

Potential Areas to Amend O-8-16

5/10/16

MARITIME ADVISORY BOARD

Delete "Upon City Waters, when not docked" from permitted activities

"Exempt vessels that currently serve food and beverages as part of their licensed operations, particularly those that currently are subject to the Admissions & Amusement tax."

PLANNING COMMISSION

Under Title 7:

1) Page 5, item #5 remove "self-employed";

SELLING COMMODITIES THAT ARE PRODUCED, CAUGHT OR RAISED BY THE PERSON WHO IS SELLING THE COMMODITIES, ~~PROVIDED THE PERSON IS SELF-EMPLOYED.~~

2) Page 5, item #10 include "not only scouts but legitimate non profits";

SELLING COMMODITIES OR SERVICES BY MEMBERS OF THE BOY SCOUTS OF AMERICA OR BY MEMBERS OF THE UNITED STATES OF AMERICA AS A BENEFIT FOR THEIR SCOUTING ORGANIZATION.

(Needs further discussion & wordsmithing)

3) Page 7, item #3 add language "lessee if authorized by the owner";

~~IF~~ THE FIXED LOCATION WILL BE ON PRIVATE PROPERTY, WRITTEN CONSENT FROM THE OWNER(S) OF THE PROPERTY, OR LESSEE IF AUTHORIZED BY THE OWNER, MUST BE PROVIDED;

4) Page 9, add language that "applications shall be acted upon in 45 days";

THE DEPARTMENT SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY AN APPLICATION FOR A LICENSE. APPLICATIONS SHALL BE ACTED UPON IN 45 DAYS.

5) Page 9, 7.40.056 language is too broad so Council should revise;

(SUSPENSION OR REVOCATION OF LICENSE)

6) Page 9, 7.40.054 include the word "right" after the word property in the sentence. A LICENSE ISSUED UNDER THIS CHAPTER SHALL BE TEMPORARY AND VEST NO PROPERTY RIGHT IN THE APPLICANT OR ANY OTHER PERSON.

Under Title 21:

On Page 14, line 36 strike item #7 and add the following item:

"C. Hawker, Peddler, and Itinerant merchant sales as Temporary uses pursuant to Chapter 7.40 of the City Code."

Chapter 21.64 – STANDARDS FOR USES SUBJECT TO STANDARDS
Section 21.64.600 – Temporary uses.

The following temporary uses are permitted in the zoning districts indicated:

A. All Zoning Districts.

1. Storage or building materials and equipment, and temporary buildings for construction purposes, for a period not to exceed the duration of the building permit. No yards are required provided that there shall not be undue interference with the use and enjoyment of neighboring property.
2. Use of governmental property, including the erection of a tent or other temporary structure, for a carnival, circus or other activity.
3. Use of non-governmental property for up to five days by a nonprofit, educational, cultural, or civic organization for a carnival, street fair, circus or similar activity including the erection of a tent or other temporary structure. The operator must obtain all permits required by law.
4. Model homes and real estate tract offices for rental or sale of buildings in a project. A real estate office shall be removed upon the initial sales of all units in a project.
5. Yard sales and garage sales, up to ~~ten~~ SIX days in a calendar year.
6. Use of a trailer as a temporary office or shelter incidental to construction on or development of the premises on which the trailer is located during the time construction or development is actively underway.
- ~~7. HAWKER, PEDDLER, AND ITINERANT MERCHANT SALES PURSUANT TO CHAPTER 7.40 OF THE CITY CODE.~~

B. Waterfront Maritime Districts. Temporary festivals in conjunction with maritime uses up to thirty days duration.

C. HAWKER, PEDDLER, AND ITINERANT MERCHANT SALES AS TEMPORARY USES PURSUANT TO CHAPTER 7.40 OF THE CITY CODE.

CHARLES CARROLL HOUSE

Page 5, Lines 38-40: Clarify that site rental counts as a fundraiser, permitting sales by parties to whom the site is rented.

SELLING COMMODITIES OR SERVICES BY A NONPROFIT ORGANIZATION AS AN INCIDENTAL FUNDRAISING ACTIVITY AT THAT NONPROFIT ORGANIZATION'S PRINCIPAL PLACE OF BUSINESS;

Allow sales incidental to non-fundraising events on nonprofit's property (eg: recouping costs for meals or drinks at a seminar)

Allow events with vendors for other organizations at their site 6 times/year

MARYLAND MOBILE FOOD VENDORS ASSOCIATION

Eliminate restricting Food Trucks 100 feet away from restaurant

In Baltimore, distance restriction is away from restaurants with a similar menu.

PUBLIC HEARING

Food Trucks:

Cahalan, Evans: Can't tell where one could put a food truck because of the 100-foot restriction

Walsh: Mobile food is by definition fast food and fast food requires a special exception. Couldn't put a food truck anywhere.

Should be able to put food truck on street in front of own restaurant (inside 100-foot limit with permission of restaurants in that circle)

Pop-ups:

Walsh, Evans: Not clear the legislation does anything for pop-up shops

Non-Profits:

Walsh: First Sundays can do their festival because they're 501c3, A&E district can't because they're c6

Evans: A&E District can't do festival/fundraiser because they have no place of business.

Fees:

Talman: Increase in annual fee from \$350 to \$500 hurts.

Cahalan, Evans, Clarke: Increase in fees for festival from \$400/yr to \$9500/yr is unreasonable (First Sundays) and would put MD Ave Festival out of business.

RESTAURANT INDUSTRY:

Hardesty: Don't allow food trucks

BUDGE

Food Trucks, p.13, Lines 40-42: It's not clear that "unless in conjunction with an approved special event" does not apply within the Historic District:

FOR NOT MORE THAN THIRTY MINUTES AT ONE LOCATION IN OTHER RESIDENTIAL AREAS OUTSIDE THE HISTORIC DISTRICT UNLESS IN CONJUNCTION WITH AN APPROVED SPECIAL EVENT;

What about the "Goody Bus"?

A&E DISTRICT/INNER WEST

The statement about past crimes (p. 8, Lines 4-9) should only look back a defined period (e.g.: five years).

Can anyone lose their vending license over just a parking ticket?

For special events, 2 trash receptacles per vendor is excessive. First Sundays would need 210 trash cans. They currently have 8 large capacity trash cans.