

MINUTES
Mobile Food Vendors Citizens Advisory Group Meeting
3-11-14

Citizens In Attendance:

Crisan, Kelli	Guffey, Shawn
George, Doyle	Henderson, Lynn
Hegnauer, Dave	Lance, Perry
Kretschmer, Gus	Moore, Donald
Langevin, Diane	Boyer, Doreen
Oakley, Kenny	Johnson, Gwendolyn
Connors, Kevin	Monroe, Deborah
Perry, Jessica	Robertson, David
Rivera, Aaro	Robertson, Robbie
Robertson, Nancy	Seeley, Brian
Saldarriaga, German	Stuck, David
Steindl, Denise	Leary, Jonathan
Thomas, Michael	Young, Jill
Pils, Laura	Corprew, Edwina
Cromedy, Ian	Curtis, Vincent
Groten, Amy	Sanders, Aaron
Alexander, Kathi	Trauner, Karen & Dave
Stockholm, Brian	

Planning Commissioners In Attendance:

Karen Labovitz

Staff In Attendance:

Katrina Young, Planning Department	Barry Mosley, Planning Department	Sonda Kennedy, Planning Department
Mark Fowler, Neighborhood and Business Service	Donald Moore, Neighborhood and Business Service	Barker, Pat, CMPD
Gulka, Edward, CMPD		

I. Welcome and Introductions

The meeting began at 6:35 pm. Katrina Young, Planning Manager, welcomed everyone to the meeting and introduced herself. Everyone was asked to introduce themselves.

Ms. Young gave a brief overview of the Agenda. She then explained the group purpose and text amendment process. Through a Citizen Advisory Group (CAG) process, Planning staff will explore current mobile food vendor regulations and possibly modify the regulations that allow the use in Charlotte.

Through the CAG meetings, staff has heard a lot of issues regarding mobile food vending. The discussion today will focus on the definition, separation distances, hours of operation and other obstacles to allowing the use.

Ms. Young also provided a recap of the January 30, 2014 meeting. She stated that Mike Davis (Manager, Charlotte Department of Transportation) shared information with her concerning right of way regulations and that CDOT is open to revisiting the regulations and maybe relaxing some of the requirements along the public street.

Recap of the January 30, 2014 meeting.

Ms. Young highlighted the categories and the discussion from the last meeting

Separation

- Reduce 400 foot separation
- Keep current separation requirements
- Separation should not be applicable to mixed use
- Allow clustering for events
- Reduce separation on major streets
- Designate special locations/areas with no separation

Locations

- Do not allow vendors to locate in front of restaurants
- Allow vendors to locate on public property
- Allow vendors in business and office parks

Permits

- Extend length of permit
- Allow flexibility to move around
- Revisit cost of permit

Hours

- Extends hours beginning at 6 am - ?
- If not near residential should be opened later
- Should be able to operate 24 hours

Ms. Young explained that the Zoning Ordinance regulates land use but not the public street right-of-way. She provided information received from the City of Charlotte Department of Transportation. There are other codes and ordinances that regulate the public street right-of-way such as City Code Sections. 6-431, 6-432, 6-436, 6-437 and 6-438:

- No peddling in the R/W in defined area: CBD (particular streets), Coliseum and stadium district (particular streets). Listed in Sec. 6-431.
- No peddling in areas zoned residential during particular hours (8:00 pm to 8:00 am) and daylight savings time is effect (9:00 pm to 8:00 am)
- No peddling for more than 30 min within 300' in a 24 hour period on any street. (Including parking, set up, take down, and departure).

Research

Ms. Young then discussed research that had been conducted by a consultant for the department. The researched included:

Hours of operations

Atlanta, GA and Chicago, IL mobile food vendor hours of operation were from 5am – 2am
Boston, MA mobile food vendor hours of operation were from 6am – 11pm

Raleigh, NC mobile food vendor hours of operation were from 6am – 3am with a limit of hours from 7pm – 10 pm if the vendor was located within 150 feet of single family or duplex dwelling unit.

Locations

Atlanta, GA	Boston, MA	Chicago, IL	Raleigh, NC
200' from rest. entrance 15' from intersection/sidewalk 10' from driveway Multiple locations	Established sites – 3mth schedule GPS on food truck	200' from rest. entrance GPS on food truck	100' from rest. entrance 100' from outdoor dining 50' from food cart

Dallas, TX	Raleigh, NC
Itinerary required The firm name and permit number must be affixed on both sides of the vehicle in 3" letters.	Any time Environmental Services revokes or suspends the food vending permit, the <i>retail sales - food truck</i> business is revoked or suspended simultaneously Maximum food trucks: 1 on <i>lots</i> of one-half (1/2) acre or less; 2 on <i>lots</i> between one-half (1/2) acre and one (1) acre; and 3 on <i>lots</i> greater than one acre

Ms. Young revisited the definition of mobile food vendor to see if everyone is in agreement. The current definition states that Mobile Food Vending Service is a service establishment operated from a licensed and moveable vehicle that vends or sells food and/or drink processed or prepared on-site to walk-up customers. Everyone agreed that the current definition is sufficient.

Ms. Young referred to the PowerPoint presentation that summarized the proposed text amendment highlights. She focused on the areas that the group identified as issues of concerns:

- Maximum duration - 30 days renewable twice. Maximum time period 90 days per year.
- Hours of operation are from 8:00 a.m. until 9:00 p.m.
- No access from a Class V (collector), Class VI, (local), or Class VI-L (cul-de-sac) street.
- A minimum 400' separation from other mobile food vendor and a minimum 400' separation to a residential use.

After the presentation, CAG members raised the following questions that were answered by staff:

- Question was there a difference in Raleigh's center city compared to ours?
 - We did not look at Raleigh's City Center regulations but will do so.
- Question: There were some ideas expressed in last meeting about the market west of Mississippi such as Denver. Were those markets researched?
 - We did look at some of those markets. However we did not see anything beneficial to our area. We will post the information reviewed on our website under the Mobile Food Vendor link.
- Question – does any jurisdiction allow on the street?

- Yes. The City of Boston reserves 20 spots on the street that are allowed in a lottery annually.
- Question – Would the current definition exclude dessert vendors – prepare offsite. Jessica (Health Department) there is no regulation on desserts but if it was packed at a facility and not opened it would not be regulated. If it was opened and handled it would be regulated.
- Question – Food trucks are currently not allowed in office parks. Can we look at allowing the use in the office of Business Park?
 - Yes. We will include that in the list of items to be reviewed
- Question – If a vendor is cited for a violation they cannot come back to the site for a year. Can we talk about other changes especially if we are considering allowing one permit year?
 - Yes. We can review that requirement but we also must consider consequences if there is a violation.
- Question – Is it possible to create zones so that the cost of obtaining a permit can be lowered.
 - Yes. We can consider zones or other options.

The participants were separated into two groups to discuss the following questions and to report back:

1. What should be the maximum duration for a permit?
2. What should be the maximum number of locations per permit?
3. What should be the hours of operation?
4. Should there be a maximum time per location?
5. Where mobile vendors should be allowed to locate?
6. When should there be a separation requirement?
7. What should be the separation distance?

The group separately discussed the questions and came back together and reported out.

1. What should be the max duration for a permit?

Group 1	Group 2
Once a year	Once a year
6 months	6 months
30 day trial at no cost	Why cap permit

2. What should be the maximum number of locations per permit?

Group 1	Group 2
3, 5, 7, 10, 15, no limit	

3. What should be the hours of operation?

Group 1	Group 2
6am – 3am	6am – 3am
6am – 3am	7am – 3am
6 – 3:30 am	24 hours
In (within 200') residential areas not past 10'	Use GPS

4. Should there be a maximum time per location?

Group 1	Group 2
No	No maximum time per location
8 – 12 hours per day	
21 hours per day	

5. Where should a mobile vendor be allowed to locate?

Group 1	Group 2
200' from single family residential	Everywhere
200' from restaurant	Private parties/special occasions in residential
100' from restaurant w/similar product	Churches
Restaurant/mobile same owner same location	Parks
Office/business parks (even with private street)	Office Parks
Clubhouse	
County Park	

6. When should there be a separation requirement?

Group 1	Group 2
Residential separation 100' – 200'	

7. What should be the separation distance?

Group 1	Group 2
No separation from other food truck	No separation- bumper to bumper
Emergency vehicle should be able to get through and turn around	Public street up to CDOT
	20' from intersection

Ms. Young said that the staff will combine the information from the different groups and put them into categories. The information will be sent to the group no later than day before the next meeting.

Ms. Young informed the group that the next meeting will be Thursday, April 3, 2014. She thanked everyone for their service and dedication to this effort. She encouraged the Citizen Advisory Group participants to email staff directly with any questions about the proposed text amendment.

Planning Commissioner Karen Labovitz was recognized by Ms. Young

The meeting was adjourned at 8:10 pm