

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF CONCORD, NORTH CAROLINA**

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by the North Carolina General Statute §160A-364 enacted an Official Zoning Ordinance for the City of Concord, North Carolina and the Area of Extraterritorial Jurisdiction on July 28, 1977; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute §§160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951, may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute 160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951 does hereby recognize a need to amend the text of certain articles of the City of Concord Development Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, North Carolina:

SECTION 1: That the following section of Concord Development Ordinance (CDO) Article 8 "Use Regulations", Section 8.1.8. "Use Table", be amended in relevant part:

SECTION 2: That Section 8.3.5.Q. be amended to read as follows:

	AG	RESIDENTIAL						COMMERCIAL					IND		
	AG	RE	RL	RM-1	RM-2	RV	RC	O-1	B-1	CC	C-1	C-2	I-1	I-2	Standards
Food Truck, <u>Temporary</u>						PS	PS	PS	PS	PS	PS	PS	PS	PS	8.3.5.Q

Q. FOOD TRUCK VENDORS

Food truck vendors may operate within all commercial, industrial, and mixed-use zoning districts provided that they adhere to the conditions of applicable conditional zoning approval or the standards set forth below. They may also operate within multi-family developments where parking is provided.

1. Food Truck Service Areas:

- A. Food Truck Service Areas are defined as sites permitted for the operation of food trucks on a permanent or semi-permanent basis. Accessory Food Truck Service Areas are secondary to the primary nonresidential use on the subject property and may contain a food truck use multiple times throughout the week over the course of a year.
- B. For locations outside the Center City Zoning District, where food trucks are not specifically addressed by conditional zoning, property owners may apply for a Certificate of Compliance to locate up to two Food Trucks on an existing site on a regular basis. This would permit up to two food trucks to operate on the site, daily, throughout the year. The COC is subject to annual renewal.
- C. For special events, a Temporary Use Permit, described in Section 8.8, may be acquired to allow more than 2 food trucks on a permitted site. Time limits for temporary food trucks apply in accordance with Section 8.8.
- D. Certificate of Compliance and Temporary Use Permit applications for Food Truck Service Areas shall include a site plan indicating the location of each food truck, seating, allocated parking for both the food truck and the primary non-residential use so that:
 - Parking standards for principle use of the site are not reduced below minimum required standards;
 - Vehicle circulation in parking lots and drive isles are not obstructed;
 - Fire lanes or pedestrian walkways are not encroached upon or blocked;

- All operations associated with the food truck are a minimum of ten feet from all public rights-of-way.

2. Temporary Food Truck Operations:

- A. For sites wishing to allow Food Trucks on a more intermittent basis, a Temporary Use Permit under the terms of Article 8 must be obtained. A site plan, as detailed under section (REFERENCE SECTION C ABOVE) must be obtained by either the property owner or the food truck vendor. If the Temporary Use Permit is applied for by the vendor, written permission from the property owner must be provided in addition to the required site plan.
- B. Food trucks hired by firms or individuals for private events are not required to receive a temporary use permit from the City, but are not authorized to use public right of way for service.

3. Special Standards for the Center City Zoning District:

- A. All food trucks shall be located within a surface parking lot or within a designated parking space or spaces on public streets. However, no Food truck shall be located within designated parking on Union Street.

4. Special Standards for Mixed-Use or Conditional District Zoning Districts:

- A. Special Standards for Mixed-use or conditional commercial zoning districts: Food trucks shall adhere to specific conditions set forth in the approved rezoning documents. If food trucks are not specifically addressed in the approved rezoning documents, they shall adhere to the standards of the commercial district regulations.

5. Other Regulations Applying to All Food Truck operations:

- A. All food trucks shall be located within a surface parking lot or within a designated parking space or spaces on public streets.
- B. Food Truck Vendors outside the Center City District shall not locate within 50ft of an existing single-family use.
- C. Food truck vendors shall have a minimum of 2 dedicated parking spaces per operation.
- D. Food truck operators are responsible for the proper disposal of waste and trash associated with the operation.
- E. No amplified music, microphones or bullhorns shall be permitted as part of the food truck operation.
- F. The only signage permitted for food trucks shall be a menu board, measuring no larger than 32sf, and placed no further than 10ft from the wall of the food truck. Menu boards shall not be illuminated.
- G. Pennants, balloons, facsimile signage, or other items barred by Article 12 are expressly prohibited.
- H. 75' of separation is required from the main entrance of the nearest restaurant during the restaurant's posted hours of operation.

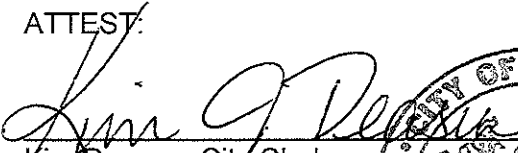
SECTION 3: That this Ordinance be effective immediately upon adoption.

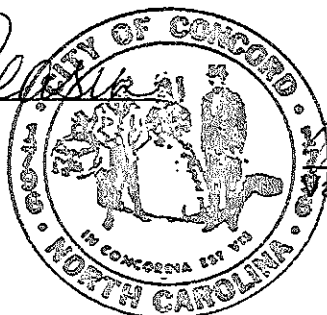
Adopted in this October 14th, 2021.

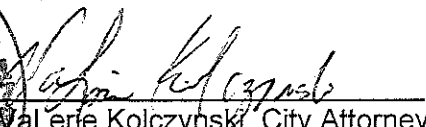
CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA


William C. Dusch, Mayor

ATTEST:


Kim Deason, City Clerk




Valerie Kolczynski, City Attorney