

## Mobile Food Vendors Community Input Meeting 8-11-16

### Staff Present

Katrina Young	Barry Mosley	Sandra Montgomery
Marci Sigmon	Scott Adams	Laura Harmon
Donald Moore, Code Enforcement	Jessica Perry, Health Dept	Mark Fowler, Code Enforcement

### Citizens Present


Marlon Nesbeth	Brook Barger	Scott Bragman
Katie Lee	DaRel Daniels	Matt Wilson
Michael Terrill	Natalie Beard	Ken Mooneyham
Jenn Sibrava	J'Tanya Adams	Shahan Arminooei
Anglee Brown	Kevin Chan	Steven Crawford
Aaron Sanders	Diana Anthony	

Some participants arrived after the meeting began and did not sign in,

Katrina Young, Planning Manager and project manager for the citizen advisory group (CAG), welcomed everyone to the meeting at 6:07 pm. She thanked everyone for coming, and asked everyone to introduce themselves.

Ms. Young reviewed the Agenda for the meeting. The CAG is being reconvened to discuss reconsideration of some of the language in the proposed text amendment. Referring to a PowerPoint presentation, she reviewed the Agenda.

Ms. Young recapped the project background:

 CHARLOTTE	<h2>Project Background</h2>
<ul style="list-style-type: none"><li>• In 2006 staff worked with Community Advisory Group to amend the Zoning Ordinance to regulate mobile food vendors.</li><li>• Major issues addressed included:<ul style="list-style-type: none"><li>– Definition of mobile food vendor</li><li>– Proximity to residential areas</li><li>– Proximity to each other</li><li>– Operating hours</li></ul></li><li>• Text Amendment #2008-079 was adopted by Council in November of 2008.</li></ul>	



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## Project Background

- The industry has evolved over the years with the availability of different types of foods and a desire from the community to have multiple vendors in one location. The Planning Department received requests to review the current regulations from:
  - Mobile foods vendors
  - Other city departments
  - Center City Partners
- Launched process in January 2014 and formed a Community Advisory Group to include:
  - Mobile Food Vendors
  - Neighborhood Leaders
  - Residents
  - Other Business Owners
  - Staff



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## Project Background

### **Community Advisory Group Meetings**

January 30, 2014  
March 11, 2014  
April 3, 2014

April 29, 2014  
May 29, 2014


January 8, 2015  
March 5, 2015


When reviewing the current regulations efforts were made to:

- Build upon standards of similar uses like the Eating Drinking and Entertainment Establishment (EDEE) requirements.
- Balance community and industry concerns.
- Take into account the current business model for mobile food vending.

Ms. Young stated that the Planning Department staff presented the proposed recommendations to City Council at a dinner briefing on August 17, 2015. At that meeting Council provided additional input and recommendations for the proposed mobile food text amendment. In particular, Council expressed concerns about rallies, locations, special events and parking. Staff has addressed locations and special events with updated recommendations, but would like to get additional feedback from the group on rallies and parking.

Ms. Young recapped the current regulations, the proposed regulations and the benefits of the proposed changes:

 <b>COMPARISON RECAP</b>		
<b>Current Regulation</b>	<b>Proposed Regulation</b>	<b>Benefits of Proposed Change</b>
Existing name - Mobile Food Vending Services	Change name to Mobile Food Vending	Service is already included in the definition
Allowed as a principal use in the <b>B-1, B-2, RE-1, RE-2, RE-3, TOD-R, TOD-E, TOD-M, MUDD, I-1, &amp; I-2</b>	Adding additional districts for principal use to include <b>B-D, BP, CC, UMUD, U-1</b>	Increase the number of districts where the use is allowed
Currently mobile food vending as an accessory use is not listed	Allow as an accessory use in the <b>O-1, O-2, O-3, B-1, B-2, B-D, BP, RE-1, RE-2, RE-3, TOD-R, TOD-E, TOD-M, MUDD, UMUD, CC, U-1, I-1 &amp; I-2 Districts</b>	Allow use in more zoning districts

 <b>COMPARISON RECAP</b>		
<b>Current Regulation:</b>	<b>Staff Recommendation</b>	<b>Benefits of Proposed Change</b>
Mobile food vendor required to obtain permit	<b>Property owner</b> will obtain zoning land use permit	Allows <b>one permit</b> per property <b>annual</b>
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 <b>365 days</b>	Reduces the cost for annual permits
Requires a 400 foot separation from another mobile food vending service	<b>Remove separation requirement</b> from another mobile food vendor	Creates opportunities for clustering of mobile food trucks ( <b>RALLIES</b> ) and provides opportunities for more locations.



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## COMPARISON RECAP


<b>Current Regulation:</b>	<b>Staff Recommendation</b>	<b>Benefits of Proposed Change</b>
Operating hours are from 8 am to 9 pm	<b>No limit</b> on operating hours	Allows for more flexibility and serving of clientele.
N/A	Create separation distance of <b>50 feet</b> 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.
<i>Note that the mobile food vendor must return to the <b>commissary</b> as required by state law.</i>		



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## COMPARISON RECAP

<b>Current Regulation:</b>	<b>Staff Recommendation</b>	<b>Benefits of Proposed Change</b>
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 <b>100</b> feet from a residential use (single family, duplex, triplex or quadraplex only) when located in a single family residential district.	Creates opportunities for more locations.

 <b>COMPARISON RECAP</b>		
<b>Current Regulation:</b>	<b>Staff Recommendation</b>	<b>Benefits of Proposed Change</b>
Special events recognized by the City and nonprofit fundraising events.	When located in residential district use must locate on <b>a non-residential lot</b> (not right of way) or in an approved common area of neighborhood.	Allow for different opportunities for special events.
	Hours of operation are between 6:00 a.m. and 11:00 p.m.	

Ms. Young then reviewed sections of the proposed text amendment that are being reconsidered. The first section is the size lot required for mobile food vending. This item is scheduled to be discussed at the breakout session.

The second item for reconsideration is the section related to special events in residential areas.

 <b>Reconsideration</b>	
<b><u>Special Event - Residential</u></b>	
<ul style="list-style-type: none"> <li>➤ Hours of operation are between 6:00 a.m. and 11:00 p.m.</li> <li>➤ No more than three (3) events (birthday parties, anniversary, etc.) in a calendar year on a residentially use property or common area.</li> <li>➤ Amplified music prohibited.</li> </ul>	<p><b>Recommendation –</b></p> <p>Will treat like other caters. Food purchased in advanced by host. No food can be sold directly to patrons.</p> <div data-bbox="826 1619 1081 1904">  </div>

Staff's recommendation is to treat these types of events like other caterers. Food will be purchased in advance by the host; no food can be sold directly to patrons.

And the last item for reconsideration is rallies. Staff prepared several questions for discussion during the breakout session. The break out sessions were divided into two (2) groups. The first group (Group #1) are individuals comprised of neighborhood resident representatives, or property owners living near rallies. The second group (Group #2) are individuals associated with a mobile food vending business, organizers, commercial kitchens, commissaries, and property owners where rallies are held. The questions each group will consider during the break out session are:

- Under what conditions should the clustering of food trucks (rallies) be allowed?
- Where should this be allowed?
- When should on-site parking be required? How much?
- Are there impacts from food truck clustering (rallies)? How should they be mitigated?
- Should the frequency or number of rallies on sites be limited?

The two groups took 30 minutes to discuss and prepare their responses. Once the meeting reconvened, the two groups were asked to summarize their discussion and concerns:

#### **Group #1: Neighborhood representatives and nearby Property Owners:**

##### **1. Under what conditions should clustering be allowed?**

- Provide parking
  - (not use parking area for customers to stand)
  - (not push parking into residential areas)
- Property owner/Organizer should be responsible for making sure enough parking is available

##### **2. Where should rallies be allowed?**

- 7<sup>th</sup> street station
- Parking decks (West End deck)
- Along Light Rail Line
- Business Districts
- Residential Communities (where welcome)

##### **3. When should on-site parking be required?**

- Near residential areas to help prevent congestion
- No vehicles in the rally circle
- Reduce size of rally circle to create park on-site outside of circle
- Regulate super rallies parking
- HOA permission/neighborhood permission (require property owner signatures)

##### **4. What are the impacts of food truck clustering?**

- Congestion
- More input during summer months

- Trash
- Cars and pedestrians

**5. Should the number of rallies be limited?**

- Case by case

**Group #2: Mobile Food Vendors, Organizers, Commercial Kitchen, Commissary, Property Owner**

**1. Under what conditions should clustering be allowed?**

- Areas where the use would not be acceptable – rally in a residential neighborhood
- Size of lot determines the number
- Operator noted that any event with greater than 14 trucks is generally not profitable/beneficial to vendors – too many trucks, not enough customers to share between vendors
- Based on vendor input regarding numbers of trucks, the following tiers might work for regulation:
  - 1-3 trucks, Non-Rally
  - 4-14 trucks, Rally
  - >14 trucks, Super Rally

**2. Where should rallies be allowed?**

- Residential and non-residential
- When invited by property owner (church, schools, business, residential, etc.)
- Vendors noted that the burden of ensuring parking, trash/recycling, etc. should be placed on property owners/rally organizers – vendors are simply showing up to an event that they're invited to. A few cited the Greek Festival as an example of having designated overflow parking areas, set up in advance by festival organizers

**3. When should on-site parking be required?**

- Based on the size of the event

**4. What are the impacts of food truck clustering?**

- Garbage (organized by property owner and rally organizer) - covered under current ordinance
- Noise – Noise Ordinance would regulate noise impacting residential areas
- Parking – Trucks are invited to a rally. Organizers or property owner should provide parking.


**5. Should the number of rallies be limited?**

- One rally per day on site (Ideal)
- Depends on area
- No less than 4 days per week per site
- Thursday – Saturday

Ms. Young thanked the two groups for their work. She noted that the issues, from the discussion, parking and how many food trucks are too many are the main areas of concern. The industry has stated that they don't want an unlimited number of trucks. She added that perhaps a sliding scale for parking should be

considered, since the larger the event, the greater the draw of people and vehicles.

Ms. Young reviewed the next steps. Staff will hold a follow-up meeting to present the recommendations for these last issues on September 1, 2016. The next step is to present the revised recommendations to the City Council Community Safety Committee or Council's Transportation and Planning Committee in September or October. A public hearing could then be held in October or November, with a corresponding decision as early as November or December.

 CHARLOTTE		NEXT STEPS	
Action		Date	
Follow up meeting to present additional changes to text amendment		September 1, 2016	
Community Safety or TAP Committee Presentation		September/October 2016	
City Council Public Hearing		October or November 2016	
City Council Decision		November or December 2016	

Ms. Young thanked everyone for attending and participating in the meeting. The meeting was adjourned at 7:30 p.m.