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**TO:** Nicholas Mimms, PE, City Manager  
Honorable Mayor and City Commission

**THROUGH:** Linda Cox, City Clerk

**FROM:** Miriam Garcia, Deputy City Clerk

**RE:** **Application for Waiver of Distance– Mobile Food Vendor**  
**Taqueria Tierra Caliente**  
**1710 Okeechobee Road**

**DATE:** October 26, 2017

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## STAFF REPORT

### Staff Analysis:

On September 15, 2014, the City Commission approved Ordinance 14-019 establishing regulations for lunch trucks, hot dog carts, ice cream and other forms of mobile food establishments identified in Chapter 9 of the Code of Ordinances. Section 9-111 (b) of the Code of Ordinances requires that mobile food establishments must be at least 500 feet from a similar type of business; at least 300 feet from a school, church, or any city or county park; and 1000 feet from any approved special event.

The proposed operating location is within 500 feet of the following similar type of businesses: “Guadalajara Mexican Restaurant”, “Circle K Gas Station” and “McDonald’s.”

Therefore, City Staff cannot issue a vendor permit unless City Commission grants a waiver to the distance requirements of Section 9-111.

The applicant is requesting the waiver based upon the presence of three (3) similar types of businesses that are located within 500 feet of the proposed site.

Similar to a waiver of distance for alcoholic beverage licenses, the Mobile Vendor ordinance provides for the City Commission to consider granting a waiver to the ordinance and issue of the vendor permit through the public hearing process.

The proposed site meets all other distance requirements of the ordinances (300 feet from a school or city/county park and 1000 feet from an approved special event).

The proposed site is located in the C-3, General Commercial Zoning District and has a Future Land Use Designation of GC, General Commercial. Therefore the site meets the commercial zoning location requirement of Section 9-76.

We mailed 47 notices to property owners and businesses within 500 feet of the proposed location.

**Staff Recommendation:**

Staff recommends the City Commission approve the requested waiver of distance request for the food truck as proposed.



**Waiver of Distance - Food Truck**  
**1710 Okeechobee Road**  
**Aerial/Distance Map**

