



## Council Agenda Report

From: Piper Smith, Assistant Planner

Subject: Consideration of Zoning Code Amendment to Paso Robles Municipal Code (PRMC) Section 21.69.120 (Food Trucks and Food Truck Courts), Chapter 21.20 (Temporary Use Permits), Table 21.32-1 (Zoning District Use Regulations), Section 21.91.070 ("F" Definitions)

Date: April 14, 2026

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### Facts

1. On October 1, 2024, City Council approved a variety of updates to the Paso Robles Zoning Code, Title 21 of the Paso Robles Municipal Code, including updates to Section 21.69.120, "Food Trucks and Food Truck Courts" (Attachment 1). This section of the municipal code establishes the permit requirements and operational standards for food trucks operating within the City limits. The rules codified staff policy on food trucks that had existed since 2019.
2. All food trucks operating are required to comply with the operational requirements of Section 21.69.120, have a valid City business license, and have an active County of San Luis Obispo Environmental Health Permit.
3. In addition to the above requirements, food trucks operating at one location for more than seven days in a calendar year, but less than one year, are required to obtain a Temporary Use Permit (TUP) and must meet the findings provided in Section 21.20.070, "Findings for Approval and Revocation" (Attachment 2).
4. On August 5, 2025, City Council discussed a 'Legislative Update and Review Regarding Food Truck Regulations'. Staff presented the current permitting process as well as some of the challenges in enforcing the food truck standards and permitting requirements due to ambiguity in the municipal code. Members of the public were invited to participate in the discussion and provided feedback. The City Council voted to establish an Ad Hoc Committee of the City Council to be comprised of Councilmember Gregory and Councilmember Bausch to address food truck regulations and report back to City Council within 6 months with recommendations for future action based on the discussion.
5. The first Food Truck Regulation Review City Council Ad Hoc Committee meeting was held on September 22, 2025. The priority of the meeting was to gather more in-depth feedback from the public. The meeting had a high level of participation from the public. Ad Hoc committee members directed staff to collect additional information on the following topics:
  - a. Generators that can meet Noise Ordinance requirements,
  - b. Comparison of the current food truck policies listed on the City's website and the standards in the Zoning Ordinance,
  - c. Clarification on Fire inspection requirements,
  - d. Additional information on complaints received by the City regarding food trucks,
  - e. Policies and options for food trucks utilizing tables, chairs, and shade structures, and
  - f. Clarification of how the 7-day rule applies to food trucks hired to serve food at special events (not operated by the City).

6. The second Food Truck Regulation Review City Council Ad Hoc Committee meeting was held on November 12th, 2025. The priority of the meeting was to report back on topics brought to light at the first ad hoc meeting. This included details of previous food truck complaints, providing clear and concise rules that align with other departments' requirements, and additional information on fire department inspections. Staff also provided draft recommendations to gather feedback from the Ad Hoc Committee members and from the public. Ad hoc committee members made recommendations were made for the following topics:
  - a. Generator Noise,
  - b. Accessory Furniture,
  - c. Temporary Use Permit permitting requirements,
  - d. Setbacks, and
  - e. Proximity to Downtown.
7. On December 16<sup>th</sup>, 2025 Staff reported the findings and recommendations made at the second Food Truck Regulation Review City Council Ad Hoc Committee back to City Council for review and formal recommendations. City Council provided specific direction to staff regarding operational requirements effective immediately:
  - a. Food trucks will utilize generator acoustic panels to protect adjacent land uses and the public right-of-way from excessive noise and to comply with the Noise Ordinance.
  - b. Accessory furniture is not permitted:
    - i. In the public right of way (e.g., sidewalk or parkways),or
    - ii. Where it will obstruct circulation, ingress, or egress
  - c. The following accessory furniture is permitted:
    - i. 1 shade structure, no more than 120square feet in size;
    - ii. Table(s) totaling no more than 24 square feet in size; and
    - iii. 8 chairs
  - d. Require a minimum setback of 9 feet (half the length of an uncovered parking space) for food trucks with service windows facing the public right-of-way. No setback is required for food truck service window facing internally into the commercial lot. Shade canopies, tables, and chairs area allowed within the food truck setback. Allow the Zoning Administrator to increase or decrease setback requirements for individual temporary use permits to account for unique site configurations.
  - e. Temporary Use Permits will not be granted on private property within 100 feet of City Park.
8. On December 16<sup>th</sup>, 2025, City Council also provided a recommendation to amend Paso Robles Municipal Code (PRMC) Section 21.69.120 to:
  - a. Require a Temporary Use Permit (TUP) for ALL food trucks operating in the City and vending to the public. Exception - food truck operating as a caterer for an event are not required to have a TUP, and;
  - b. Require on-site commercial businesses hosting more than 7 events in a year to obtain a Temporary Use Permit for food trucks to participate in reoccurring events.
9. Staff has prepared amendments to the Paso Robles Municipal Code and Uptown/Town Centre Specific Plan to achieve City Council recommendations to food truck regulations made at the December 16<sup>th</sup>, 2025 City Council meeting to present to the Planning Commission to make a recommendation to the City Council, and;
10. A duly noticed public hearing was conducted for the Planning Commission meeting on April 14th, 2026 to consider the facts as presented in the staff report prepared for this purpose, and to accept public testimony regarding this proposed Paso Robles Municipal Code and Uptown/Town Centre Specific Plan amendment and make a recommendation to City Council, and;

11. The proposed ordinance is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a “project” under CEQA. State CEQA Guidelines §15060(c) provides that “[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378” and, alternatively, is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment.

### **Community Outreach**

The following list details the outreach efforts that were made to notify the public of the zoning code amendment being considered by the Planning Commission on April 14<sup>th</sup>.

- Post Cards mailed to Temporary Use Permit holders, and mobile Food Truck/Vendor Business License holders (active and pending)
- Emails sent to subscribers of the “Food Truck Ad Hoc Committee”
- Legal Notices published in the New Times

### **Options**

1. Take no action;
2. Recommend the City Council adopt the zoning code amendment to Paso Robles Municipal Code (PRMC) Section 21.69.120 (Food Trucks and Food Truck Courts), Chapter 21.20 (Temporary Use Permits), Table 21.32-1 (Zoning District Use Regulations), Section 21.91.070 (“F” Definitions) and Uptown/Town Centre Specific Plan (UTCSP) Table 5.3-1 (Allowed Land Uses and Permitting Requirements) by adopting Draft Resolution 26-xxx based on findings.
3. Recommend the City Council adopt the zoning code amendment to Paso Robles Municipal Code (PRMC) Section 21.69.120 (Food Trucks and Food Truck Courts), Chapter 21.20 (Temporary Use Permits), Table 21.32-1 (Zoning District Use Regulations), Section 21.91.070 (“F” Definitions) and Uptown/Town Centre Specific Plan (UTCSP) Table 5.3-1 (Allowed Land Uses and Permitting Requirements) with modifications by amending and adopting Draft Resolution 26-xxx based on findings.
4. Refer the project back to staff for additional analysis.
5. Provide alternative direction to staff.
6. Provide an alternative recommendation to the City Council.

### **Analysis and Conclusions**

#### Background

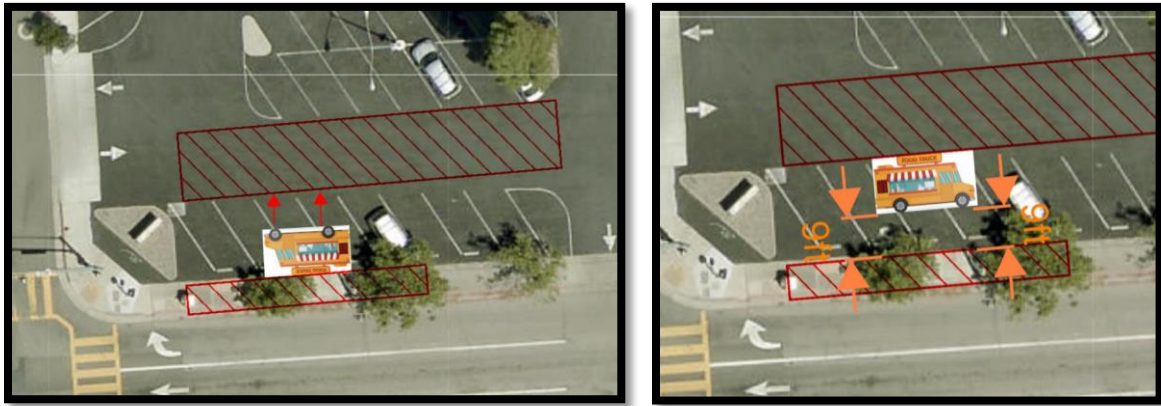
The first Food Truck Regulation Ad Hoc Committee meeting was held on September 12, 2025 and focused on outlining the existing permit requirements and operational standards as well as receiving feedback from the public. The second meeting was held November 12, 2025 and focused on reviewing draft recommendations based on the feedback from the first meeting and additional staff analysis. Spanish translation services were provided at both ad hoc meetings. No changes were made to the food truck regulations after either of the ad hoc meetings.

#### Updated Operational Requirements for Food Trucks

At the December 16<sup>th</sup> City Council Meeting, City Council provided specific direction to staff regarding operational requirements effective immediately:

- a. Food trucks will utilize generator acoustic panels to protect adjacent land uses and the public right-of-way from excessive noise and to comply with the Noise Ordinance.
- b. Accessory furniture is not permitted:
  - i. In the public right of way (e.g., sidewalk or parkways),or

- ii. Where it will obstruct circulation, ingress, or egress
- c. The following accessory furniture is permitted:
  - i. 1 shade structure, no more than 120 square feet in size;
  - ii. Table(s) totaling no more than 24 square feet in size; and
  - iii. 8 chairs
- d. Require a minimum setback of 9 feet (half the length of an uncovered parking space) for food trucks with service windows facing the public right-of-way. No setback is required for food truck service window facing internally into the commercial lot. Shade canopies, tables, and chairs area allowed within the food truck setback. Allow the Zoning Administrator to increase or decrease setback requirements for individual temporary use permits to account for unique site configurations.



**Food Truck Setback Illustrations**

- e. Temporary Use Permits will not be granted on private property within 100 feet of City Park.



## 100 ft buffer around City Park

### Zoning Code Amendment

City Council also provided a recommendation to amend Paso Robles Municipal Code (PRMC) Section 21.69120 to:

- Require a Temporary Use Permit (TUP) for ALL food trucks operating in the City and vending to the public. With the exception for food truck operating as a caterer for an event are not required to have a TUP, and;
- Require on-site commercial businesses hosting more than 7 events in a year to obtain a Temporary Use Permit for food trucks to participate in reoccurring events.

Staff has updated language throughout the Zoning Code and the Uptown/Town Center Specific Plan to align with the recommendations from City Council and clean up outdated language and references.

### Section 21.69.120 (Food Trucks and Food Truck Courts)

The purpose of this section is to ensure that food trucks are compatible with surrounding and adjacent land uses and do not create an adverse impact on adjacent properties by reason of noise, parking, and litter. There are no changes to the purpose and applicability of this section with this amendment.

### Special Events that Include Food Trucks

Food Trucks operating on City Property or for a City hosted event are not subject to the requirements or permitting of section 21.69.120. Section 21.69.120.b states:

*The provisions of this Section shall not apply to persons operating a food truck as part of a certified farmer's market, an authorized street fair or other event occurring under a special permit issued by the City of Paso Robles, or as allowed by the City in City parks provided that the food truck is part of the event and is complying with all terms of the permit or permits issued for the event.*

Food trucks operating on City Property are subject to the conditions of the special event permit obtained. Section 21.69.120 applies to food trucks operating on private property. The recreation department has been part of the ongoing process improvements to ensure consistent information and requirements for food truck operators. The proposed zoning code amendment does not change or modify City events that include food trucks and requires food truck operators to coordinate with the respective lead agency/department.

### Catering

City Council recommended amending Paso Robles Municipal Code (PRMC) Section 21.69120 to require a Temporary Use Permit (TUP) for ALL food trucks operating in the City and vending to the public, with the exception that food trucks operating as a caterer for an event are not required to have a TUP.

Staff has drafted Section 21.69.120(c) for the addition of catering as preface to the section as follows:

Caterer. The provisions of Subsection 21.69.120.D(1) (Temporary Use Permit Required) shall not apply to a food truck operating as a caterer (invited by a commercial business to provide food and/or beverages at a commercial business site) at a special event or events for up to 7 days in a fiscal year (July 1 – June 30), if only one food truck is operating at the special event or events at a time. Catering food trucks shall comply with Subsection 21.69.120.F (Operational Requirements for All Food Trucks).

This will allow food trucks operating as caterers to be exempt from the permitting requirements of Section 21.69.120 but still ensure operational requirements are being met. Therefore, food trucks would still obtain the necessary County Environmental Health permit, fire inspection, business licenses, and wastewater approval to safely operate without triggering the need for a temporary use permit, given they are not operating at one specific site.

Furthermore, pursuant to chapter 21.20, certain events lasting 7 days or more are subject to a temporary use permit (TUP) including parking lot sales, promotional events, temporary food services, fairs, and festivals, and other similar events as determined by the Zoning Administrator (PRMC Section 21.20.030). These uses often utilize a food truck or food trucks to cater their event. The temporary use permit for the event would allow staff to evaluate all aspects including any participating food truck vendor(s). Therefore, food trucks catering events at the same site for more than 7 days in the fiscal year would be reviewed in conjunction with the event's TUP as opposed to the food truck operator needing a separate temporary use permit for catering different events.

Staff has drafted Section 21.69.120(D)(1)(b) to clarify when certain event operators must obtain a TUP when such events include food trucks as follows:

**Commercial Business Sites.** A commercial business site shall require approval of a Temporary Use Permit (Chapter 21.20) if the site hosts catering food trucks, as defined and regulated in Subsection 21.69.120.C, at a special event or events for more than 7 days in a fiscal year.

#### Permitting Requirements for Food Trucks

The existing permitting requirements for food trucks listed in Section 21.69.120(C) differentiate permit requirements by length of time operating at one site (Attachment 1). Community Service officers vocalized it was difficult to track the number of days a food truck is operating at one site and this created a discrepancy between permitting requirements in code and efforts to enforce in the field. Community Service officers recommended removing the 7-day threshold triggering a temporary use permit to requiring TUPs when independently vending to the public. This would help alleviate enforcement efforts and help direct food truck operators to the Planning Department to obtain a temporary use permit if they wish to continue operation on site.

Based on City Council recommendations, staff is requesting to amend the permit requirements to require a temporary use permit for food trucks operating on private property vending to the public from day one of operating:

*“a) Temporary Use Permit Required. Food trucks shall not operate without approval of a Temporary Use Permit (Chapter 21.20). No Temporary Use Permit shall be issued for a food truck unless it conforms to the requirements of Subsection 21.69.120.E (Temporary Use Permits for Food Trucks) and Subsection 21.69.120.F (Operational Requirements for Food Trucks).”*

Therefore, if a food truck is not operating as a caterer or in conjunction with a City event as stated in the section preface (Section 120.69.120 a-c), the food truck would have to obtain a temporary use permit.

In addition, staff has outlined temporary use permit duration, payment and site requirements specific to food trucks.

*E. Temporary Use Permits for Food Trucks. In addition to the standards in Chapter 21.20 (Temporary Use Permits), Temporary Use Permits for Food Trucks shall be subject to the following:*

- 1. Duration. Food Truck Temporary Use Permits shall last no more than 365 days and shall expire at the end of the fiscal year (as defined by Section 3.28.200 (Business license tax—How and when payable)) in which it is issued.*
- 2. Payment. Food Truck Temporary Use Permits are subject to the adopted fee for a Temporary Use Permit and are not prorated for portions of a fiscal year.*
- 3. Sites. Up to 2 specific locations included in a single submittal for a Food Truck Temporary Use Permit application are eligible to be reviewed and included in the issuance of the permit.*

The duration of the TUP shall align with the expiration of the business licensing allowing staff to coordinate correspondence and outreach with the Finance Department and allow the food truck operator to renew their business license and temporary use permit concurrently. This will aid with streamlining the process for the applicant and permit tracking and enforcement efforts for staff. In addition, food truck operators expressed desire to apply for more than one location in on application given their mobile nature. Therefore, the zoning code amendment would permit two sites to be reviewed in one temporary use permit application if included at the time of application submittal.

Staff also recommends the removal of Site Plan approval subject to PRMC 21.17 to for food trucks operating on one site over a year:

*Food Truck (single vehicle operating in one location 1 year or more). Temporary food trucks operating for more than 1 year in a single location shall not operate without the approval of a Site Plan (Chapter 21.17). Applications for a food truck shall conform to the requirements of Subsections 21.69.120.D (Operational Requirements for Food Trucks)*

Since approval of the update to the Paso Robles Zoning Code, Title 21 of the Paso Robles Municipal Code in October 2024, no Site Plan applications have been submitted for. Site Plan approval is a vested right and would trigger permanent improvements to the requested site which does not align with the temporary and mobile nature of food truck operations. Food trucks still have an avenue to operate on a specific site for over a year if their temporary use permit is renewed and in compliance each year. This allows all departments to analyze the food truck and sites compliance each year without risking a non-conforming vested right to one particular site or food truck operator.

#### Requirements for Food Trucks

Section 21.69.120(F) defines operational requirements for all food trucks. The proposed text changes to the operational requirements for food trucks are intended to clean up outdated code references.

- **Temporary Shade Structures:**

On December 16<sup>th</sup>, 2026, City Council adopted operational standards to allow food truck operators to utilize 1 shade structure no more than 120 square feet in size, table(s) totaling no more than 24 square feet in size, and 8 chairs. Operational requirement 6, Temporary Shade Structures has been removed as the requirement for food trucks and accessory structures is stated in operational requirement 14:

*Equipment Storage. Food trucks and associated equipment shall not be stored overnight at the location of vending.*

This Amendment is intended to alleviate confusion of accessory structure allowance and remove duplicate language in the municipal code about the requirement to remove structures when not vending.

- **Business Licenses Required:**

Food truck vendors are required to have a valid business license to operate within City limits. Operational requirement 9, “Business Licenses Required” has been modified to correctly cite Title 3, Chapter 3.28 (Business License Tax). In addition, insurance and liability language has been removed as liability for use of the food truck on private property is to the discretion of the food truck operator and private property owner. The amended language for Business License Requirements would be as follows:

*The vendor shall have a valid business license issued by the city pursuant to Municipal Code Title 3, Chapter 3.28 (Business License Tax).*

- **Fire Department Inspections:**

Current Paso Robles Municipal Code Section 21.69.120.D.11 states,

*All food trucks shall be inspected and approved by the Paso Robles Fire and Emergency Services Department prior to issuance of its initial business license and from time to time thereafter in the discretion of the Paso Robles Fire and Emergency Services Department. At a minimum, all cooking equipment producing grease-laden vapors shall be protected by a UL 300 listed automatic fire extinguish system. A Class K fire extinguisher shall be provided within each vending vehicle at an accessible location. All fire protection equipment shall be property maintained and serviced at intervals required by the California Fore code.*

Between January 1, 2023 and December 31, 2025, fire inspections of food trucks were delegated to the County of San Luis Obispo Environmental Health Department, which caused some confusion among food truck operators. However, the 2025 Fire Code will allow the City of Paso Robles Fire Department to regain control and conduct necessary inspections to ensure fire safety on all food trucks. Effective January 1, 2026, the City of Paso Robles Fire Department will again be the agency responsible for inspection food trucks annually and hood systems biannually.

In addition, the Central Coast Fire Prevention Association is developing a collaborative, regional system for inspecting food trucks one time instead of separately for each jurisdiction. Once the program is in place, a food truck operator would receive an inspection by one of the participating jurisdictions, which would then be valid throughout the county. Additional information will be made available to the public as soon as possible.

To align with the Central Coast Fire Prevention Association inspections, staff has amended the language of operational requirement 11, Fire Department Inspection to be as follows:

*Fire Department Inspection. All food trucks shall be inspected and approved by a jurisdiction within the Central Coast Fire Prevention Association (CCFPA) prior to issuance of its initial business license and from time to time thereafter in the discretion of a jurisdiction within the Central Coast Fire Prevention Association (CCFPA). At a minimum, all cooking equipment producing grease-laden vapors shall be protected by a UL 300 listed automatic fire extinguishing system. A Class K fire extinguisher shall be provided within*

*each vending vehicle at an accessible location. All fire protection equipment shall be properly maintained and serviced at intervals required by the California Fire Code.*

Chapter 21.20 (Temporary Use Permits)

Based on the recommended amendments to Section 21.69.120 (Food Trucks and Food Truck Courts), staff has revised language in Chapter 21.20 (Temporary Use Permits) to align with the proposed permitting process. Staff has removed, “Single food truck operating in one location less than seven days (subject to Section 21.69.120).” from Section 21.20.020 (Exempt Temporary Uses) and revised the related information in section 21.20.030 (Allowed Temporary Uses) to be “Single food truck operating in one location no more than one year (subject to Section 21.69.120).” No other changes to this Chapter are proposed.

Section 21.91.070 (“F” Definitions)

The County of San Luis Obispo Environmental Health department defines food trucks as:

*“Mobile Food Facilities: any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. A “mobile food facility” does not include a “transporter” used to transport packaged food from a food facility, or other approved source to the consumer.”*

Staff has revised the “food truck” definition in Section 21.91.070 (“F” Definitions) to include “mobile food facilities” to correlate the two jurisdictions permitting requirements more closely:

*Food Truck. A vending vehicle or mobile food facility selling food and/or beverages in an operable motorized coach or trailer with current department of motor vehicles registration and a current food safety permit acceptable to the San Luis Obispo County Environmental Health Services Division.*

No other changes are proposed to this section.

Table 21.32-1 (Zoning District Use Regulations)

Table 21.32-1 has been revised to align with the recommended amendments to Section 21.69.120 (Food Trucks and Food Truck Courts). Previously, the chart reflected food trucks as permitted or requiring a temporary use permit based on the duration of operation at one site. With the recommended amendment, the Zoning District Use Regulations matrix would illustrate the need for to obtain a temporary use permit subject to the amended section 21.120.69 (Food Trucks and Food Truck Courts) unless operating as a caterer or in conjunction with a City event. The other change is removing the language referencing Site Plan approval for operating on a site over a year. No changes are proposed to the zones that permit or prohibit food trucks. No changes are proposed to the food truck court line item.

Food truck	-	-	-	-	-	-	-	T	T	T	T	T	T	T	T	T	T	-	-	-	-	See Section 21.69.120 (Food Trucks and Food Truck Courts)
Food truck court	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	C	-	-	-	-	See Section 21.69.120 (Food Trucks and Food Truck Courts)

**Proposed Table 21.32-1(Zoning District Use Regulations)**

*Uptown/Town Center Specific Plan (UTCSP) Table 5.3-1 (Allowed Land Uses and Permitting Requirements)*

Table 5.3-1 (Allowed Land Uses and Permitting Requirements) in the Uptown/Town Center Specific Plan did not have a line item for food trucks or food truck courts. Food Trucks are required to operate on private property with existing commercial use pursuant to Section 21.69.120.F.1 (Operational Requirements for Food Trucks). Staff has amended the Allowed Land Uses and Permitting Requirements matrix to reflect this operational requirement in the Uptown/Town Center Specific Plan. Therefore, this amendment neither allows food trucks in zones where they were previously prohibited nor restrict them in zones where they were already allowed to operate. Food trucks are not permitted to operate in residential zones or open space/vacant land. Therefore, food trucks are not permitted in the T3-N, T-4N, OS. This proposed amendment aims to create more transparency for food truck operating in the Uptown/Town Center Specific Plan area.

Land Use Type	PERMIT REQUIREMENTS BY ZONE										Specific Use Regulations
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RSC	OS		
Food Truck	-	TUP	-	TUP	TUP	TUP	TUP	TUP	TUP	-	See Paso Robles Municipal Code Section 21.69.120 (Food Trucks and Food Truck Courts)
Food Truck Court	-	CUP	-	CUP	CUP	CUP	CUP	CUP	CUP	-	See Paso Robles Municipal Code Section 21.69.120 (Food Trucks and Food Truck Courts)

**Proposed Table 5.3-1 (Allowed Land Uses and Permitting Requirements)**

**Fiscal Impact**

The zoning code amendment would not directly impact the City’s fiscal resources.

**CEQA**

The proposed ordinance is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a “project” under CEQA. State CEQA Guidelines §15060(c) provides that “[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378” and, alternatively, is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment.

**Recommendation (Option 2)**

Recommend the City Council adopt the zoning code amendment to repeal and replace section 21.69.120 (Food Trucks and Food Truck Courts) of the Paso Robles Municipal Code (PRMC) by adopting Draft Resolution 26-xxx based on findings.

**Attachments**

1. Existing Paso Robles Municipal Code Section 21.69.120, "Food Trucks and Food Truck Courts"
2. Existing Paso Robles Municipal Code Chapter 21.20, "Temporary Use Permits"
3. Proposed Amendments to Paso Robles Municipal Code and UTCSP
4. Proposed Redlined Amendments to Paso Robles Municipal Code and UTCSP
5. PC Reso -26-xx Recommendation to City Council to Amend Paso Robles Municipal Code and UTCSP
6. CC Reso - 26-xx Amendment to Paso Robles Municipal Code and UTCSP
7. Mail Affidavit
8. Legal Affidavit