

# Jalapeno Mexican Grill Mobile Food Vendor – CUP21-044

921 Sebastopol Road

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September 2, 2021

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Planning and Economic Development



- Proposal for new mobile food vendor (Jalapeno Mexican Grill)
- Hours from 11:00am to 11:00pm daily
- Not to be on site in operation when morning mobile food vendor is onsite
- Shall not take up more than 4 parking spaces for existing convenience store
- Park in front property between fuel canopy and southeastern property line

- Zoning Code Section 20-42.210(B)(1) does not allow transfer of Conditional Use Permit from one vendor to another, which requires a new one each time a vendor changes.
- Two (2) vendors approved at this site under CUP18-066. One 6:00 am to 11:00 am and one in the afternoon 11:00 am to 11:00 pm
- Vendor change recognized with CUP19-066
- Two Zoning Clearances were given in error to allow new vendors (ZC20-0060 and ZC20-0142)
- This use permit legalizes the two existing vendors Tamales Magos (AM) and Jalapeno Mexican Grill (PM)

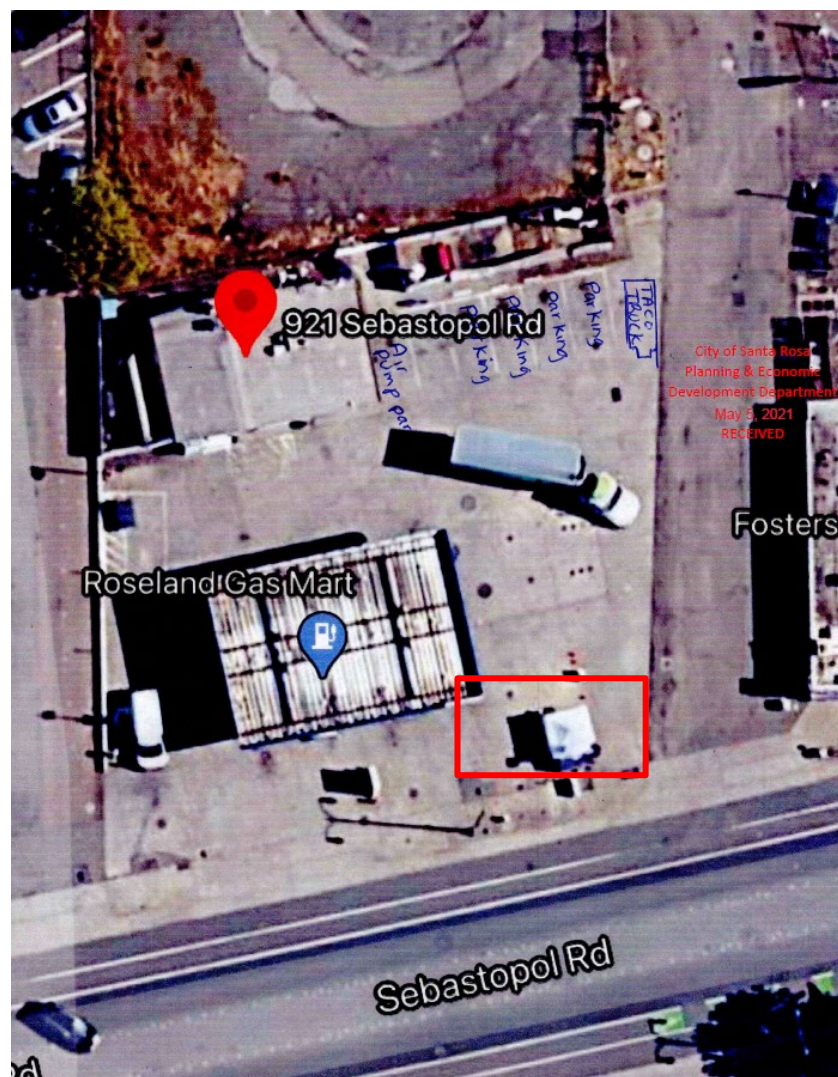


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- Submitted site plan
- Not compliant with right-of-way easement
- Caused parking issues on site resulting in Code Enforcement Case No. CE21-0001
- Project Resolution is conditioned to require parking where shown on image



- Public Correspondence was received from a neighboring commercial operator. Concern was:
  - Parking on their property and other neighboring properties for the mobile food vendor creating a hazard
  - Fire was caused by the mobile food vendor for not obtaining proper fire permits



- Conditions of Approval have been added to the Resolution to ensure the applicant adheres to the location of the mobile food vendor; mobile food vendor shall not inhibit traffic or circulation of the site or surrounding sites; mobile food vendor and customers shall not occupy more than four (4) parking spaces on site; mobile food vendor customers shall not park on neighboring properties
- The mobile food vendor is required to comply with all Fire Department codes and standards as well as all other applicable local, state, and federal codes.

- Class 4 Categorical Exemption under CEQA Guidelines Section 15304 in that the project consists of a mobile food vendor, which is a minor temporary use of land having negligible or no permanent effects on the environment.

- The Planning and Economic Development Department recommends that the Zoning Administrator approve the Minor Conditional Use Permit to allow Jalapeno Mexican Grill to operate from 11:00 AM to 11:00 PM at 921 Sebastopol Road, when Tamales Magos closes at 11:00 AM.