

Asheville City Council
Planning and Economic Development Committee

3:30 p.m., September 18, 2012
City Hall, First Floor Conference Room

Minutes

Present: Vice Mayor Esther Manheimer, Chair; Councilmember Cecil Bothwell

Staff: Gary Jackson, Judy Daniel, Shannon Tuch, Stephanie Monson, Dan Baechtold, Alan Glines, Martha McGlohon

The Planning and Economic Development Committee met on September 18, 2012, in the First Floor Conference Room, City Hall. Vice Mayor Manheimer called the meeting to order at 3:30 p.m.

1. Approval of Minutes

The Minutes from the July 24, 2012, meeting were approved as written.

2. Updates

Mobile Food Vending

Alan Glines, Urban Planner II, gave the update. A summary provided by Mr. Glines follows:

“ In downtown, 10 truck permits are allowed; nine (9) have been permitted and the final truck applied for a permit in the last few weeks. One site at 51 Coxe Avenue has been approved for mobile food vending in downtown with four (4) spaces in operation at one time. A second site is pending a permit at Green Man Brewing at 23-27 Buxton Avenue. Overall sites are generally difficult to locate because of other income generating uses are already on the site or operators/ owners are resistant to the limited site improvements required for establishing permanent mobile food sites.

The most frequently asked question is why no tables and chairs are allowed at a mobile food site? Tables and chairs cannot stand alone and be tied with the mobile food vending permit. The Building Code would regulate the fixed seating in association with the building on the property. The owner of the property and building can install picnic tables for use by the owner, employees, and customers of the building. If these are used by the customers of the mobile food vending they are not associated with the mobile food vending but with the building. If associated with a mobile food vending operation the Building Code would not allow it because of several concerns: These would include but not be limited to accessibility and required restrooms. These

standards apply for applications received by the city for permanent locations. If the tables and chairs are not permanent and are removed daily, as is the food vending truck, it is a grey area where a complaint could require compliance with the stated building codes. The key is with the application; that is to tie it together for the use of the building on the property and not associated with the mobile food vending. Because of these requirements, no wording changes are recommended to the limitation of tables and chairs in the ordinance.

Recently updated Food Safety rules have come into effect and there appears to be only one change that impacts what we require on a truck: the health inspection grade card will have to be posted on the food truck and pushcarts. 15A NCAC 18A.2660

Staff is considering a minor wording amendment to recognize a coffee truck type of use as an allowed vendor at a mobile food site. It doesn't have a kitchen like the definition describes but it fits within the type of activity specified in the ordinance. Clarifying this activity will require a minor change to the definition.

The Historic Resources Commission will consider a ban of Mobile Food Vending in local historic districts. Currently they are allowed, but there has been concern about the appropriateness of them in historic districts. The HRC will take up the issue at their next meeting on October 10th. If they wish to see a ban in place, a UDO wording amendment would be required.

The Parks, Recreation & Cultural Arts Department has had a few individual requests from park users for mobile food vendors to operate at two of the larger city parks (outside of the CBD). Two permits have been issued but the truck operators have had little success and have ceased operation at both locations.

There is some agreement that mobile food units should be allowed to operate for special events in residential zoning districts so long as the MFU is a component of the general event and not the event. For Food Truck specific events the parcel or area should be commercially zoned because it could have some impacts that may be inappropriate for a residential district. In most cases the limited duration of the special events should mitigate any negative impacts on nearby uses. Individuals from the DTC are involved with reviewing the permitting process for special events located on both public and private property. (Vice Mayor Manheimer spoke in support of food trucks in residential areas for special events.)

Finally, signage has come up as an issue with some comment that the ordinance is too limiting for signage on the truck itself. The ordinance allows up to 32 square feet total which could be split between two faces. We may increase the signage amount and allow it to be split among 3 faces."

RADTIP

Dan Baechtold, Transportation Planner, reviewed the attached powerpoint presentation. Vice Mayor Manheimer and Council member Bothwell gave guidance to staff to move forward with the project as quickly as possible. The Committee approved a motion that full Council review preferred alternatives for road realignment, financial management of the project and strategies for land acquisition in a Council work session, preferably in

November. The Committee members also expressed their appreciation to Stephanie Monson for giving them individual tours of the RADTIP area.

3. New Business

Changeable Copy Sign Regulations

Judy Daniel, Planning Director, shared that several schools in the area would like to promote activities with changeable copy signs. Regulations for these signs are based on institutional uses, and schools are in residential areas. Mr. Jackson suggested that he come back to the Committee with a recommendation after a joint meeting with the Buncombe County and City superintendents to be held October 2.

Temporary Use Banners for Non-Profit Organization Special Events on Private Property

Judy Daniel, Planning Director, and Shannon Tuch, Assistant Planning Director, reported to the Committee that the department had received several requests to put temporary banners on their property advertising non-profits events that would not count against their yearly temporary sign allowance. The Committee discussed allowing an extra 10 days for advertising non-profit events. The Committee then recommended tabling the discussion until more requests for this type of use were received by the Planning Department.

4. Unfinished Business

No items scheduled.

5. Presentations and Public Comment

No presentations or public comment.

The meeting was adjourned at 4:40 p.m.