

ORDINANCE NO. 348.4913
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348
RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. A new Article XIXI is added to Ordinance No. 348 to read as follows:

“Article XIXI MOBILE FOOD TRUCKS.

SECTION 19.1000. PURPOSE AND INTENT.

The Board of Supervisors finds that short-term, temporary Mobile Food Truck operations can provide a benefit to the community by increasing local access to alternative food retailers, especially in communities not central to brick and mortar establishments. Though, in certain areas, such as frequently traveled public highways and narrow streets and roadways without sidewalks or other similar barriers designed to protect pedestrians from vehicular hazards, Mobile Food Truck operations can create a public safety concern for Mobile Food Truck customers and operators. Accordingly, it is the purpose and intent of the Board of Supervisors through this Article to establish regulations related to Mobile Food Trucks operations on private property in the unincorporated areas of Riverside County for the promotion of the public health, safety, and general welfare.

SECTION 19.1001 DEFINITIONS.

For purposes of this Article only, the following terms are defined as follows:

- A. ENVIRONMENTAL HEALTH PERMIT means an annual permit issued by the County of Riverside Department of Environmental Health in accordance with Ordinance No. 580.
- B. MOBILE FOOD TRUCK means a licensed, motorized vehicle, including any legally attached trailer, used in conjunction with the service of a commissary, or other permanent food facility upon

which prepackaged or approved non-prepackaged food is sold, offered for sale or otherwise distributed as retail.

SECTION 19.1002 MOBILE FOOD TRUCK PERMIT. No Mobile Food Truck shall operate without a Mobile Food Truck permit approved in accordance with this Article and Section 18.30 of this ordinance. All procedural provisions of Section 18.30 shall apply to the permit application, except Subsection C relating to approval requirements, Subsection D relating to action on applications, and Subsections E and F relating to appeals and Subsection G relating to use of the permit after the application is approved.

- A. CLASSIFICATION. Action on a Mobile Food Truck permit shall be ministerial and not subject to the California Environmental Quality Act.
- B. EXPIRATION. An approved permit for a Mobile Food Truck shall expire one year from the date of approval, unless a renewal application and applicable filing fee is timely submitted and approved in accordance with Section 19.1006 of this Article.
- C. RENEWAL. An approved permit for a Mobile Food Truck shall be renewed on an annual basis based on the anniversary date of the original approved permit. An application for renewal shall be submitted to the Planning Director or designee no later than thirty (30) days prior to the expiration of the approved permit on the form provided by the Riverside County Planning Department and accompanied by the applicable filing fee set forth in Ordinance No. 670.

SECTION 19.1003 ZONES. Subject to the requirements provided in this Article, Mobile Food Trucks with an approved Mobile Food Truck Permit are allowed in all zone classifications, except the following: R-1, R-R-O, R-2, R-2A, R-3, R-T, R-T-R, R-4, R-5, R-6, R-7, C/V, N-A, W-2-M, W-1, WC-W, WC-WE, WC-E, W-R and W-E.

SECTION 19.1004 LOCATION REQUIREMENTS. A permit for a Mobile Food Truck shall not be approved unless the following are met:

- A. VACANT LOT. The Mobile Food Truck shall operate on a vacant lot that is either paved or surfaced with gravel or decomposed granite.
- B. LOT SIZE. The vacant lot is at least one-half acre in size.
- C. ACCESS. The lot includes adequate ingress and egress in accordance with Ordinance No. 787.
- D. NUMBER OF MOBILE FOOD TRUCKS. The number of Mobile Food Trucks permitted on a lot shall be as follows:
 - 1. No more than three (3) Mobile Food Truck are allowed on lots half (1/2) an acre or greater but less than one (1) gross acre.
 - 2. No more than four (4) Mobile Food Trucks are allowed on lots one (1) gross acre or greater but less than two (2) gross acres.
 - 3. No more than five (5) Mobile Food Trucks are allowed on lots two (2) gross acres or greater but less than six (6) gross acres.
 - 4. There is no limit on the number of Mobile Food Trucks on lots greater than six (6) gross acres.

SECTION 19.1005 OPERATIONAL REQUIREMENTS. In addition to the location requirements set forth in this Article and requirements provided in Ordinance No. 580, a Mobile Food Truck shall comply with the following:

- A. AREA MAINTAINENCE. The lot used by the Mobile Food Truck shall be kept free of any debris or trash.
- B. NO ONSITE CONSUMPTION AREA. Except for shade covers or awnings that provide shade for customers waiting for food, no tables or chairs shall be placed on the lot.
- C. AMPLIFIED SOUND. No loudspeaker systems, or other device(s) designed to amplify sound are allowed on the lot.
- D. SIGNAGE. All signage shall comply with Article XIX Advertising Regulations of this ordinance. Additionally, air flyers and sign twirlers are prohibited on the Lot.
- E. LIGHTS. All temporary outdoor lighting shall be shielded or downward facing.
- F. LOCATION SAFETY.
 - 1. Mobile Food Trucks shall be located at least 15 feet from any fire hydrant, utility box or vault, public right of way, emergency vehicle route, internal drive aisle, tree canopy or pedestrian pathway.
 - 2. Mobile Food Trucks shall not operate within a five-foot radius of another Mobile Food Truck.
 - 3. Mobile Food Trucks shall not operate within Compatibility Zone A of any County of Riverside airport, as designated and defined by the Riverside County Airport Land Use Compatibility Plan.
 - 4. Mobile Food Trucks shall not otherwise be located within any area of the lot that obstructs pedestrian or vehicle traffic.

- G. NO ALCOHOL OR SALE OF CONTROLLED SUBSTANCES. The sale or soliciting the sale of any alcoholic beverages or controlled substances from a Mobile Food Truck is strictly prohibited.
- H. WASTE DISPOSAL.
1. No Mobile Food Truck shall cause or dispose of oil, grease, or waste on the Lot.
 2. Wastewater generated on-site shall not be released on-site or into the storm drainage system.
- I. HOURS OF OPERATION. Operations shall be limited to Sunday through Saturday from 8:00AM to 12:00AM.
- J. PARKING. There shall be no parking on the Lot after 12:00AM, and overnight parking or storage of the Mobile Food Truck on the Lot is prohibited.
- K. DISPLAY OF PERMIT. A Mobile Food Truck shall possess and at all times display in clear view a certified copy of its current Environmental Health Decal and grade card issued by the Department of Environmental Health, as required by Riverside County Ordinance No. 580, and approved Mobile Food Truck permit.
- L. TRASH RECEPTACLES.
1. At least one (1) visible trash receptacle for use by customers shall be placed within twenty (20) feet of the Mobile Food Truck operation.

2. Unless the property owner has provided for a permitted dumpster, all trash receptacles shall be removed once the Mobile Food Truck operation has ceased each day.
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- M. RESTROOMS. In accordance with Section 114315 of the California Retail Food Code, Mobile Food Trucks stopped to conduct business for more than one hour, shall operate within 200 feet of an approved, readily available and functioning restroom facility. If the restroom is within a business, the Mobile Food Truck operator must submit with the plot plan application, written permission from the business owner providing the hours the restroom facilities are being made available for use by the food service workers. Executive portable toilet facilities with handwashing stations may satisfy this requirement.
 - N. FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS. Mobile Food Trucks shall comply with all other applicable federal, state and local laws and regulations.

SECTION 19.1006 APPROVAL REQUIREMENTS.

The Planning Director shall approve a Mobile Food Truck permit if all of the following are met:

- A. The Mobile Food Truck operation complies with the requirements set forth in this Article;
- B. Written consent from the Lot owner allowing the Mobile Food Truck to operate on the Lot has been provided to the Planning Director;
- C. An Environmental Health Permit has been issued for the Mobile Food Truck by the Department of Environmental Health, pursuant to Ordinance No. 580;

- D. Inspection of the Mobile Food Truck has been completed by the County Fire Marshall; and
- E. There is no pending Code Enforcement action on the lot.

SECTION 19.1007 EXEMPTIONS. This Article does not apply to any of the following:

- A. Mobile Food Trucks operating in the public right-of-way pursuant to Ordinance No. 853.
- B. Mobile Food Trucks operating in conjunction with an active construction site.
- C. Mobile Food Trucks operating on the property of a legally existing school, college, university, hospital, or places of religious worship.
- D. Mobile Food Trucks operating in conjunction with and on the same site as events consistent with a legally permitted land use or temporary event.

SECTION 19.1008. REVOCATION. A Mobile Food Truck permit may be revoked in accordance with section 18.31 of this ordinance.

SECTION 19.1009. PUBLIC NUISANCE. Any violation of this Article is hereby declared to be unlawful and a public nuisance.”

Section 2. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3. This ordinance shall take effect thirty (30) days after its adoption.

Adopted: 348.4913 Item 21.1 of 11/19/2019 (Eff.: 12/19/2019)