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TO: City Planning Commission

FROM: Christopher J. Gulock, AICP, Deputy Director

RE: **Proposed Zoning Ordinance text amendment to Chapter 50 of the 2019 Detroit City Code to add regulations to establish "food truck pod" as a new land use, to add "temporary food truck" to the list of allowed temporary uses, and to add related regulations and definitions (RECOMMEND APPROVAL)**

DATE: November 3, 2026

The proposed request is to consider revisions to Chapter 50, *Zoning*, of the 2019 Detroit City Code, regulating food trucks on private property. The proposed text amendment would add regulations to establish "food truck pod" as a new food and beverage service land use, to add "temporary food truck" to the list of allowed temporary uses and to add related regulations and definitions. The proposed ordinance is attached for reference.

BACKGROUND

Current Regulations

Presently, the City has no specific zoning regulations allowing food trucks on private property. However, the City over the years has been allowing food trucks on a limited basis on private property under the Zoning Ordinance's (ZO) regulation of temporary uses and structures. Section 50-12-559 of the ZO allows the Buildings, Safety Engineering, and Environmental Department (BSEED) to approve temporary uses not listed in the ZO where it is determined that such uses would not jeopardize the health, safety or general welfare, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.

Past Efforts & Food Truck Benefits

Over the years, food trucks have remained and grown as a viable and desired food option. In cities across the country, food trucks are recognized as providing benefits, including:

- Food trucks provide opportunities for entrepreneurs and small businesses;
- Food trucks can add interest, vibrancy, and activity to streetscapes and sites; and
- Food trucks can expand food access in areas underserved by traditional restaurants and offer a variety of food options.

However, food trucks have in the past received some pushback, because it was said to be unfair competition with low overhead compared to brick-and-mortar restaurants, etc. Also, since it is

primarily an outdoor use, there have been concerns voiced about litter, noise, fumes, etc. Hopefully, with good land use regulations, food trucks can be a positive addition amongst the food related land use options.

Food Trucks on City Streets

To provide additional opportunities, in 2021, Detroit approved Ordinance No. 2021-44 which allowed food trucks for the first time along commercial corridors. In this ordinance, food trucks may only operate where on-street parking is allowed and cannot operate on any residential streets. Some of the regulations from Ordinance No. 2021-44 include:

- For the Central Business District (CBD) and Cultural Center (CC), food trucks are only allowed on the street in 2 zones in the CBD and 2 zones in the CC;
- Food trucks cannot park on the street within 100 feet of a restaurant, and 200 feet from a K-12 school or sports arena; and
- Food trucks cannot vend on a list of 14 restricted commercial corridors.

Recent City Research

For the past two years, a working group of City departments, including the Mayor's Office, Housing and Revitalization Department (HRD), Detroit Health Department, Law Department, BSEED, and the Planning & Development Department (P&DD), has met to develop the proposed draft ordinance. Council Member Gabriella Santiago-Romero and her office also support regulations being added to the Code and have participated in the working group. This effort also includes an amendment to Chapter 34 of the City Code which regulates Peddlers, Solicitors, and Vendors to ensure consistency with the proposed amendment to Chapter 50. Both of these ordinances will be presented to City Council for consideration.

SCOPE OF ORDINANCE

The proposed text amendment would add regulations to establish "food truck pod" as a new food and beverage service land use, to add "temporary food truck" to the list of allowed temporary uses and to add related regulations and definitions. The proposed ordinance is summarized below.

Food Truck Pods

The proposed amendment would add food truck pod as a specific land use within the food and beverage service use category as well as specific land use standards. Below are highlights of the proposed regulations:

- Food truck pods would be a by-right use in the following zoning districts: B2 (Local Business and Residential District), B3 (Shopping District), B4 (General Business District), B6 General Services District, M1 (Limited Industrial District), M2 (Restricted Industrial District), M3 (General Industrial District), TM (Transitional-Industrial District), MKT (Market and Distribution District), SD1 (Special Development District, Small-Scale-Mixed-Use District), SD2 (Special Development District, Mixed-Use), SD4 (Special Development District, Riverfront Mixed Use). *Being by-right would make it easier for small businesses and start-ups to operate. Pods would not be allowed in residential districts, B5 Major Business, or M4 (Intensive Industrial) or M5 (Special Industrial) zoning districts. Most of the CBD consists of the B5 (Major Business), PC (Public Center), or PCA (Public Center Adjacent) zoning districts.*

- Food truck pods would be required to be reviewed through BSEED's site plan review process. *Since the uses are proposed to be by-right and primarily an outdoor use, requiring site plan review would help ensure the sites are laid out safely for vehicles and pedestrians.*
- One or more food trucks would be allowed at a pod depending on the request and size of the site.
- There are no proposed spacing restrictions from existing or future brick and mortar restaurants.
- Permanent accessory structures may be built to complement the food trucks, including bathrooms, storage, gazebos, etc. *These are limited to no more than 15% or the site or 500 square feet (whichever is less).*

Temporary Food Trucks

The proposed amendment would add temporary food trucks to the list of temporary uses and structures, including specific use standards. Highlights of these amendments are as follows:

- Temporary food trucks are only allowed on land zoned B2, B3, B4, B6, M1, M2, M3, M4, PD (Planned Development), TM, MKT, SD1, SD2, and SD4. *Other zoning districts would only be allowed for special events.*
- Temporary food trucks are not allowed in the CBD or CC unless in conjunction with a special event.
- Temporary uses need to be applied for on an annual basis and are good for up to 180 days per year.
- Food trucks must vacate the site after each day of operation.
- Temporary food trucks are not permitted within 100 feet of the doorway of any established standard restaurant (unless waived by the restaurant), within 200 radial feet of a school site, or 200 feet from any sports arena or stadium.

Standards Required for Both Food Truck Pods and Temporary Food Trucks

Below is a summary of standards proposed for both food truck pods and temporary food trucks:

- Food trucks may be developed on vacant land or alongside other principal uses.
- Food trucks must be parked, and customer service areas must be on a hard surface area.
- Food trucks on a site must be parked not less than 20 feet from land zoned or developed residential.
- Food trucks must be set back not less than 10 feet from any other food truck or structure.
- Food trucks on zoning lots adjacent to or across an alley from a lot containing a single- or two-family dwelling shall not operate between the hours of 11 p.m. and 5 a.m.
- The use of generators is not allowed on zoning lots abutting or across a street or alley from land zoned residential or developed with residential uses.
- Outdoor dining is allowed subject to site plan review.
- Toilet facilities for food truck employees must be located at a reasonable distance from the food truck location, available during food truck hours of operation.

Standards for Gas Stations

The proposed amendment recommends that both food truck pods and temporary food trucks be allowed at gas stations, subject to the internal spacing standards summarized below; these standards are based on recommendation from the Detroit Fire Marshal Division:

- Food trucks must maintain a minimum distance of 100 feet from any underground storage tank refueling area and vent pipes, and

- Food trucks must be positioned at least 50 feet away from any active fuel pump.

ADDITIONAL BACKGROUND INFORMATION

Types of Food Trucks & Regulations

Currently food trucks in Michigan fall under one of two categories: a mobile food establishment (MFE) or a special transitory food unit (STFU). In general, a MFE is a food service establishment that operates from a vehicle, which returns to a mobile food service establishment commissary for servicing and maintenance at least once every 24 hours. A STFU is a temporary food establishment that is licensed to operate throughout the state without the 14-day limits. Both of these definitions have been copied from the existing Chapter 34 and proposed to be added as part of the proposed amendment.

Business Licenses

In order to guarantee quality food service, food trucks are required to obtain licenses from two different agencies. First, food trucks must apply to a health department (which includes the Detroit Health Department) for a food service establishment license, a state requirement that includes all of the health and sanitation inspections. Second, the food truck must apply to BSEED for a City business license. These two licenses will remain in addition to the newly proposed building permit for a food truck pod and temporary use permit for a temporary food truck.

PUBLIC HEARING RESULTS

On October 22, 2026, the CPC held a public hearing on the proposed zoning text amendment. At the hearing, four people spoke regarding the text amendment with comments summarized below (CPC staff responses are listed in italic):

- One person had a concern about allowing food trucks at gas stations; they were particularly concerned if a gas station owned a food truck, it would create unfair competition for food trucks trying to locate elsewhere with startup costs, etc. *Under the proposed ordinance, a gas station could own a food truck on the site or lease space to a food truck owned by someone else.*
- One speaker, who owned a food truck, asked if a food truck could park overnight at an approved location? *The proposed regulations would not allow temporary food trucks to park overnight; food trucks at pods could remain overnight if licensed as a STFU. Food trucks could vend overnight, as long as they are not adjacent to or across an alley from a lot containing a single- or two-family dwelling.*
- One person supported the amendments and asked about partnerships with suppliers (farmers, Eastern Market, etc.); they also asked if a listing of food trucks could be provided and had questions about alternative energy sources. *If the ordinances are approved, BSEED would be the lead for providing information to food trucks and the public.*
- One person with the Michigan Restaurant and Lodging Association supported the ordinance and supported the inquiries about restrooms and garbage removal. *Responses to these items are covered later in the report.*

At the hearing, the Planning Commissioners had the following comments and questions:

- Are there time restrictions for food trucks? *Yes, food trucks can operate/vend overnight, but food trucks that are adjacent to or across an alley from a lot containing a single- or two-family dwelling cannot operate between the hours of 11 p.m. and 5 a.m.*
- Are food trucks allowed to put out chairs and tables, etc.? *Yes, accessory features related to the food truck operation, such as tables, decks, umbrellas, tents, and canopies are permitted, but must be approved during site plan review and shown on the site plan.*
- Does food have to be cooked in the truck, or can it be brought to the truck from off-site? *The ordinance states that food shall only be cooked, prepared, displayed, and sold from a food truck; however, MFEs are allowed to have some food prepared at a commissary.*
- How is a food truck defined – does it include a hotdog stand? *The proposed ordinance includes a definition for food trucks which includes, in part, that it must be a movable vehicle or trailer licensed by the state as a STFU or MFE and have a valid license plate – some hot dog carts will be able to meet this definition so they could be allowed as a food truck.*
- Regarding pods, are there triggers that would require restrooms for customers to be provided? *BSEED indicates the "building code" does not require restrooms based on use types, but the building code could require restrooms based on occupancies. An occupancy for a food truck pod would need to be established, then a restroom requirement determined by the building code and plumbing code. Further research from BSEED found, according to the building code, public toilet facilities shall not be required for: structures and tenant spaces intended for quick transactions, including take-out, pickup and dropoff, having a public access area less than or equal to 300 square feet. Therefore, as part of its permit review, BSEED would have to determine on a case-by-case basis whether or not a public toilet is required, but it appears not likely.*
- The CPC asked whether portable toilets are allowed? *BSEED indicated it would not allow portable toilets for pods, but may allow for temporary uses depending on the type of event and application.*
- Regarding pods, are trash receptacles required? *Yes, the ordinance states that trash receptacles shall be provided for use by customers of the food truck.*
- Does the amendment speak to allowing food trucks that may be provided in conjunction with a use (like a bar)? *Yes, the ordinance would allow food trucks to be legally added as a principal use or temporary use that could be in conjunction with other allowed legal principal uses.*
- Is there any plan to address air pollution (particularly the emissions from the food trucks)? *Generators could contribute to poor air quality, therefore their use is limited near residential uses; as part of its health department approval, food trucks must have ventilation systems similar to ones at restaurants that reduce odors.*
- What are the screening requirements for food truck pods? *Firstly, any portion of a developed zoning lot that is not occupied with buildings, structures, accessory uses, off-street parking, loading areas, sidewalks, or similar features must be landscaped; the only screening requirements would be for the parking lot area.*
- What is the parking requirement for food trucks? *The proposed ordinance requires 2 parking spaces per food truck.*
- Would food truck pods be allowed to have accessory uses like a clothing store? *Yes, the pod could have accessory uses, such as storage buildings, restrooms, gazebos, etc. BSEED could allow another use such as a retail store, but it would be considered an additional principal use.*

- Can a food truck run a natural gas line to power the food truck? *Most likely not; it would be up to the BSEED review, but providing a gas line may be challenging to make sure it safe (no gas leaks and broken lines if a truck leaves the site).*

ANALYSIS AND PLANNING CONSIDERATIONS

Advantages of Food Truck Pods & Temporary Food Trucks

While there may be more start-up costs at the front end, the following are some benefits to developing a food truck pod:

- It gives food trucks and customers greater business stability and predictability
- With long-term security, food trucks may be more inclined to invest in their business
- Pod owners can sell the business similar to the way other site-specific businesses are sold

The following are some benefits for temporary food trucks:

- A food truck can obtain a temporary food truck permit for multiple sites giving it flexibility
- A food truck with a temporary permit may prefer to vend only part of the year due to weather restrictions
- There are potentially less start-up costs if not making permanent site improvements

Community Outreach

HRD's Jobs and Economy Division led the City's efforts, in cooperation with other working group members, to present the draft ordinance to various groups. In addition to residents, outreach meetings were held with food truck owners and operators, food truck consultants, the Michigan Restaurant and Lodging Association (MRLA), and the Department of Neighborhoods community presentations (referred to as the DONcast). Two in-person meetings were held at Eastern Market. The majority of the feedback from the outreach was positive, with edits made along the way based on feedback Both residents and food truck owners stressed the need for fair and strong enforcement to bring into compliance any food trucks not following the new rules. Below is a summary table of outreach sessions, dates, and attendees.

Session	Dates	Attendees
Focus Group # 1 - Virtual	September 19th, 2025	3
Focus Group # 2 - Virtual	October 6th, 2025	1
Focus Group # 3 - Virtual	October 13th, 2025	5
Focus Group # 4 - Virtual	October 27th, 2025	7
Focus Group # 5 - Virtual	November 10th, 2025	2
Doncast # 1- Virtual	November 17th, 2025	40
Focus Group # 6 - Virtual	December 1st, 2025	4
Focus Group # 7 - In Person	February 11th, 2026	41
Doncast # 2- Virtual	June 1st, 2026	50
Focus Group # 8 - In Person	June 3rd, 2026	30
Focus Group # 9 - Virtual	June 23rd, 2026	10
Focus Group # 10 - MRLA	July 15th, 2026	7
Focus Group # 10 - Virtual	July 27th, 2026	11

Total # of people spoken to:	211

Table summarizing outreach dates and attendees

CONCLUSION AND RECOMMENDATION

Section 50-3-49 of the ZO lists approval criteria for zoning text amendments. The criteria are summarized below:

1. Whether the proposed amendment is consistent with the stated purposes of this chapter;
2. Whether the proposed amendment will protect the health, safety, or general welfare of the public; and
3. Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact.

CPC staff believe the proposed amendment would protect the public health by providing regulations for the operation of food trucks and promote the general welfare by allowing additional food options. CPC staff believe the regulations are consistent with the purpose and intent of the ZO, in particular by regulating the location, construction, reconstruction, alteration, and use of buildings, structures, and land and establishing reasonable standards to which buildings, structures, and uses shall conform.

Therefore, in conclusion, based on the public hearing, above analysis, and review of the Section 50-3-49 criteria, CPC staff recommends **APPROVAL** of the proposed zoning text amendment.

cc: Dara O'Byre, Deputy Director P&DD
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