



P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone (704) 821-5401
PLANNING AND NEIGHBORHOOD SERVICES

Zoning Text Amendment Staff Report

Case: ZT 2016-008 Food Vendors		
Reference Name	Amendment of UDO Chapter 440	
Applicant	Town of Indian Trail	
Submittal Date	October 3, 2016	
Location	Town-wide	
Tax Map Number	N/A	
Plan Consistency	Town of Indian Trail Comprehensive Plan	Consistent With Goals of the Adopted Comprehensive Plan
Recommendations & Comments	Planning Staff	Recommends Approval of Proposed Text Amendment.

Project Summary

This is a request to amend Chapter 440 of the Unified Development Ordinance (UDO) to update existing ordinances for temporary food vendors in town owned park properties.

Staff Recommendation- Staff recommends based on the guidance of the adopted plans that the text amendment be supported by recommending its approval to the Town Council.

Analysis/Overview

This request is initiated by the Town of Indian Trail to allow food vendors in the town parks and other town properties as long as the food vendor has a signed contract with the town. The UDO currently requires temporary food vendors to be in conjunction with a local restaurant or a nonprofit sponsored event. This amendment would allow a food vendor who is not in conjunction with a local restaurant or not associated with a nonprofit sponsored event to operate on Town of Indian Trail park property as long as a contract has been executed between the Town of Indian Trail and the food vendor.

Based on staff's findings, we offer the following modifications for the Board's consideration. For ease of reference, proposed new text is referenced in red/underlined font and deletions are referenced in ~~strikethrough~~ font.

Chapter 440. Types of Temporary Uses

440.20 Types of Temporary Uses

Examples of temporary non-residential uses include the following and are subject to the specific regulations of DIVISION 700, Supplementary Use Regulations:

A. Food vendors

1. Food vendors must be in conjunction with a local restaurant, ~~or a~~ non-profit sponsored event: or be operating under contract with the Town of Indian on Town owned property.

Required Consistency Findings

The Planning Board is required to make two consistency findings, one for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Quality of Life Goal #2:** This amendment shows support for our cultural amenities and our park system, which will bring more people to these locations.
 - **Parks and Recreation, Open Space, and Natural Environment Goal #1:** Allowing temporary food vendors to operate on Town properties under a business agreement will support diverse active and passive recreational opportunities that meet the needs of all Indian Trail residents.
 - **Economic Development #3:** Creating an opportunity for businesses to operate on property open to the public is fostering public-private partnerships, encouraging business development and investment within the town.
2. This UDO ordinance amendment is in the best interest of the public because it encourages the public to visit public facilities and creates opportunities for the private businesses.

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of this UDO Text Amendment ZT2016-008 as presented.

Staff Contact:

Meade Bradshaw III
704-821-5401
mbradshaw@planning.indiantrail.org

Attachments:

Attachment 1: Application

ATTACHMENT ONE
Application

UDO TEXT AMENDMENT APPLICATION



PLANNING & NEIGHBORHOOD SERVICES

130 Blythe Drive

PO Box 2430

Indian Trail, NC 28079

Telephone (704) 821-5401

Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee \$500.00

A TECHNOLOGY FEE, 10% OF PROCESSING FEE, WILL BE APPLIED TO THE TOTAL FEE.

UDO TEXT AMENDMENT APPLICATION

Subject Section of the UDO:

Name Jason Tryon

Chapter: 440.020 (A)

Purpose: Update existing policies for food vendors in the parks

Contact Information – Applicant

Name **Jason Tryon**
Address **130 Blythe Dr**
City **Indian Trail** State **NC** Zip **28079**
Phone **704-821-8114** Fax **704-821-9045**
Email **Jtryon@Admin.indiantrail.org**

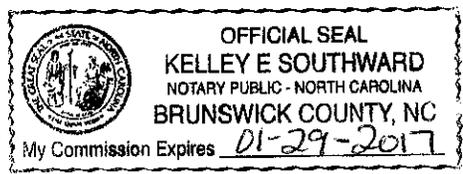
Applicant's Certification

Signature *Jason Tryon* Date 9/1/16

Printed Name/Title Jason Tryon

Signature of Notary Public *Kelley E Southward* Date 9/1/2016

Notary Seal



09-01-16 10:21:10

TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: 272016-008

DATE RECEIVED: 9/1/16

AMOUNT OF FEE: N/A

RECEIVED BY: M.B.

RECEIPT #: _____