

ZONING ARTICLE #4 – Mobile Food Vendors

ARTICLE XX: To see if the Town will vote to amend the Zoning Bylaw by modifying certain provisions, with new language shown in bold italics, as follows, or take any other action relative thereto:

1. Amend Section 202.5 – Use Regulation Table, by modifying the following Uses:

Modify Use H10 Eating & drinking establishments, by replacing the text “no” with new text “***no*** ⁵³” in all the Residential zoning districts (R-87, R-40, R-25 & RS-40).

2. Amend Section 202.5 – Use Regulation Table - Footnotes, by adding the following new Footnote 53 as shown:

53. Except “Yes” for Mobile Food Vendors that are to be located on Town owned land and for which all other applicable Town permits, approvals and licenses have been obtained, and for which approval has been obtained through application to the Town Administrator’s office for Use of Town-Owned Property.

Mobile Food Vendors and all associated components including seating shall not be located within zoning setbacks. Signage shall be allowed per Section 303. Vendors shall be responsible for trash removal, ensuring safe pedestrian and vehicle access and circulation, fire access and safety, and adequate parking for all uses on the site. Vendors shall not generate excessive odors, smoke, noise or glare. No music or entertainment allowed unless an Entertainment License has been obtained from the Yarmouth Board of Selectmen. Hours of operation shall be as determined through the Use of Town-Owned Property application process.

3. Amend Section 303.2 – Definitions, by adding new text as shown:

Sandwich Board Sign - A self-supporting, double-paneled sign, whose panels are not parallel but which are connected along the top edge and separated along the opposite edge to create an A-frame.

4. Amend Section 303.4.1 Temporary Signs, by adding new text at the end of this Section as shown:

303.4.1.8 Mobile Food Vendors. Mobile Food Vendors may have one (1) sandwich board or A-frame sign not to exceed six (6) square feet in area. Such signs shall not cause safety issues or impeded visibility or access for vehicles or pedestrians; and may not be installed within the layout of public roads or on sidewalks, or within two (2) feet of the traveled surface of any road. The sign may only be displayed when the mobile food vendor is open for business. This temporary sign is in addition to other permanent signs allowed. Permit and fee is required.

5. Amend Section 500 – Definitions, by adding new text as shown:

MOBILE FOOD VENDOR – means a food establishment that is located upon a vehicle, or which is pulled by a vehicle, where food or beverage is cooked, prepared and served.

Explanation: This Article would expand business opportunities by allowing Mobile Food Vendors the opportunity to be located on town-owned land if approved by the Board of Selectmen through the Use of Town-Owned Property Application process.

Requires 2/3rds Vote

Selectmen Recommend (X-X)

Finance Committee (X-X)

(Planning Board)