

MINUTES
MOBILE FOOD TRUCK COMMUNITY ADVISORY GROUP MEETING
5-29-14

Stakeholders in Attendance:

Laura Scherrep	Liz Payerle	Janelle Travis
Shannon Wright	Kenneth Sims	Roy Bruce
Gus Kretschmer	Auto Berger and Fry Guys	Diane Langevin
Lynn Henderson	Karen Trauner	Brian Seeley
Alexander Wright	Pauline Simugl	Jonathan Leary
German Saldarriaga	Alex Johnson	Dave Trauner
Ortiz Gabriela	Katie Alexander	Jonathan Frye

Staff Present:

Katrina Young, Planning Department	Sandra Montgomery, Planning Department	Sonda Kennedy, Planning Department
Marci Sigmon, Planning Department	Kruti Desai, Charlotte Department of Transportation	Mark Fowler, Neighborhood & Business Services – Code Enforcement
Donald Moore, Neighborhood & Business Services – Code Enforcement	Pat Barker, Charlotte-Mecklenburg Police Department	

1. Welcome and Introductions

The meeting began at 6:05 p.m. Katrina Young introduced herself as the project manager and welcomed everyone to the meeting. She asked everyone in the room to introduce themselves.

2. Purpose, Process and Recap of the April 29, 2014 Meeting.

Ms. Young reviewed the PowerPoint presentation agenda, the process and recapped the April 29th meeting. [Please see PowerPoint presentation].

3. Concerns and Updated Recommendations

Ms. Young reviewed the concerns/discussion topics expressed at the last meeting relating to mobile food trucks. The topics were:

- Special events (school festivals, charter schools, community and neighborhood events, private parties)
- More than 3 mobile food trucks congregating on a site.
- Hours of operation,
- Separation requirements (next to an eating, drinking and entertainment establishment)
- Operating in other office areas.

Ms. Young then reviewed the highlights of the revised proposed changes:

TOPIC	CURRENT REGULATIONS	STAFF RECOMMENDATION	BENEFITS OF PROPOSED CHANGE
PERMITS	One permit per location	Allow a maximum of three (3) locations per permit.	Provides greater flexibility in permitting.
	Permit valid for 30 days – maybe renewed twice for a total of 90 days per location.	Extend the time period so that permit is valid for one (1) calendar year for every 3 locations	Reduces the cost for annual permits.

TOPIC	CURRENT REGULATIONS	STAFF RECOMMENDATION	BENEFITS OF PROPOSED CHANGE
NUMBER OF TRUCKS ON A LOT	Mobile food trucks required to be located at least 400' from another mobile food truck	One mobile food truck may locate on a property at a time with the exception of special events or locations under prescribed conditions. Allow more than one food truck on site based on lot size. Allow clustering of 4 or more trucks.	Creates opportunities for clustering of mobile food trucks and provides opportunities for more locations.
HOURS OF OPERATION	Operating hours are from 8 am to 9 pm	Operating hours from 6am – 11pm	Extends hours of operation to provide more time for mobile food trucks to operate.
SEPARATION TO EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS	N/A	Create separation distance of 50 feet from the entrance to any eating, drinking or entertainment establishment, or restaurant, nightclub, or bar that serves food. No separation required if on same lot under same ownership.	Provides adequate separation from brick and mortar eating establishments.
SEPARATION BETWEEN TRUCKS	Mobile food trucks required to be located at least 400' from another mobile food truck	Reduce the separation requirement between mobile food vendor to 20' when located on the same parcel. No separation when located on different parcels.	Creates opportunities for more locations.
SEPARATION TO RESIDENTIAL USE IN RESIDENTIAL DISTRICT	Mobile food trucks required to be located at least 400' from residential use	Reduce the separation requirement of mobile food vendors from 400 feet to 150 feet from a residential use in a residential district.	Creates opportunities for more locations.

At the end of the presentation, Ms. Young noted that individuals who disagree with the recommendations may submit a letter or white paper to staff or City Council.

The following comments were made by stakeholders:

- Don't understand why there are only 3 locations allowed per permit when arborists, dog groomers, exterminators, and lawn maintenance businesses don't require a permit for each location they visit.
- Why not have one permit to operate in the city? Isn't that easier for staff? Mark Fowler responded that in reality, there will be 3 permits issued for one fee. This would require more work for code enforcement to verify each location when they see a mobile food truck, to determine if the site met the prescribed conditions. He added that some do not even obtain a permit.
- Are there other uses that require more than 1 location per permit? Ms. Young responded that every location requires a permit for a use. Staff is being innovative by allowing more than one location per permit. One permit for the entire city would be more difficult, since inspectors would have to verify the zoning district, calculate separation distances, etc.
- An easier way would be to start with new rules from "ground zero".
- Proposed is a 50' separation to an eating, drinking and entertainment establishment. What about a separation distance to churches? There are 4 mobile food trucks across from a church on Thursday nights. It is a small area, and alcoholic beverages are being consumed, and music is provided. Ms. Young replied if a school or

church wants to have a special event, they can invite mobile food trucks. The stakeholder replied that the trucks were not invited by the neighborhood association. Mr. Fowler added that the food truck rally the stakeholder is referring to is located in NODA. He reported that in a complaint he received, alcohol was being provided, free of charge, in association with the event. The stakeholder added that the alcohol is being provided by a nearby eating, drinking, and entertainment establishment, and bands play music.

Ms. Young asked Mark Fowler if mobile food trucks were getting property owner permission. Mr. Fowler indicated that some do not. He added that sometimes free alcohol is provided as a part of the festivities. This has raised some neighborhood concerns.

- How does the permit issue compare to other cities? Ms. Young responded that each community is different. Most have limited areas where food trucks can locate, such as in Portland where only the downtown paved surface parking lots permit a food truck. They are not allowed in office districts.
- For each restriction, how does it address public health and safety concerns of the city? GPS/smartphones would be a good way for code enforcement to track the trucks. Ms. Young replied that the software is expensive and each truck would have to register. The stakeholder added that she had contacted Code for America and asked them to write some software that would be free.
- What do other cities do for tracking trucks? Ms. Young responded that Boston uses GPS, but it is expensive for the city and the mobile truck. A GPS transponder is required. The research on cities is available on the website.

Stakeholders asked a variety of questions that were answered by staff.

- How does catering at a church occur? Ms. Young indicated that would need a special event permit. The fee for the permit could be added to the catering contract. The permit is valid for one day only. The stakeholder asked how long it takes to get a special event permit. Mr. Fowler responded 30 minutes.
- Can a birthday party catering event get a special event permit? Ms. Young responded, no. This is still an outstanding issue that will be brought to the Community Safety Committee for discussion.
- What health and well-being issues prevent us from going into residential neighborhoods? Ms. Young responded that many commercial vehicles are not allowed in residential districts, except for delivery and unloading. This is an outstanding issue that will be brought to the Community Safety Committee for consideration.
- If a company wants to have a food truck set up on a lot, why can't I do the same? The Supreme Court has ruled that a company is a person. Why am I different from a company? What if a company works out of a house? Ms. Young responded that a commercial business is allowed in a commercial district. But a commercial use is not allowed in a residential district. If a house is allowed in a commercial district, then the commercial use is allowed.
- Hosting a party at a house: Caterers do the same things. We are different from a caterer that works out of an established kitchen. They are different permits. If a catering company has a food truck, with similar equipment, and food can be prepared there, why can't they go to a home in a residential district? Ms. Young responded that staff has had a lot of discussion about this, and could not come up with a solution. City Council should make this decision, as staff was not prepared to make this recommendation.
- Is there a time limit on how long a caterer can be at a location? Ms. Young responded, no. The stakeholder said, a caterer could be there 5 hours, as long as they are not preparing food in the truck? That makes no sense.
- We depend on social media in our industry. We are not trying to hide from people. There are lawbreakers. I saw a truck from a restaurant selling food from the back and they said they were just delivering it. He gets to make money, while I have to pay for permits.
- I have 5 lunch spots. That will require 2 permits. Now I will need permits for special events. The fees add up. Most of us barely get by. Events also charge us to be there. This will put a lot of us out of business. The regulations will hurt the food truck industry and put people out of work. Ms. Young responded that is not our purpose. Staff is trying to recommend regulations that are a benefit over the current regulations. These recommended changes are an improvement over the current regulations. Whenever we could make adjustments, staff modified the requirements. There were several issues we could not reach a conclusion on a recommendation.

- It is important to go into residential neighborhoods. We need to go there. You are not listening to us. Ms. Young replied that the feedback we receive does go to the interdepartmental team for discussion. The feedback has helped us adjust the regulations. But sometimes we can't get on the same page at the staff level.
- Food trucks visit homes in residential areas for a one-time event. People always hate what their neighbor is doing. That is life. Why are food trucks different?

Ms. Young wrapped up the meeting, saying that there are strong feelings about some of the regulations proposed. Staff will compile the outstanding issues for the Community Safety Committee, so they can reach a recommendation for the full Council. A stakeholder asked if they could speak at the Community Safety Committee meeting. Ms. Young responded that stakeholders can attend, but cannot speak. However, stakeholders have access to City Council members, outside of the meeting.

Ms. Young stated that the purpose of the text amendment is to create a balance of regulations that everyone can support. People feel differently. If we can come to a compromise, the text amendment will likely be more successful to pass. Community advisory group members still have the opportunity to lobby and talk to City Council about your recommendations.

Ms. Young handed out a questionnaire to stakeholders to complete. The information will be provided to the Community Safety Committee. She also informed everyone that this would be the last meeting for the group. She stated if there are any significant changes, the group would reconvene to discuss revisions.

The proposed text amendment is tentatively scheduled to be heard at the Community Safety Committee meeting on September 11, 2014.

The community advisory group will be sent a reminder when the text amendment is scheduled for a City Council public hearing.

Ms. Young thanked the advisory group members for their participation.

The meeting adjourned at 7:50 p.m.