

# FOOD COURT CODE AMENDMENT

## DRAFT TCC LANGUAGE

### CHAPTER 7 BUSINESSES REGULATED

#### ARTICLE II. PEDDLERS

##### SEC. 7-26 DEFINITIONS

(3) "Peddler" means a person selling merchandise or food products from a temporary, fixed location by means of a motor vehicle, towed vehicle, pushcart, or apparatus that displays merchandise or food for sale that can be removed on a daily basis and who is not licensed pursuant to another provision of the Tucson Code. Such term does not include ~~a person whose operation and vendors which are~~ is approved to sell merchandise or food within an area permitted by the Unified Development Code or approved by the zoning administrator, or other city official designated by the director of Planning and Development Services, pursuant to ~~§ 3.3.6.3 of the Land Use Code~~ the Unified Development Code.

## DRAFT UDC LANGUAGE

### ARTICLE 4: ZONES

#### 4.8. USE TABLES

##### 4.8.5. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

**TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES**

**P = Permitted Use S = Permitted as Special Exception Use**

**[1] Mayor and Council Special Exception Procedure, Section [3.4.4](#)**

**[2] Zoning Examiner Special Exception Procedure, Section [3.4.3](#)**

**[3] PSDS Special Exception Procedure, Section [3.4.2](#)**

LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
<b>Commercial Services Land Use Group With Land Use Class/Type:</b>						

Food Service:						
<u>Food Court</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C-1: 4.9.4.M.1 &amp; 5-7 and 4.9.13.O</u> <u>C-2: 4.9.4.M.1, .6, &amp; .7 and 4.9.13.P</u>
Excluding Soup Kitchens	P	P	P	P	P	C-1: 4.9.4.M.1 & 5 and 4.9.13.O C-2: 4.9.4.M.1 and 4.9.13.P
Soup Kitchens		S [1]	S [1]	S [1]	S [1]	C-2, C-3, OCR-1, OCR-2: 4.9.4.M.4
With Alcoholic Beverage Service as an accessory use to a Food Service use	P					C-1: 4.9.4.V.1, 3, & 5-9, 4.9.4.C.3, and 4.9.13.O
With a Microbrewery as an accessory use to a Food Service	S [2]					C-1: 4.9.4.M.1 & 4.9.5.E.6, .7, .8

4.8.7. PERMITTED USES: INDUSTRIAL ZONES

<p><b>TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES *</b></p> <p><b>P = Permitted Use S = Permitted as Special Exception Use</b></p> <p><b>[1] Mayor and Council Special Exception Procedure, Section <a href="#">3.4.4</a></b></p> <p><b>[2] Zoning Examiner Special Exception Procedure, Section <a href="#">3.4.3</a></b></p> <p><b>[3] PDSD Special Exception Procedure, Section <a href="#">3.4.2</a></b></p> <p><b>*Any Land Use Class not permitted or a Special Exception Use in any other zone , or permitted in the I-2 zone , may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.</b></p>				
<b>LAND USE</b>	<b>P-I</b>	<b>I-1</b>	<b>I-2</b>	<b>USE SPECIFIC STANDARDS</b>
<b>Commercial Services Land Use Group With Land Use Class/Type:</b>			*	
Food Service:				
<u>Food Court</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>4.9.4.M.1, .6, &amp; .7</u>

Excluding Soup Kitchen	P	P	P	P-I: 4.9.13.Q and drive-through or drive-in services are permitted as an outdoor activity
With Alcoholic Beverage Service as an accessory use	P	P	P	P-I, I-1, I-2: 4.9.4.V.1-2 and 4.9.4.C.3
Soup Kitchen	S [1]	S [1]	P	P-I: 4.9.4.M.4 I-1, I-2: 4.9.4.M.4 and 4.9.13.Q

4.8.9. PERMITTED USES: SPECIAL USE ZONES (2) – NC, RVC, & MU

<b>TABLE 4.8-7: PERMITTED USES - SPECIAL USE ZONES (2): NC, RVC, AND MU ZONES</b> P = Permitted Use S = Permitted as Special Exception Use [1] Mayor and Council Special Exception Procedure, Section <a href="#">3.4.4</a> [2] Zoning Examiner Special Exception Procedure, Section <a href="#">3.4.3</a> [3] PDSD Special Exception Procedure, Section <a href="#">3.4.2</a>				
LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
<b>Commercial Services Land Use Group With Land Use Class/Type:</b>				
Food Service:				
<u>Food Court</u>	<u>P</u>	<u>P</u>	<u>S [2]</u>	<u>NC: 4.9.4.M.1 &amp; 5-7 and 4.9.13.M</u> <u>RVC: 4.9.4.M.1, .2, .6, &amp;.7, and 4.9.13.N</u> <u>MU: 4.9.5.C.6</u>
Excluding soup kitchens		P	S [2]	RVC: 4.9.4.M.2, 4.9.4.V.3, and 4.9.13.N MU: 4.9.5.C.6
Excluding soup kitchens and Alcoholic Beverage Sales	P			NC: 4.9.4.M.1 & 5 and 4.9.13.M
With Alcoholic Beverage Service as an accessory use		S [1]		RVC: 4.9.4.V.2, .3, & .4 and 4.9.4.C.3

## 4.9. USE-SPECIFIC STANDARDS

### 4.9.4. COMMERCIAL SERVICES USE GROUP

#### M. Food Service

1. Activities may be conducted outdoors. Loudspeakers or music, live or recorded, shall not be permitted within 600 feet of a residentially zoned property.

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6. All Food Courts sites must be reviewed, permitted, and developed in accordance with the UDC and the adopted Building Code and shall comply with the following standards.

a. A business license is required to be held for the entire facility and on-site management is required to be present during all hours of operation to ensure compliance with the required standards.

b. Retail sales vendors are permitted as an accessory use to the Food Court but shall not exceed 50% of the designated vendor stalls.

c. Canopies, awnings, or shade structures designed to shield operators or patrons must meet the UDC and adopted Building Code requirements and must be permanently affixed to the ground.

d. Signage and waste collection are required to meet the requirements of the UDC and related standards in the Technical Standards Manual.

e. Compliance with the adopted Outdoor Lighting Code and outdoor lighting standards is required.

7. If all, or part, of the Food courts which operate solely outdoors, those outdoor portions shall also comply with the following standards.

a. All vendors shall be located within a developed stall. The number of vendors will be limited by the number of stalls.

b. Permanent power pedestals for each vendor stall are required. A central

c. grease interceptor to serve all vendors is also required.

d. Temporary or permanent accessible restrooms and a parking area with delineated parking spaces with a dust-proof surface may be permitted as exceptions to the standard requirements.

e. If located within an existing developed site, such as a shopping center parking area, excess available parking may be allocated to the requirements for the food court. Parking spaces utilized for vendor parking and patron access may continue to be counted towards the parking provided on-site. On-site circulation standards and fire routes must be maintained. Additional landscaping (UDC Article 7.6) and stormwater retention and detention standards (citation) are not required.

f. If located within an undeveloped site and permanent paving is not provided, landscaping (UDC Article 7.6) and stormwater retention and detention standards (citation) do not apply.

\_\_\_\_\_g. The outdoor hours of operation are limited to 7 a.m. to 10 p.m. and the use of outdoor internal combustion generators is prohibited.

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Article 7: Development Standards

7.4. MOTOR VEHICLE AND BICYCLE PARKING

7.4.4. REQUIRED NUMBER OF MOTOR VEHICLE PARKING SPACES

B. Minimum Number of Motor Vehicle Parking Spaces Required

The minimum number of required motor vehicle parking spaces is provided below in [Table 7.4.4-1](#).

TABLE 7.4.4-1: MINIMUM NUMBER OF MOTOR VEHICLE SPACES REQUIRED	
Land Use Group/Class	Motor Vehicle Parking Required
<b>COMMERCIAL SERVICES USE GROUP</b>	1 space per 300 sq. ft. GFA, except as follows:
Food Service	1 space per 100 sq. ft. GFA and outdoor seating areas. <u>1 space per designated vendor stall for Food Courts which operate solely outdoors.</u>

ARTICLE 11: DEFINITIONS AND RULES OF CONSTRUCTION

11.3. DEFINITIONS OF LANDS USE GROUPS, CLASSES, AND TYPES

11.3.4. COMMERCIAL SERVICES USE GROUP

N. Food Service

The preparation and sale of food primarily for consumption as a meal on or off premises. Typical uses include restaurants, coffee shops, cafeterias, and fast food establishments. To differentiate between a Food Service use (restaurant) that serves alcoholic beverages and an Alcoholic Beverage Service use (bar) that serves food, refer to the definition of restaurant.

1. Food Court

A unified establishment which serves food for consumption on or off the premises from multiple eateries or vendors. Food Courts may be developed to include any combination of indoor or outdoor operations. A commercial kitchen, exclusively for use by the vendors on location at the food court, is permitted provided it meets all applicable state and local health and standards, as well as all relevant requirements of the UDC.

2. Restaurant

A commercial establishment in which the principal use is the preparation and sale of food and beverages. A restaurant by any other name, such as, but not limited to, coffee shop, cafeteria, fast food restaurant, or diner, is regulated as a restaurant.

**23. Soup Kitchen**

A Food Service use that provides free meals for consumption on or off site .