

Memo

To: Planning Commission
From: Bryan Myrkle, Community Development Director
Date: August 5, 2016
Re: Food Truck regulation

At its last meeting, the Planning Commission asked me to prepare a proposal for regulation of food trucks in the City of Charlotte, with the areas of regulation focused on location, number, fees, appearance and variety of food offering.

I have reviewed my notes on the discussions here at our own Planning Commission meetings and also reviewed quite a number of similar regulatory systems from other, nearby communities and would offer the following as a proposal.

- 1.) Limit the number of food truck permits to **three at any one time**.
- 2.) Offer a monthly permit and a seasonal permit – the fee for a **one month permit to be \$100**, and the fee for a **seasonal permit (180 days) to be \$500**.
- 3.) Limit the permitted areas of operation to private property in **zoning districts B-2, B-3 and I-2**; as well as **churches, schools and public parks**, regardless of zoning designation; provided **that in no circumstance shall food trucks be permitted to operate within 1,000 feet of any property within the Central Business District**. Furthermore, in no circumstances will a food truck be permitted to operate within a street Right-of-Way.
- 4.) Require that all permitted food trucks be kept in safe operating condition, fully insured, clean, and free of graffiti, food waste and debris, grime, excessive rust and broken and/or neglected fixtures.

5.) Require that **no two trucks permitted at the same time offer the same primary food item**, such as hot dogs, donuts, tacos, BBQ, Ice Cream, or similar, recognizing that many food trucks may have extensive menus and some overlap is bound to occur.

I also propose that “food truck” be defined to mean: Any motorized or non-motorized vehicle, trailer, stand, cart, table, or other device designed to be portable and not permanently installed from which prepared food is served or offered for sale in a single location for more than 15 minutes.

I would also propose that the portion of our zoning code that calls for business within the Central Business District to be carried out in a completely enclosed building be amended to make exceptions for the following:

- Beach Market
- Courthouse Square
- Sidewalk sales and similar outdoor promotions by brick and mortar businesses

I believe these items address most of the areas of interest from recent Planning Commission meetings and may be enough for you to vote on.

However, I would note that most of the local ordinances regarding food trucks also consider hours of operation, health code compliance, signage, lighting, outdoor seating, waste disposal, public water source usage, administrative appeal, and similar items.

If the Planning Commission decides to move forward after reviewing this proposal, an ordinance can be drafted that would address these other items, as well.

I have included a scan of the zoning map for your reference. There is a larger zoning map at City Hall you can also view.