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**2019-6 (1<sup>ST</sup> READING): TO AMEND ORDINANCE 2017-44, APPENDIX A ZONING OF THE CODE OF ORDINANCES TO ALLOW FOOD TRUCKS AS A CONDITIONAL USE IN THE ZONING CODE.**

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**Applicant/Purpose:** Staff / to amend ordinance 2017-44, to allow food trucks as a conditional use.

**Brief:**

- Ordinance 2017-44 established food trucks as a pilot program for 1 year to allow the City time to evaluate the program.
- There have not been any significant issues w/ food trucks since 2017-44 passed in 9/2017.
- Since the fall of 2018 staff, the Planning Commission & food truck operators have been working on changes to the establishing ordinance.
- 12/11/18: Planning Commission recommends approval (5-0).

**Issues:**

- This amended ordinance recommends the following changes:
  - Extends program another year.
  - Increases the number of allowed permits from 6 to 20.
  - Food trucks used at a private catering event are defined as a catering truck & are not counted towards the 20 permits.
  - Besides being allowed in HC-1 & HC-2 zones, food trucks are recommended to be allowed as a conditional use in the E, MP, WM, LM zoning districts.
  - Decreases the distance from existing restaurants from 500' to 300'.
  - Allows temporary shade structures (i.e., umbrellas &/or pop-up shade tents) w/in 8' of the food truck.
  - Decreases the permit fee from \$150 to \$25 for additional locations after the 1st two.
  - No permit fees for food trucks on city-owned property (permits still required).
- At the 1/3/19 Council Workshop, Council indicated a desire to amend the proposed ordinance to add Food Carts to the definitions.

**Public Notification:**

- PC held a public hearing in December 2018.
- City Council workshop, January 3, 2019.
- Normal meeting notification.

**Alternatives:**

- Modify the proposed ordinance.
- Deny the proposed ordinance.

**Financial Impact:** Increase in business license revenue, hospitality revenues, & permit revenues.

**Manager's Recommendation:** I recommend 1<sup>st</sup> reading (2/12/19).

**Attachment(s):** Proposed ordinance, staff report

**CITY OF MYRTLE BEACH  
COUNTY OF HORRY  
STATE OF SOUTH CAROLINA**

**ORDINANCE TO AMEND ORDINANCE  
2017-44, APPENDIX A ZONING OF  
THE CODE OF ORDINANCES TO  
ALLOW FOOD TRUCKS AS A  
CONDITIONAL USE IN THE ZONING  
CODE**

IT IS HEREBY ORDAINED that Appendix A, Zoning of the Code of Ordinances, Article 15, Section 1501.PP, Food Vending, is amended as follows:

1501.PP. Food Vending. The purpose of this ordinance is to provide standards for mobile food vendors while balancing the interests of public health, safety, and overall community wellbeing. With these amendments, City Council extends the pilot program for a second year, with additional review one year after the 2nd reading of this ordinance. Council may also review this ordinance at any time it deems necessary.

1. Definitions: The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Mobile Food Vendor: means any person selling food from a mobile unit.

Mobile food unit (MFU): means a self-contained, vehicle-mounted food service unit as approved by DHEC which is used for either the preparation or the sale of food products, or both. This does not include mopeds. For the purpose of this ordinance, the following types of units are considered Mobile Food Units:

- a. Food trailer: An enclosed attached or detached trailer that is equipped with facilities for preparing, cooking, and/ or selling various types of food products.
- b. Food truck: An enclosed motor vehicle equipped with facilities for preparing, cooking, and/ or selling various types of food products to the general public. If a food truck is catering to a private event and does not sell to the public, the truck is operating as a catering truck (see below).

Permanent Food Unit (PFU): means one of the above which is stationary and permanently located on a parcel as part of the onsite restaurant business in association with a City approved commercial site plan.

Prepackaged food truck: means an enclosed motor vehicle equipped to sell various types of prepackaged food products.

Catering Truck: a vehicle mounted food product establishment designed to be readily movable from which food and/or drink is distributed or served to attendees of an event in which service is not targeting sale to the general public.

2. General Requirements

- a. Mobile food units (with the exception of ice cream trucks) may be allowed as a conditional use in the following zones: HC1, E, MP, WM, and LM, and HC-2 for

permanent locations only, and as indicated in paragraph a.xiv, provided they meet the following requirements:

- i. Mobile food units must be affiliated with an existing permanent commercial kitchen to meet the requirements of SC DHEC regulations. This may be in the form of a brick and mortar restaurant with which they are associated. In this case, the mobile food unit is not a replacement for a restaurant, but an addition. Multiple food units may be permitted on a single parcel, but cannot exceed four per acre subject to site plan review requirements. These permanent food units (PFUs) shall not count towards the six (6) allotted permits to be issued in the pilot program or the twenty (20) permits in the second pilot year, nor is a restaurant with a permanent set-up subject to the requirements of the mobile food units as set forth in the pilot program, with the exception of fire safety regulations listed in a.xv. Such a business is subject to review by the Community Appearance Board and must adhere to that level of review scrutiny.
- ii. A mobile food unit may be permitted to operate on multiple parcels within the City of Myrtle Beach with one being the property on which the affiliated restaurant is located.
- iii. The mobile food unit meets a 15' front setback from the property line, a ten foot clearance between units, and a ten foot emergency access setback between the units and any buildings on site. If adjacent to a residential area, then the mobile food unit must meet the side and rear property setback requirements of its underlying zoning district (this does not include catering trucks). The mobile food unit must also be at Least ten feet away from any fire hydrant;
- iv. The mobile food units are Located on a parcel with no less than an improved dust free surface thirty (30) feet driveway throat length; ingress, egress, and internal circulation of vehicular traffic shall not create a hazard for traffic on an adjacent street or on the subject parcel; and, the mobile food unit is not within ten (10) feet of an entranceway to any business open to the public;
- v. The maximum number of Mobile Food Units per parcel (not associated with an onsite restaurant):
  - a. For parcels up to 10,000 sq ft, up to three MFUs may be permitted at a time;
  - b. For parcels more than 10,000 sq ft and less than 20,000sq ft, up to five MFUs may be permitted at a time; and,
  - c. For parcels greater than 20,000 sq ft in size, a maximum of seven MFUs is permitted at the same time (with the exception of city sponsored events).
- vi. A minimum of two (2) parking spaces must be provided per mobile food unit and maintained in addition to the minimum parking required for the principal business;
- vii. No portion of the mobile food unit shall be allowed to occupy or obstruct access to any parking stall, or parking aisle required by the Zoning Ordinance;
- viii. The mobile food unit is not located within three hundred (300) feet of the principal public entrance to any food service business not owned by the vendor or property owner, which sells merchandise approved for sale in this ordinance (unless the adjacent food service business owner provides a legal affidavit agreeing to a lesser distance). If a restaurant opens within the three-hundred-foot zone after the mobile food vendor has continuously operated his business in the location for at least six (6) months, the mobile food vendor may remain in that location;

- ix. The mobile food unit is not Located within two hundred (200) feet of the principal public entrance to any PreK-12 educational facility, unless approval from the school exists in writing and is provided upon request;
- x. A maximum of six (6) permits will be issued during this pilot program and expanded to twenty (20) permits in second pilot year, renewable pursuant to business license and zoning approval as described in a.xii. Each mobile food unit may submit multiple sites for locating, subject to staff approval.
- xi. A list of all requested sites, including the property owners and physical addresses. The applicant must submit site plans, to scale, showing all proposed locations of the vending operation on the plans. The Zoning Administrator must find that the proposed operation complies with all applicable provisions of this Section, and that the proposed operation will not adversely affect the traffic accessibility, or health and public safety.
- xii. The mobile food unit must obtain an annual zoning compliance and business license. A mobile food unit permit decal issued by the City of Myrtle Beach must be affixed in a prominent location.
- xiii. Mobile food vendors shall not provide furniture, objects, or structures outside of the vehicle with the exception of a trash receptacle and a temporary shade structure limited to umbrella or pop-up shade "tents" without walls, unless such items are part of the affiliated on-site restaurant or business. Umbrellas/shade structures may not be located more than eight feet from the MFU, must not be located in or interfere with the required separations between MFUs, and must not be located in the buffer area between the MFU and a fire hydrant. Trash must be removed with the mobile food unit each business day.
- xiv. Mobile food units may locate on public City-owned property subject to vendor permits (such as Myrtle's Market or the Historic Train Depot) and must meet the same standards as set forth for operating on private property.
- xv. Mobile Food Units must meet the requirements of the following safety codes: the International Fire Code (IFC); National Fire Protection Association's NFPA 58 (*Liquefied Petroleum Gas Code*), NFPA 70 (*National Electric Code*), and NFPA 96 (*Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*); and the Code of Federal Regulations 49 CFR 180.205(d) (*General requirements for requalification of specification cylinders*) and 49 CFR 180.209 (*Requirements for requalification of specification cylinders*). The Fire Marshal's office will be responsible for inspections.
- b. Applicants for all mobile food units must submit the following to receive a City of Myrtle Beach Mobile Food Permit:
- i. The applicant's permanent street address and mailing address;
- ii. A brief description of the nature of the business and goods to be sold;
- iii. SCDHEC Certification, or a letter from SCDHEC stating that certification is not required;
- iv. Proof of current license plate and vehicle(s) registration;
- v. Color photographs of the vehicle(s) exterior in sufficient number to provide permitting officials to be familiar with all the exterior views of the mobile food unit;
- vi. A site plan (or plans) for the properties on which they propose to operate; and,
- vii. A letter and/or copy of an official lease agreement from the property owner to vend on the subject parcel and a copy of the property owner's business

license must be provided. If applicable, the vendor must provide a copy of the approved county hospitality tax application and a State sales tax number to the Zoning Administrator before a vending permit is issued.

viii. A current business license will be required for the affiliated restaurant.

3. Duration and Fees (for all mobile food units):

- a. The fee levied by this ordinance is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue through a privilege tax. The mobile food permits issued under this ordinance will be valid beginning on date of this ordinance's enactment until March 31 of the ensuing year. In the following year, a permit shall be from April 1 until May 31 of the ensuing year, and from then on follow the business license renewal calendar;
- b. The permitting fee for each mobile food unit is \$150.00, which includes review of two vending locations. For any additional location reviews made in conjunction with an initial application, there will be a fee of \$25.00 per location. There will be no location permitting fees for mobile food vending on city-owned property.

4. Permitted Merchandise: Mobile food vendors shall be limited to selling food items. The selling of non-food or non-drink items shall be limited to merchandise displaying the mobile food vendor company logo and/or branding. No items may be displayed outside of the vehicle.

5. Signage:

- a. No advertising shall be permitted on any mobile food unit except to identify the name of the product or the name of the vendor, and the posting of prices;
- b. Electronic or illuminated signs shall not be utilized;
- c. Temporary off-site signs for the mobile food units shall be prohibited;
- d. One on-site sandwich style sign shall be permitted per mobile food unit, maximum two (2) feet by three (3) feet in size, located within ten (10) feet of the mobile food unit, and must be located outside of all buffers and rights-of-way.

6. Prohibited conduct (for all mobile food units): No vendor shall:

- a. Vend on any street or sidewalk where vending is otherwise prohibited;
- b. Sell alcohol. Permanent food units operating in association with an onsite restaurant may sell alcohol in coordination of the affiliated restaurant;
- c. Leave any mobile food unit unattended;
- d. Store, park, or leave any mobile food unit overnight at any vending location unless the mobile food vendor has written consent from the property owner;
- e. Sell food or beverages for immediate consumption unless there is a litter receptacle and recycling bins available for the patrons' use;
- f. Leave any location without first removing and disposing of all trash or refuse remaining from sales made by the vendor;
- g. Allow any items relating to the operation of the vending business to be placed anywhere other than within, on, or under, the mobile food unit;
- h. Set up, maintain or permit the use of any crate, carton, rack, or any other device to increase the selling or display capacity of the mobile food unit with the exception of one table 3' x 5' in size (subject to site plan approval), and no taller than 4' in height is allowed;
- i. Sell anything other than permitted merchandise as detailed in this ordinance;

- 1 j. All mobile food units shall abide by the existing noise ordinance;  
2 k. Allow the mobile food unit or any other item relating to the permitted vending  
3 operation to lean against or hang from any building, utility pole, or other  
4 structure.

- 5  
6 7. Exemptions (for all mobile food units): The provisions of this section shall not apply  
7 to special events, festivals, community projects or public events which occur on a  
8 periodic basis and which are specifically approved by City Council or as an  
9 approved Special Event. This section shall not apply to activities conducted  
10 pursuant to a franchise agreement or other contract with the City of Myrtle Beach.  
11 The vendor, property owner/ lessee and assigns shall be responsible for any  
12 violation of this section or any other sections of the City of Myrtle Beach Code of  
13 Ordinances. Such violations may result in the revocation or denial of a Certificate  
14 of Zoning Compliance and vending permit, and may also result in the revocation  
15 and denial of a Certificate of Zoning Compliance and for any future vending  
16 permits. If the mobile food unit receives more than 3 violations, the permit will be  
17 revoked for one year.  
18

19  
20 This ordinance will take effect upon second reading.  
21

22  
23  
24 BRENDA BETHUNE, MAYOR  
25

26  
27 ATTEST:  
28

29  
30  
31  
32 JENNIFER STANFORD, CITY CLERK  
33

34 1<sup>st</sup> Reading:  
35 2<sup>nd</sup> Reading:  
36  
37

**APPLICANT** City of Myrtle Beach

**REQUESTED ACTION** To review food truck ordinance after one year

**REASON FOR REQUEST** Review is called for in the original ordinance

**SITE LOCATION** Multiple

**PUBLIC NOTICE** **LEGAL AD RAN** Yes

**ALTERNATIVES TO APPROVAL** Recommend denial.  
Recommend alternative amendments.

**FINANCIAL ANALYSIS:** Potential gain in business license fees and tax revenues.

**STAFF COMMENTS**

**DPW, Police, C&L Services, Addressing:** No concerns.

**Fire:** Ten-foot separation between “buildings, structures, vehicles, and any combustible materials” is required in NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, 2017 Edition. Staff does not support removing the ten-foot separation requirement in 2.a.iii.

**Planning Staff:** Staff received input from multiple departments and interested parties, and provided draft discussion points at the Planning Commission workshop on November 6. The discussion points agreed upon were incorporated into an ordinance watermarked “WORKSHOP;” points not readily agreed upon were relegated to a second draft for additional review during the public hearing on November 27.

**ANALYSIS**

*Section 403 of the Zoning Ordinance lists the following factors, which should be part of the information considered when evaluating requests to change the Zoning Ordinance Text or Map.*

**Section 403.A.** Whether or not the requested zoning change is [1] consistent with the Comprehensive Plan or [2] is justified by an error in the original ordinance.

- **[1] Neutral.** The Comprehensive Plan encourages infill development and the promotion of smaller-scaled businesses, but does not specifically address food trucks.
- **[2] No.** There are no known ordinance errors with regard to this application.

**Section 403.B.** – The precedents, and the possible effects of such precedents, which might result from approval or denial of the petition.

- The pilot program was drafted with the intent to review and amend or revoke, as evidence would inform. The food truck ordinance is at the will of City Council, and could be expanded or expire.

**Section 403.C.** – The capability of the city or other government agencies to provide any services, facilities or programs that might be required if the petition were approved.

- The City and other government agencies are able to enforce the ordinance, although it is regulatory-heavy and operators are often confused about where the city's limits lie.

**Section 403.D.** Effect of approval of the petition on the condition or value of property in the city.

- Effect on property within proposed expanded zones: increase in potential for food service opportunities.
- Effect on surrounding property: the proposed uses would provide food options in the same proximity as current zoning allows.

**Section 403.E.** Effect of approval of the petition on adopted development plans and policies of the City.

- The petition provides fill-in economic opportunities similar to those called for in the City Manager's Strategies
  - 1: Define an Economic Development Vision & Define Strategies to Achieve that Vision.
  - Proposed Vision – to foster an environment in which economic activity can be expanded so that all our citizens have an opportunity to enjoy what the community has to offer.
  - Focus Sectors:
    - Infill retail development.
    - New technology & communications.
    - Medical services.



## NOTES REGARDING FOOD TRUCK ORDINANCE AMENDMENTS – 1 YEAR REVIEW

### From Staff:

- Buffers
  - Change 1501.2(A)8 – distance from principle entrance to food service business – from 500' to 400'.
  - Ten-foot separation between "buildings, structures, vehicles, and any combustible materials" is required in NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, 2017 Edition. Staff does not support removing the ten-foot separation requirement in 2.a.iii.
- Zones
  - Allow food trucks in MP, WM, and LM zones.
    - There are fewer competing restaurants in these zones.
  - Take out HC-2 for mobile food units (MFUs) due to limited locations and removes competition with brick & mortar stores. We can still leave in the HC-2 for permanent locations only. It will fit the layout of that zone.
  - HC-1 works and we have multiple locations function in that zone currently.
  - In favor of allowing MFU on all city properties [primarily zoned E]. It seems to be happening at other locations beside the farmer's market [under a special event permit and zoned C8] & train depot [zoned WM].
    - *Note: By adding food trucks to the E zone – which covers Doug Shaw Stadium, Grand Park, Chapin Park, and the Convention Center complex – it opens up the Broadway at the Beach, Grand Prix, and Ripken Field entities to the potential for food trucks as well. Staff feels these sites have ample space to incorporate food trucks while keeping several hundred feet away from competing restaurants.*
- Business License year vs. Food Truck Permit year
  - Can we coordinate the renewal of the MFU yearly permit with business license calendar? It will help simplify the process for both departments.
- Catering
  - Many of the trucks are requested for catering jobs – could we include language exempting them for private catering jobs?

### Food Truck Owners and Other Interested Parties:

- 1501.1. Definitions.
  - Add definition for a food cart - non-vehicle-mounted food service unit approved by DHEC used for the prep or sale of food products, or both. Not self contained.
    - **Staff Input:** *This could be in conflict with existing franchise agreements and food cart program on the Boardwalk.*
- 1501.2 (A) General Requirements
  - Add: Zones MUM, MUH, MP, WM, LM, E

- 1                   ▪ **Staff Input:** *MU zones have no minimum lot size, and food truck*  
2 *regulations pertain to the lot (number of units per lot, distance between*  
3 *trucks/buildings/combustibles, etc). Additional concerns with potential*  
4 *proliferation on Ocean Blvd, which is primarily zoned MUH in the hotel*  
5 *areas.*  
6
- 7       • 1501.2 (A) 1. General requirements  
8           ○ Add: increase allowance per acre from 4 per acre to 10 per acre  
9
- 10                   ▪ **Staff Input:** *This limitation is for trucks on sites with a permanent kitchen.*  
11 *Staff is concerned with an increase of 2.5 times what is allowed now*  
12 *when we have not yet had a trial permit for the existing allowance. It is*  
13 *unclear that 10 food trucks plus the kitchen building, restrooms, 10-ft*  
14 *separation, required parking for the trucks, required parking for the*  
15 *kitchen, required spaces for the trucks, required trash, and circulation for*  
16 *customers' vehicles and customer service area would fit on an acre*  
17 *safely. Not enough of a call for this as there have been no site plans*  
18 *submitted or multiple setups outside of special events.*  
19
- 20       • 1501.2 (A) 3. Setbacks  
21           ○ Delete: requirement for trucks to be ten foot apart  
22
- 23                   ▪ **Staff Input:** *Conflicts with National Fire Protection Association*  
24 *regulations.*  
25
- 26       • 1501.2. (A) 5. Max number of units  
27           ○ Change: for parcels up to 10,000 sq ft, increase allowance from 2 MFUs to 3  
28 MFUs permitted at one time  
29           ○ Change: for parcels between 10,000 – 20,000 sq ft, increase allowance from 3  
30 MFUs to 6 MFUs permitted at one time  
31           ○ Change: for parcels more than 20,000 sq ft, increase allowance from 4 MFUs to  
32 10 MFUs permitted at one time  
33
- 34                   ▪ **Staff Input:** *If an increase is required, in favor of a gradual increase of*  
35 *one additional truck for lots up to 10,000 sq ft; two additional trucks for*  
36 *lots 10,000 – 20,000 sq ft; and three additional trucks for lots over 20,000*  
37 *sq ft.*  
38
- 39       • 1501.2. (A) 8. Distance from food service business  
40           ○ Delete  
41
- 42                   ▪ **Staff Input:** *proposed reducing the distance from 500 ft to 400 ft rather*  
43 *than delete.*  
44
- 45       • 1501.2 (A) 13.  
46           ○ Change: Vendors may provide furniture, umbrellas, objects and structures (in  
47 addition to trash receptacles) no more than 8 ft from MFU and must be removed  
48 from the site upon the end of service.  
49

- **Staff Input:** *Concerned that furniture, etc will prohibit adequate safety areas around the truck, but understand that shelter from the elements is a plus when serving in extreme weather conditions (heat, rain, etc).*
- 1501.5 Signage.
  - Add: All signage and advertising shall be limited to displays within an 8 ft radius of the MFU and must be removed from the site upon the end of service.
  - Change: Sign maximum to 3 ft x 4 ft in size (from 2 ft x 3 ft)
  - **Staff Input:** *See input above re: furniture and signage.*
- 1501.6 Prohibited Conduct.
  - Change #7 to make restrictions of items being placed outside the MFU *within 8 ft radius of the MFU.*
  - **Staff Input:** *See input above re: furniture and signage.*
- 1501.10 Number of permits
  - Change from 6 permits to 20 permits
  - **Staff Input:** *Agree. Added to ordinance.*
- 1501.14 Mobile food vendors on city-owned property
  - Exempt from \$150 review fee
  - **Staff Input:** *Agree. Added to ordinance.*
- Private Catering Proposal: Any license and properly inspected and permitted MFU may vend on a non-regular basis at a location in or out of this ordinance's permitted zones providing:
  1. MFU obtains a written consent form including date of catering
  2. No food products are made available to the public
  3. Date and times and location are made public prior to catering- **Staff Input:** *Agree, except for requirement for public announcements (unrelated and difficult to enforce). Added to ordinance.*

#### **UPDATE, 12/5/2018**

At the November 27, 2018 meeting, the Planning Commission heard from several food truck operators regarding additional changes to the ordinance. The Planning Commission asked the staff to return with information regarding the following:

- *A plan to extend the pilot program;*
- *Fee amendment recommendations (re: the fee for additional sites after the first two);*
- *Amendment to the required distance from restaurants (reduce from 500 ft to 300 ft);*
- *Increase the number of permits allowed to 20; and*
- *Recommendations for a way to allow food trucks to serve (and hence engage) City parks that are not in the list of requested zones (ex: how to handle parks in Residential zones; what is*

1        *the legal mechanism to selling product from public rights-of-way; number of trucks*  
2        *permitted per park; etc).*  
3

4        Staff's research and discussions have returned the following, incorporated into the attached  
5        ordinance where appropriate:

- 6        1. **Extend pilot program.** As recommended during the November workshop, changes  
7        were made in the ordinance to reflect a one-year extension of the pilot program.
- 8        2. **Fee amendments.** Current fees are \$150 for staff to review two (2) sites, and \$100 per  
9        site after. Based on staff's conversation with the Planning Commission and applicants  
10       at the last meeting, we recommend reducing the per site fee to \$25 each but  
11       maintaining the \$150 initial review fee for two sites.
- 12       3. **Distance from MFU to existing restaurants.** Staff has amended the ordinance to  
13       further reduce the distance required between truck and existing restaurant from 500 ft  
14       to 300 ft, the width of a standard city block.
- 15       4. **Increase number of permits.** Staff has amended the ordinance to increase the  
16       number of allowed permits to 20 for the next year evaluation period.
- 17       5. **Allow food trucks to serve city parks and street ends.** The last option is a bit more  
18       of a challenge than two weeks of review could solve. Here's why:
  - 19       • While staff is certainly in agreement that some parks need activation, and that  
20       food trucks would help with that goal, many of the city parks are in residential  
21       zones. As the Planning Commission is aware, the nature of bringing businesses  
22       into a residential zone – even a temporary one like a food truck – is a very  
23       delicate matter.
  - 24       • To accomplish locating food trucks in neighborhood parks zoned for  
25       residential use (like Balsam St, McCleod, McMillan, Pinner Place, and  
26       Withers Swash) or in the street ends, an ordinance would need to be  
27       drafted to allow limited commercial operations in those areas. This  
28       ordinance would need to be notified and a public hearing held, as it would  
29       introduce a new use into the proposed zones.
  - 30       • A list of the city's parks with locations and zoning classifications for each  
31       is attached to this staff report.
  - 32       • The PRC (Parks, Recreation, Conservation) zone covers Barc Park South, Gen  
33       Reed Rec Center, MC Canty Rec Center, the mountain bike trails, Warbird Park  
34       and Whispering Pines. PRC allows only five commercial uses (boating, active  
35       recreation, passive recreation, forestry and botanical research) and two  
36       conditional uses (marinas, solar farms).

- *An additional amendment* to the PRC zone would be required to include many of the city parks in the available list for food truck locations.
- Many parks do not have enough parking (or any vehicular access at all) to accommodate food trucks on the park land itself, which would require the food trucks to be allowed to sell from the public rights-of-way.
  - *Commercial selling in the public right-of-way* would need to be vetted by the City Attorney to ensure it does not conflict with other ordinances and/or city policies.
  - This discussion would also include a discussion on how many trucks could serve each park. For instance, the Gardens by the Sea Park (at the end of the Cabana Section) has three public parking spaces which are most often full. There would be insufficient room for a food truck to take up those spaces. At the opposite end of the spectrum are the fields of the Grand Park Athletic Complex, Ned Donkle complex (behind Pepper Geddings), and the Pelican's stadium, which have large parking facilities where a food truck setup might not impact parking requirements.

In addition, as a result of conversations between the Planning Commission and food truck operators, the ordinance has been amended to allow a shade canopy or umbrella within eight ft of the truck, and the number of units per sq ft has been given a gradual increase rather than a more significant increase.

Finally, staff has started a conversation regarding food carts and how to expand their use in the city limits. This is also a longer conversation but we are looking at all angles in case there is one that works for both Boardwalk vendors and food carts as discussed during the November meeting.