



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning

MEETING: Town Council 4/11/2023

SUBJECT: Text Amendment to amend Chapter 28, Article I. – In General, to allow for more non-motorized vending carts on the municipal beach strand.
Applicant: Town of Carolina Beach

BACKGROUND:

At the March 28th Council Workshop, staff presented the current ordinance requirements and history of beach vending, specifically, non-motorized vending carts on the municipal beach strand. The current ordinance allows a maximum of six permits that authorize vendors to sell food, beverages, and sundries. Each permit allows one non-motorized cart to access the beach strand. Additionally, six permits authorize vendors to sell fishing equipment, food, beverages, camping equipment, firewood, sundries, and beach apparel on Freeman Park. For the past couple of years only two of those permits have been used because of the pinch point limiting full access to Freeman Park.

All vendors must only operate from sunrise to sunset, pack it in pack it out, no outdoor storage is permitted, all proper permits from other agencies must be secured, permit must be displayed, operation in one location cannot last longer than 30 minutes, operation must be twenty feet from the dunes, and liability insurance must be secured naming the town as additionally insured. Vending permits are an annual permit and the fee is \$200. Existing vendors shall submit a request in writing each year on or before March 1. Vendors may not obtain more than one of each type of vending permit (i.e. one motorized and one non-motorized). The wait list restarts every first business day of the calendar year. At the time of the March 28th Council Workshop, there were two applicants on the waiting list.

Historically, the enforcement process for beach vendors has largely been complaint driven. It can be difficult for staff to track and enforce the activity logs for each vendor. Vendors provide products and services that enhance the tourism experience for beach goers. However, too many vendors can also negatively impact the beach experience and create over commercialization of the beach strand. A specific number of vendor permits has been limited in the past to provide adequate services to the beach without providing an overabundance of vendors and not causing too much competition with the brick-and-mortar businesses who have made a substantial investment in the Town.

At the workshop, recommendations were made to increase the number of permits available for non-motorized carts on the municipal beach strand. The recommended numbers ranged from 7 to 10, total. At the time of the Council Workshop, there were two vendors on the wait list. After that meeting, an additional vendor joined the waitlist. Staff is recommending a total of 8 non-motorized cart because of the two applicants on the waiting list at the time of the workshop. Additionally, the Fire Department does not believe that the addition of two more vending spots will create any safety hazards of concern.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

RECOMMENDED MOTION:

Approval – to amend Chapter 28, Art. I. to allow for more non-motorized vending carts on the municipal beach strand.

Denial – to amend Chapter 28, Art. I. to allow for more non-motorized vending carts on the municipal beach strand.