

AGENDA
PLANNING COMMISSION
WORKSHOP
2:30 p.m. Tuesday, October 19, 2021
Virtual Meeting

In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), the meeting will be held by videoconference and there will be no public access to the location described above.

Members of the public may participate in the meeting in the following way:

1. Attend the Zoom meeting by registering in advance. Click here to register: https://us02web.zoom.us/webinar/register/WN_3d6Ed0-bQGOSP5cMRXX5kg
2. Public Comment can be submitted on-line: <https://forms.galvestontx.gov/Forms/PublicComment> or by calling 409-797-3665.
1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Discussion Items
 - A. Review Of The City Of Galveston's Concession Regulations
 1. 10-19-21 Workshop Memo- Questions/Comments

Documents:

[10-19-21 WORKSHOP MEMO - QUESTIONS_COMMENTS.DOC](#)

5. Adjournment

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on October 13, 2021 at 8:30 A.M.

Prepared by: Patrick Collins, Planning Technician

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TX 77550 (409-797-3510)

MEMBERS OF CITY COUNCIL MAY BE ATTENDING AND PARTICIPATING IN THIS MEETING

October 4, 2021

Planning Commission Chair Jeffrey Hill
and Planning Commission Members
Galveston, Texas

Dear Commission Chair and Member:

Subject: Concessions Workshop of October 19, 2021

Background:

This workshop is scheduled as part of the City Council directive to Planning Commission to examine the City of Galveston's concessions (food truck) ordinances and provide recommendations to City Council.

Previously, Planning Commission held two workshops in regards to this subject. The 06/22/21 workshop included concession owners, in which Planning Commission and Planning staff heard and noted their concerns and wishes. The 07/20/21 workshop included discussion of the current regulations and resulted in a list of comments on the subject from Planning Commission members. Planning staff requests a continuation of that discussion, including specific outstanding questions and comments. These questions and comments are provided in the following sections.

Specific Outstanding Questions

1. Should non-food concessions be allowed (note that Saengerfest Park may be an exception if not, due to past agreements)?
2. Is a criminal background check necessary? Current ordinance simply requires a statement regarding presence of a criminal record, but background checks are typically what applicants provide.
3. Does the Commission want to allow individual sites, or recommend concession "parks" only? If sites will also be allowed, what incentives may be used to encourage concession parks to form?
4. Should concessions remain in the same place, or be allowed to move? What restrictions might be placed on this (many cities allow 3-4 sites based on a schedule, for example)?
5. Will temporary permits be allowed, and if so, how? What will they cost and what duration will be included? Currently the ordinance only specifies a GCHD permit of some sort is required; however, temporary GCHD permits are difficult for staff to track and enforce.
6. Is \$500 annual fee acceptable moving forward?
7. Should seating be allowed or required? If so, how much?
8. Should restroom access be required?
9. How should concessions be allowed to access electrical power? Are there other acceptable options other than dedicated T-pole or generator?
10. What other amenities does Planning Commission think should be included, or excluded?
11. Set schedule and deadline for presenting recommendations to council.

Planning Comments and Concerns:

1. Neither Planning nor Code Enforcement has the staff or staff time to track and enforce when a concession permit expires. That is one advantage to an end-of-year expiration for all. It is much easier for staff to calculate a prorated permit fee.
2. Staff had determined that concessions might be better treated as a land use with limited use standards. Staff will present a proposed amendment to the Land Development Regulations at a future date once additional recommendations are provided by Planning Commission.
3. The “concession parks only” model has several advantages, including: easier to police/monitor, serves as an attraction, and City Council members and concession owners have all expressed interest in this model.
4. Staff advocates including language that notes GCHD’s role in City permitting process. They serve as the city’s food safety and health enforcement as the city does not have its own health department like some cities do. Including this language in the ordinance helps applicants understand GCHD’s role in the city’s process and codifies the requirement for GCHD permit and states the requirement in an enforceable way.
5. Planning staff contacted the City of Austin Health Department staff and City of San Marcos Health Department staff regarding stationary concessions. Both cities agreed that requiring concessions to remain in one place encourages violations of standards, such as for example regular visits to commissaries (when a food truck isn’t allowed to move, they’re less likely to visit their commissaries regularly).
6. San Marcos has an exception to their typical concession regulations for nonprofit organizations such as churches and schools. Staff would like Planning Commission to consider this as well, given the number of such events that occur in Galveston regularly.

While Planning Commission is free to hold additional discussion, Planning Staff requests that the Commission specifically discuss and consider the above questions and comments at the October 19, 2021 workshop.

Respectfully Submitted,

Daniel Lunsford, Planner