



TOWN OF WARRENTON

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MEMORANDUM

TO: Brannon Godfrey, Town Manager
CC: Whit Robinson, Town Attorney
FROM: Brandie Schaeffer, Director of Community Development
DATE: August 16, 2018
SUBJECT: Mobile Food Vendor Provisions

Please accept this as suggestions for consideration to incorporate additional opportunities for Mobile Food Vendors within the Town limits as directed by Town Council at the April 5, 2018 work session:

First, maintain the current ordinance and provisions as previously discussed.

Second, we propose the following to supplement the original provisions. These recommendations are intended to increase availability and opportunity for mobile food vendors and are based on the information and recommendations from the Council Work Session and the stake holders:

PURPOSE AND INTENT: (9-24.1): Rewrite/add language to purpose to include:

To provide regulations for mobile food vendors in order to provide economic development and entrepreneurial opportunities for applicable businesses, while protecting the public health, safety, and welfare and mitigating fiscal impacts to existing brick-and-mortar restaurants and related businesses; for an initial trial basis not to exceed six (6) months from approved date of these or other provisions. The initial six (6) month trial period may be extended by Council vote.

DEFINITIONS: (article 12): Add definitions amending the "Mobile Food Vendor" as follows:

- Mobile Food Cart- Any non-motorized mobile food unit with limited infrastructure that serves food and/or beverages intended for immediate consumption. Mobile food carts may not exceed six (6) feet in length, three (3) in width (excluding wheels), or four (4) feet in height (excluding wheels and umbrellas). Mobile Food Carts include pushcarts and similar devices.
- Mobile Food Vehicle- A motorized mobile food unit which is self sufficient in terms of potable water, sanitary sewer and electric utilities, and generally consists of an enclosed truck. Trailer or similar vehicle, where food may be stored, prepared, cooked, and/or served. An open bed truck, van or converted automobile is NOT considered a mobile food vehicle and is NOT eligible for a mobile food vending permit.
- Mobile Food Vendor- Any person or business selling foods from a mobile food cart or mobile food vehicle, from a Mobile Food Vehicle or Cart, which is stationary for a period of time longer than that necessary to complete a sale or greater than a fifteen (15) minute period. This definition **DOES NOT** apply to traveling ice cream trucks, cafeteria trucks serving active construction sites, or non-commercial vehicles.
- Cafeteria truck- a vehicle or cart primarily offering delivery and/or self-service of pre-packaged or prepared foods, not cooked to order or prepared on-site.

ALLOWABLE ZONING DISTRICTS: (9-24.2): Change language to:

Mobile Food Vendors are allowable in any district that allows restaurant uses, provided these Vendors and their equipment shall meet ALL location and operational requirements outlined in this ordinance, Section 9-24.3.

LOCATION REQUIREMENTS: Currently there is no one section outlining the operational requirements for Mobile Food vendors; therefore we suggest creating a new standalone section, by combining the existing sections 9-24.2.1 and 9-24.2.2:

New section 9-24.3. This section will outline the Operational Requirements as follows:

Mobile Food vendors may operate on private or public property from an existing, improved parking area with expressed written consent of the property owner;

Include the existing language from 9-24.2.2, items 1 through 5;

Require five (5) foot setback from right of ways;

Require a minimum three (3) foot clearance around the food vending vehicle for safety;

Require accessibility to restrooms;

Require minimum distances of:

- 100 feet from any residential use;
- Fifty feet from any existing restaurant or provide a letter of “no objection” from the restaurant as to a closer location;
- No more than 25 feet from any other permitted mobile food vendor

OPERATIONAL REQUIREMENTS: (sections 9-24.6 and 9-24.7 to remain): We recommend including:

- Shall not sell anything other than food and non-alcoholic beverages, with the exception that up to 15% of the business may be accessory items related to the business such as hats, mugs, decals, tee shirts, and the like;
- Shall not place or utilize any signage not permanently affixed to the vehicle;
- Shall not display any balloons or windblown signs or attach any such items to the vending vehicle;
- Shall not display any advertisements for other businesses;
- Shall not cause any liquids to be discharged from the mobile food vehicle;
- Shall provide proper receptacles for trash and waste disposal during operation and remove all trash and dispose of all waste as part of site cleanup;
- Shall not be allowed to be in place for more than four (4) hours;
- Shall post permit so it can be seen from the outside of the mobile food vehicle;
- Shall not receive any deliveries at point of sale site.

Delete the sentence in strikethrough text from the following section:

9-24.6.5 The entire operation must be fully mobile. ~~For Mobile Food Vendors, coolers may not be placed on the ground, nor may tables and chairs be provided for customers.~~ Generators should be whisper or quiet models that do not present a nuisance.

SUBMITTAL REQUIREMENTS: Remain the same with incorporated changes.