



## Town of Lake Park Town Commission

### Agenda Request Form

**Meeting Date:** May 17, 2023

**Agenda Item No.**

**Agenda Title:** Continued Discussion on Food Trucks and Mobile Vendor Regulations.

[ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA  
 [ ] BOARD APPOINTMENT [X] **OLD BUSINESS**  
 [ ] PUBLIC HEARING ORDINANCE ON \_\_\_READING  
 [ ] NEW BUSINESS  
 [ ] OTHER: \_\_\_\_\_

**Approved by Town Manager** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Nadia Di Tommaso / Community Development Director**

**Name/Title**

<b>Originating Department:</b>  <div style="text-align: center;">Community Development</div>	Costs: <i>N/A</i> Funding Source: Acct. # [ ] Finance _____	<b>Attachments:</b>  <div style="text-align: center;">➔ Existing Mobile Vendor Regulations</div>
<b>Advertised:</b> Date: <i>N/A</i> Paper: _____ [ ] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u><b>ND</b></u> OR Not applicable in this case _____  <b>Please initial one.</b>

### **April 19 Town Commission Discussion:**

The Town Commission discussed the existing food truck/trailer related regulations at their April 19 meeting. Staff was directed to work with the Town Attorney to review Florida Statute Chapter 509 related to mobile vendors and to cease enforcement of food trucks/trailers at the two breweries (Coastal Karma and Kelsey City Brewing) for the time being. In follow-up to the April 19 discussion, the Town Attorney reviewed the Statute and determined that it does not impact our Ordinances since the Town does not ban food trucks/trailers, but rather restricts them pursuant to our temporary special event permit and mobile vendor permit/registration guidelines. Consequently, if the Town Commission is interested in loosening the regulations to allow for food trucks/trailers on a more permanent basis and loosen the distance separation requirements to 'like' brick and mortar businesses, the Commission will need to discuss this again. Consequently, this item is coming back for discussion. The original information presented is included below.

### **Summary Explanation/Background:**

Town Staff has recently received two requests, one from Coastal Karma Brewery on 10<sup>th</sup> Street and another from Kelsey City Brewing on Park Avenue regarding having food trucks/trailers on their property on a long-term, daily basis. Kelsey City Brewing would need to park their food truck in front of their business since the rear is public property. The Kelsey City Brewery food truck would be visible from public view. Coastal Karma Brewery would park their food truck in the back and it would not be visible by the public and only available if patrons in the brewery are interested in ordering food.

Currently, food trucks are permitted under two scenarios:

- (1) As part of a temporary special event, with a valid special event permit, at no more than 12 times per year for the same applicant and for not more than 2 consecutive days per event.

OR

- (2) Pursuant to the mobile vendor regulations (enclosed) that serve to regulate operating hours and locations where food trucks can be parked, and providing for distance separation requirements between like 'restaurant' uses. These regulations were developed in the 2010-2013 timeframe and were developed to protect brick-and-mortar businesses located throughout the Town (by providing, in part, time limitations and distance separations from like businesses in the Town).

The recent requests described herein by the two breweries are not permissible under current Code given the distance separation requirement of 1,000 feet from 'like' (i.e. restaurant) brick and mortar establishments. Enforcement has been put on hold for the time being as per the Commission's prior direction.

If the Commission is interested in Staff exploring options that would loosen the mobile vendor regulations to allow for a more permanent food truck operation under certain circumstances (possibly screened from public view and limited to certain business uses such as breweries, with possibly a prohibition on standalone wall or freestanding signage for the food truck operation and an elimination on the distance separation requirements), this agenda item aims to open this discussion for possible policy direction on how to move forward. Adversely, if the Commission is comfortable with the existing regulations, Staff will advise Kelsey City Brewing and Coastal Karma Brewery accordingly in that they are limited to the two options listed above, if they can meet the guidelines currently prescribed in the Town Code.

**Recommended Motion: For discussion and possible direction.**