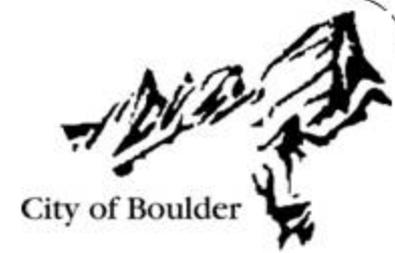


# Mobile Food Vehicles

June 2, 2015

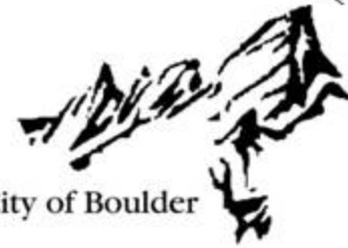
# Purpose



To amend the city's mobile food vehicle regulations to allow the city manager authority to waive the restaurant separation requirement if any restaurant within 150 feet of a proposed food truck expresses support in writing of a mobile food vehicle permit application.

# Background

City of Boulder



- At the May 5, 2015 council meeting, individuals spoke during open comment regarding their business plan to open a tavern, which would have mobile food vehicles in an adjacent parking area.
- The proposed site for their establishment is within 150 feet of a restaurant. According to the presenters, the restaurant supports the new establishment and the mobile food vehicles.
- Council directed staff to prepare an ordinance providing the city manager with authority to exempt mobile food vehicles from the 150-foot restaurant separation requirement.
- Council also instructed staff to bring the ordinance directly to council without seeking a planning board recommendation.

# The Proposed Ordinances

City of Boulder



## Option A (Ordinance 8048)

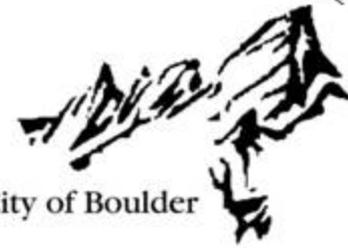
Section 9-6-5(d)(1)(F): “The city manager may, in his or her discretion, waive the requirements of subsection (d)(1)(a)(ii) above if the applicant at the time of issuance, and each renewal of the permit, submits to the city manager signed statements supporting the issuance of the permit from every restaurant within 150 feet of the proposed food truck location. The city manager may deny a request for waiver for any reason, with or without good cause.”

## Option B (Ordinance 8049)

Section 9-6-5(d)(1)(F): “The city manager may, in his or her discretion, waive the requirements of subsection (d)(1)(a)(ii) above if the applicant at the time of issuance, and each renewal of the permit, submits to the city manager signed statements supporting the issuance of the permit from every restaurant within 150 feet of the proposed food truck location. **The city manager may waive such requirements only for the BC-1 zone district.** The city manager may deny a request for waiver for any reason, with or without good cause.”

# Other Options

City of Boulder



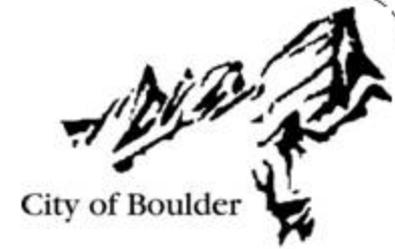
## Option C

Section 9-6-5(d)(1)(F): “The city manager may, in his or her discretion, waive the requirements of subsection (d)(1)(a)(ii) above if the applicant at the time of issuance, and each renewal of the permit, submits to the city manager signed statements supporting the issuance of the permit from every restaurant within 150 feet of the proposed food truck location. **The city manager may waive such requirements only for the BC-1 zone district located north of Valmont Road.** The city manager may deny a request for waiver for any reason, with or without good cause.”

## Option D

Section 9-6-5(d)(1)(F): “The city manager may, in his or her discretion, waive the requirements of subsection (d)(1)(a)(ii) above if the applicant at the time of issuance, and each renewal of the permit, submits to the city manager signed statements supporting the issuance of the permit from every restaurant within 150 feet of the proposed food truck location. **The city manager may waive such requirements only for the BC-1 zone district located north of Valmont Road, east of Elmer’s Two Mile Creek, west of State Highway 157 and South of Iris Avenue .** The city manager may deny a request for waiver for any reason, with or without good cause.”

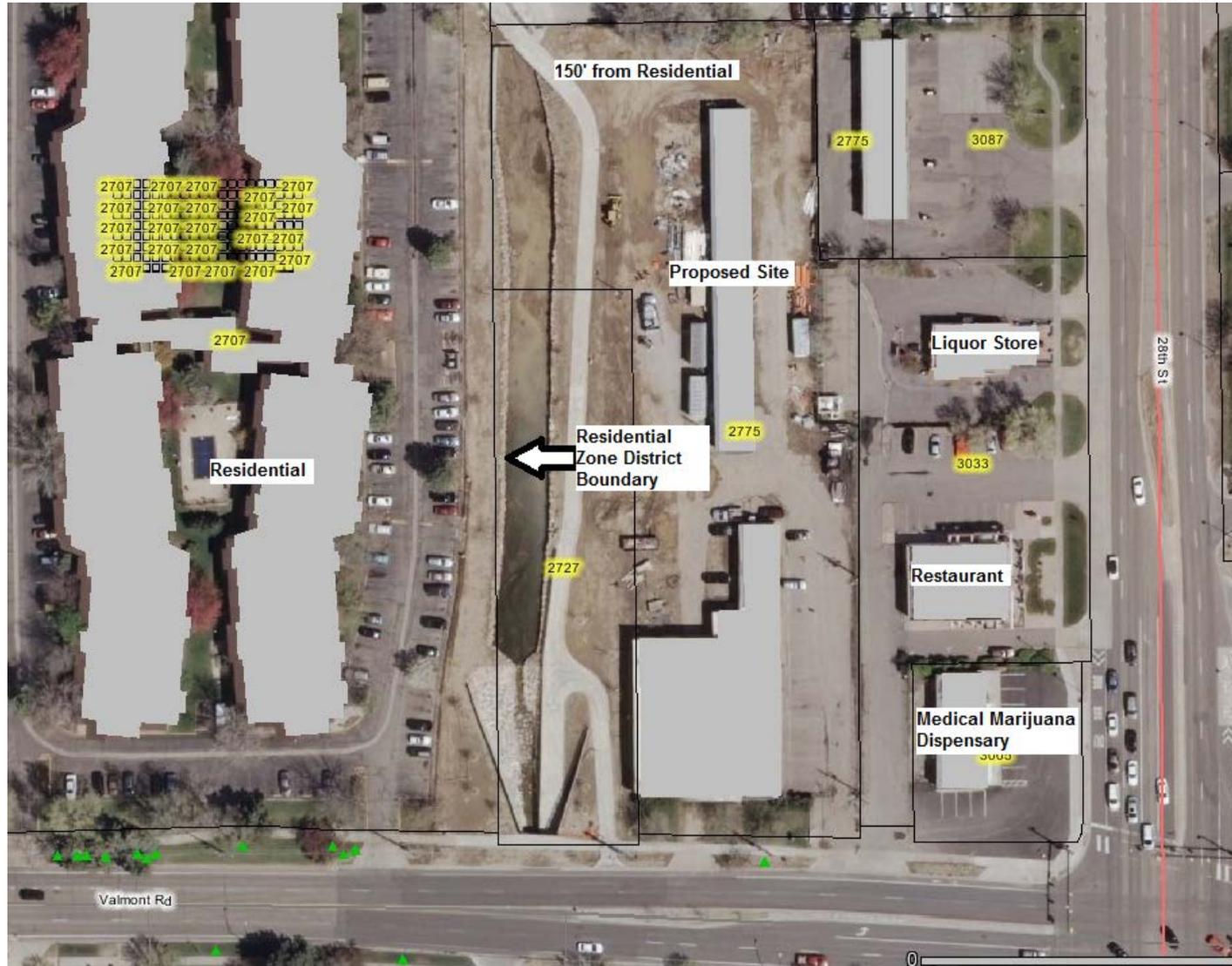
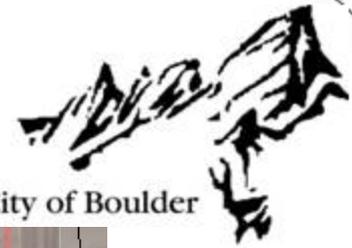
# Proposed Site



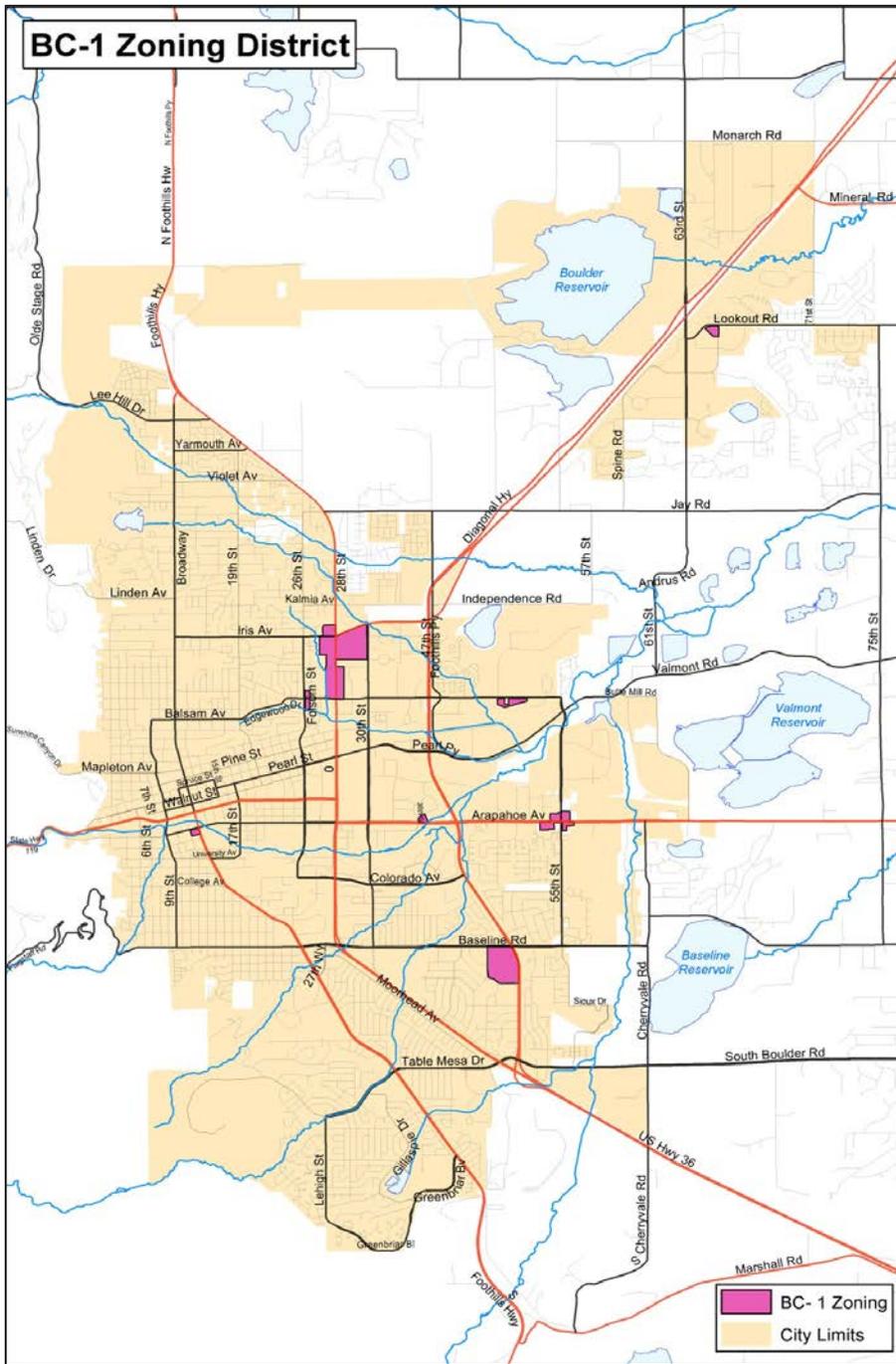
- The site borders a residential zone district
- Current code prohibits mobile food vehicles within 150 feet of a residential district.
- Site is in a BC-1 district
- Located roughly between Valmont and Iris on the west side of 28<sup>th</sup> Street

# Proposed Site

City of Boulder



# BC-1 Zoning District

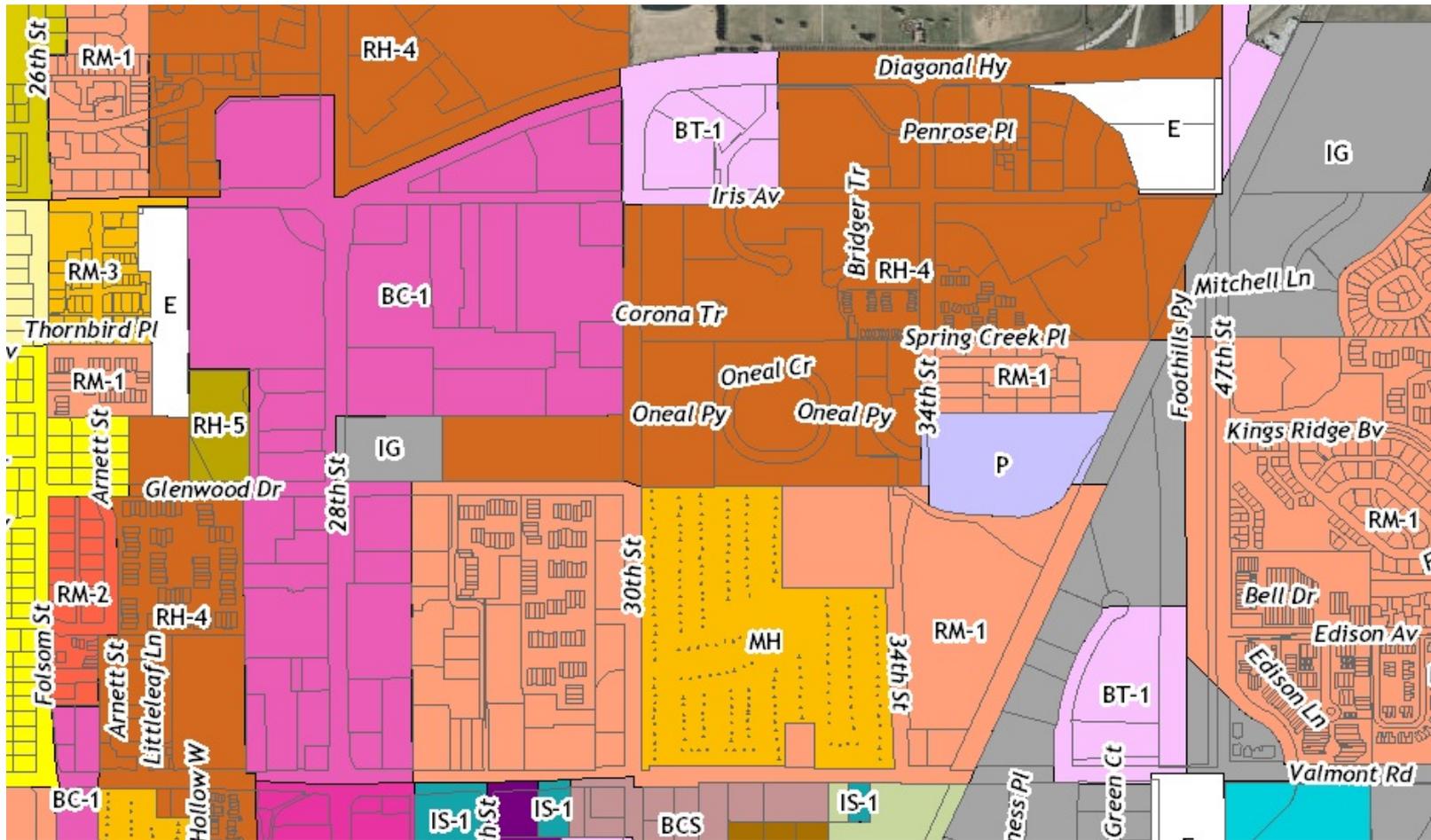


City of Boulder



# Proposed Site-BC-1 District Map

City of Boulder

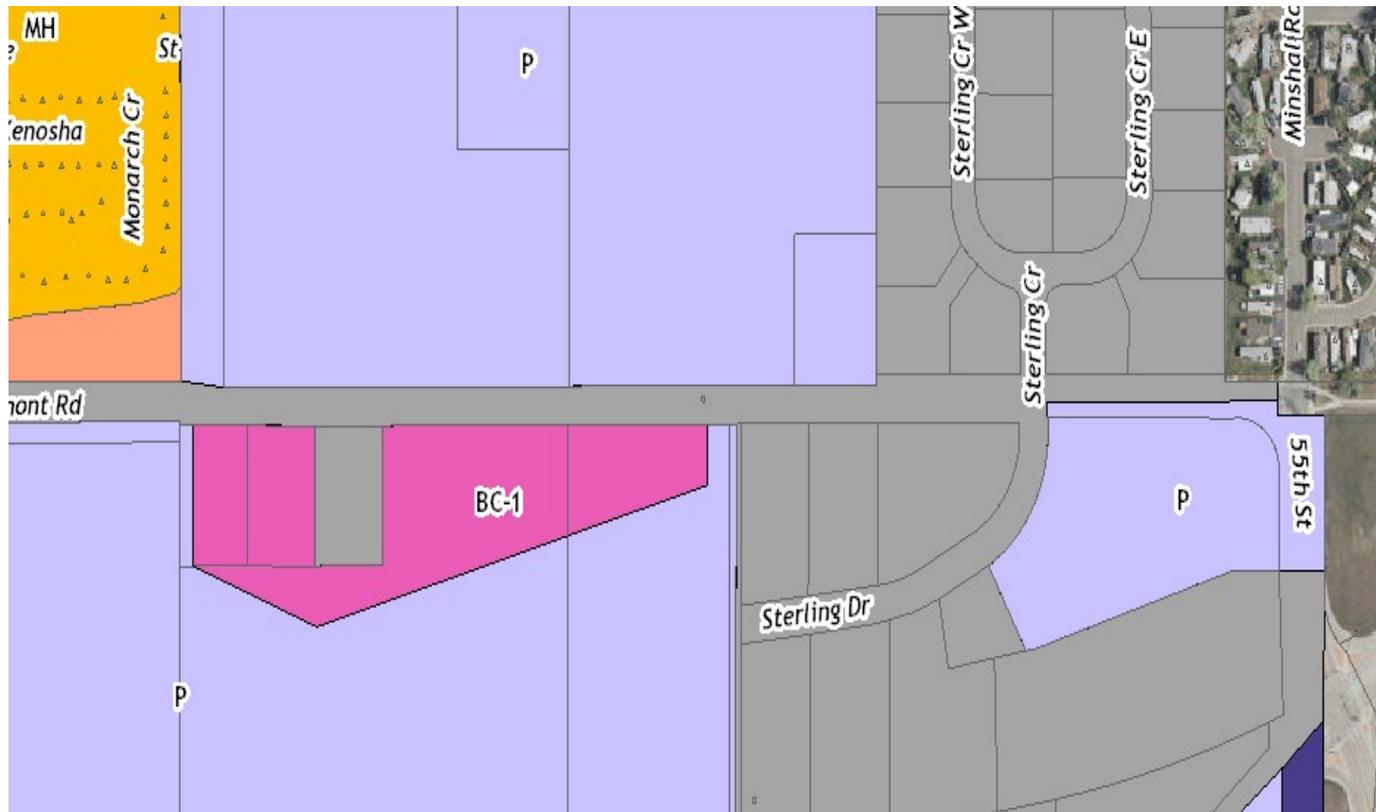


# Other BC-1 Zone Districts

City of Boulder

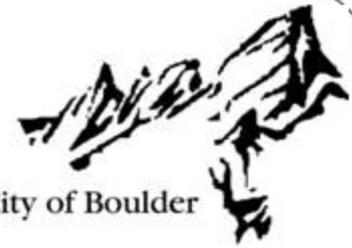


1. South of Valmont, west of 55<sup>th</sup> There does not appear to be any restaurants in or near this zone district.

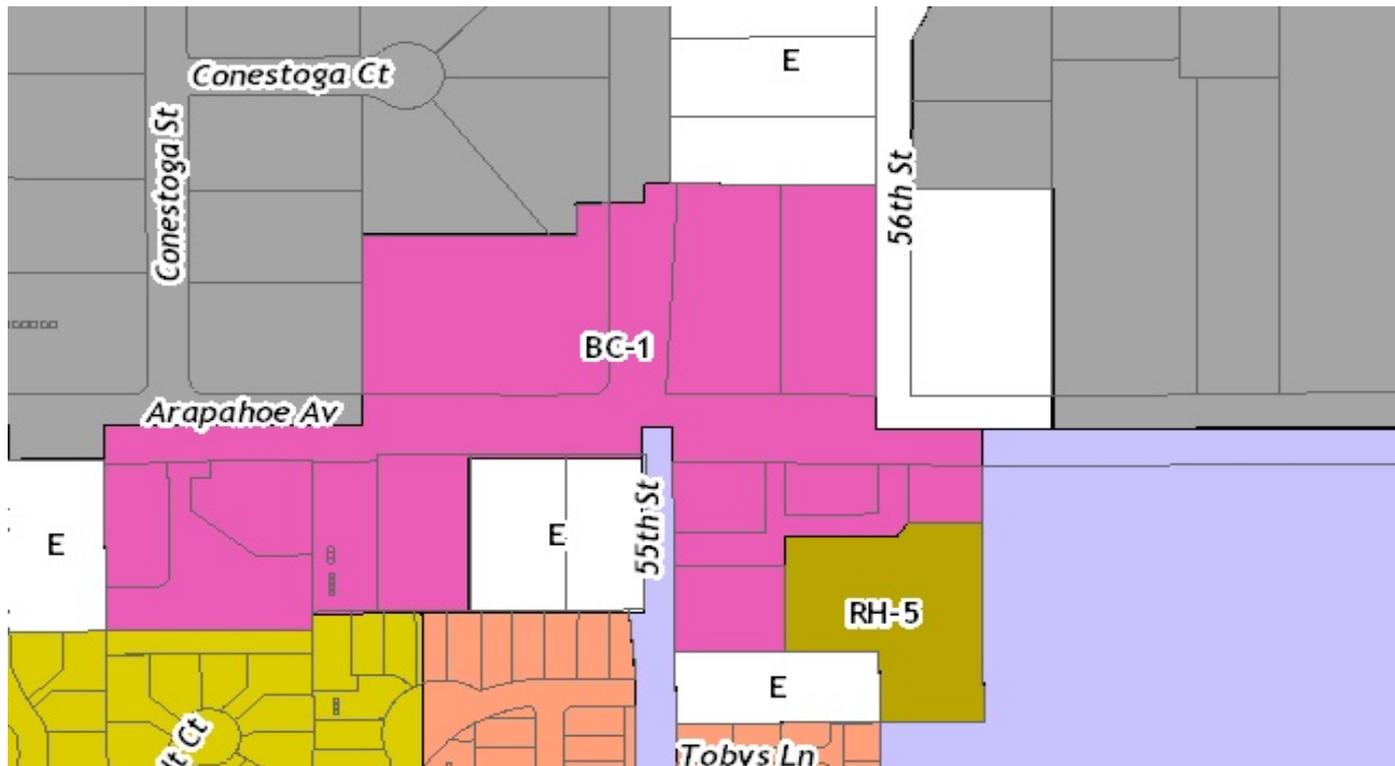


# Other BC-1 Zone Districts

City of Boulder

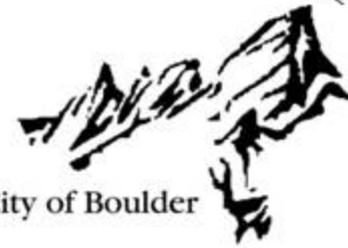


2. At the intersection of Arapahoe and 55<sup>th</sup>. There is a Wendy's Restaurant in this zone district.

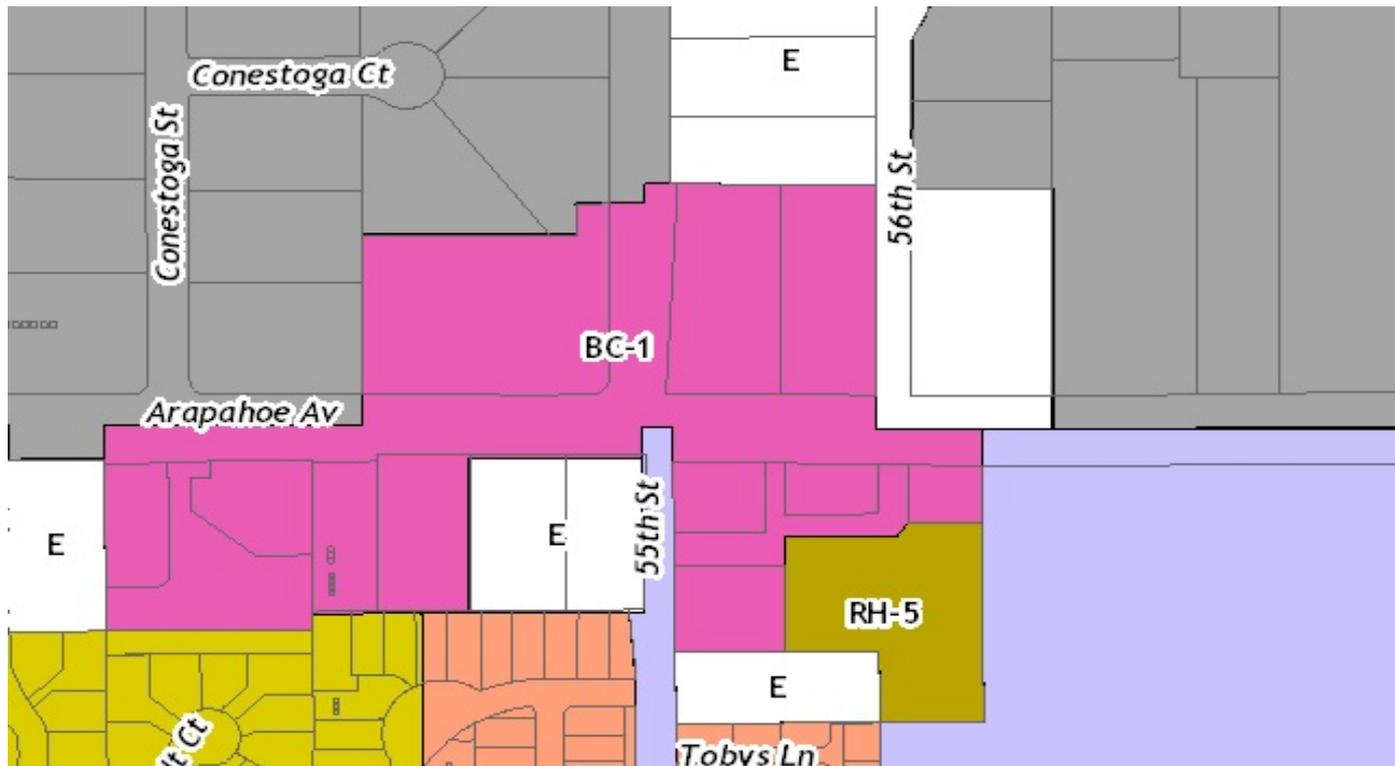


# Other BC-1 Zone Districts

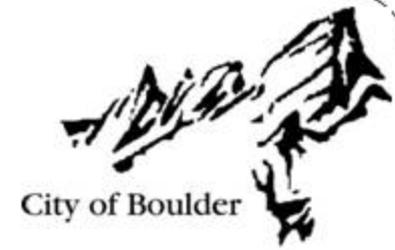
City of Boulder



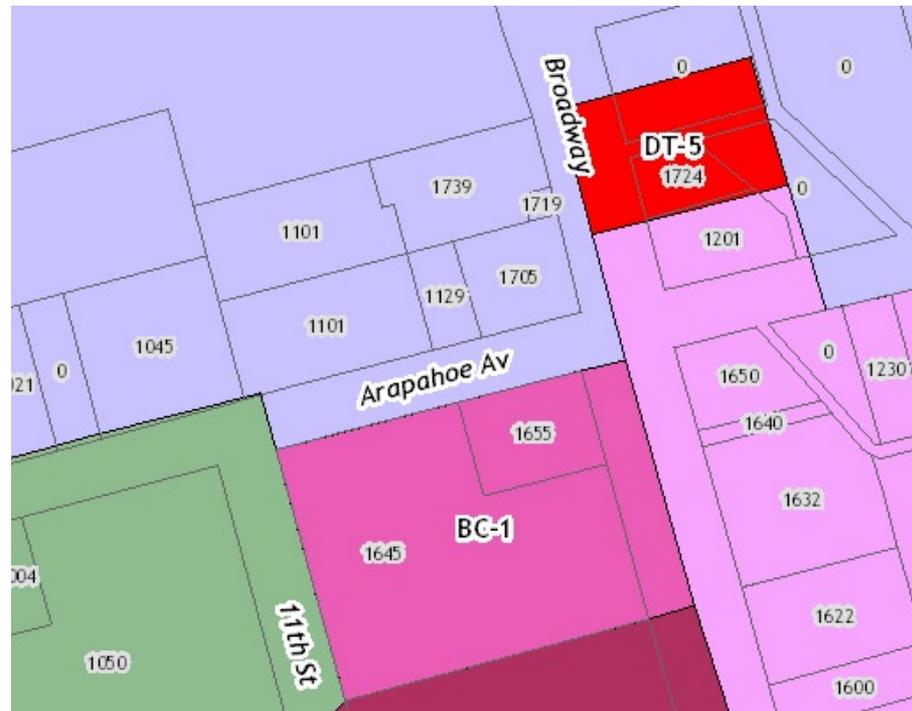
3. At the intersection of Arapahoe and 38<sup>th</sup>. Fate Brewing Company is in this zone district.



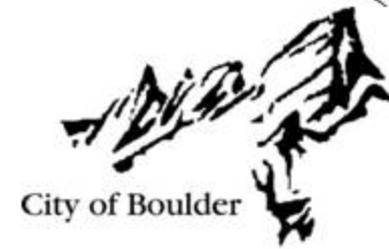
# Other BC-1 Zone Districts



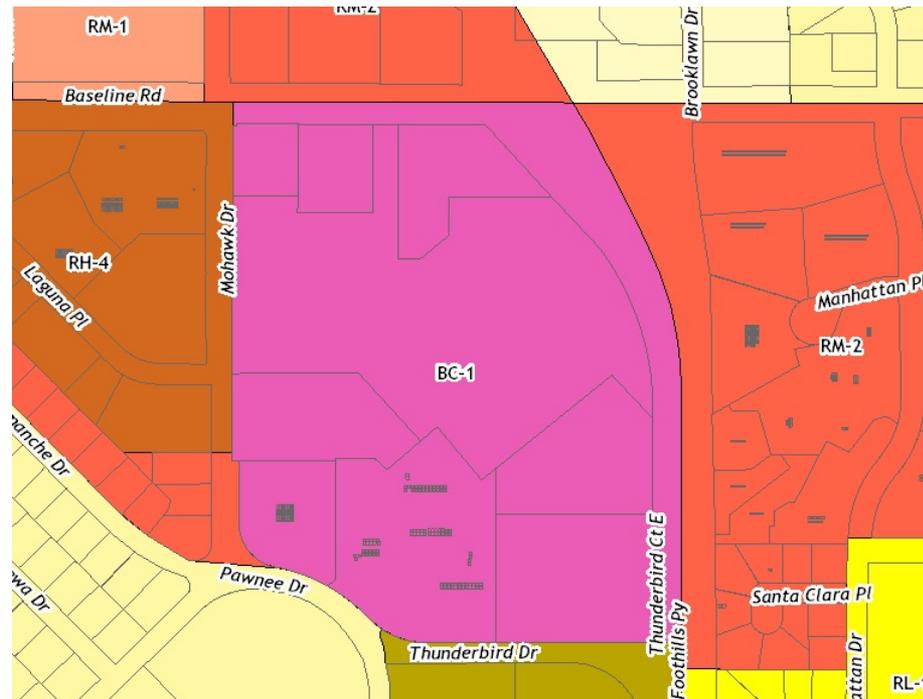
4. At the intersection of Broadway and Arapahoe. Alfalfa's café is in this zone district and there are three restaurants across the street.



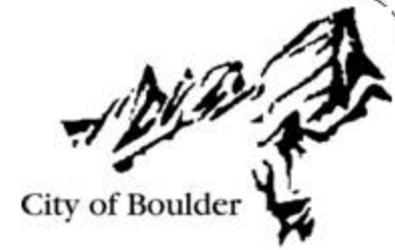
# Other BC-1 Zone Districts



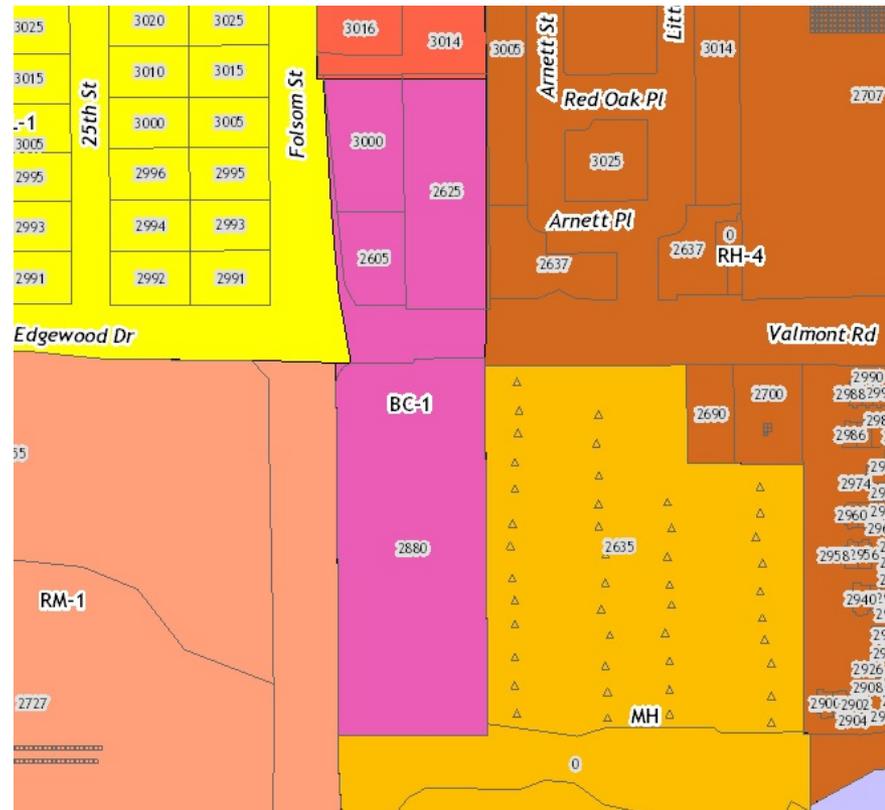
5. South of Baseline, east of Mohawk. Glacier's Homemade Ice Cream and a Subway Restaurant are located in this zone district.



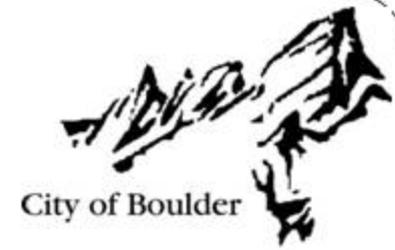
# Other BC-1 Zone Districts



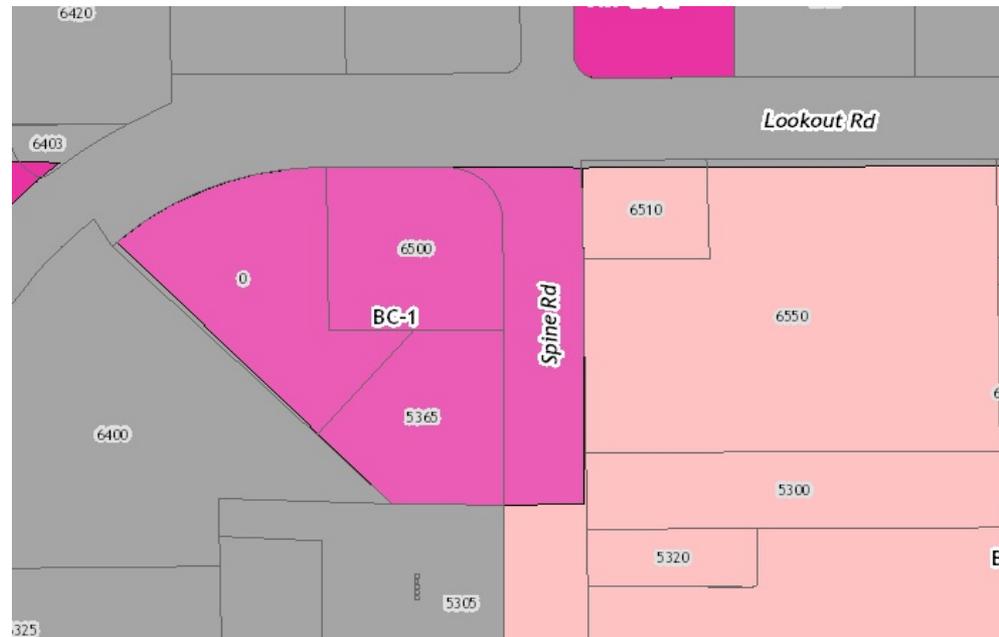
6. On the east side of Folsom at the intersection with Valmont



# Other BC-1 Zone Districts



7. West of the intersection of Lookout and Spine Road. There is one restaurant in this district and several in the King Soopers Plaza across Spine Road.



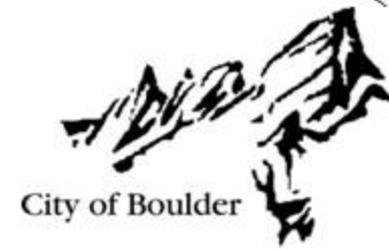
# Process and Review Criteria

City of Boulder



- **Use Review** Required for “Tavern with an outdoor seating area of 300 square feet or more within 500 feet of a residential zoning district” to operate in BC-1 zone.
- Mgmt. Plan & Neighborhood meeting not required, but encouraged by staff

# Process and Review Criteria



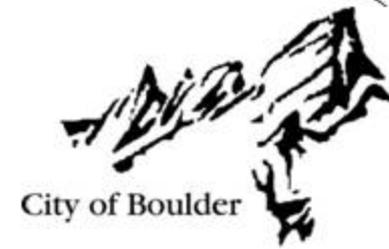
## **Use Review Criteria (§9-2-15(e), B.R.C. 1981)**

- Consistency with Zoning
- Provides Direct Service to Neighborhood
- Compatibility/Minimal Negative Impacts
- No Change to Character of Area

## **Subject to 14-day call up period**

- Planning Board or member of the public may file a written request for a hearing
- If decision is called up, hearing to be scheduled within 60 days

# Options for Council



1. No Action
2. Adopt Ordinance Number 8048, with citywide application
3. Adopt Ordinance Number 8409, applying only to BC-1 zone districts.
4. Amend Ordinance Number 8409, with option C.
5. Amend Ordinance Number 8409, with option D.