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## **Proposed 2015 Code Amendments for Mobile Food Truck Vendors**

### **Background:**

The 2012 Outdoor Vendor Ordinance and current text in the Municipal Code and Land Use Code includes allowances for mobile food truck vendors to operate on privately-owned lots in all non-residential zone districts as an accessory use. The City Code does not include restrictions on requiring mobile food truck vendors to move off-site after a certain period of time, and how long to stay off-site. Most food truck vendors move around the City regularly and, as a result, are more mobile. However, over the past few years some food truck vendors, including food truck and trailer operators, have set up semi-permanent locations for vending on private lots, reflecting a non-mobile operation. The intent of the Code for mobile food truck vendor operations was drafted to ensure a mobile operation and it addressed the specific impacts and requirements of a mobile operation. Such impacts and requirements of a mobile operation are different when the mobile operation becomes non-mobile. The impacts and requirements then become more akin to a brick and mortar restaurant business.

The recent examples mentioned above of food truck vendors operating on the same privately-owned lot on a continuous basis are not meeting the underlying intent of being temporary or mobile. Mobile food truck vendors are required by the State and County to work out of and return to an approved commissary kitchen each day they vend. These non-mobile vendors need to comply with the same health requirements for their food truck and associated commissary kitchen, as brick and mortar restaurants do for their fixed-location.

This raises the question: *should mobile food trucks be more mobile and not perceived as operating in the same location semi-permanently?*

In response, staff is developing proposed new code provisions to clarify the length of time a mobile food truck vendor operates on the same private lot on a temporary basis. The proposed code amendments provide more predictability for food truck vending operations at various locations throughout the City.

**Option 1: No change – keep existing Code provisions**

This no-action option was identified by staff as part of a range of options to assess different levels of vending mobility while operating on privately-owned lots. The vending community strongly supported this option, as it is consistent with current license requirements for moving off-site each day of operation to return to a commissary kitchen, reflecting a mobile vending operation. However, staff is identifying new code provisions for ensuring a more mobile vending operation, resolving the issue of some vendors operating on a semi-permanent basis at the same location.

**Option 2: Identify new clarification and requirements for food truck vendors for duration of vending operation on any licensed lot, based on a daily, weekly, and monthly basis.**

Restrictions and Operation:

- No licensee shall leave unattended any vehicle on a public right-of-way or at any licensed location for more than two (2) hours total during the applicable hours of operation for the day such operations are conducted.
- Move all mobile food trucks that have been vending food within the last 24 hours off all licensed lots and to a Commissary at or prior to 3:00 a.m. After completing any necessary tasks at the Commissary, the food truck may be placed on a licensed lot but shall not operate during the hours of 3:00 a.m. to 7:00 a.m.
- Not vend on the same licensed lot for a total of more than fifty (50) hours in any calendar week and for a total of more than one-hundred (100) hours in any calendar month.