ORDINANCE NO. 739
AN ORDINANCE AMENDING THE CITY CODE
Amending Chapter 113 Zoning in order to Establish Allowed Mobile Retail and Service Uses

The City Council for the City of Golden Valley hereby ordains as follows:

Section 1. City Code Section 113-31, Article II, Subdivision (d)(1) is amended to read as follows and renumbering sections (d)(1)(a) through (d)(1)(s) accordingly

(1) Mobile Vendors and Services. The City Manager or their designee may issue a permit for a mobile vendor or service provider, as defined below, to operate for a temporary period within the City at a specific location. This permit will be valid for a time to be determined based on the type of mobile use as well as the underlying zoning for the location specified by the permit. Any application shall include the application fee amount established by the City Council in the Master Fee Schedule, and such fee shall be not refundable if the permit is denied or the applicant withdraws or otherwise ceases operation or use of the permit.

a. Definitions.

1. Mobile Food Vendor- A self-contained vehicle or trailer that is readily movable without disassembling, used to prepare and serve food to customers.

2. Mobile Assistive Services- A self-contained vehicle or trailer that is readily movable without disassembling, used to provide medical, legal, educational, and other assistive services to residents or customers. Public Services provided by the City are exempt from this definition.

3. Mobile Retail/Service Vendors - A self-contained vehicle or trailer that is readily movable without disassembling, used for the sale of products or services such as: pet grooming, florists, and other uses consistent with those permitted in the Commercial Zoning District.

b. Permit Duration. A temporary permit for any mobile vendor or service provider shall be subject to a restriction on the amount of time it can operate and occupy a given location. This duration shall be determined by the type of use and the its location, As shown in the table below.

<table>
<thead>
<tr>
<th>Zoning District(s)</th>
<th>Mobile Food Vendor</th>
<th>Mobile Assistive Services</th>
<th>Mobile Retail/Service Vendors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td>≤ 1 day</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Moderate Density Residential Density</td>
<td>≤ 1 day</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>≤ 1 day</td>
<td>≤ 3 days</td>
<td>-</td>
</tr>
<tr>
<td>Use Type</td>
<td>≤ 1 day</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>High Density Residential</td>
<td></td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Commercial</td>
<td>≤ 3 days, ≤ 120 days</td>
<td>≤ 3 days</td>
<td>-</td>
</tr>
<tr>
<td>Mixed Use (MU-N, MU-C, MU-E)</td>
<td>≤ 3 days, ≤ 120 days</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
</tr>
<tr>
<td>Light Industrial/Industrial</td>
<td>≤ 3 days, ≤ 120 days</td>
<td>≤ 3 days</td>
<td>-</td>
</tr>
<tr>
<td>Office</td>
<td>≤ 3 days, ≤ 120 days</td>
<td>≤ 3 days</td>
<td>-</td>
</tr>
<tr>
<td>Institutional-Assembly</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
<td>-</td>
</tr>
<tr>
<td>Institutional-Medical</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
<td>-</td>
</tr>
<tr>
<td>Institutional-Civic</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
</tr>
<tr>
<td>Institutional-Parks &amp; Natural Areas</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
<td>≤ 3 days</td>
</tr>
</tbody>
</table>

C. Permit Regulations. Mobile Vendors are subject to the following rules and regulations:

Section 2. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(1) is amended to read as follows:

1. With the permit application, the applicant shall provide written proof that the applicant is the current holder of all licenses required by the County and the State, and the vendor shall maintain such license in good standing for the duration of the permit.

Section 3. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(3) is amended to read as follows:

3. A permit is valid for only one mobile vehicle or trailer.

Section 4. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(6) is amended to read as follows:

6. If the application seeks to operate on a City-owned property and/or on the public right-of-way, the application shall include documentation satisfactory to the City Manager or their designee evidencing the applicant's public liability, food products liability, automobile liability, and property damage insurance and that the City is or will be named as an additional insured on such insurance for all the permitted days of operation. Such insurance shall be maintained without change for the duration of the permitted days of operation.
Section 5. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(7) is amended to read as follows:

7. The permit shall set forth the location where the vendor may operate and it shall be a violation of this section for any vendor to engage in vending operations in any location in the City other than the location set forth in the permit.

Section 6. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(8) is amended to read as follows:

8. Mobile vendors must be located at least 10 feet from all principal and accessory structures as well as five feet from side and rear yard property lines.

Section 7. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(9) is amended to read as follows:

9. Overnight parking and storage by the vendor is prohibited at the permitted location. The vendor must vacate the permitted location when not engaging in vending operations. Hours of vending operation are limited to 8:00 a.m. to 10:00 p.m., at which time the vendor shall vacate the permitted location. These time limits will apply to all permits, unless otherwise limited or extended by the City Manager or their designee, as set forth in the permit. Permits approved for vending operations on properties located in Residential Zoning Districts are limited to an eight-hour time period maximum.

Section 8. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(12) is amended to read as follows:

12. The vending operation may be located on public right-of-way adjacent to the property for which the permit is issued, with the service window facing the curbside of the street. The vending operation may not block sidewalks or drive aisles, impede pedestrian or vehicular traffic, or interfere with public safety.

Section 9. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(13) is amended to read as follows:

13. The vending operation shall be located on an impervious surface unless unique circumstances cause the City Manager or their designee to permit the operation to be located on a pervious surface.

Section 10. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(16) is amended to read as follows:

16. No vending operation may be located within 200 feet at its closest point to the main entrance of a permanent business offering similar products or services except with the written consent of the proprietor of the permanent establishment. This restriction does not apply to proximity from other mobile vendors. No person shall either pay or accept payment for such written consent. With the permit application, the applicant shall provide written permission from the proprietor when applicable.
Section 11. City Code Section 113-31, Article II, Subdivision (d)(1)(c)(19) is amended to read as follows:

19. For properties zoned Single-Family Residential (R-1) or Moderate Density Residential (R-2) no more then 2 events per calendar year involving mobile vendors are permitted at the address provided in the application. Exceptions to this 2 event limit may be considered by the City Manager or their designee.

Section 12. This ordinance shall take effect from and after its passage and publication as required by law.

Adopted by the City Council this 7th day of June, 2022.

/s/ Shepard M. Harris
Shepard M. Harris, Mayor

ATTEST:

/s/ Theresa J. Schyma
Theresa J. Schyma, City Clerk