

ORDINANCE NO. 18-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Title 15 of the SeaTac Municipal Code regarding mobile food vending.

WHEREAS, from time to time, the City considers amendments to the Zoning Code in order to respond to changing community concerns and needs; and

WHEREAS, mobile food vending (food trucks) have shown interest in conducting business within the City; and

WHEREAS, mobile food vending can provide more options to individuals seeking to purchase freshly prepared food products; and

WHEREAS, on January 5, 2018, City staff transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106, and no comments were received from any state agency; and

WHEREAS, environmental review was conducted pursuant to SEPA and an Determination of Nonsignificance was issued on January 29, 2018; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing regarding these proposed changes on February 6, 2018, after which it rendered a recommendation approval;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

Section 1. Section 15.105.030 of the SeaTac Municipal Code is hereby amended to add the following definition:

Concession sales

Sales of ready-to-eat pre-packaged food products to the general public at a temporary stationary location, from a motor vehicle that does not incorporate a kitchen or food preparation area (e.g., ice cream vendors, sales at construction sites, etc.). This includes the selling of goods, services, merchandise or food products as authorized pursuant to the Park Code, SMC 2.45.520.

Section 2. Section 15.105.130 of the SeaTac Municipal Code is hereby amended to add the following definition:

Mobile Food Vending

Sales of ready-to-eat food to the general public at a temporary stationary location, from a motor vehicle that incorporates a kitchen or food preparation area. Mobile food vendors may also sell pre-packaged food products as a secondary activity.

Section 3. Section 15.205 of the SeaTac Municipal Code is hereby amended to add the following Land Uses to read as follows:

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
Concession Sales							P	P	P	P	P	P	P	P	
Mobile Food Vending							P	P	P	P	P	P	P	P	See SMC 15.415.300 Mobile Food Vending

Section 4. Section 15.300 of the SeaTac Municipal Code is hereby amended to add the following Land Uses to read as follows:

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL										
Concession sales				P	P	P	P	P	P	
Mobile Food Vending				P	P	P	P		P	See SMC 15.415.300 Mobile Food Vending

Section 5. Section 15.305 of the SeaTac Municipal Code is hereby amended to add the following Land Use to read as follows:

LAND USE	UL	UM	UH	UH-UCR	CB-C	T	P	Additional Regulations
RETAIL AND COMMERCIAL								
Concession sales					P		P	

LAND USE	UL	UM	UH	UH-UCR	CB-C	T	P	Additional Regulations
Mobile Food Vending					P		P	See SMC 15.415.300 Mobile Food Vending

Section 6. Section 15.310 of the SeaTac Municipal Code related to the Land Use of Mobile Vending is hereby amended to read as follows:

LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	P	Additional Regulations
RETAIL AND COMMERCIAL								
Concession Sales				P	P	P	P	
Mobile Food Vending				P (+)	P (+)	P	P	See SMC 15.415.300 Mobile Food Vending (+) Permitted outside the public right of way within the District Center. See map in SMC 15.310.010.

Section 7. A new Section 15.415.005 of the SeaTac Municipal Code is hereby added to read follows:

15.415.005 Purpose

The purpose of this Chapter is to delineate regulations that apply to the following commercial uses: fueling/service stations, sexually oriented businesses and mobile food vending.

Section 8. Section 15.415.005 of the SeaTac Municipal Code is hereby amended to read as follows:

15.415.010 Authority and Application

The provisions of this Chapter shall apply to all fueling/service stations, sexually oriented businesses and mobile food vending uses, regardless of where located.

Section 9. A new Section 15.415 of the SeaTac Municipal Code is hereby added to read as follows:

15.415.300 Mobile Food Vending

- A. **Application.** The provisions of this section shall apply to all mobile food vending businesses in all zones where such use is permitted.

B. Exemptions. These provisions do not apply to catered, private events or permitted concession sales the sale of packaged food products from motorized vehicles (e.g., ice cream vendors, sales at construction sites, etc.).

C. Mobile Food Vending as Permitted Uses. Mobile food vending may be permitted as follows:

1. Mobile food vending may be permitted as a primary or accessory use in applicable zones.
2. Mobile food vending may be allowed within parks, plazas, or schools as part of a special event, approved pursuant to either a Temporary Use Permit or a Special Use Permit by concession contract or special use permit pursuant to SMC 2.45.520.
3. Mobile food vending shall not be located within any public right-of-way unless approved through a Class A right-of-way use permit pursuant to SMC 11.10.

D. Standards for Mobile Food Vending.

1. Mobile food vendors shall obtain a City of SeaTac business license and conform to all King County – Seattle Health Department standards.
2. All mobile food vending operations shall be self-contained, provided that outdoor seating may be provided.
3. Parking & Circulation.
 - i. Drive-up and/or drive-through facilities are prohibited.
 - ii. All mobile vending shall be located on an approved surface and maintain adequate pedestrian and vehicular circulation through parking lots.
 - iii. Mobile food vending as a primary use shall provide paved parking adequate to serve customers.
4. Signage. In addition to advertising on the mobile vending vehicle, secondary signage shall also be allowed pursuant to SMC 15.600.070.

E. Expiration. The provisions of this section shall expire on March 31, 2020.

Section 8. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Commerce within ten (10) days after its adoption, and to the King County Assessor.

Section 9. If any provision of this Ordinance or its application to a person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 10. This Ordinance shall be effective five (5) days after passage and publication as required by law.

ADOPTED this 27th day of March, 2018, and signed in authentication thereof on this 27th day of March, 2018.

CITY OF SEATAC



Michael Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

APPROVED AS TO FORM:



Mary Mirante Bartolo, City Attorney

Effective Date: 4/7/18

[Mobile Food Vending – Zoning Code]