



Ocracoke, NC: Planning Analysis for Pop-Up “Kiosk” Businesses

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Abstract: Ocracoke is a small island community on the Outer Banks, off the eastern coast of North Carolina. Due to a rapid increase of populations, especially in tourism, Ocracokers are noticing several problems that they have not been able to predict. One of these problems includes the emergence of unregulated businesses that residents and business owners are setting up on their own property to sell commodities, primarily to tourists. The people of Ocracoke are very concerned with these “pop-up businesses” or “kiosks.” Concerns include: waste management; how these businesses change the look of the community; whether or not these businesses are paying sales tax; and if the location of these “pop-ups” creates a serious safety risk. Our group intends to help the Ocracoke Advisory Planning Board address these issues by researching case studies of communities experiencing similar issues, and examining how these communities are attempting to solve these problems. Our research analyzes specific legislation and ordinances that are already in effect or are being proposed by these communities, as well as their effects on the communities. The goal of our analysis is to assist the Ocracoke Advisory Planning Board in finding solutions that work for Ocracoke.



Source: Jennifer Rogalsky



Source: Jennifer Rogalsky



Source: Jennifer Rogalsky



Source: http://maps.google.com



Source: Jennifer Rogalsky



Source: www.facebook.com



Tubbs' Hot Dog
Nags Head

Nags Head, NC Case Study

Recommendations for Ocracoke: Below is a list of suggestions from the two Nags Head ordinances that seem appropriate for potential ordinances that Ocracoke could implement, with necessary modification:

- 1) The principal sale of items at an outdoor stall shall be limited to fresh produce, hot dogs, or coffee. The sale of any other items shall be incidental and limited to no more than ten percent of the display area or ten percent of the sales.
- 2) Only one outdoor stall shall be allowed per site.
- 3) The stand shall not be a required to be a permanent structure and may be located upon a trailer.
- 4) Produce stands shall be temporary and may be operated for a period of time not to exceed 180 days annually. The dates of operation of shall be limited to between May 1 and November 1 each year. Hot dog and coffee stands may be operated year round, but shall not be left on the property overnight and must be removed daily.
- 5) All stands shall comply with applicable Hyde County Health Department regulations and permitting requirements. Stands must keep on site a copy of the Health Department's inspection and grade.
- 6) Stands must have written permission from the property owner and submit this letter to the proper authority.
- 7) Outdoor fresh produce stands, hot dog vending stands, and coffee carts shall be allowed one temporary sign attached to the stand. Such sign shall not exceed 15 square feet in area or extend above the roof of the stand.

Myrtle Beach, SC Case Study

Recommendations for Ocracoke: While the local vendor preference policy doesn't place restrictions on the vendors themselves, it does give incentives for businesses located within the local community to help prevent outside influence. It would be a good idea for Ocracoke to adopt a similar, or even stricter, version of the Myrtle Beach local vendor preference policy. This policy subtracts a portion of the bid amount from those businesses that are local to Myrtle Beach. Therefore, these businesses will be more likely to have the lower bid amount and be chosen without hurting their bottom line. This kind of policy would help to prevent vendors and kiosks from growing into a greater issue in the future. One of Ocracoke's greatest assets is the quaintness of the community. Although some criticize existing kiosks for not fitting in very well visually, an influx of vendors from national companies would be a much greater eyesore. Also, by limiting vendor permits to local businesses, Ocracoke would be able to keep tourism profits circulating within the community rather than letting these economic opportunities go to outside businesses with less of a stake in Ocracoke as a community.



Source: www.facebook.com

Key West, FL Case Study



Typical Street
Vendors in Key West

Recommendations for Ocracoke: While realizing that this situation is very fragile, and some actions are not possible due to political constraints, one possible plan of action for Ocracoke would be to define and regulate what the pop up businesses can or cannot be. By having clear guidelines about their appearance, location, and certain minimum requirements (while at the same time enforcing penalties for those who do not comply), these businesses can thrive without harming public safety, enhance the character of the village, and not out-compete other businesses. By establishing these regulations and definitions now, pop ups that are harmful can be changed quickly, and future problematic pop ups can be avoided.

West Palm Beach, FL Case Study



Mobile Vendors in
West Palm Beach

Recommendations for Ocracoke: Ocracoke should consider creating an ordinance that specifies the locations of where the kiosks can be set up. Therefore, there will be no issues regarding safety, and it can reduce the amount of (negative) influence these pop-ups have on other established businesses. Also, Ocracoke should consider creating a limit on how many kiosks are allowed in a given area. Lastly, Ocracoke should consider creating a permit with a fee for these pop-ups. This will discourage more pop-ups from being created, and possibly create compensation for any taxes that are not currently being paid (property tax, sales tax, etc.).

Portland, Vancouver, and Los Angeles Case Studies

Portland

Recommendations for Ocracoke: In Ocracoke, some of the kiosks are not necessarily mobile. Making requirements for them to be moveable could result in people wanting to find them throughout the. Also, promoting these carts to be mobile can allow for vendors to move them into parking lots that aren't in use on weekends to create food/retail markets. This can allow people to wander around, pick what food they want to eat; these kiosks can be out of the streets, allowing more safety precautions to be enacted.

Vancouver

Recommendations for Ocracoke: By requiring contracts for food and retail vendors, Ocracoke can monitor the size, cleanliness, and nutritional facts about the trucks and their products. More serious monitoring can also be placed on waste management. By having vendors actually demonstrate their waste management plan, it will allow for more serious consequences if they don't uphold the standards they demonstrate. This process can weed out vendors who are causing disturbances to the environment and people's health.

Los Angeles

Recommendations for Ocracoke: While Ocracoke certainly doesn't need or support some of the structures listed in LAs regulations, it may be interesting to use flexible spaces to enhance businesses and create safety for pedestrians and drivers. By making a vacant field, or a parking lot that is not used on weekends, into a type of market for these vendors, the village can control the vicinity for waste, get pedestrians off the street and into areas where there are no moving vehicles, enhance the visibility for street signs for cars, and de-clutter the yards and store fronts of homes and permanent-structure businesses.

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