



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Robert Bradshaw, City Manager
Nicholas Mimms, Deputy City Manager
Honorable Mayor and City Commission

FROM: Rebecca Grohall, Planning Manager

RE: Mobile Food Vendor – Bisto Buggy

DATE: August 31, 2015

On September 15, 2014, the City Commission voted approval of Ordinance 14-019 and established the regulations for lunch trucks, hot dog carts, ice cream and other forms of mobile food establishments in Chapter 9 of the Code of Ordinances.

An application was made for a food truck (the Bistro Buggy) to operate at 407 North 2nd Street, commonly known as Sailfish Brewing, owned by 411 North 2nd Street, LLC. During review, the application was denied by the Planning staff as not meeting the criteria within the regulations for Chapter 9 Article IV – Vendors, Solicitors and Canvassers (attached). There were two items that should be addressed - the first is for the use to be approved for this location within the Edgartown zoning district (which is a mixed use district, not a straight commercial zoning district) and the second is relief from the distance criteria presented in the Ordinance. Section 9-97 allows for sites to petition for a public hearing by the City Commission to grant a variance from the distance requirements, similar to the waiver of distance for alcoholic beverage licenses.

Distance Criteria

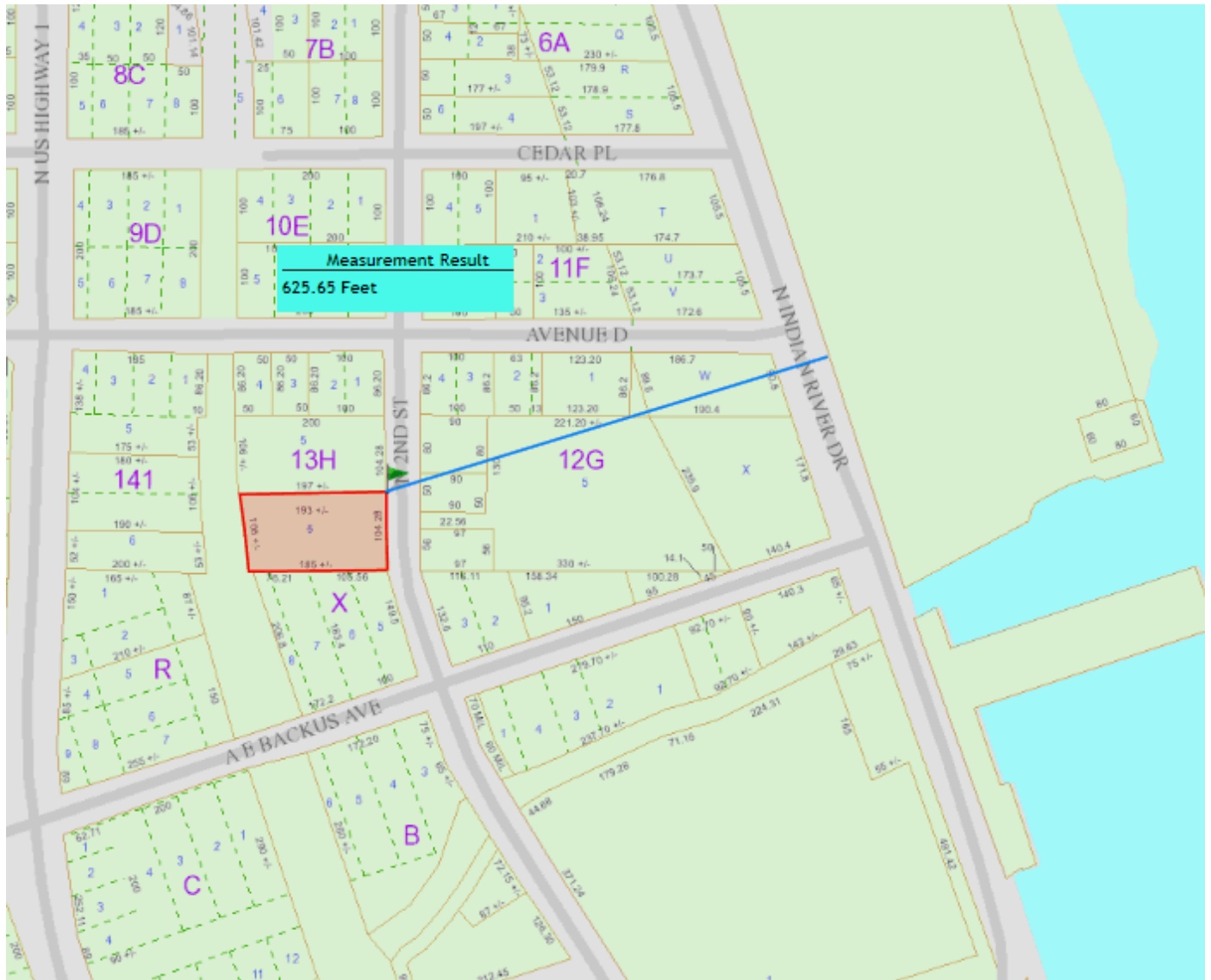
As part of Section 9-111 (b)(3) the site must be 1,000 feet away from a special event. This site is approximately 625 feet away from the City's primary river front venue for special events. Much like a waiver of distance for alcoholic beverage licenses – the Vendor ordinance does provide for the City Commission to consider granting the license through the public hearing process. This site meets the other distance requirements, it is at least 500 feet from a similar type business/food truck and it is 300 feet from a school, church, or city/county park.

Edgartown Settlement District

When the code sections were revised and discussed, the Ordinance established that only commercially zoned properties (Sec 9-80) were appropriate for Mobile Food Vendors. The Commercial zones are C-1, C-2, C-3, C-4, C-5 and C-6, but this property is within the Edgartown Settlement District (ES) zoning Sec. 22-28.1 – a mixed use district. As all the previous discussions specifically discussed a Commercial district per se, Staff wanted to err on the side of caution and bring this the Commission for their review. I have included the zoning district regulations Sec 22-28.1(e) which indicate that an “eating and drinking establishment” and a “brew pub” are permitted uses. So, while the Code for Vendors (Sec. 9) only addresses commercial districts and doesn't include the Edgartown Settlement District or the PD/PUR

(which are also mixed use districts), it is envisioned that food service is allowed in the uses permitted (Sec 22). The ES Zoning District regulations are attached.

As it's been a year since this Code was adopted, Planning Staff also recommends that the Code Enforcement Department revisit the Code to tweak it. Staff is requesting the zoning district information be clarified to include mixed use districts (ES, PD, PUR), not just Commercial districts.



Staff recommendation

Staff recommends that the City Commission conduct a public hearing and approve the application.