



Food Vendor Permit

Fee: \$50.00

Date Paid: _____

Permit #: _____

Business name: _____

Food Truck: _____

Food Trailer: _____

Food Cart: _____

Business owner: _____

Mailing address: _____

Email: _____

Phone: _____

ADDITIONAL DOCUMENTATION REQUIRED:

1. \$50.00 permit fee
2. Moore County Environmental Health Department Food Vending Permit
3. Most recent Inspection Report
4. North Carolina Sales and Use Certificate
5. Food Vendor Property Owner Authorization form for

Please note: A Property Owner Authorization form is required prior to operation.

The food truck, trailer or cart may not remain on any authorized property beyond the permitted hours of operation.

Date: _____

Business Owner

APPROVED: _____

Town of Southern Pines Zoning Official

THIS PERMIT EXPIRES ON DECEMBER 31ST OF THE CURRENT YEAR.

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES
 801 SE Service Road, Southern Pines, NC 28387
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be located in a side or rear yard and shall be enclosed by a fence of at least four (4) feet in height.

- (D) For care of six (6) or more individuals, on premises pick-up and drop-off areas shall be provided and curb cuts shall be approved by the Town Engineer and the NCDOT, when applicable.
- (E) The hours of operation of a day care center in a residential district shall be limited to 6:00 am to 10:00 pm for facilities located in residential zoning districts.
- (F) Short-term, drop-in child care facilities must register with the State and are required to post a notice that they are not regulated by the State. If no outdoor play area is provided the facility may choose to provide thirty-five (35) square feet per child of indoor space in lieu of the outdoor play area as long as no child remains in care for more than a four (4) hour period per day.
- (G) All day care facilities shall comply with applicable Fire and Building Code requirements.

5.8. DRIVE-THROUGH FACILITIES

Drive-through uses may be allowed in a **GB** or **DTO** district subject to the following standards:

- (A) Traffic queues will not interfere with pedestrian movement along public sidewalks or create a traffic hazard; and
- (B) Use of the drive-through service will not interfere with the use, enjoyment or operations of adjacent properties.
- (C) Drive-through lanes or loading spaces shall not be located any closer than thirty-five (35) feet to a residential zoning district.
- (D) If a speaker box faces a residential zoning district, there shall be a fifty (50) foot wide buffer or sound wall between the speaker box and the residential district.

Amended

- (E) Stacking Lane Requirements
 - (1) All uses and facilities providing drive-up or drive-through service shall provide the at least the minimum required vehicle stacking spaces established in Exhibit 5-1.
 - (2) Stacking spaces shall be a minimum of eight (8) feet wide by twenty (20) feet long.
 - (3) Stacking spaces shall not impede on-site or off-site traffic movements, including access to parking spaces.
- (F) A solid faced brick, masonry or wooden wall or fence shall be provided along a property line abutting Lots or Parcels zoned residential purposes to block lights from vehicles in the stacking lanes or drive-through facility.

Exhibit 5-1: Minimum Stacking Space Requirements

Activity	Minimum Required Stacking Spaces	Measured From
Bank teller lane	4	Teller or Window
Restaurant, drive-through	6	Order Box to Beginning of Drive Through Lane
Restaurant, drive-through	3	Order Box to Pick-up Window
Car wash stall, automatic	6	Stall Entrance
Car wash stall, self-service	3	Stall Entrance
Gasoline Pump Island	2	Pump Island

5.9. MOBILE FOOD SERVICES – FOOD TRUCKS, TRAILERS AND CARTS

Except as specifically provided in this section or authorized as part of a Special Event Permit, Variance, Planned Development District, or Special Use Permit approval, all mobile retail sales of food, including but not

limited to food trucks, food trailers or food carts, shall comply with the regulations of this section.

5.9.1. Food Trucks, Trailers, Carts

(A) Districts Where Allowed

- (1) Food Trucks and Food Trailers for retail sales of food shall be limited to the GB and I districts.
- (2) Food Carts for retail sales of food shall be limited to the NB, GB and I districts.

(B) Location Requirements

- (1) Food trucks, trailers or carts shall not be located on any public right-of-way.
- (2) Food trucks, trailers or carts shall be located on an improved surface, to include, but not limited to, asphalt, concrete, stone or similar surface.
- (3) A maximum of one (1) food truck, trailer or cart on a Lot or Parcel at any given time. Multiple food trucks, trailers or carts may be authorized to operate on a single parcel but no more than one food truck or food trailer shall operate at any given time.
- (4) Food trucks, trailers or carts shall be located a minimum of one hundred (100) feet from the main entrance to any eating establishment or similar food service business, and one hundred (100) feet from any outdoor dining area, as measured from the designated location on the Lot or Parcel accommodating the food truck or trailer.
- (5) Food trucks, trailers or carts shall be located a minimum distance of fifteen (15) feet from the edge of any driveway or public sidewalk, utility box or vaults, handicapped ramp,

building entrance, exit or emergency access/exit, emergency call box or fire hydrant.

- (6) Food trucks, trailers or carts shall not be located within any area of the Lot or Parcel that impedes, endangers, or interferes with pedestrian or vehicular traffic.
- (7) Food trucks, trailers or carts shall not occupy any parking spaces required to fulfill the minimum requirements of the principal use of any Lot or Parcel, unless the principal use's hours of operation do not coincide with those of the food truck, trailer or cart business. Nor shall any food truck, trailer or cart occupy parking spaces that may be leased to another business and used to fulfill its minimum parking requirements.
- (8) Food trucks, trailers or carts shall not occupy any handicap accessible parking space as specified in G.S. 20-37.6.

(C) Operational Requirements

- (1) No freestanding signage or audio amplification shall be permitted as part of the food truck, trailer or cart operation.
- (2) Hours of operation of food trucks, trailers or carts shall be limited to the hours between 6:00 a.m. and 8:00 p.m., unless the designated location on the Lot accommodating the use is located within one hundred (100) feet of the property line of a single-family or duplex dwelling, in which case the hours of operation shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
- (3) When open for business, the food truck, trailer or cart operator, or his or her designee, must be present at all times, except in cases of an emergency.
- (4) Food trucks, trailers and carts and any associated features of the operation including but not limited to trash receptacles and seating shall be removed from the Lot or Parcel each day.

- (5) The food truck, trailer or cart operator is responsible for the proper disposal of waste and trash associated with the operation. Town trash receptacles are not to be used for this purpose. Operators shall remove all waste and trash from their approved location at the end of each day or more frequently to maintain the health and safety of the public.
- (6) The operator shall keep all areas of the permitted lot free and clean of grease, trash, paper, cups, cans or other materials associated with the operation. No liquid waste or grease is to be disposed in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the Town's sanitary sewer system.
- (7) All equipment required for the operation shall be contained within, attached to or within twenty (20) feet of the food truck, trailer or cart. All food preparation, storage, and sales-distribution shall comply with all applicable Town, County, State and Federal Health Department sanitary and safety regulations.

5.9.2. Food Truck Campuses

(A) **Districts Where Allowed.** Food Truck Campuses shall be limited to the GB district and shall require an approval of a Special Use Permit subject Section 2.21 and the performance standards listed below.

(Ord. #1919)

(B) Location Requirements

- (1) Food trucks, trailers or carts operating within a Food Truck Campus shall not be located on any public right-of-way.
- (2) Food trucks, trailers or carts operating within a Food Truck Campus shall be located on an improved surface to include but not limited to asphalt, concrete, stone or similar surface.

- (3) A maximum of six (6) food trucks, trailers or carts may operate concurrently on a Lot or Parcel. Additional food trucks, trailers or carts may be authorized to operate within a Food Campus, but no more than six (6) shall operate at any given time.
- (4) Food trucks, trailers or carts operating within a Food Truck Campus shall be located a minimum of one hundred (100) feet from the main entrance to any eating establishment or similar food service business, and one hundred (100) feet from any outdoor dining area, as measured from the designated location on the Lot or Parcel accommodating the food truck or trailer.
- (5) Food trucks, trailers or carts operating within a Food Truck Campus shall be located a minimum distance of fifteen (15) feet from the edge of any driveway or public sidewalk, utility box or vaults, handicapped ramp, building entrance, exit or emergency access/exit, emergency call box or fire hydrant.
- (6) Food trucks, trailers or carts operating within a Food Truck Campus shall not be located within any area of the Lot or Parcel that impedes, endangers, or interferes with pedestrian or vehicular traffic.
- (7) Food trucks, trailers or carts operating within a Food Truck Campus shall not occupy any parking spaces required to fulfill the minimum requirements of the principal use of any Lot or Parcel, unless the principal use's hours of operation do not coincide with those of the food truck, trailer or cart business. Nor shall any retail sales - food truck, trailer or cart occupy parking spaces that may be leased to another business and used to fulfill its minimum parking requirements.
- (8) Food trucks, trailers or carts operating within a Food Truck Campus shall not occupy any handicap accessible parking space as specified in G.S. 20-37.6.

(C) Operational Requirements

- (1) Restroom facilities open to the public shall be provided.
- (2) When open for business, the food truck, trailer or cart operator, or his or her designee, must be present at all times, except in cases of an emergency.
- (3) Electrical, water and sewer utility services shall be run to a central structure and shall be used by the individual operators instead of generators.
- (4) Food Truck Campus shall provide trash receptacles for consumer use and shall provide a dumpster on site for use by the operators. Dumpsters shall be screened pursuant to the standards of Section 4.3.5. The food truck, trailer or cart operator is responsible for the proper disposal of waste and trash associated with the operation . Town trash receptacles are not to be used for this purpose. Operators shall remove all waste and trash from the consumer trash receptacles and into the Food Truck Campus dumpster at the end of each day or more frequently to maintain the health and safety of the public.
- (5) The operator shall keep all areas of the permitted lot free and clean of grease, trash, paper, cups, cans or other materials associated with the operation. No liquid waste or grease is to be disposed in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the Town's sanitary sewer system.
- (6) All food preparation, storage, and sales-distribution shall comply with all applicable Town, County, State and Federal Health Department sanitary and safety regulations.

(D) Design Requirements

- (1) Permanent structures on the Lot or Parcel associated with the Food Truck Campus shall be subject to the commercial design requirements set forth in Section 4.10.
- (2) Signs associated with a Food Truck Campus shall be subject to regulations of Section 4.6. Food Truck Campus signage shall be consistent with GB district requirements. Freestanding signs, wall signs and logo emblem signs may be permitted. One sandwich board sign not exceeding six (6) square feet in size and located within twenty (20) feet of the food truck may be allowed with each food truck, trailer or cart.
- (3) A minimum of five (5) parking spaces per food truck, trailer or cart shall be provided.
- (4) Landscaping for the property including buffers, screening and vehicle use area landscaping shall be consistent with the standards of Section 4.3.
- (5) With exception to property located within the Watershed Protection Overlay, which is subject to the standards set forth in Section 3.6.8, impervious surfaces shall not exceed 70%.
- (6) Food Truck Campus shall provide 30% open space, of which 75% of the required open space shall be usable as defined in Section 4.9. Areas for seating may be counted towards the usable open space requirements.
- (7) Electrical, water and sewer utility services shall be run to a central structure for use by the individual operators.
- (8) Outdoor lighting shall be consistent with the commercial district standards included in Section 4.8.

5.9.3. Authorization

- (A) A Town zoning permit shall be obtained by the property owner (as listed in the Moore County, North Carolina property tax records) for any Lot or Parcel proposed to accommodate a food truck, trailer or cart with exception to those with an approved Food Truck Campus. If at any time evidence is provided that the permitted Lot or Parcel is being used other than in compliance with these regulations, the zoning permit shall be rendered null and void, and the owner may be subject to penalties as set forth in Section
- (B) This zoning permit shall be renewed annually.
- (C) The operator, including those operating within a Food Truck Campus, shall obtain a Town food truck, trailer or cart permit annually. Prior to the issuance of the permit, the operator shall provide evidence of having obtained a Town zoning permit or Special Use Permit (as described in paragraph (A) of this subsection), a food vending permit from the Moore County Environmental Health Department, a North Carolina Sales and Use Certificate for collecting and paying the proper sales taxes, and a means for the disposal of grease within an approved grease disposal facility.
(Ord. #1919)
- (D) If at any time evidence of the improper disposal of liquid waste or grease is discovered, the food truck permit for the operator shall be rendered null and void and the food truck, trailer or cart shall be required to cease operation immediately. The operator may be to penalties as set forth in Section 5.9.5.
- (E) Copies of the zoning permit and food-vending permit shall be kept in the food truck, trailer or cart at all times and be available upon request.
- (F) If at any time, the Moore County Environmental Health Department revokes or suspends the issued food-vending permit, the Town permit

for the food truck, trailer or cart business shall be revoked or suspended simultaneously.

5.9.4. Penalties

- (A) This section shall be enforced by law as provided in G.S. 160A-175 or as provided in this code. All criminal sanctions shall be up to the dollar limit provided in G.S. 14-4(a), as currently enacted or as hereafter amended, or any similar limitations.
- (B) The penalty for violating this section shall be as follows: For the first offense, the fine shall be \$100. For the second offense, the fine shall be \$300. The retail sales - food truck permit and/or the Special Use Permit shall be revoked after the third offense.

(Ord. #1820; Ord. #1919)

5.10. HOME OCCUPATIONS

5.10.1. Purpose

The purpose of these regulations is to

- (A) To permit the conduct of home occupations as a secondary use to a Dwelling Unit, whether owner or renter occupied;
- (B) To ensure that such home occupations are compatible with, and do not have a harmful effect on nearby residential properties and uses;
- (C) To adequately protect existing residential neighborhoods from dust, odors, noise, traffic and/or other potentially adverse effects of home occupations;
- (D) To allow residents of the community to use their homes as a work place and a source of livelihood, under certain specified standards, conditions and criteria;
- (E) To enable the fair and consistent enforcement of these home occupation regulations; and