## **STANDARDS SPECIFIC TO THE USE**

### **Section 1.3.3.C. Site Plan Review Decision Making**

- (1) The commission delegates to the zoning administrator decision-making authority for site plan review except where expressly stated elsewhere in these regulations. The zoning administrator has discretion to refer a site plan review to the full commission, which would then become the decision-making body.
- (2) Following the receipt of a completed application, the zoning administrator must act to approve the proposed site plan, approve the proposed site plan with conditions, or deny the proposed site plan, and state the reasons for its action on the record.
- (3) Site plans may be modified, conditioned, or denied only if they fail to satisfy these regulations, the inland wetlands regulations, the subdivision regulations, or the code, in accordance with 1.3.1.F.(6) or 1.3.1.I.

**Section 3.7.3. Food Truck Operation** – The operation of one or more food trucks, namely wheeled vehicles from which hot or cold food or beverages are served, permitted in select districts subject to the following conditions:

- A. Each food truck shall be operated in accordance with all applicable statutes, ordinances, and regulations of the state and the city, and each food truck operator shall have obtained any permits, certificates, permissions, licenses, and authorizations required.
- B. Each food truck shall be available for inspection by the city at all times.

- C. The operation of food trucks is prohibited after 9 p.m., except where express permission is granted.
- F. Lighting, odor control, and queuing for food trucks shall be managed in such a way that no nuisance, including light, smell, noise, and litter nuisances, are created.

**Section 3.5.2.B. Incidental Entertainment** – Background music provided at an eating or drinking place, the sole purposes of which shall be to enhance the particular ambiance of the establishment, subject to the following conditions:

1. Incidental entertainment shall be limited live music performance in which no more than 3 instruments are played at any one time, or prerecorded music played from a preselected play list over the permanently installed sound system.
2. The maximum volume, irrespective of the format, shall be limited so as not to extend beyond the boundaries of the premises at any time.
3. A noise mitigation plan described in 1.3.3.B.(16)(b) is required.

**Section 4.20. Accessory Structures**

**Section 6. Sitework and Landscape**

**Section 7. Parking**

**Section 8.10 Monument Sign**

### **City of Hartford Plan of Conservation and Development (POCD)**

Grow400 - Make Hartford's economy more prosperous:

- **Infill, infill, infill:** Building on vacant and underutilized lots across the city will raise property values, reduce blight, and create cohesive neighborhoods.
- **Promote Hartford as the “Scale-Up City”:** Marketing Hartford as a place for people to take an idea and develop it into a business will attract new entrepreneurs to the city.

Play400 - Make Hartford's culture more vibrant:

- **Market our restaurants and food establishments** Promoting our delicious and diverse culinary offerings, when combined with the Legacy Business Program, will support small businesses of all backgrounds and draw visitors.
- **Expand outdoor dining:** Encouraging cafes and restaurants to provide outdoor seating areas, and relaxing permitting, will enliven our sidewalks and public realm.
- **Activate public space with art:** Using art (including lighting) to enliven blank walls and vacant spaces, especially underpasses like I-84 and I-91, will improve safety and foster Hartford's identity as a center for creativity.

### **FINDING OF FACTS**

Subject property:

- MS-1, Main Street district
- Sisson-South Whitney National Historic District
- Corner lot with a parcel size of 0.57 acres

Proposed work: see Figure 2 for site plan.

- Proposed uses include temporary food truck operation and accessory incidental entertainment. The food truck operation consists of four food trucks and one double-decker bus (serving food) on-site. No alcohol sales.

- The park would be open Wednesdays through Sundays from noon to 9pm during the spring, summer, and fall. Food trucks would enter and exit the site at the beginning and end of the day through the gates on Farmington Avenue.
- No trucks are proposed to be stored on-site overnight.
- No primary structure is proposed.
- Proposed accessory structures include one pergola, one elevated stage, one power shed, one temporary storage container, one bathroom-trailer, and several wooden tables for seating (see Figure 3 for dimensions). Also includes one dumpster with necessary screening.
- Sitework includes placement of millings (recycled asphalt) on top of the existing dirt/asphalt.
- Existing garden beds on Girard and Farmington Avenue to be preserved, with some improvements made to the garden beds on Girard. No tree removal is proposed.
- Proposed installation of six bicycle racks.
- No vehicular parking.
- Proposed installation of a “window wall” along Farmington Ave, Girard Ave, the side property line, and a portion of the rear yard. The window wall is a 6-foot high fence made of aggregated recycled windows, intended to secure the property (see Figure 4). The window wall would have a few gates, which would look similarly to the rest of the wall but would have a rolling mechanism to pull open and closed.
- Installation of two circular wooden signs (28 square feet each) to be affixed to the ground on a mounting bracket (see Figure 4).
- Lighting provided by string lights installed off the pergola to stationary posts attached to the center of tables.

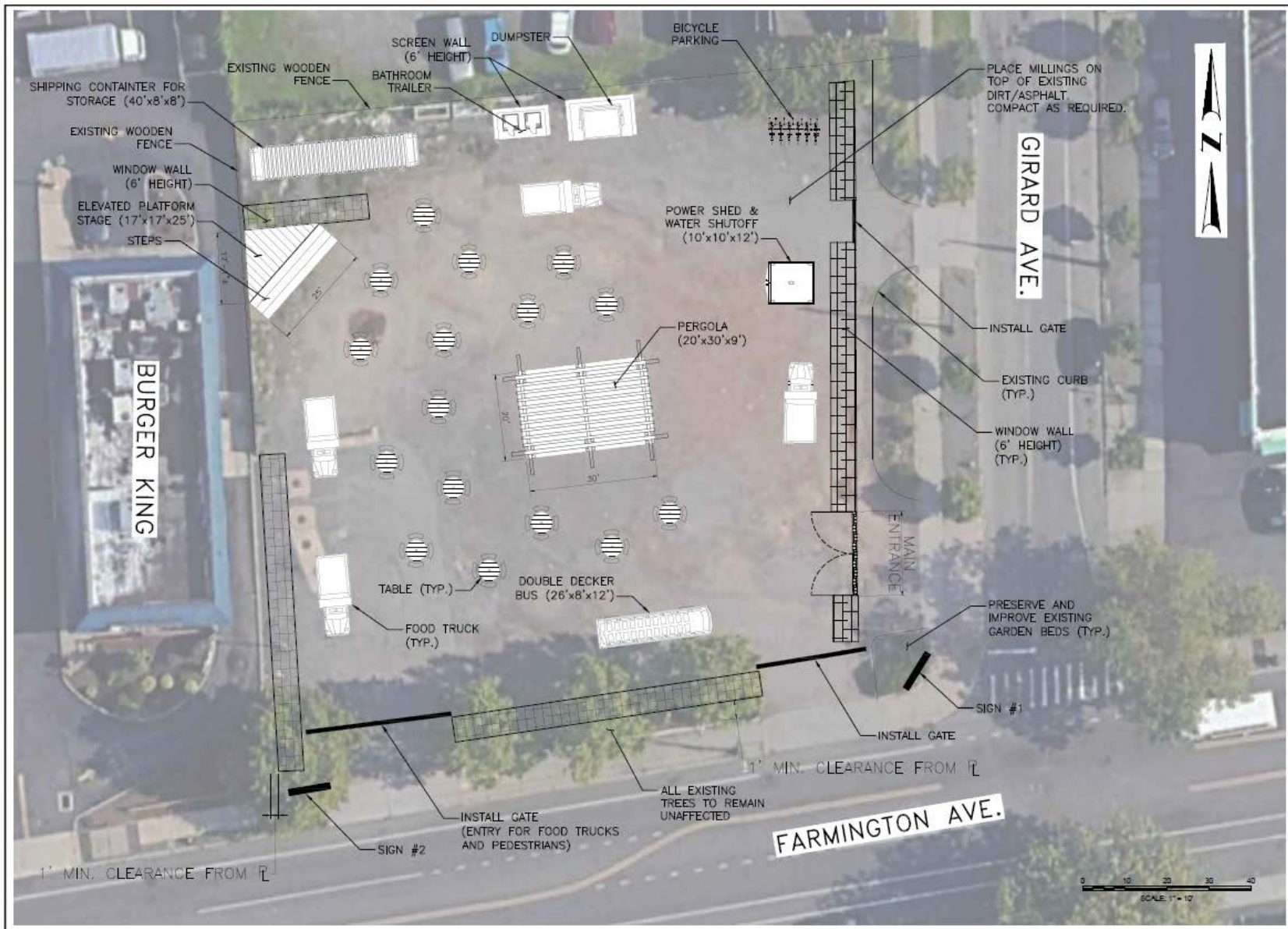


Figure 2. Proposed site plan, submitted by Rebeca Quach, dated February 15, 2022.



Figure 3. Proposed pergola and other seating structures



Figure 4. Proposed “window wall” and signage

**COMMENTS RECEIVED**

The applicant presented the project to the West End NRZ on November 8, 2021. The West End NRZ submitted a letter of support for the project dated November 10, 2021. A letter of support dated November 15, 2021, was also submitted by Liege and Company, a food truck company active in the Hartford area.

DPW reviewed and commented on the application.

The applicant obtained a written statement from the MDC stating that the proposed project would be acceptable on the condition that the food trucks do not discharge any wastewater from their trucks into the sanitary or the storm sewer system. If the facility is found to be discharging food truck wastewater or fats, oils, and grease to the sanitary sewer, the installation of a grease trap would be required. Section 3.7.3 Food Truck Operation states, “each food truck operator shall have obtained any permits, certificates, permissions, licenses, and authorizations required.” This would include plan review by the City of Hartford Department of Health and Human Services which will

require that the food trucks be registered with a commissary kitchen where they can discharge of wastewater, etc.

Since the time that letter was obtained, the applicant has decided to have running water and a sewer connection on-site for the bathrooms. The applicant has been in touch with Magen Bakaj from the MDC, who confirmed that there is an existing water connection on Girard Ave and sewer connection on Farmington Ave that they could connect to. The applicant is working with MDC on approval.

The applicant has obtained a letter from Eversource stating that electric service could be provided to the subject property.

Finally, staff reached out to the Fire Marshal for comment, but as of the time of writing, no feedback had been received. The Fire Marshal will also be requested to comment when the applicant submits permits with Licenses & Inspections.

### **ANALYSIS**

Hartford's Zoning Regulations list "food truck operation" as a temporary use (Section 3.7.3), but do not list food truck parks as a principal use. As such, Section 3.7.3 does not provide clear guidance on site layout, primary structures, accessory structures, and signage for situations where multiple food trucks are congregated on a given site on a regular basis without the presence of another principal use or primary structure. This makes the approval of this site plan application complex.

Staff is supportive of this application and would like the City's Regulations to allow and encourage this type of project. For these reasons, staff is proposing the following order of action to both process this application in a timely way, and support future food truck park requests.

1. The application is referred to the Planning & Zoning Commission for review and to decide whether to approve, approve with conditions, or deny.
2. If the site plan is approved, the zoning administrator will issue a temporary use permit for food truck park operation for spring-fall 2022. A new temporary permit could be re-issued for the 2023 season, provided no zoning violation or other code violation arises.
3. Concurrently, staff will submit a zoning text amendment to provide more clear guidance in the regulations surrounding this type of outdoor activity as a principal use. This could include specific references to food truck parks. Several cities across the country have updated their zoning codes in this way (e.g., West Hartford, Fort Worth, Salt Lake City, San Antonio, and others.) Alternatively, a zoning text amendment could provide a broader definition of open space or intensive park uses. Modifying the regulations will make the review of future applications more streamlined.

### **Consistency with the POCD**

Staff finds that the proposed food truck park project is consistent with the POCD. Specifically, it will help achieve goals listed in the Grow400 section (Make Hartford's economy more prosperous) and the Play400 section (Make Hartford's culture more vibrant).

Grow400: While not a permanent infill project, the proposed food truck park is a form of infill development. It will utilize a vacant lot, help reduce blight, and increase neighborhood cohesiveness.

Supporting this project is also an example of how to help interesting ideas and projects “scale-up”, as this would be Hartford’s first stand-alone, semi-permanent food truck park. Furthermore, these types of interim uses help to create vibrancy in neighborhoods where vacant lots exist.

Play400: This project will certainly help expand outdoor dining opportunities and enliven the public realm on this portion of Farmington Avenue. In some ways, this project will also help activate public space with art, given the artistic touches of the proposed signs, fence, and furniture. Finally, the food truck park will provide opportunities for existing and emerging food businesses in Hartford to market themselves and have an active space to sell their culinary offerings.

### **Consistency with the Zoning Regulations**

The following section analyzes how the proposed food truck park complies with relevant sections of the Zoning Regulations.

#### Proposed uses

The applicant has stated that they will comply with all the use conditions for food truck operation from Section 3.7.3, namely regarding hours of operation, availability for inspection, and securing of all necessary permits for the food trucks. The applicant has also confirmed that the food trucks will enter and leave the site daily, and not remain parked on-site overnight.

In addition, staff recommends that a food truck park manager be required to be present on-site at all of operations, in part to ensure that “light, smell, noise, and litter nuisances” are properly managed.

The applicant must also comply with the conditions required for incidental entertainment use. Staff also recommends that the applicant submit a noise mitigation plan for staff review.

#### Proposed structures

The proposed project does not include a permanent, primary structure. The Regulations largely rely on the presence of a principal structure for the basis of site plan review. There is ambiguity about whether the lack of a primary structure explicitly prohibits the installation of one or multiple accessory structures. Section 4.20.2.B.(3) states that “when a principal structure is not required in association with an *OS district* [emphasis added], an accessory structure shall be set back from all lot lines a minimum of 10 feet.” Furthermore, detached out buildings and garages are expressly not permitted without a primary structure, whereas kiosks are only permitted when a primary structure is *not* present on the lot.

The proposed accessory structures (pergola, stage, tables, storage container, power shed, bathroom trailer) are temporary in nature. Some will be fixed to the ground, such as the pergola and the stage, but all can be moved or removed relatively easily.

Pergolas are not specifically listed in the Regulations. From the list of accessory structures in the Regulations, gazebos (Section 4.20.4.H) would likely be the most similar. Gazebos are technically not permitted in the MS-1 district, but it could be argued that the pergola is an appropriate accessory structure for this use. Gazebos are permitted in all yards in Neighborhood districts as long as they are setback at least 15 feet from the front and corner side yards, which the proposed pergola is.

Temporary storage containers are listed as a type of accessory structure in the Regulations, and are permitted in the MS-1 district. Per Section 4.20.2.I, only one temporary storage container is



permitted per lot. It must be limited in size to either 825 cubic sf or an area of 180 sf. The proposed container measures 40 ft x 8 ft x 8 ft (2,560 cubic ft), which exceeds the allowable size. While staff recommends flexibility regarding the size of the storage container given the lack of primary structure on-site, the storage container cannot serve as the primary structure. Staff also recommends that the applicant update the site plan to include a 5-foot side and rear setback. Note that a temporary use permit for a storage container at this property, approved September 13, 2021 (ADMIN-2021-2376) will be voided if this site plan application is approved.

The power shed would be classified as an outbuilding and garage accessory structure (Section 4.20.3.C). This accessory structure requires a 5-foot minimum side and rear setback requirements, which is met by the proposed project. The Regulations limit the height of outbuildings/garages to one story lower than the principal building. Because there is no primary building, the maximum height that applies in this case is the general maximum height of 15 feet specified in Section 4.20.2.E. The proposed shed is 12 feet high and therefore meets this requirement.

Stages and bathroom trailers are not listed accessory structures in the Regulations. However, the general 5-foot side and rear setback requirements (Section 4.20.2.B) should be applied to both. Staff recommends that the applicant update the site plan accordingly.

#### Proposed Sitework & Landscaping

The site is already fully paved, with a mix of pavement and dirt patches. The applicant is proposing to place and compact millings (recycled asphalt) on top of the existing dirt/asphalt. The site's existing impervious surface ratio would remain unchanged. It should be noted that with the exception of projects in the ID zones, the Zoning Administrator has typically not permitted millings as an acceptable ground cover material, but considering the circumstances, staff do not believe this would set a poor precedent.

The applicant is preserving the existing garden beds on Farmington Avenue and Girard Avenue, and no tree removal is proposed. The applicant has stated they will make improvements to the garden beds along Girard Avenue, but no landscaping plan or schedule has been submitted for review. Staff recommends that the applicant submit a landscaping plan or schedule for review.

The proposed dumpster is located in the rear yard, which is permitted by the Regulations. The dumpster will be properly screened on three sides with a 6-foot high opaque wall. However, because the dumpster will likely be visible from Farmington Avenue and by patrons of the food truck park, staff recommends that the applicant also add an opaque gate on the front portion of the dumpster, as required in Section 6.12.2.A.

#### Proposed Entrances

As proposed, the food truck park has a total of four entrances accessible to pedestrians. The site currently has four curb cuts – two on Farmington Avenue and two on Girard Avenue. The applicant is proposing to keep the curb cuts on Farmington Avenue open in order allow the food trucks to enter and exit the site. This traffic would only occur before or after opening hours and therefore would not conflict with pedestrian traffic at times when the food truck park is active. The Applicant intends for the main entrance to coincide with one of the curbcuts on Girard Avenue. This would be for pedestrian traffic. Staff will defer to the Fire Marshall regarding whether the proposed gates at the curbcuts would be left open or closed during the day, however, it should be noted that staff have

not advised the applicant to permanently close any of the curbcuts due to the temporary nature do the use. Staff recommend that the applicant revise the site plan to locate large planters or temporary bollards in any open gate in a manner that does not obstruct the right-of-way and is approved by the Fire Marshall.

#### Proposed Fence

The applicant is requesting a 6-foot window-wall fence along Farmington Avenue, Girard Avenue, a portion of the side yard bordering the Burger King parcel, and a small portion in the rear yard. The fence is made of recycled windows (wood and glass). The applicant has stated a fence of this height is needed to secure the site.

Section 6.13 regulates fences generally, regardless of a site's use. Fences located in the front or corner side yard may be up to 4 feet high, or 4.5 feet if a 15% variance is granted. Rear and side yard fences in the MS district can be up to 6 feet high.

As a point of comparison, the Town of West Hartford limits fence height for food truck parks to 5 feet (Zoning Code Section 177-37.4). Other codes reviewed (San Antonio, Salt Lake City, Fort Worth) did not explicitly specify a maximum fence height.

On the one hand, staff agrees generally with limiting fence height to no more than 4 or 4.5 feet in front and corner side yards to avoid setting a precedent for waiving this requirement. Staff would recommend that future text amendments associated with this (or a similar) use clearly address this issue. On the other hand, given the lack of a primary building and the need to safeguard the many accessory structures that will stay on-site overnight, it is understandable that the applicant wishes to secure the site with a taller fence. Furthermore, the wall will have a relatively high amount of transparency given the use of glass, which helps mitigate the lack of transparency caused by the height of the fence. From an urban design standpoint, the taller fence with the added transparency would help to create a continuous street wall and provide sufficient design to engage passersby. In addition, the window wall could be considered a façade and not a fence given that it is made of building façade materials and given that it is proposed to be placed in the build-to-zone. Overall, staff recommends that the applicant be allowed to install the 6-foot high window wall, if there is a way for the Commission to justify the deviation from the Regulations.

#### Proposed Vehicle and Bicycle Parking

The proposed project does not include any vehicular parking.

The site plan currently includes a wave-type bicycle rack that can fit up to six bicycles. Staff recommends that the applicant change the type of bicycle rack to inverted-U or bollard-type racks instead per Section 7.3.3.C. The specific number of bicycle spaces required by the Regulations is unclear, since this also depends on the principal use. Bicycle parking requirements apply for the establishment of a new use, but not for temporary open-air uses such as farmers' markets or bazaars (see Section 7.2.2.C). However, the food truck park differs from farmer's markets in that it will be open several days a week, for an extended period of time. Staff recommends that the retail & service use bicycle parking requirement be used as a benchmark (1 space per every 3,000 square feet), and therefore recommends that the bike parking on-site accommodate at least six bicycles.

### Proposed Signage

The applicant is proposing two circular wooden signs measuring about 28 square feet each (6-foot diameter circles). These signs will be mounted to the ground with a bracket. The sign type most resembling this description is the monument sign (Section 8.10). The proposed signs mostly comply with the monument sign requirements, with a few key exceptions:

- Monument signs are permitted in the MS district *only for Civic or Commercial Center buildings*. Given that this project does *not* have a primary building type, it is unclear how to interpret and apply this section of the Regulations.
- Each sign's area is 28 sf, which is less than the permitted maximum sign area of 60 sf.
- The sign height is less than the permitted 5-foot maximum.
- The signs are located in the front and corner side yards, which is permitted.
- One sign is permitted per street frontage, which the proposed signs comply with.
- No illumination is proposed, and solid wood is a permitted material.
- However, the signs do not comply with the placement requirement. The Regulations state that the signs should be located 10 feet from driveways and side property lines and 3 feet from property lines. Both proposed signs are located near a driveway and are not 3 feet away from the property line.

Staff recommends denial of the monument signs. The applicant can likely find a way to meet the placement requirements (3 feet from property line and 10 feet from active driveways), but the additional modification to the Regulations would be needed to account for signage not associated with the specific named building types. Alternatively, staff recommend that the Applicant consider installing the signs as wall signs on the window wall instead.

### **STAFF RECOMMENDATION**

Staff recommends approval of this application, with the following conditions:

1. A food truck park manager shall be on-site at all times of the food truck park's operation.
2. A noise mitigation plan shall be submitted for review by staff.
3. The Applicant shall make the following edits to the site plan prior to final plan approval:
  - a. The storage container, stage, and bathroom trailers shall be moved to have a 5-foot side and rear setback.
  - b. A landscaping plan or schedule shall be submitted for review by staff.
  - c. An opaque gate shall be added on the front portion of the dumpster enclosure.
  - d. Large planters or temporary bollards shall be located in any open gate in a manner that does not obstruct the right-of-way and is approved by the Fire Marshall.
  - e. The bicycle racks shall be changed to to inverted-U or bollard types, and at least three racks (which can park 2 bicycle each) shall be provided.
  - f. The signage shall be installed as wall signs on the window wall.
4. The temporary permit for a storage container approved on September 13, 2021 (ADMIN-2021-2376) shall be voided.

5. The applicant shall obtain a temporary use permit from the zoning administrator, which shall specify permitted months of operation, daily times of operation, and other conditions of approval related to the proposed uses.
  - a. The use-specific conditions for food truck operation shall be met, including that it will be the applicant's responsibility to ensure that food trucks on-site have all required permits and will be available for inspection by city at any given time.
  - b. The conditions needed for incidental entertainment will be met.

**A draft resolution follows.**

**ATTACHMENTS**

1. Town of West Hartford Zoning Code Section § 177-37.4.

**REVIEWED,**

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Aimee Chambers, Director



**CITY OF HARTFORD**  
**PLANNING & ZONING COMMISSION RESOLUTION**  
**510 FARMINGTON AVENUE**  
**SITE PLAN REVIEW FOR A FOOD TRUCK PARK**

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the site plan application for a food truck park at 510 Farmington Avenue (parcel ID 133-310-072), per Section 1.3.3.C and Section 3.7.3; and
- Whereas,** The City of Hartford Zoning Regulations (the Regulations) allow the Zoning Administrator to refer a site plan review to the Planning and Zoning Commission pursuant to Section 1.3.3.C; and
- Whereas,** The zoning district assigned to the property is MS-1, Main Street district; and
- Whereas,** The subject property is located in the South Whitney-Sisson National Historic District; and
- Whereas,** The proposed temporary use, Food Truck Park Operation, listed in Section 3.7.3 of the Zoning Regulations, is a permitted temporary use in the MS-1 district, but provides limited guidance on site layout, fencing, screening, and other requirements; and
- Whereas,** The proposed accessory use, Incidental Entertainment listed in Section 3.5.2.B, is a permitted accessory use in the MS-1 district; and
- Whereas,** A separate temporary use permit will be issued by the zoning administrator upon approval of the site plan by the Planning and Zoning Commission; and
- Whereas,** The proposed accessory structures – a pergola, stage, power shed, bathroom trailer, temporary storage container, and tables –meet the size and setback requirements of Section 4.20 of the Regulations; and
- Whereas,** The proposed sitework will not increase the site’s impervious surface ratio; and
- Whereas,** The existing garden beds will be retained and improved, and no trees shall be removed or affected by the proposed work; and
- Whereas,** The food truck park will have four entrances accessible to pedestrians, thereby

encouraging pedestrian access and visibility; and

**Whereas,** The food truck park will not have any vehicular parking, but will offer bicycle parking in compliance with Section 7.3.3., thereby encouraging patrons to access the site by bike; and

**Whereas,** The proposed “window wall” – which is a six foot façade composed of recycled wood and glass – will not have a negative impact on street safety given its high transparency; and

**Whereas,** The proposed signs – two circular 28 sf wooden signs mounted to the ground – mostly meet the requirements for monuments signs of Section 8.10 of the Regulations; and

**Whereas,** The site plan will help achieve goals listed in the Grow400 section (Make Hartford’s economy more prosperous) and the Play400 section (Make Hartford’s culture more vibrant), namely encouraging infill projects, supporting projects to “scale-up” in Hartford, expand outdoor dining opportunities, active public space with art, and provide opportunities for food entrepreneurs to market themselves; and

Now therefore Be It

**Resolved,** The City of Hartford Planning & Zoning Commission hereby **denies/approves** the site plan for a food truck park at 510 Farmington Avenue (parcel ID 133-310-072) with the following conditions of approval:

1. A food truck park manager shall be on-site at all times of the food truck park’s operation.
2. A noise mitigation plan shall be submitted for review by staff.
3. The Applicant shall make the following edits to the site plan prior to final plan approval:
  - a. The storage container, stage, and bathroom trailers shall be moved to have a 5-foot side and rear setback.
  - b. A landscaping plan or schedule shall be submitted for review by staff.
  - c. An opaque gate shall be added on the front portion of the dumpster enclosure.
  - d. Large planters or temporary bollards shall be located in any open gate in a manner that does not obstruct the right-of-way and is approved by the Fire Marshall.
  - e. The bicycle racks shall be changed to to inverted-U or bollard types, and at least three racks (which can park 2 bicycle each) shall be provided.
  - f. The signage shall be installed as wall signs on the window wall.
4. The temporary permit for a storage container approved on September 13, 2021 (ADMIN-2021-2376) shall be voided.

5. The applicant shall obtain a temporary use permit from the zoning administrator, which shall specify permitted months of operation, daily times of operation, and other conditions of approval related to the proposed uses.
  - a. The use-specific conditions for food truck operation shall be met, including that it will be the applicant's responsibility to ensure that food trucks on-site have all required permits and will be available for inspection by city at any given time.
  - b. The conditions needed for incidental entertainment will be met.

Be It Further,

**Resolved,** This 22<sup>nd</sup> day of February, 2022.

**§ 177-37.4. Food truck parks. [Added 3-28-2017]**

Food truck parks can provide a unique setting for the service of food in areas that have historically not been serviced by a concentration of traditional restaurants. Food truck parks can serve as vibrant public spaces where a variety of activities take place, but where the primary function is the sale and consumption of food from a diverse array of vendors. While the operation of food truck parks should contribute to the liveliness and vibrancy of the community, they must not be allowed to create a nuisance, either by loud music, unruly customers, or disorderly premises. Where food truck parks will further these goals without unduly impacting upon adjoining businesses or residential neighborhoods, they may be permitted as a main use subject to the following requirements:

**A. Space definition and location.**

- (1) The area of the food truck park must be clearly defined and separated from the patron parking area through the installation of a fence or other enclosure which maintains an open appearance and is a maximum of five feet in height.
- (2) The parking area for the food trucks must be either a paved or gravel surface.
- (3) Food truck park operators are encouraged to provide for an aesthetically pleasing environment which includes shade and seating elements in addition to pervious groundcover.
- (4) Food truck parks may have a pavilion or other permanent structure in order to provide shelter for patrons and operators, provided said structure meets the setback requirements for the underlying zone. All temporary structures, such as tents, shall be prohibited.

**B. Operations.**

- (1) All food truck parks must be handicap accessible.
- (2) All food trucks planned to be on site on any given day shall be parked and fully set up prior to the park opening to the public. At the close of business, all such vehicles shall be removed from the park. If a commissary is provided on site and the food truck is approved to use the site's commissary, then the food truck will not have to be removed from the site each day.
- (3) The hours of operation for a food truck park shall be limited to 10:00 a.m. to 11:00 p.m. Food trucks may arrive at the park one hour prior to opening to the public and must vacate the park no later than one hour after closing to the public unless the vehicle is permitted to stay as noted above.
- (4) There must be a designated manager of the site who is responsible for the orderly setup of food trucks, the cleanliness of the site, and the site's compliance with all rules and regulations during business hours. Contact information for the designated manager shall be made available to Town staff upon approval of the park by the Town Plan and Zoning Commission and as



- needed thereafter if personnel changes.
- (5) At least two permanent restrooms within 200 feet of each food truck must be made accessible to food truck park patrons while the food truck park is open.
  - (6) Patron parking must be provided at a rate of one space for every five seats in any seating area provided. The patron parking area must be a paved or gravel surface. **[Amended 6-25-2019; 3-10-2020]**
  - (7) The food truck park must comply with all local noise regulations pursuant to West Hartford Code of Ordinances Chapter 123.
  - (8) At least one electrical outlet shall be required at each designated food truck parking space.
  - (9) Public address systems or other systems intended to convey verbal messages through the use of amplified sound shall be prohibited. If an applicant seeking approval of a food truck park proposes to provide any form of music for the benefit of patrons, it shall so state in its application and shall provide the Plan and Zoning Commission with specific details regarding the manner in which music is to be provided. The Plan and Zoning Commission may impose any restrictions upon the playing of music which it deems to be appropriate given the location of the food truck park or any other circumstances that the Commission deems to be relevant.
  - (10) No heaters may be installed or used without the prior approval of the Plan and Zoning Commission. If an applicant seeking approval of a food truck park proposes to provide any source of heat for the benefit of patrons, it shall so state in its application and shall provide the Plan and Zoning Commission with a plan, approved by the Fire Marshal, for the placement and operation of said heaters as well as for the storage of fuel used by said heaters.
  - (11) Lighting shall be limited to that level which is necessary to illuminate the food truck park for patrons and staff. Flashing/blinking lights shall be prohibited. In all cases, lighting must comply with section § 177-25 of the West Hartford Code of Ordinances.
  - (12) Signs: One on-premises sign is permitted at the entrance(s) identifying the food truck park, subject to the sign regulations for the applicable zoning district. Each food truck may have attached signage.
  - (13) Maintenance: The food truck park shall be kept clear of litter, food scraps or other debris at all times. Sweeping debris or spilled materials into the gutters of public streets shall be prohibited.
  - (14) At least one waste receptacle shall be provided for each mobile food vending vehicle and shall be emptied whenever full and at park closing. The food truck park shall also be equipped with a large commercial dumpster into which bags from individual waste receptacles can be deposited. The commercial dumpster shall be located outside of the designated patron area and shall be

appropriately screened.

- (15) Tables, chairs and umbrellas shall be of durable commercial-grade materials, sufficiently weighted to avoid displacement by wind.
- (16) Umbrellas may be used to shade tables, provided that the drip edge thereof is located at least seven feet above the ground, and further provided that they shall not be used to advertise any business, product or service.

C. Distance and screening requirements.

- (1) Any food truck park shall be located at least 1,500 feet from any other food truck park measured as a radius from any point around the property line.
- (2) Food truck parks shall be at least 200 feet from any residentially zoned property. If the food truck park is located between 200 and 500 feet from a residentially zoned property, Type C screening shall be required along the property line(s) closest to said property. Where a food truck park is adjacent to commercially zoned property that also has a permitted residential use, Type C screening shall be required along the property line(s) immediately adjacent to said property.
- (3) Food truck parks shall be located at least 500 feet away from any restaurant, measured along the street line, unless said building is located on the same property as the food truck park and where the restaurant proprietors are complicit in the operation of the food truck park.