

**ORDINANCE 2019 – 992 TC 421**

**TC-5B-18 MOBILE RETAIL**

**AN ORDINANCE TO DEFINE AND PROVIDE STANDARDS FOR MOBILE RETAIL**

**WHEREAS**, the Unified Development Ordinance regulates the location of the sale of goods and provision of services; and

**WHEREAS**, mobile retail and similar uses can provide goods and services in ways that extend the reach of existing businesses or provide new opportunities for entrepreneurs; and

**WHEREAS**, the City of Raleigh desires to introduce a new allowance for “mobile retail” and similar service uses such as banking and counseling; and

**WHEREAS**, the Unified Development Ordinance currently contains regulations related to temporary uses or activities;

***NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:***

**Section 1.** Section 6.8.2 of the Part 10 Raleigh Unified Development Ordinance, Temporary Use Permit Required, is hereby amended by adding a new subsection F that reads as follows:

F. Temporary Mobile Retail

1. Defined

Temporary mobile retail is the sale of certain goods or services on a developed property within a completely enclosed recreational vehicle that is a licensed motor vehicle or within a travel trailer that is transported by a licensed motor vehicle.

2. Use Standards

- a) Temporary mobile retail shall be allowed in the following zoning districts: OX, OP, NX, CX, IX, DX.
- b) Only uses in the Commercial Use category are allowed as temporary mobile retail uses. Only Permitted Uses in the underlying zoning district are allowed. Limited and Special Uses are not allowed as temporary mobile retail uses. Restaurant/Bar and Pawnshop are not permitted as temporary mobile retail uses.
- c) No activity shall occur outside of the enclosed sales area.
- d) One 6-square-foot A-Frame style sign may be allowed directly in front of the temporary mobile retail vehicle.
- e) The temporary mobile retail vehicle must be located within a parking area. The vehicle must not occupy parking spaces required to fulfill the minimum

requirements of the principal use, unless the principal use's hours of operation do not coincide with those of the mobile retail vehicle.

- f) Mobile retail vehicles must not occupy parking spaces that may be leased to other businesses and uses to fulfill their minimum parking requirements.
- g) Mobile retail vehicles must not occupy any handicap accessible parking space as specified in N.C. Gen. Stat. §20-37.6.
- h) A site may host a mobile retail event, which consists of hosting a mobile vehicle or vehicles. A mobile retail event may include two consecutive days, but no more than two. A site may host a mobile retail event for a maximum of ten total events within one calendar year.
- i) Hours of operation are limited to the hours between 7:00 AM and 11:00 PM or the hours for a retail use in the zoning district, whichever is more restrictive. If the location on the lot accommodating the mobile retail vehicle is located within 150 feet of the property line of a dwelling unit, the hours of operation are limited to the hours between 9:00 AM and 9:00 PM.

**Section 2.** Section 6.8.2 of the Part 10 Raleigh Unified Development Ordinance, Temporary Use Permit Required, is hereby amended by inserting the following underlined text:

The following temporary uses are allowed subject to approval of a temporary use permit issued in accordance with Sec. 10.2.13 and Sec. 11.4.1.

**Section 2.** This text change has been reviewed by the Raleigh City Planning Commission.

**Section 3.** This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

**Section 4.** The permit fee for Mobile Retail shall be \$50.00. Applications shall be submitted to the city by the property owner.

**Section 5.** This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in N.C.G.S. §14-4(a) or similar limitations.

**Section 6.** This ordinance is effective 90 days after adoption.

**ADOPTED: September 3, 2019**

**EFFECTIVE: December 2, 2019**

**DISTRIBUTION:** Department heads

Planning: Bowers, Crane, Holland

Development Services: Bailey Taylor