



City of Alexandria

301 King St., Room 2400
Alexandria, VA 22314

Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 22, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of an Update to City Council Regarding the Food Truck Pilot Program.

ISSUE: Consideration of an update to City Council regarding the Food Truck Pilot Program.

RECOMMENDATION: That City Council receive the update and direct staff to prepare an ordinance to extend the end date of the Food Truck Pilot Program from October 31, 2015 to December 31, 2015 and confirm City Council's prior intent that the Food Truck Pilot Program be limited to food trucks that vend to the public.

DISCUSSION: The Food Truck Pilot Program was adopted by City Council on May 17, 2014 and took effect on July 1, 2014. On July 3, 2014 staff held a one-day permit day on which food trucks could come to City Hall to receive all necessary permits for the Food Truck Vendor Permit. Additionally, staff has kept an up-to-date website which includes all information for food truck vendors including how to apply for the permit and complete descriptions of areas allowable for vending. Additionally, the website includes information for citizens or patrons of food trucks including a full and up-to-date listing of all food trucks who have received the Food Truck Vending Permit.

Currently, Food Trucks are authorized to vend in the City pursuant to either: 1) a Special Use Permit; 2) a Special Event Permit; or 3) a Food Truck Vendor Permit (Pilot Program). The Special Use Permit and the Special Event Permit each have their own regulations that regulate how, where and when the Food Truck can operate. The Food Truck Vendor Permit regulates trucks that are vending in the locations as authorized pursuant to the Food Truck Pilot Program.

The Program has been in operation for approximately three (3) months and to date, eight (8) food trucks have applied for and received the Food Truck Vendor Permit for 2014. The permit is an annual permit which will need to be renewed in January 2015. The Program has started slowly which we believe is a result of the food truck community learning the new regulations and determining how they can make that work with their business model, as well as the first year being only a partial year permit.

Enforcement

Staff has a process in place to enforce any violations of the Food Truck Pilot Program including using Zoning Inspectors to respond to any complaints during the day on weekdays, and the police in the evenings and on weekends. Staff including the police have been trained on the new regulations and have responded efficiently and accurately to any complaints that have been received. The City's food truck website (www.alexandriava.gov/foodtrucks <<http://www.alexandriava.gov/foodtrucks>>) includes a link for members of the community to submit complaints directly to the *Call.Click.Connect.* system and also includes the phone number for Planning and Zoning inspectors and the non-emergency police phone number for community members with a complaint to call depending on when the violation/complaint occurs. As a result, staff has received the following complaints.

The Police have received two (2) complaints regarding Food Trucks since the inception of the program. The first complaint occurred on the first weekend of the Pilot Program when a truck was invited by a restaurant to locate on the street in front of the restaurant. The second occurred over the summer when a truck located on Union Street. In each case, the Police responded to the complaint within an hour of receiving it, staff followed up with the appropriate response and the violation was not repeated.

The City Manager has designated the inspectors from the Department of Planning and Zoning to respond to complaints and issue notices of violation of the Food Truck Pilot Program. Since the inception of the program, the Zoning Inspectors have logged six (6) inquiries regarding the Food Truck Pilot Program and one (1) notice of violation with a penalty has been issued. The first two inquiries were in the first week of the food truck program and involved zoning inspectors reviewing two private property locations where food trucks were known to be going to ensure compliance with the program. The next two were in follow-up to the police complaint on Union Street described above. The first was to issue a ticket to the truck that was parked on Union Street and the second was to inspect Union Street to ensure no other trucks were locating there. The last two inquiries were inspections of two on street locations where it was reported food trucks may be located on the street. Both locations were inspected but no food trucks were identified.

Lastly, there has been one (1) *Call.Click.Connect.* complaint that involved a food truck. This complaint involved a food truck traffic infraction that was unrelated to the Food Truck Pilot Program.

Feedback from Existing Food Trucks

As discussed, eight (8) food trucks have received the Food Truck Vendor Permit for 2014. The majority of the food trucks we have seen in the City since the inception of the program have been either a part of a Special Event Permit or were catering to a private event. Staff is also aware that food trucks have been invited to vend on private property on a regular basis at the Hilton hotel in Mark Center, the Duke Realty office building in Mark Center and the Port City Brewery. Staff also understands that food trucks have been invited to an office building in Carlyle on one occasion. We have seen no food truck activity in any City parks or recreation centers.

General feedback from the food truck industry has been that the permit process has been smooth and information about the program is easily available. However, the limitations of the pilot program make it difficult for food trucks to apply their normal business model, and the permit fees are very high in comparison to the opportunities for vending. Therefore, most food trucks have been discouraged from getting the permit and participating in the program.

Feedback from Community

In addition to the ability to submit complaints through the website as discussed above, the food truck website also includes a link for members of the community to give feedback about the Food Truck Pilot Program. Staff has been working with Action Alexandria to coordinate solicitation of feedback from the community regarding the Food Truck Pilot Program. Action Alexandria will be conducting a series of questions to the community to solicit feedback. The first question was posed to the community over the summer and was “Where do you support food trucks operating?” The survey received 94 responses which are summarized in the report prepared by Action Alexandria and included here as Attachment 1.

Requested Changes

In implementing the program so far, staff has encountered two matters for City Council’s consideration.

First, there is a discrepancy in the Pilot Program regarding vending to the public and catering a private event that has created a difficulty in implementing the program. While the purpose of the program as stated in Sections 9-15-2 and 9-15-4 of the City Code, is to regulate food truck vending, the allowable Vending Locations in Section 9-15-13 include private residences for “a private event that is not vending to the public.” and the definition of Food Truck Vendor in section 9-15-5(5) includes trucks that “serve” food. The implication from these provisions is that trucks that are catering a private event would need to obtain a Food Truck Vendor Permit in order to provide the catering for the event. There seems to be no significant difference between a caterer that cooks the food off site and delivers the food to a tent with a delivery truck and a food truck that makes the food at the location, therefore it does not seem that food trucks catering a private event should be required to get the full Food Truck Vendor Permit.

To that end, we request City Council’s confirmation that the Food Truck Pilot Program should be limited to food trucks that are vending to the public. If City Council confirms this intention, the City Manager will revise the administrative regulations to clarify this matter. As a result, any food truck catering an event that is clearly private with limited guest invitations will be treated the same as a caterer and will not be required to get the Food Truck Vendor Permit.

Second, when establishing the Food Truck Pilot Program City Council set an expiration date of October 31, 2015 for the program. The Health Department permits run on an annual cycle so therefore, the Food Truck Pilot Program vendor permit also must run on the same annual schedule in order for the necessary permit to be valid at the same time. As a result, the first year of the Pilot Program permit was a partial year, from July 1 (or when the permit was applied for) through December 31, 2014. The annual permit must then be reapplied for on January 1, 2015 for the following year. We believe that an important part of evaluating the program will be for the food trucks to have the opportunity to have a permit for a full year, particularly since some of the feedback we have received is that some food trucks chose not to apply for the permit this year due to the fact that it was a partial permit. Therefore, we request that the expiration date of the program be extended to December 31, 2015 so that the permits issued in January 2015 will be full year permits.

Next Steps:

As discussed, staff has started to gather information to evaluate the Pilot Program including, but not limited to, feedback from the community through Action Alexandria, records of complaints registered, number of permits issued, costs incurred by the City in administering the program and fees generated from the program. Staff believes that now that the program is in place and there has been more education to the food truck industry as well as the community regarding how the program works, the next year will be an important year in gathering the information necessary to make recommendations to City Council regarding whether a full, permanent program should be established. Additionally, staff will work with Action Alexandria on a plan for surveying the community on various aspects of the program at various times during the year. We hope the use this tool

both to receive feedback from the community as well as to educate the community on the food truck pilot program so that they can experience it for themselves.

Staff recommends that the information gathering phase of this Pilot Program continue through late Fall of 2015 until the end of the high season for the food trucks. At that time, staff will prepare a report to City Council regarding the information gathered including a recommendation on whether, based on that information, a full and permanent program should be explored. If City Council decides at that time to explore a full and permanent program, an advisory group will be appointed to discuss the information gathered from the Pilot Program as well as experiences of other communities and any other information necessary to evaluate the necessary regulations for a full program.

CONCLUSION: While the Pilot Program has started off slowly, staff is hopeful that now that the food truck industry and the community are more aware of the program, it will pick up in the next year. This will allow staff to gather necessary and useful information to evaluate the food truck program.

FISCAL IMPACT:

When the Food Truck Pilot Program was established, fees were established to cover costs which appear to have been set at an appropriate level, but will continue to be reviewed.

ATTACHMENTS:

Attachment 1: Action Alexandria Report of Survey Question #1

STAFF:

Mark Jinks, Deputy City Manager

Joanna C. Anderson, Assistant City Attorney

Jack Browand, Division Chief, Department of Recreation, Parks and Cultural Activities (RPCA)

Alex Dambach, Division Chief, Department of Planning and Zoning

Diane Gittins, Captain, Alexandria Police Department

Rachel Stradling, Environmental Health Supervisor, Health Department

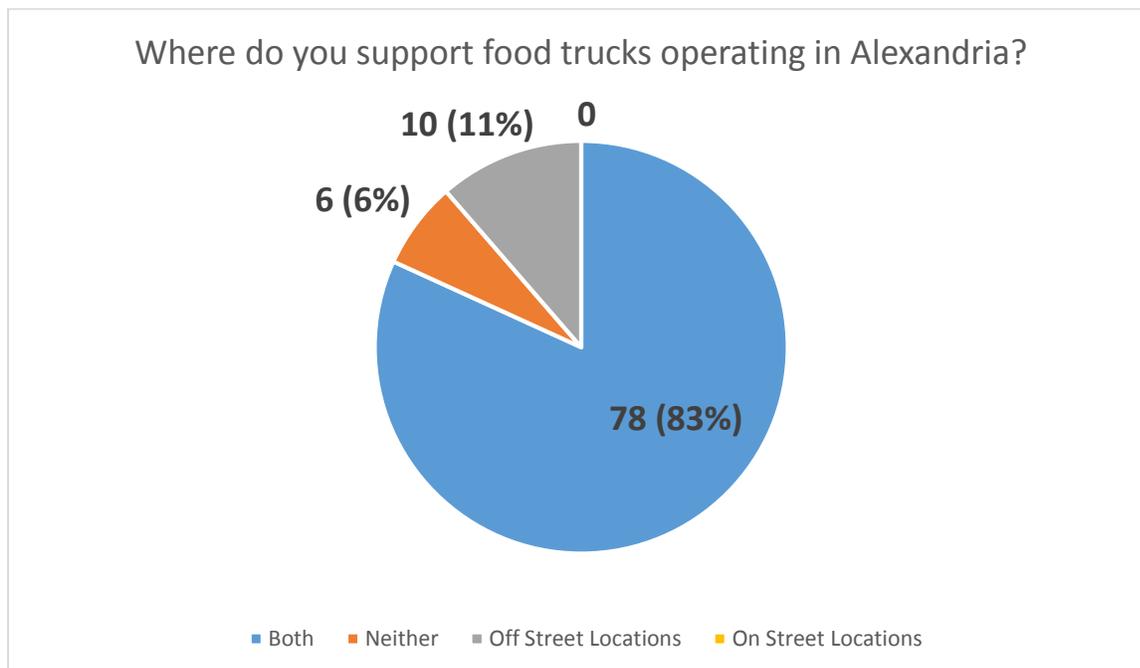


Food Truck Pilot Program Report
Survey 1: Where do you support food trucks operating?
September 26, 2014

Survey Question: Do you support food trucks operating on off-street locations, on-street locations, both or neither?

Total Responses: 94

Results:



Responses by Zip code:

22311: Total responses: 2 Both: 2	22313: Total Responses: 2 Both: 2
22312: Total responses: 0	22310: Total Responses: 1 Both: 1
22206: Total Responses: 1 Both: 1	22306: Total Responses: 2 Both: 2
22302: Total Responses: 5 Both: 5	22303: Total Responses: 3 Both: 2 Neither: 1
22305: Total Responses: 7 Both: 6 Neither: 1	20112: Total Responses: 1 Both: 1
22301: Total Responses: 10 Both: 6 Off-Street: 4	22315: Total Responses: 1 Both: 1
22314: Total Responses: 43 Both: 36 Off-Street: 3 Neither: 4	22302: Total Responses: 5 Both: 5



[\(Map from: City of Alexandria, GIS & Maps\)](#)

Responses by Age:

Ages 25-35

Total Responses: 46

Offstreet: 2

Both: 42

Neither: 2

Ages 46-55

Total Responses: 17

Offstreet: 4

Both: 12

Neither: 1

Ages 36-45

Total Responses: 20

Offstreet: 2

Both: 18

Ages 56+

Total Responses: 9

Offstreet: 2

Both: 5

Neither: 2

Comments:

- I LOVE food trucks! They offer amazing food at reasonable prices.
- More quick food selections the better.
- Food trucks must be conveniently located in or next to areas where there are lots of pedestrians on the street in order for the pilot to be successful
- More food trucks, please!
- Best of part working in downtown DC is food truck lunch, lets bring that vibrancy home to Alexandria.
- Food trucks are great incubators and a fun alternative to traditional brick and mortar restaurants.
- Why not?
- I live and work in 22314. There very few affordable, quick lunch options nearby. Food trucks would not take business from restaurants on King Street because those restaurants are much higher end.
- Feed me!
- I support food trucks at Market Square, a long-time center of mobile commerce in Alexandria
- Make them pay for permits, but this can only be good for alexandria, tourism, economy
- I hope food trucks and sit downs can be win-win!
- Bring food trucks to Alexandria!
- Bring 'em! Especially Carlyle, too few restaurant options
- Find someplace in the West End for food trucks. With all the construction coming to Pickett/Edsall a long term site would be useful.
- We need more food options in north old town near Braddock metro. Both for lunch and dinner. Food trucks can do this!
- Yes to food trucks! The Eisenhower Ave/Hoffman Center/PTO area definitely needs lunchtime food trucks!

- I wish they wouldn't have so many hoops that food trucks have to jump through. It's almost like Alexandria doesn't want them. It's the thing to do . . . we are behind the times Alexandria.
- Isn't this a bit late? Didn't council already approve a pilot program?
- I don't think the city should regulate food trucks. They are small business owners who provide a valuable good to the community.
- Food truck fad has mostly passed. Off street is fine.
- Prefer food trucks that don't have to run their engines while parked.
- None in the city!!!!!!
- I feel it's not fair that the trucks do not have to go to the same expense, cost and effort as a brick-and-mortar restaurant. I also am concerned about is hurting our current small businesses
- Please restrict food trucks to off street locations and private parites or festivals ONLY!!!! :)
- Doubt that truck operators will clean up the trash they generate with disposable plates, napkins, etc.