

## Mobile Food Vendors Community Input Meeting 9-1-16

### Staff Present

Katrina Young	Barry Mosley	Sandra Montgomery
Marci Sigmon	Scott Adams	Laura Harmon
Jessica Perry, Health Dept		

### Citizens Present


J'Tanya Adams	Kenny Oakley	Doug Lee
Natalie Beard		

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 meeting purpose, which is to provide background on the project to develop updated zoning standards for mobile food vending and to present the recommended changes to the zoning standards.

There have been several meetings of the citizen advisory group and City Council has provided additional feedback to staff. The CAG was reconvened to review the changes since the group met last year.

Referring to a PowerPoint presentation, Ms. Young recapped the text amendment purpose:

 CHARLOTTE	<b>TEXT AMENDMENT PURPOSE</b>
The Zoning Ordinance regulates uses allowed on private property. The Charlotte Department of Transportation (CDOT) regulates uses allowed in public the right of way.	
Purpose of the text amendment is to address concerns raised with current regulations for mobile food vending on private property.	

Ms. Young then reviewed a comparison of the current regulations and the proposed regulations and the benefits of each proposed change:



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## COMPARISON RECAP


<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-I</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 <b>INST, O-1, O-2, O-3, B-1, B-2, B-D, BP, RE-1, RE-2, RE-3, TOD-E, TOD-M, MUDD, UMUD, CC, U-1, I-1 &amp; I-2</b> districts	Allow use in more zoning districts including adding <u><b>institutional</b></u> district





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## COMPARISON RECAP

<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.


 CHARLOTTE			COMPARISON RECAP		
Current Regulation:		Staff Recommendation	Benefits of Proposed Change		
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. <b>No separation required if on same lot under same ownership or if vendor has all EDEE property owners permission when located within 50 of their establishment.</b>	Provides adequate separation from brick and mortar eating establishments.		
Note that the mobile food vendor must return to the <b>commissary</b> as required by state law.					

 CHARLOTTE			COMPARISON RECAP		
Current Regulation:		Staff Recommendation	Benefits of Proposed Change		
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.		

 CHARLOTTE			COMPARISON RECAP		
Current Regulation:		Staff Recommendation		Benefits of Proposed Change	
Special events recognized by the City and nonprofit fundraising events.		When located in residential or institutional 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.	

A question was asked about the cost of a permit. Ms. Young responded that the current fee is \$155.

Before reviewing the new recommendations from the last meeting held on 8-11-16, Ms. Young informed the group that staff had met with some rally organizers and property owners where mobile food rallies were occurring to get their input.


 CHARLOTTE	<h1>New Recommendations</h1>
<ol style="list-style-type: none"><li>1. Mobile food vending, as a special event in the institutional zoning district as an accessory use.</li><li>2. The number of parking spaces required for mobile food vendor(s) as a principal or accessory use on a site shall be provided at a rate based on the number of mobile food vendors on site.</li></ol>	

## New Recommendations

Number of Vendors	Parking Spaces Required per Vendor	Site Review Requirements
1-3	2	No
4-12	6 plus 3 additional spaces for each vendor over 3	Yes
13+	33 plus 6 additional spaces for each vendor over 12	Yes

- As an accessory use, mobile food vending vehicles and trailers shall not locate in any minimum required parking spaces for the principal use.
- Parking is required even if the district does not have a parking requirement.

Ms. Young noted that site review is recommended when there are four or more vendors gathering on a site. This allows the Fire Department to review how the trucks are parked on a site, to ensure emergency access, and the Planning Department to review the separation and parking requirements.

 CHARLOTTE.	<h1>New Recommendations</h1>
<p>3. The property where the mobile food vending vehicles and trailers are located shall abut a major or minor thoroughfare, collector or non-residential local street.</p>	

Ms. Young provided some examples of major thoroughfares (Woodlawn and Tyvola) and minor thoroughfares (The Plaza and Rozzelles Ferry).

A question was asked if this will affect the Steel Creek Rally and other areas in Mecklenburg County. Ms. Young responded that it will impact rallies within the Charlotte jurisdiction.

Another question was asked if the abutting road requirement was only for rallies, or did it impact all mobile food vendors? Ms. Young indicated that the regulation intent was to apply to four or more mobile food vendors gathered on a site, and that staff would further clarify this point in the text amendment.



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## New Recommendations


4. A mobile food vehicle or trailer shall not be located within 50' of any eating, drinking and entertainment establishment (EDEE) serving food, measured from the closest point of the EDEE entrance to the closest mobile food vehicle or trailer, with two exceptions:
- The mobile food vehicle or trailer is under the same ownership as the establishment serving food and operated on the same lot, or
  - The vendor has written approval from all eating, drinking and entertainment establishment property owner(s) or tenant(s) located within 50' of the mobile food vendor.



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## New Recommendations

5. Special event permits in residential and institutional districts on non-residential lots:
- Property owner or designee permission, and
  - The duration shall be for one day with a maximum of ten events per year.
  - The requirements of Section 12.510(1) subsections (b), (c), (d), (e), (i), (j), and (k) shall be met.

 CHARLOTTE				<b>NEXT STEPS</b>			
<b>Action</b>				<b>Date</b>			
<b>Community Safety Committee Presentation</b>				<b>September / October 2016</b>			
<b>City Council Public Hearing</b>				<b>October or November 2016</b>			
<b>City Council Decision</b>				<b>November or December 2016</b>			

Ms. Young stated that the next step is to present the revised recommendations to the City Council Community Safety 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. She invited the group to attend the City Council meeting.

If there are any remaining issues that come to light, please let staff know in advance of the public hearing, so that they may be addressed.

Ms. Young thanked everyone for attending and participating in the meeting. The meeting was adjourned at 6:32 p.m.