

**MINUTES**  
**MOBILE FOOD UNIT STAKEHOLDER GROUP**  
**9-20-07**

**Stakeholders In Attendance:**

Carol Scally	Sharon Johnson	John Johnson	Bellvenia Nance
Kathy Phillips	Maggie Coleman	Connie Redice	Ginny Wollard
Demetra Dunlop	Craig Harmon	Sylvia Nance	Judy Mason
Jose Luis Rojas	Pedro Pozos		

**Staff In Attendance:**

Katrina Young, Planning Dept.	Sandra Montgomery, Planning Dept.	Gary Huss, Neighborhood Development	Officer S. Goodwin, Charlotte- Mecklenburg Police Department
Officer D. Burgess, Charlotte- Mecklenburg Police Department	Sonda Kennedy, Planning Dept.		

**I. *Welcome and Introductions***

Katrina Young, the facilitator for the stakeholder group, introduced herself and welcomed everyone to the meeting, which began at 6:05 p.m. The stakeholders introduced themselves and identified what interest they represented, and briefly summarized their expectations and concerns:

**Concerns:**

- Consumption of alcohol
- Operating after 9 pm
- Loitering
- Inspectors determine compliance
- Regulations should not be cumbersome to issue permits or to enforce.
- Vendors may not be operating within guidelines
- Neighborhoods are concerned

**Expectations:**

- MFU's should be more aesthetically attractive, and the equipment should be more attractive.
- What are the operating parameters and how can they be refined?
- In attendance to learn more about MFU regulations, and help develop solutions.

**II. *Explain role of Stakeholder Group***

Ms. Young reviewed the Agenda, and discussed the scope of the work and the process that will be used for these meetings. The stakeholder group purpose is to 1) review the

regulations for Mobile Food Units (MFU) and identify issues with the current requirements; 2) discuss criteria for alternative solutions; 3) brainstorm alternative regulations; 4) evaluate alternative regulations, and 5) draft proposed text amendment revisions.

### ***III. Project Background***

The current regulations permit MFU's to operate for a 5 day period, including setup and breakdown. The inspection staff is required to verify that the site has been vacated at the end of the 5 day period. A MFU is allowed to operate 12 separate times per calendar year, per tax parcel, or site. Ms. Young stated that some of the initial concerns identified by City staff include:

- Difficulty coordinating setup/inspections (24 inspections needed per MFU on one parcel if 12 permits are issued, each for 5 days)
- Increased inspections are required
- Numerous permits are issued by City staff
- Neighbors against
- Parking issues (do they take up required parking for another retail use?)
- Litter issues
- MFU using required parking spaces belonging to other retail businesses.

The goal of this stakeholder group is to develop a regulation that will address the concerns of adjacent neighborhoods while still being fair and equitable to mobile food vendors. The final product of the group may be an amendment to the Zoning Ordinance addressing mobile food units.

Ms. Young reviewed the articles in the Notebook regarding the stakeholder responsibilities, and the process and timeline.

### ***IV. Issues with Mobile Food Units***

Ms. Young reviewed the definition of mobile food unit from several jurisdictions. She asked the group to help define what a MFU is in Charlotte. The following comments were made:

- A vehicle
- Mobile, readily moveable
- Food and drinks are associated
- Food can be cooked or bought and sold
- Food can be for sale or given free
- Periodic event/temporary
- Food/drink is composed, compounded, processes, prepared
- Mounted or unmounted
- Enclosed or not
- A trailer is considered a vehicle, in that it has NC tags
- A push cart is not a MFU

A lunch truck that visits a site for minutes is not a MFU

The stakeholders reached a consensus on the following definition: ***Mobile Food Unit means and refers to a vehicle food/drink service establishment designated to be readily moveable from which food/drink is composed, compounded, processed or prepared and from which food/drink is vended or sold.***

Ms. Young then asked the stakeholders to identify what current regulations in Section 12.534, “Periodic Retail Sales Events, Off-Premise” were troublesome. The following comments were received:

The MFU currently can use required parking spaces set aside for other retail establishments on the site. It is difficult for inspectors to know if MFU customers are using extra parking spaces provided on the site or if the site has only the required number of spaces. Some developers provide more parking than the City requires.

The maximum duration of a MFU permit is for 5 days requires a lot of City Inspector’s time to issue permits and conduct inspections. What purpose is served by this?

The City’s inspector resources are strained. Could not a MFU be issued a permit for a consecutive 60 days at a site, rather than 12 times for 5 days?

The Health Department has rules and regulations that apply to mobile food units, as well as other forms of food vending. Each type has separate regulations.

Inspectors do not work 24/7, but inspections after hours can be arranged on a case by case basis.

The noise and odors of a MFU at night can be disturbing to neighbors.

MFU’s do operate after 9:00 pm, even though this is a violation.

Add a definition for Periodic Retail Sales Event

Sign boards are not permitted; but they can be located on the vehicle.

Can the owner of the property be held accountable for violations created by the MFU?

A notarized letter from the property owner should be required for a permit (It currently is).

Winter operating hours should be considered: 8:00 am to 8:00 pm.

Dumping of waste (i.e. grease) is occurring in the Storm Water Drains. This is a Health Department violation.

Better clarify what waste includes.

A property owner can have an unlimited number of vendors on the site.

Secondary litter caused by the customer occurs. Who is responsible?

Clarify what trash, litter, and refuse the vendor is responsible for removing from the site (private property)?

The 5-day limit is hard on the vendor.

Ms. Young asked the stakeholders to brainstorm some solutions for these issues and concerns. The following comments were made:

The permit could be issued for 30 days, and could be renewable up to 3 times, for a period of 90 days. At that point, the MFU owner would initiate the process again.

If a MFU was issued a violation warning, they can not review their permit.

Create Vendor Villages or designate MFU areas along certain transportation corridors.

Require separation distances between MFU's.

Lottery – First come, first served

24/7 collaboration between Police and other city departments for violations.

Permits could start on the first day of the month.

**V. *Strategy for Upcoming Meeting***

Staff will prepare the definition and begin developing language for MFU regulations, based on stakeholder and city staff input. This will be shared with the stakeholders at their next meeting.

**VI. *Process and Timeline***

The next meeting will be held on October 9<sup>th</sup> where the stakeholders will review the issues and changes. The draft text amendment would be ready by October 23<sup>rd</sup> and presented to the Economic Development and Planning Committee of the City Council on November 19<sup>th</sup>. The goal is to file the text amendment in December.

**VII. *Next Steps***

The next meeting will be on October 9<sup>th</sup>.

**VIII. *Adjourn***

Ms. Young adjourned the meeting at 8:03 p.m.