

**Minutes of City Council Workshop**  
**Mobile Food Vending**  
**Monday, November 18, 2013 – 8:19 P.M.**  
**City Council Chambers**

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Mayor Latham called the workshop to order at 8:19 P.M.

The following City Council members were in attendance:

Mayor Charlie Latham

Keith Doherty

Chris Hoffman

Steve Hartkemeyer

Tom Taylor

Phil Vogelsang

Jeanell Wilson

Also present was City Manager George Forbes, Planning and Development Director Steve Lindorff, and City Clerk Judy Bullock.

**Purpose of Workshop**

Mayor Latham explained that the Council would be reviewing and discussing a proposed ordinance that would allow the operation of “Food Trucks” within the City of Jacksonville Beach. He added that the council would receive public input on the issue.

**Discussion**

Mr. Forbes began the workshop by explaining the history of the previous workshop conversations regarding food trucks, and reviewed the changes to the ordinance, per the direction of Council at the November 4, 2013, Workshop.

He advised that the proposed definition of a “Mobile Food Cart” had been replaced with a definition of a “Mobile Food Vending Vehicle”, which was recommended by Councilmember Phil Vogelsang. Staff believes that a food cart would not qualify under the new “Mobile Food Vending Vehicle definition.” The new definition closely mirrors the definition contained in the State of Florida rules governing mobile food dispensing vehicle.

Mr. Forbes added that the food trucks would not be allowed to remain onsite overnight, that they must be removed daily. Additionally, the requirement that vendors demonstrate that any seating provided cannot reduce the number of parking spaces required for the principal use on the site has been eliminated. Mr. Forbes explained that the requirement was removed because the reduction of parking spaces to allow for a food truck would need to be worked out between the property owner and the food truck owner.

He advised that the provision of a sunset date was not changed. Staff recommends that the April 2015 timeframe would allow sufficient time for the City to adopt necessary legislation and setup an application process. It also provides food trucks with a trial period of approximately one year.

Mr. Forbes further explained that if there is a property of at least 6,000 square feet, one food truck would be allowed. If the property is an acre or more, then two food trucks would be permitted.

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He reviewed the procedures to set up a food truck:

- Must present an affidavit from the property owner allowing the food truck to set up on that property (must be private property)
- City staff would inspect the site to ensure that it meets the requirements
- Must obtain a Local Business Tax Receipt from the City of Jacksonville Beach
- City staff will also ensure that the food truck meets the definition, as provided in the ordinance

Mr. Forbes advised that this is the third workshop on this topic and hopefully any kinks can be worked out and the Council can provide staff direction, if they wish to proceed or table the issue.

Speakers:

- Tony Largura, 135 South 3<sup>rd</sup> Avenue, Jacksonville Beach, owner of Blue Water Island Grill  
Mr. Largura spoke in opposition to food trucks.
- Tony Hall 1224 Seabreeze Avenue, Jacksonville Beach, owner of Jax Beach Surf Shop, Inc.  
Mr. Hall spoke in opposition to food trucks and expressed concern that non-food vendors will be allowed.
- Chris Dickerson, 1510 First Street, #2, Neptune Beach  
Mr. Dickerson, a food truck owner, spoke in favor of food trucks.
- Mike Binder, 111 25<sup>th</sup> Avenue South, #M-21, Jacksonville Beach  
Mr. Binder spoke in favor of food trucks.
- Ed Malin, 1436 Beach Boulevard, Jacksonville Beach, owner of Angie's Subs  
Mr. Malin provided a letter and stated that the same rules for brick and mortar restaurants should be required for food trucks.
- Javan Frinks, 1012 South 1<sup>st</sup> Avenue, Jacksonville Beach  
Mr. Frinks spoke in favor of food trucks.
- Jim Overby, 21 Burling Way, Jacksonville Beach  
Mr. Overby spoke in opposition to food trucks.

## Discussion

In response to Council discussion, Planning & Development Director Steve Lindorff advised that there are 26 areas between Beach Boulevard and 6<sup>th</sup> Avenue North and 3<sup>rd</sup> Street to the Ocean that would meet the space requirements for food truck operation. He presented a map showing the 26 areas.

Council discussion included signage, outdoor seating, providing the food truck business with the opportunity to operate in Jacksonville Beach, and having different rules for permanent businesses vs. mobile food trucks.

Mr. Forbes advised that he needs direction from the Council on this issue.

Mr. Doherty stated this is the third workshop and it is time to vote on the issue.

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Ms. Hoffman concurred that the issue should be put to a vote.

Mr. Vogelsang agreed that the Council should vote on the issue.

Mr. Hartkemeyer restated his concern regarding two sets of rules, one for permanent business, and one for mobile business.

Mr. Taylor stated that the issue should be put to a vote.

Ms. Wilson also agreed that the issue should be put to a vote.

Mayor Latham also concurred that it was time to put the issue to a vote.

Mr. Forbes reminded Councilmembers that this would be a pilot project, which will expire in April 2015.

Mr. Lindorff advised that the issue must go before the Planning Commission to amend the Land Development Code, and then there will be a set of ordinances to implement this type of business.

The workshop adjourned at 9:06 pm.

Submitted by: Judy L. Bullock  
City Clerk

Approved:

/s/William C. Latham  
William C. Latham, Mayor

Date: December 2, 2013