



TOWN OF FREEPORT, MAINE  
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**TO: FREEPORT PLANNING BOARD**  
**FROM: CECILIA SMITH, ASSISTANT TOWN PLANNER**  
**RE: STAFF REPORT: PROPOSED AMENDMENTS TO CHAPTER 21 FREEPORT ZONING ORDINANCE  
RELATED TO FOOD TRUCKS – PUBLIC HEARING**  
**DATE: WEDNESDAY, MARCH 6TH, 2024**

**ITEM II: PUBLIC HEARING- Proposed amendments to Section 501. Temporary Activity and Section 526.A Food Trucks of the Freeport Zoning Ordinance.**

The Planning Board will hold a Public Hearing to discuss proposed text amendments to Section 501. Temporary Activity and Section 526.A Food Trucks of Chapter 21 Freeport Zoning Ordinance to increase the number of food trucks allowed as an Accessory Use up to eight (8) food trucks, for a maximum of six (6) months contingent upon securing a Temporary Activity Permit.

**Background:** The Town Council has given direction to the Planning Board to consider amendments to the existing food trucks standards in order to allow for the creation of a temporary food truck area. The Planning Board had a discussion on this item on February 7<sup>th</sup> and instructed planning staff to bring forward proposed amendments. The proposed amendments would allow up to 8 food trucks at a time for up to 6 months with the issuance of a Temporary Activity permit in areas that already allow food trucks as an Accessory Use. Only one Temporary Activity permit per year would be issued for this purpose. All other performance standards related to food trucks (under Section 526.A) and Temporary Activity (under Section 501) would still apply.

Currently, food trucks are allowed in Freeport under the following conditions:

- 1) As an accessory use to any permitted use in the Commercial 1 (C-1) and Nature-Based and Art Overly District (NBAOD), subject to the standards of Section 526.A;
- 2) As an accessory use to Artisan Food and Beverage in the following districts: Medium Density Residential A or B (MDA/B); Commercial 3 (C-3); Commercial 4 (C-4); Local Business (LB); and Industrial 1 and 2 (I-1 and I-2) districts., subject to the standards of Section 526.A;
- 3) As part of a Temporary Activity with a Temporary Activity permit in any district;
- 4) Food trucks are allowed in any district and exempt from Town permitting requirements if the food truck is being used at a private event on private property where the food truck is serving food to guests and the food has already been paid for (such as a private catering event).

In addition to the Town's land-use requirements, food trucks must secure a license from the Town and must be licensed by the State.

**Current Standards and Proposed Changes:**

Section 526.A.1 of the Zoning Ordinance contains standards that apply to food trucks as an Accessory Use. Section 526.A.1.C specifies that only one food truck per property is allowed as an Accessory Use at any given time, but there is an exception that allows up to three food trucks for no more than three days, no more than

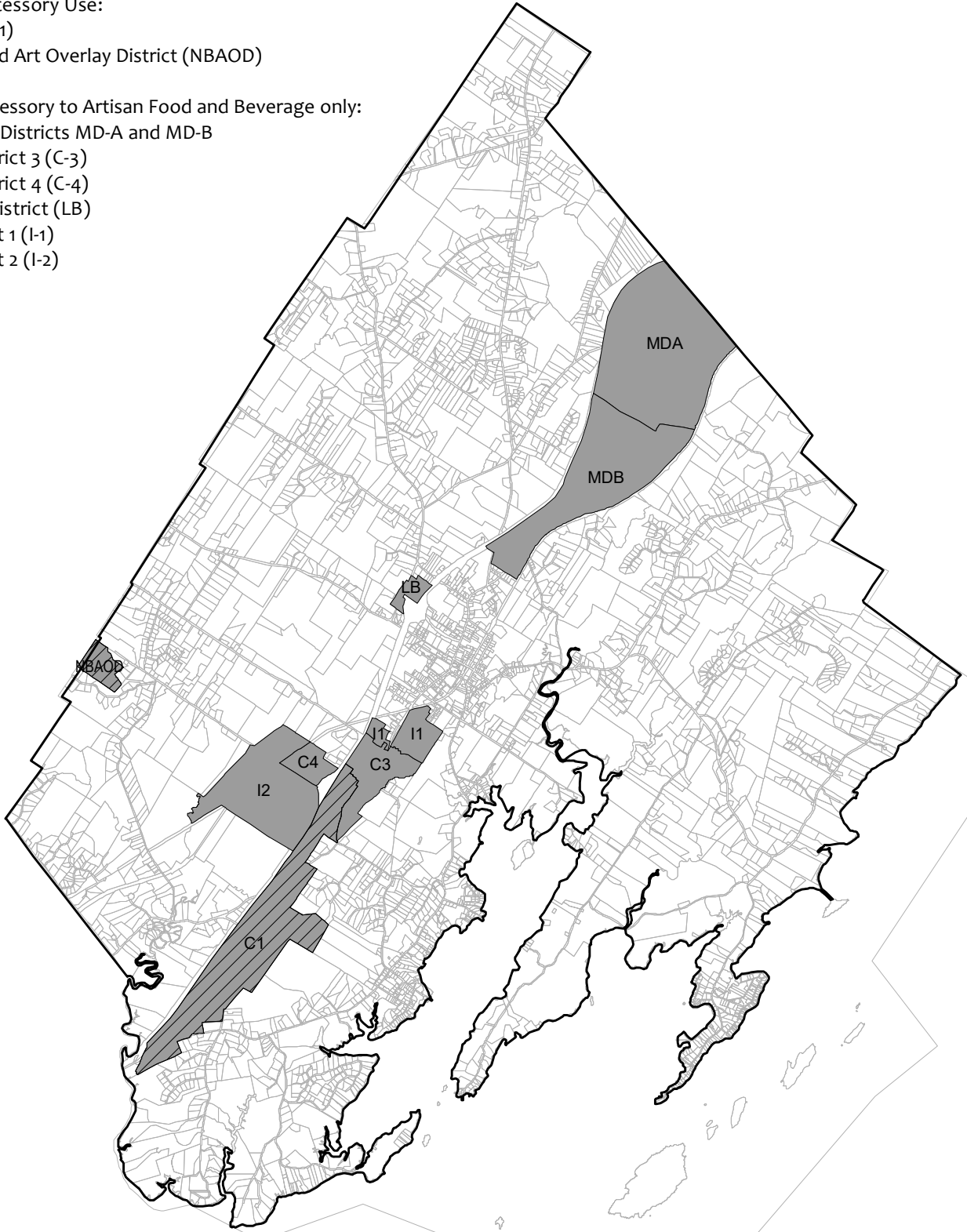
three times a calendar year. The proposed amendments are meant to add another exception to allow up to eight food trucks at any given time on a property, for up to six months, contingent upon securing a Temporary Activity permit from the Codes Enforcement Officer. Please see the enclosed proposed amendments.




**Process:** Since this application is for a zoning amendment, a public hearing is required and will be held at this meeting. Required legal notice was published in the Times Record on 2/23/24 and 2/28/24. If the Board wishes to take action on the proposed amendments, they may do so at this meeting. It is important to keep in mind that any recommendation that the Planning Board makes to the Town Council for a Zoning Ordinance amendment must be found to be in harmony with the Freeport Comprehensive Plan.

# Freeport Zones for Food Trucks 2021

Permitted as Accessory Use:  
Commercial 1 (C-1)  
Nature Based and Art Overlay District (NBAOD)

Permitted as Accessory to Artisan Food and Beverage only:  
Medium Density Districts MD-A and MD-B  
Commercial District 3 (C-3)  
Commercial District 4 (C-4)  
Local Business District (LB)  
Industrial District 1 (I-1)  
Industrial District 2 (I-2)



-  Food Trucks as Accessory to Artisan Food and Beverage
-  Food Trucks Permitted Accessory Use
-  Parcels

