

**PUBLIC HEARING TO BE HELD ON MONDAY, DECEMBER 14, 2020
AT 7:30 PM AT TOWN HALL**

Proposed text amendments to the Zoning Ordinance:

■ in Article VI Section 3. Central Business District, 1. Permitted Uses **delete:** Restaurants except fast food restaurants.

■ in Article VI Section 3. Central Business District 2. Conditional Uses **add the following:**

Restaurant – An establishment where principal business is the sale of food and non-alcoholic beverages in a ready-to-consume state, the receipts from beer and wine sales do not exceed the limit stated in subsection (e), and the design or principal method of operation consists of one or more of the following:

- a) A sit-down restaurant or café where customers normally sit at a table, are provided with an individual menu, and are served food and beverages in non-disposable containers by a restaurant employee. Customers may also be served food and beverages by a restaurant employee at a counter; or
- b) A cafeteria or cafeteria-type operation where foods and beverages are served in non-disposable containers and consumed within the restaurant; or
- c) A restaurant, which may have characteristics of a fast food restaurant, having floor area exclusively within a shopping or office center, sharing common parking facilities with other businesses within the center, and having access to a common interior pedestrian accessway.
- d) An establishment primarily engaged in the retail sale of a limited variety of baked goods, candy, coffee, ice cream or other specialty food items, which may be prepared for on-premises sale and which may be consumed on the site, but excluding any service to a customer in an automobile. Typical uses include delicatessens, retail bakeries, coffee shops, doughnut shops, and ice cream parlors.
- e) This use may include the on-premise sale, service and consumption of beer and wine as an accessory and secondary use, provided that an establishment's quarterly gross receipts from the sale of alcoholic beverages for on-premise consumption shall not exceed 35% of the establishment's quarterly total gross receipts from the sale of food, non-alcoholic beverages, and alcoholic beverages.
- f) Must follow all North Carolina ABC laws and guidelines.

■ in Article VI Section 3. Central Business District (CBD) 1. Permitted Uses **add the following:**

Food Trucks

1. All food trucks shall obtain a permit from Town Hall. This permit shall be prominently posted on the food truck. Two types of permit: an annual permit and a special event permit. Annual permit - \$250.00; Special event permit - \$50.00.
2. Permit applications shall require, in addition to payment of a permit fee: food truck name, company name and address, owner name, signature and contact information; description

of cooking apparatus, such as grill, deep fryer, microwave, BBQ smokers ect.; size of vehicle; copy of vehicle/trailer registration; certificate of insurance; proof of liability insurance; and other information as required on the permit application.

3. Food truck operators shall have the signed approval of the property owner for each location at which the food truck plans to operate. This approval must be attached to the permit application and prominently posted on the food truck.
4. Food trucks may operate in areas zoned business and industrial (GBD, CBD, M1, M2) or location as approved in the application for special events. In all cases, permission from the property owner is required.
5. Food trucks must be positioned at least fifty (50) feet from the main entrance of an existing restaurant during its hours of operation.
6. The hours for operating a food truck shall be between the hours 9:00 am to 9:00 pm; unless it's for a town event, then follow the town event times.
7. Temporary connections to public utilities are prohibited. All plumbing and electrical connections shall be made in accordance with the state building codes.
8. Food truck operators shall provide at least two trash receptacles. Removal of the waste shall be daily, at the end of the food truck operators shift.
9. Trash shall be disposed of at a licensed off-site waste processing or dumping facility or in a private dumpster on private property when given permission by the property owner.
10. No liquid waste or grease may be poured into any pit, storm drain, gutter pan, sidewalk, or in any other public space. Grease cannot be released in the Town's sanitary sewer system. Any grease spilled must be treated in an approved manner so that no stain or residue is left behind.
11. Any signage not attached to the food truck must adhere to the Town's sign ordinance and be properly permitted.
12. Any violations to this ordinance:

First offense-	\$100.00 fine
Second offense-	\$300.00 fine
Third offense-	Revocation of permit

■ in Article II Section 2. Definitions, **add**:

Food Trucks – A food truck means a readily moveable cart, trailer, or motorized wheeled vehicle, designed and equipped to serve food to the general public.