

SPECIAL CALLED BOARD  
OF ALDERMAN  
MEETING:  
FOOD TRUCK  
WORKSHOP

Tuesday,  
August 24,  
2021  
9:30 AM

# AGENDA



Code & Plan Review



What Are Our Neighbors Doing



Current Conditions



6 Hat Exercise



Next Steps

# Code of Ordinances

## 154.039 Commercial 1 District; General Business (GB)

- To provide for general and commercial activity at convenient points in the town.
- It is not the intent of this district to encourage extensive strip commercial development, but rather to provide concentrations of general commercial activities.
- It is also intended that all businesses shall be conducted in permanent buildings that meet state and local building codes.
- Business may not be conducted in temporary or portable structures nor in manufactured homes or vehicles.
- The Zoning Code Enforcement Officer may issue a temporary permit for outdoor sales and exhibits for groups, clubs, and civic organizations.

# Code of Ordinances

## 154.056 Handling of Sewage

- (A) Privies, outhouses, and other similar sewage handling facilities are prohibited.

Approved “porta johns” or similar facilities will be allowed by permit for special events and construction sites for as long as permit is valid.

- (C) All commercial structures shall have restroom facilities.

Public restrooms may be required in a PUD.

# Code of Ordinances

## 110.01 Outdoor Sales

- Permanent businesses permitted to have outdoor sales/displays of merchandise offered inside on their property
- No outside/out of town vendors permitted to sell/display
- Exempt:
  - *Nonprofit organizations with property owner consent*
  - *Events at the Festival Grounds*
  - *Entertainment/convention facilities obtaining a special event permit*

# Land Use Plan November 2007

## **Lack of economic diversity**

Maggie Valley's dependence on a minimal number of businesses in a narrow amount of industries, primarily services and trade.

Maggie Valley needs to promote additional business and a larger variety of full-time businesses to persuade tourists to return year after year and seasonal residents to settle in Maggie Valley full-time.

Specifically, Maggie Valley needs to diversify its shopping opportunities to compete with neighborhood towns and increase the family activities available throughout the year and during inclement weather conditions.

# Land Use Plan November 2007

## Lack of a “Town Center”

Largely because of the population base, Maggie Valley lacks a downtown, or “Town Center.”

Until the development of the Festival Grounds, there had been no place for community gatherings.

The town is in need of a destination that offers pedestrian-oriented shopping and eating, a municipal presence, and general places to sit and get away from the automobile dominated Soco Road.

Residents want to encourage shops, restaurants, and attractions to locate in this area of town and make this area the central location for gatherings and street life.

Another recommendation is to provide a concentration of these types of uses in the form of a planned development.

# Land Use Plan November 2007

## Recommendations

3. Adopt the Conditional Use rezoning process into the Zoning Ordinance.

The conditional use process would allow for more flexibility in the rezoning of property. This would allow the governing board to imposed conditions on rezonings, require site plans, and have more latitude in their decisions.

4. Require Conditional (Special) Use Permits for certain land uses.

Certain land uses require additional review above and beyond a staff-level approval. Each site should be looked at on a site-specific basis.

5. Provide Supplemental Regulations for certain uses.

Certain land uses necessitate mitigating requirements such as greater setbacks or more stringent buffer requirements.



# Driving Miss Maggie September 2004

## Economic Base Analysis

Employment (and earnings) within the project area is seasonal and tourism-dependant.

The non-basic part of the project area economy (i.e., local market) offers consumers few choices (e.g., not even a major grocery store or pharmacy).

In addition, both the basic and the non-basic parts of the economy lack diversity.

# Driving Miss Maggie September 2004

## Trends

An economic and social transformation has been occurring ...

The rise of the creative class derives its name from the creative economic core of individuals that drives both businesses and communities.

Successful employers and communities in the future will be the ones that develop policies to attract the creative class.

The old patterns of development (neighborhoods without character, blasé activity centers, large malls and sports arenas, and chain stores) is the type of environment that the creative class typically avoids.

If employers and communities are to lure the creative class, they must adjust to a new paradigm and cater to the expectations of the creative class.

# Driving Miss Maggie September 2004

## Implications for Planning and Land Use

A. The project area has most of its economic eggs in two baskets...services and trade (especially services).

B. The project area economy can benefit from greater diversity. This, however, will require exploring regional linkages (that might help to grow other economic sectors) and attracting the creative class to Maggie Valley.

D. The significant economic dependency on tourism and recreation suggests that Maggie Valley must create a distinct and marketable image that will attract both tourists and recreation enthusiasts.

E. Existing and potential tourism/recreation opportunities should provide balance between both enroute and destination clientele. This is both a marketing and an attraction issue. Enroute opportunities already exist, but destination opportunities (especially with linkages to physical and cultural assets) will continue to require partnering and strategic development.

# Driving Miss Maggie September 2004

## Community Character

Maggie Valley is a great place to live, work, play, and visit because of its...

- Climate and seasons – summers are cool, and winters are mild...the changing seasons and weather are enjoyable
- Surroundings and natural environment – the mountains are beautiful and majestic; recreational opportunities are excellent; one can listen to the wind, smell the seasons, find diverse wildlife, and see a clear sky
- Good location – businesses are visitor-oriented; festivals and fairs are enjoyable; access to medical care is excellent; major shopping is near; and opportunities exist for small businesses
- People and feelings – low crime rate...feeling safe; building friendships is easy; school system is excellent; nice family atmosphere; residents are friendly, caring, happy, relaxed, and visitor-friendly; a quiet, peaceful, small-town atmosphere and feeling exists; and the pace of life is slow

# Driving Miss Maggie September 2004

## Commercial Activities

Root problems...keys to community character

- At this time, town is not attractive to investors
- Need to be more open to different possibilities
- Need more attractions/activities for families visiting Maggie Valley...
- Need more businesses/services for residents
- Need more things to do...diverse shopping experiences
- Need to slow traffic...the highway is an important first impression, but most drivers just speed through

# Haywood County



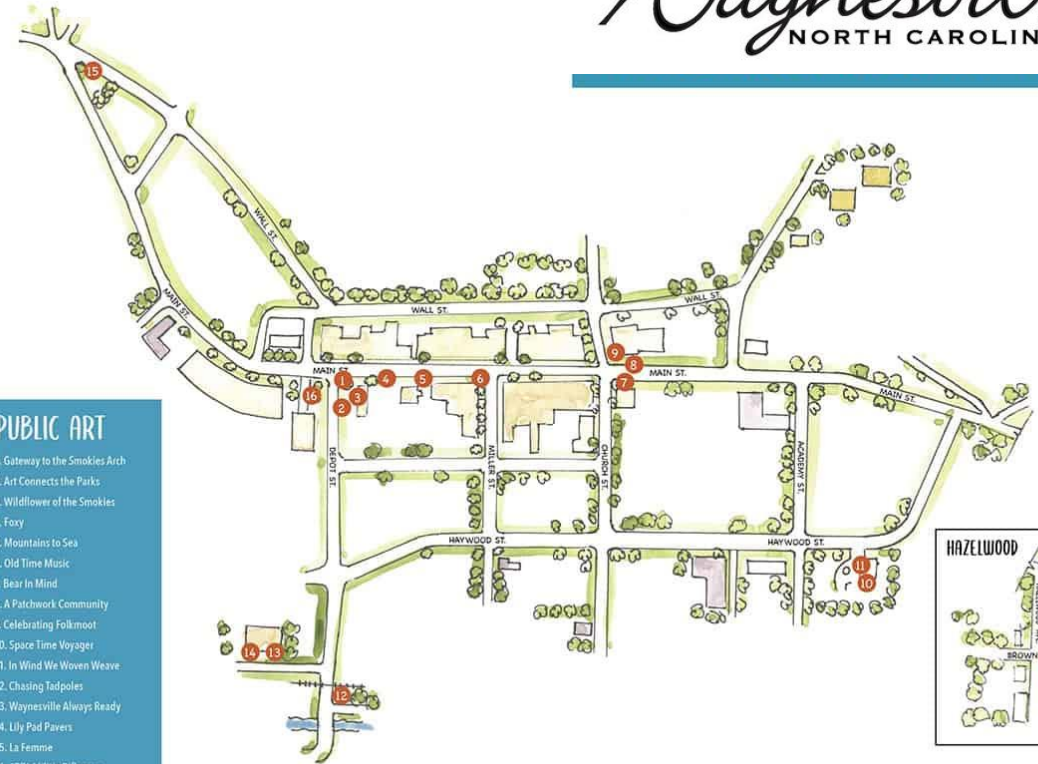
- Mobile Food Units
  - *Any food service establishment that is vehicle-mounted and easily moved is considered a mobile food unit.*
- Push Cart
  - *Smaller, open mobile equipment that is designed to serve simple items such as hot dogs.*
- Mobile food units and push carts must be permitted.
  - *Required to operate in conjunction with a permitted restaurant or commissary.*



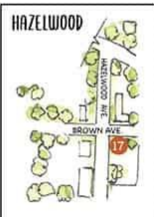
# Waynesville



- Mobile Food Vendor.
  - *A mobile food vendor is a person or organization that sells food out of a portable vehicle, cart, or trailer. Examples include food trucks, food trailers and food pushcarts.*
- May be placed in any commercial-industrial, regional center or business district.
- Time Limit: Such uses shall be allowed for ninety (90) days and may be renewed by the Administrator on a one time basis for up to one hundred and eighty (180) days on any specific site. Allowable days do not have to be contiguous if an alternate schedule is approved by the Administrator and accompanies the permit. Special events do not count toward this limit.
- Written documentation of the property owners' permission and a copy of its Health Department Permit
- Permission to utilize public parking or sidewalk areas must be approved by the Town Manager and at the request of a sponsoring business owner adjacent to the proposed location. Within the Main Street Public Services District, vendors are permitted on private property only. The Town may require a lease agreement and fees in certain cases.
- No mobile food vendor shall:
  - *a) Leave a mobile food unit or pushcart unattended, or store, park or leave a mobile food unit or pushcart overnight within any public right-of-way or public property.*
  - *b) Leave any location without removing and disposing of all trash or refuse.*
  - *c) Pour waste products (including hot water or drainage from coolers) down a storm drain.*
  - *d) Operate within fifty (50) feet of an existing restaurant during the restaurant's business hours.*
- Property owners or sponsoring adjacent businesses must make their restroom facility available for mobile food vendor staff.
- Exhaust outlets shall be located not less than ten (10) feet from any structure or building.



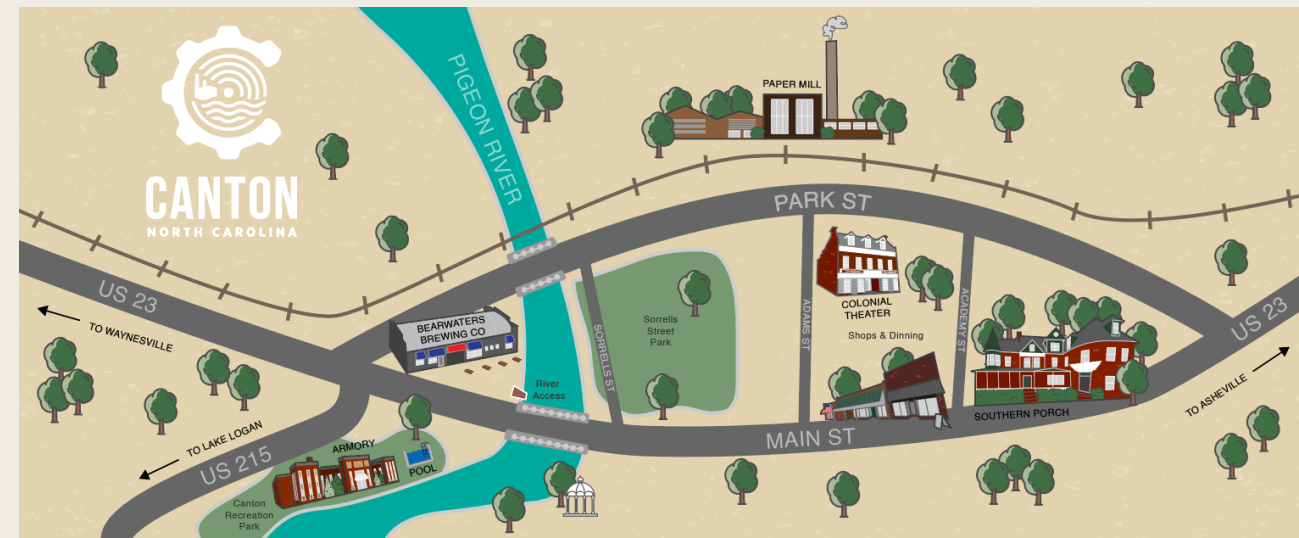
- PUBLIC ART**
1. Gateway to the Smokies Arch
  2. Art Connects the Parks
  3. Wildflower of the Smokies
  4. Foxy
  5. Mountains to Sea
  6. Old Time Music
  7. Bear In Mind
  8. A Patchwork Community
  9. Celebrating Folkmoor
  10. Space Time Voyager
  11. In Wind We Woven Weave
  12. Chasing Tadpoles
  13. Waynesville Always Ready
  14. Lily Pad Pavers
  15. La Femme
  16. 1776 Militia Rifleman
  17. Plott Hound



# Canton



- Mobile Food Units shall only operate on private property located in approved commercial or industrial zones
- Operations of a mobile food unit(s) on Town of Canton property may be allowed under one of the following circumstances:
  - *In association with a privately hosted and/or organized event previously approved by the Town*
  - *At any event hosted and/or organized by the Town on any Town property, at Recreation Park in lieu of Canton operated concessions, and in any other circumstance which the Town Manager feels a mobile food unit(s) could have a positive impact.*
- Adequate parking including a designated space for the mobile food unit
- Set back a minimum of 100' from brick and mortar restaurants
- Require valid driver's license, proof of insurance, copies of health department certificate
- Letter of approval from private property owners including location map, address, site plan, list of special conditions imposed
- The Town Manager shall have the ability to revoke mobile food permits if the operation causes parking issues, traffic congestion, litter problems, and/or health and safety risks
- Pushcarts are only permitted for Town-approved special events





# Sylva

- Mobile food vendor, food truck
  - *A readily movable trailer or motorized wheeled vehicle, currently registered with the North Carolina Division of Motor Vehicles, designed and equipped to serve and sell food and beverages to the general public on a recurring basis.*
  
- Mobile food vendor, pushcart
  - *A mobile piece of equipment used by a person that prepares or serves proportioned food for sale to the general public on a recurring basis. The food has been prepared at a restaurant or commissary or on site.*
  
- An approved zoning permit from the Zoning Administrator is required prior to food vending activities in appropriate commercial districts only.
- All vendors shall be required to maintain active liability insurance.
- Written consent must be given from the property owner.
- The Town Board of Commissioners must give permission to locate in any public space within city limits.
- Mobile food vendors shall not be parked or set up closer than 15 feet from any fire hydrant.
- Mobile food vending units shall be setback ten feet from the road edge.
- Food truck vendors are responsible for removal of their own garbage and recycling as well as their patrons.
- Shade is permissible. Awnings, umbrellas, or tents should not obstruct or cause a safety hazard.



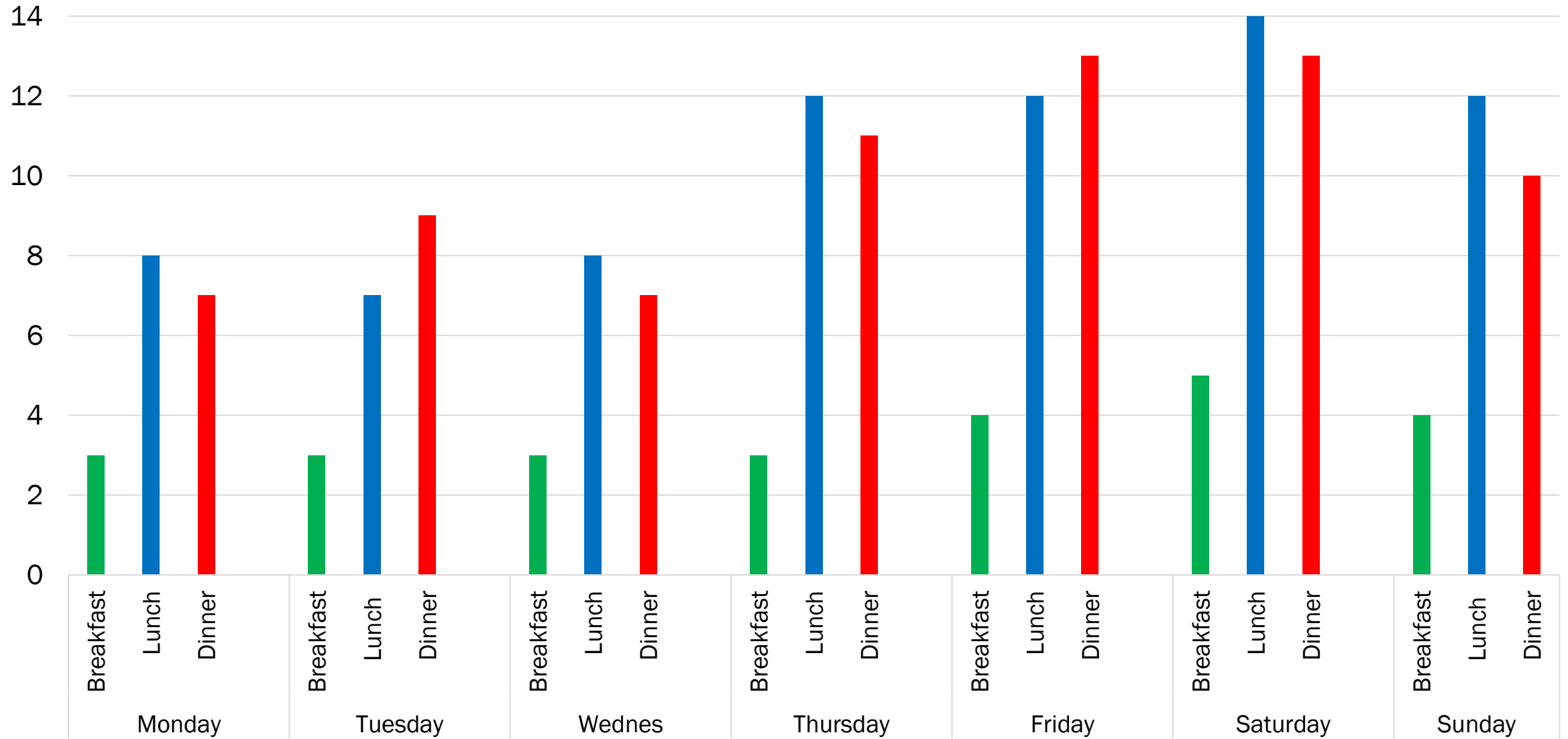
# BREVARD



- Mobile food vendors are licensed motor vehicles or mobile food units which offer for sale and consumption food and beverages (excluding alcohol).
- Mobile food vendors shall secure all necessary permits required by the Transylvania County Health Department.
- In the issuance of permits for mobile food vendor sites and mobile food vendors, the administrator shall have broad discretion to assign such conditions as may be necessary to protect the health, safety, and welfare of the public.
- Mobile food vendors shall be situated at least ten feet from all property lines and any road right-of-way, shall not encroach onto any street, sidewalk, or travel way, and shall not obstruct any loading zone or handicapped parking space. This requirement shall not apply to special events approved by the city for placement upon public streets.
- Mobile food vendors shall be situated at least 20 feet from one another.
- Mobile food vendors shall be situated at least 25 feet from any permanent structures.
- Mobile food vendors shall be situated at least 200 feet from any residential structure that is located within a general residential (GR) zoning district.
- Mobile food vendors must be set back a minimum of ten feet in all directions from fire hydrants.
- Outside of the Heart of Brevard district, generators may be used to power the vending unit. Within the Heart of Brevard only dedicated power supplies shall be used.
- Hours of operation for mobile food vendors shall be limited to 7:00 a.m. to 10:00 p.m., except during an approved special event, when other operating hours may be established as part of the event.
- Each food truck shall supply at least one waste receptacle which must be removed and emptied at the end of each day, City trash receptacles shall not be used for food truck waste.



# Open Restaurants



# Six Thinking Hats®

## Quick Summary

PROCESS



### Blue Hat - Process

Thinking about thinking.  
What thinking is needed?  
Organizing the thinking.  
Planning for action.

FACTS



### White Hat - Facts

Information and data.  
Neutral and objective.  
What do I know?  
What do I need to find out?  
How will I get the information I need?

FEELINGS



### Red Hat - Feelings

Intuition, hunches, gut instinct.  
My feelings right now.  
Feelings can change.  
No reasons are given.

CREATIVITY



### Green Hat - Creativity

Ideas, alternatives, possibilities.  
Provocations - "PO".  
Solutions to black hat problems.

BENEFITS



### Yellow Hat - Benefits

Positives, plus points.  
Logical reasons are given.  
Why an idea is useful.

CAUTIONS



### Black Hat - Cautions

Difficulties, weaknesses, dangers.  
Logical reasons are given.  
Spotting the risks.

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# FOOD TRUCKS

AUGUST 24, 2021  
BOARD OF ALDERMAN WORKSHOP

### FACTS (White Hat)

Data and objective information known or needed, justified using logic

### FEELINGS (Red Hat)

Intuition and emotions, hunches based on past experiences

### CAUTIONS (Black Hat)

Critical judgment, analyze difficulties, negative aspects, shortcomings, worst case scenario

### BENEFITS (Yellow Hat)

Positive aspects, advantages, best case scenario

### CREATIVITY (Green Hat)

Generating new, alternative ideas, outside of the box

### PROCESS (Blue Hat)

Logical thinking, overview, summaries, conclusions, decisions

# Timing



Pilot Program/COVID Only



Days of the week



Operating hours

# Location



Public vs Private Property



Allowed with associated use (Special Event, Existing Restaurant)



Setbacks (from property lines and ROW)



Separation (from protected uses)



Spacing (from other food trucks)

# Approval Process

Permitted by Right (STAFF)

Permitted with Additional Development  
Standards (STAFF)

Conditional (Alderman)

Special Exception (Board of Adjustment)

Prohibited

# Additional Development Standards

## Power Source

- Generator
- Electric

## Signage

## Lighting

## Trash Receptacles

- Public
- Private

## Bathrooms