

City of Alexandria, Virginia

Food Truck Ordinance Proposal

May 17, 2014



5-17-14
8

Overview of Process



- Staff requested by Council to draft proposal to bring food trucks into the City at the Council Retreat in March 2013.
- Initial draft staff proposal distributed in May 2013.

Overview of Process (cont'd)



- City Manager appointed a 10-member Food Truck Policy Advisory Work Group in August 2013 made up of the following stakeholders:
 - Four Citizens
 - Two Food Truck Vendors
 - Two Restaurateurs
 - Farmers Market Manager
 - Representative from the Alexandria Economic Development Partnership (AEDP)
- The Food Truck Policy Advisory Work Group completed Draft Report on 4/14/14. The final report has not been completed.

Legal Considerations



- Constitutional Considerations
- State Law Considerations
- Regulations must be:
 - Fairly applied;
 - Based on a governmental interest to protect the health, safety and welfare of the public;
 - Cannot place an excessive burden on the food trucks as compared to the governmental interest being protected;
 - Law allows for establishment of restricted vending zones where additional regulation is justified.

Food Truck Ordinance General Provisions



- The ordinance permits food trucks to operate Citywide on-street and off-street, on public and private property, between the hours of 7:00 am to 8:00 pm. It also allows food trucks to operate at special events.

Food Truck Ordinance General Provisions



- Food truck vendors have to comply with all applicable codes, including the noise and sign codes. No amplified music or sound is allowed.
- Food truck vendors would have to provide receptacles for the disposal of waste materials or other litter.
- Food trucks would have to obtain all permits and comply with all code requirements and regulations, and pay the following fees:
 - Application fee of \$100.00
 - Application renewal fee of \$100.00
 - Annual Food Vending License fee of \$40.00
 - Annual Health permit of \$50.00, plus a \$40.00 fee imposed by the State
 - Semi-annual propane tank inspection fee of \$143.00 (if applicable)
 - Right-of-Way fee of \$450.00 for on-street vending (if applicable)

Food Truck Ordinance Off-Street Program Provisions



- Food trucks would be allowed on public property, e.g. Parks, at the discretion of the City Manager; at Farmers Markets (off street only) at the Market Manager's discretion; on Schools property at the discretion of the Superintendent.
- Food trucks would be allowed at all permitted special events.
- Food trucks would be allowed on private property including churches, private schools, commercial/multi-family apartment parking lots, and catering in residential areas while parked in private driveways.

Parks and City-Owned Properties



Parks and Recreation Centers with Parking, Farmer's Markets, and School Locations

Private properties such as commercial parking areas, churches, and multi-family apartments would also be permitted to have food truck vending.



Legend

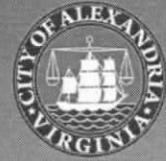
- Parks & Rec. Centers with Off Street Parking
- School Locations
- Farmer's Markets

Food Truck Ordinance On-Street Restricted Zones



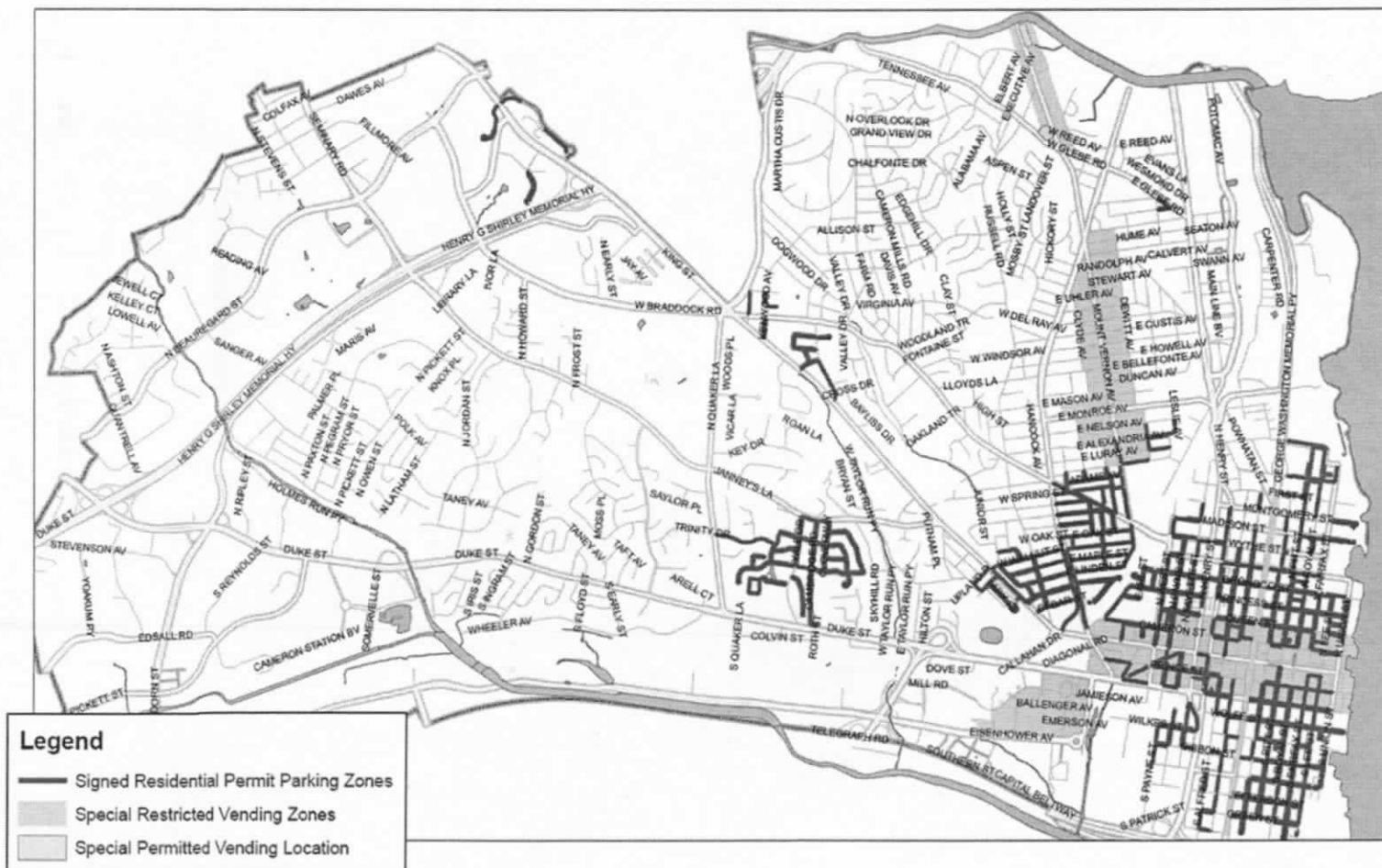
- Food trucks allowed on all public streets except on streets signed for residential permit parking and in restricted street vending zones.
- Ordinance authorizes the establishment of restricted street vending zones in areas that require additional regulation.
- The City Manager will have the authority to establish new zones and modify existing zones based on demand and the need to protect a governmental interest.
- Not allowed in residential permit parking districts unless catering a private event.
- Food trucks would be limited to no more than four (4) hours of continuous vending, or in accordance with existing posted public signs, if more restrictive, on the same block.

Food Truck Ordinance On-Street Restricted Zones (cont'd)



- Initially, four restricted street vending zones, each with three designated spaces, would be established. The City Manager would have the authority to modify existing zones and establish new zones based on demand and the need to protect a governmental interest.
 - King Street from the Metro Station to the Potomac River, and two blocks north and south (between Prince and Queen Streets) of King Street;
 - Mount Vernon Avenue from Glendale Avenue to Clifford and East Glebe Road to the Arlington County line;
 - Eisenhower/Carlyle which is bound by Holland Lane on the east, Duke Street on the north, Dulany Street to Jamieson Avenue to Andrews Lane to Grist Mill Road, to Mill Race Lane on the west, and the south side of the 2300 block of Eisenhower Avenue on the south.
- Washington Street from First Street to Church Street.

Restricted Street Vending Zones Residential Parking Permit Zones

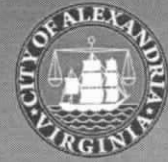


Food Truck Ordinance On-Street Restricted Zones (cont'd)

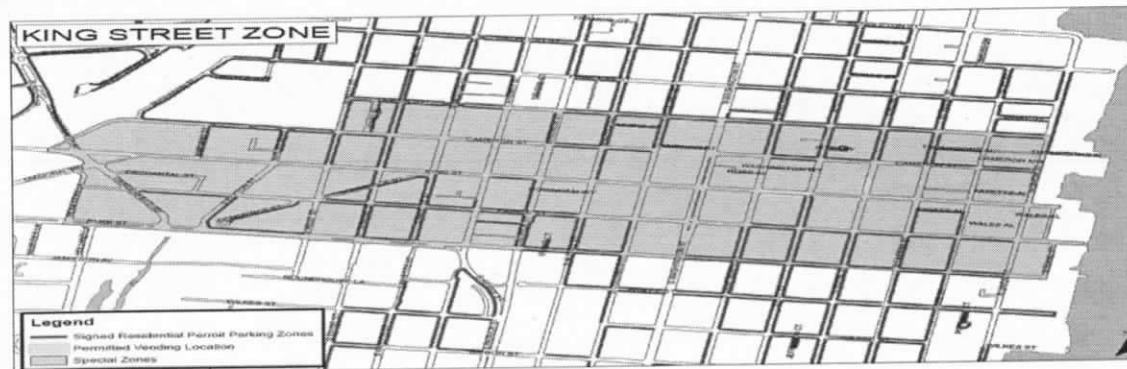


- Vending Zones would be established with designated parking spaces per location from 11:00 a.m. to 2:00 p.m. in the restricted areas.
- The signage would state that the spaces are reserved for food trucks only from 11:00 a.m. to 12:00 p.m.
- If no food trucks are parked in the designated spaces at 12:00 p.m., the parking spaces would be available to the general public.
- Morning and evening additional restricted zone hours to be determined with the final administrative rules and regulations prior to permits being granted.

King Street Restricted Vending Zone



- The East side of the 100 block of North Royal Street (2/24/14 vote of Work Group was 5 for, 4 against).
- 1700 block of King Street in front of King Street Gardens (2/24/14 vote of Work Group was 6 for, 3 against).
- 500 block of King Street in front of the Courthouse (2/24/14 vote of work group was 2 for, 5 against, and 2 abstentions) – staff recommendation.



Mt. Vernon Avenue Restricted Vending Zone



- DCHS Building at 2525 Mount Vernon Avenue (2/24/14 vote of work group was 2 for, 5 against, and 2 abstentions) – staff recommendation only.

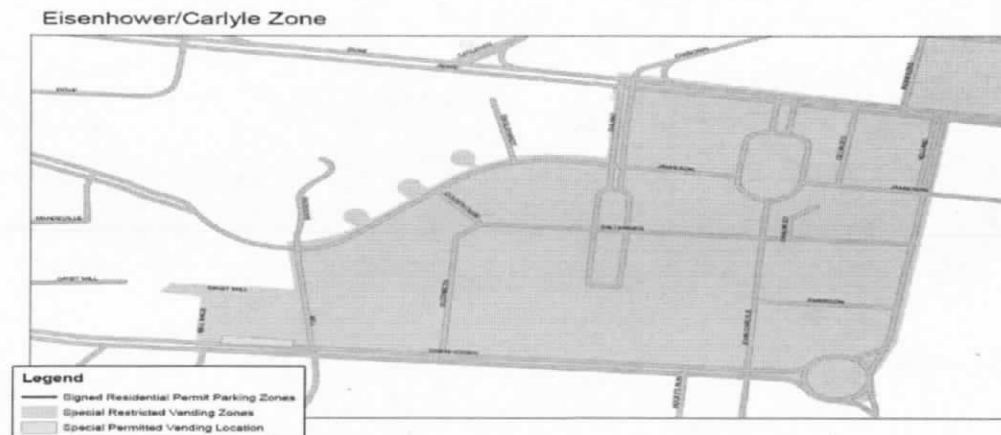
Mount Vernon Avenue Zone



Eisenhower/Carlyle Restricted Vending Zone



- North side of the 2300 block of Eisenhower Avenue (2/24/14 vote of Work Group was 6 for, 3 against to establish a zone at this location, but the Work Group did not define its parameters). Staff recommended that the restricted vending zone be defined as below:

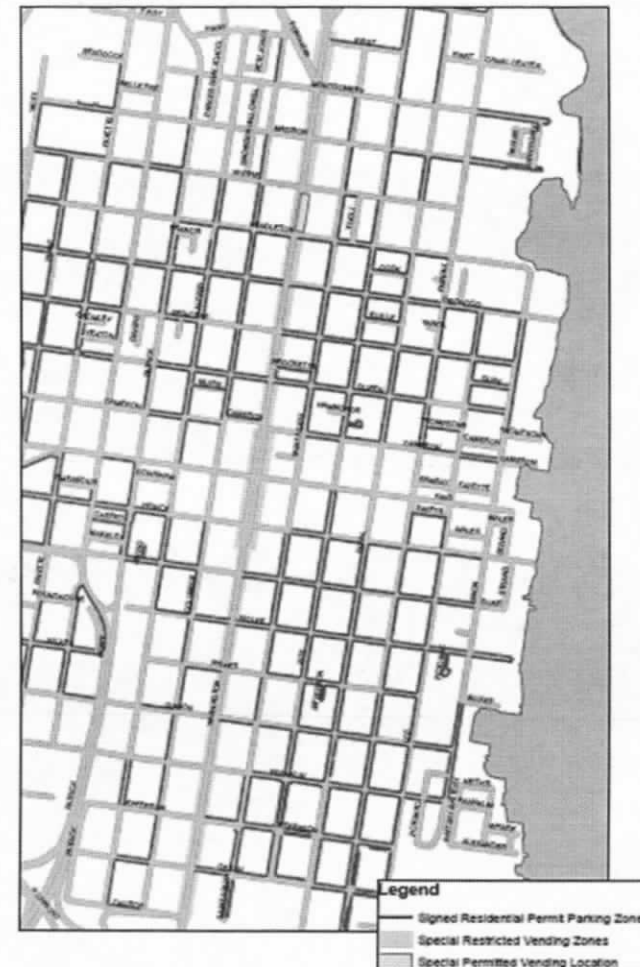


Washington Street Restricted Vending Zone



- The 600 block of North Washington Street near Saul Center (3/24/14 vote of Work Group was 6 for, 1 against, and 3 abstentions to establish a zone on Washington Street) Staff recommended that the restricted vending zone be defined as shown.

Washington Street Zone



Food Truck Ordinance Proposed Revision



- During the May 13 legislative meeting, Council asked staff to prepare a potential revision to the ordinance that would limit food truck vending to off-street locations only on public and private property with the permission of the property owner.

Proposed Revision



The Proposed Revision:

- Establishes a pilot program that would expire on October 31, 2014.
- Removes all authorization and regulations for on-street vending, including the authority of City Manager to establish restricted street vending zones.
- Allows off street vending on public (e.g. parks, recreation centers, Farmers Markets and Schools property with the permission of the City Manager) and private property with the permission of the property owner.
- Requires compliance with all applicable permit and Code requirements as previously described.

Council Options



1. Approve the off street portion of the ordinance only (revised ordinance), to establish a pilot program that would expire on October 31, 2014 at which time Council can consider either amendments to the zoning ordinance to authorize food trucks to locate off street on a permanent basis, or a full comprehensive on-street and off-street program. **Staff recommends this option.**

Options (con't)



- 2. Approve the off street option and defer Council action on the on street portion until a legislative meeting in June.

- 3. Approve the ordinance without the revision but delay the effective date of the on street portion until the City Manager has received public comment and finalizes the Restricted Vending Zones.

Questions?



Parks and City-Owned Properties with Off-Street Parking



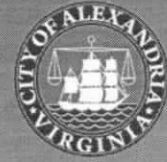
- Armistead L. Boothe Park
520 Cameron Station Blvd.
- Ben Brenman Park
4800 Brenman Park Dr.
- Buchanan Park/Old Town Pool
1609 Cameron St.
- Chambliss Park
2505 N. Chambliss St.
- Chinquapin Park
3210 King St.
- Eugene Simpson Park
426 E. Monroe Ave.
- Ewald Park
4452 Duke St.
- Fort Ward Park
4301 W. Braddock Rd.

Parks with Off-Street Parking



- Fort Ward Athletic Facility
4421 W. Braddock Rd.
- Four Mile Run Park
3700 Commonwealth Avenue
and 4131 Mount Vernon Ave.
- George Mason Park
2601 Cameron Mills Rd.
- Joseph Hensley
4200 Eisenhower Ave.
- Miracle League Field/Lee Center
1108 Jefferson St.
- Luckett Field/Schuyler Hamilton
Jones Skateboard Park
3540 Wheeler Ave.
- Stevenson Park
300 Stultz Rd.
- Witter Recreational Fields
2700 Witter Dr.

Recreation Centers with Off-Street Parking



- Charles Houston Recreation Center/Memorial Pool
9011 Wythe St.
- Chinquapin Park Recreation Center & Aquatics Facility
3210 King St.
- Cora Kelly Recreation Center
43 W. Reed Ave.
- Nannie J. Lee Recreation Center
1108 Jefferson St.

Farmers' Markets in City Property and Off-Street Parking



- Del Ray Farmers' Market
E. Oxford & Mt. Vernon Aves.
- West End Farmers' Market
Ben Brenman Park
4800 Brenman Park Dr. (parking lot at dead-end of
Sommerville Rd.)
- Four Mile Run Farmers' & Artisans Market
4109 Mt. Vernon Ave.
(not a parking lot – park area is structured to allow parking for
events & market activities)

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Title 9 (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, to add Chapter 15 (Food Truck Vendors) as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9 of the Code of the City of Alexandria, Virginia, as amended, be, and the same hereby is, amended by adding Chapter 15 titled Food Truck Vendors with the following new language:

Sec. 9-15-1 Title

This chapter shall be known and may be cited as the City of Alexandria Food Truck Ordinance.

Sec. 9-15-2 Purpose

The purpose of this chapter is to permit Food Truck Vendors on Public and Private Property within the City with regulations that balance the integration of the Food Truck Vendors with the impacts on the health, safety and general welfare of the City.

Sec. 9-15-3 Administration and Enforcement

The City Manager shall administer and enforce this chapter.

Sec. 9-15-4 Scope

This chapter shall apply to Food Trucks, as the same is defined herein, **vending on off street property only. Nothing in this Chapter shall be interpreted to allow Food Truck Vendors to vend on Public Rights-of-Way within the City. Additionally, this** chapter shall not apply to vendors selling non-Food products or sales of Food from Pushcarts or trailers.

Sec. 9-15-5 Definitions

~~(1) *Block.* A city block as defined by Section 5-8-71 of this Code.~~

(2) *City Manager.* The City Manager for the City of Alexandria, or his designee.

(3) *Farmer's Market.* A building, structure, or place authorized by the City for use by vendors to sell, offer for sale or solicit orders for any products or crafts sold, grown,

1 raised or produced by them. This shall include outdoor food and crafts markets as set
2 forth in the Zoning Ordinance.

3
4 (4) *Food*. Any raw, cooked, or processed edible substance, beverage, ingredient, ice or
5 water used or intended for use or for sale in whole or in part for human consumption.

6
7 (5) *Food Truck*. A Food Truck is a mobile food establishment as defined in Section 11-
8 2-4 of this Code, but limited to Food establishments located in a motor vehicle
9 licensed to operate by a department of motor vehicles.

10
11 (6) *Food Truck Vendor*. Any person who sells, offers for sale, or serves Food from a
12 Food Truck.

13
14 (7) *Private Property*. Real property owned by an individual or individuals who have
15 exclusive rights over it and it is not owned by a public entity or open to the public
16 generally.

17
18 (8) *Private Residence*. A dwelling place owned or inhabited by an individual or
19 individuals, other than a Multifamily Dwelling as defined by the Alexandria Zoning
20 Ordinance Section 2-137, as the same may be amended.

21
22 (9) *Public Property*. Property within the City of Alexandria, **with the exception of**
23 **Public Rights-of-Way**, that is owned by either the City of Alexandria or the
24 Alexandria City Public Schools.

25
26 (10) **Public Rights-of-Way. The surface and area across, in, over, along, and upon**
27 **the surface of the public streets, roads, bridges, sidewalks, lanes, courts, ways,**
28 **alleys which are owned, under the jurisdiction or control of the City.**

29
30 (11) *Pushcarts*. Any wheeled vehicle or device other than a motor vehicle or trailer that
31 may be moved with or without the assistance of a motor and that does not require
32 registration by the department of motor vehicles, used for the displaying, storing,
33 providing or transporting of Food, articles, or services, offered for sale or served by a
34 vendor.

35 36 **Sec. 9-15-6 Authorization**

37
38 Notwithstanding any provision of the City Code or Zoning Ordinance to the contrary,
39 Food Trucks shall be permitted within the City limits subject to the rules and regulations
40 contained in this chapter. **Food Truck Vendors are prohibited from vending on**
41 **Public Rights-of-Way within the City.**

42 43 **Sec. 9-15-7 Permits and Licenses Required**

44
45 The following permits and licenses shall be required for all Food Trucks:

- 1 A. Food Truck Permit as required pursuant to this Title 9, Chapter 15 of this Code.
- 2
- 3 B. Business License as required pursuant to Title 9, Chapter 1 of this Code.
- 4
- 5 C. Health Permit as required by Title 11, Chapter 2 of this Code.
- 6
- 7 D. Fire Prevention Permit, if required, pursuant to Title 4, Chapter 2, Article B of
- 8 this Code.
- 9

10
11
12 **Sec. 9-15-8 Food Truck Vendor Permit required; fee for same.**

- 13
- 14 A. All Food Truck Vendors shall obtain an annual Food Truck Vendor Permit from
- 15 the City Manager, with the exception of those Food Truck Vendors who vend
- 16 only at a Special Event pursuant to Section 9-15-14 below.
- 17
- 18 B. Prior to issuing the permit, the City Manager shall determine that:
- 19
 - 20 i. the Food Truck Vendor and Food Truck are in compliance with this
 - 21 chapter and with the administrative regulations promulgated by the City
 - 22 Manager pursuant to Section 9-15-10 herein;
 - 23
 - 24 ii. the Food Truck Vendor has paid all applicable fees; and
 - 25
 - 26 iii. the Food Truck Vendor has received all applicable permits as required
 - 27 herein.
 - 28
- 29 C. After reviewing the application and finding that the health, safety and general
- 30 welfare of the public so demands, the City Manager may refuse to issue a permit
- 31 for reasons including, but not limited to, the following:
- 32
 - 33 i. The applicant for the permit has received three (3) or more notices of
 - 34 violation of this chapter pursuant to Section 9-15-17 below, including any
 - 35 violations of other sections of this Code that are issued for violations
 - 36 relating to the operation of a Food Truck, in the twelve (12) months prior
 - 37 to the date of the application;
 - 38
 - 39 ii. The applicant's permit has been suspended or revoked within the twelve
 - 40 (12) months prior to the date of the application;
 - 41
 - 42 iii. Fraud, misrepresentations, or intentional false statements of material or
 - 43 relevant facts are contained in the application; or
 - 44
 - 45 iv. The applicant lacks the necessary permits or licenses to conduct the
 - 46 business proposed to be conducted.

1
2 D. The City Manager shall establish an annual Food Truck Vendor Permit fee which
3 shall be updated annually.
4

5 **Sec. 9-15-9 Display of Licenses and Permits**
6

7 All Food Trucks shall display all required licenses, tags, and permits.
8
9

10 **Sec. 9-15-10 Administrative Regulations**
11

12 The City Manager is authorized to make such reasonable rules and regulations as may be
13 necessary to administer the provisions of this chapter ~~and to establish Restricted Street~~
14 ~~Vending Zones pursuant to Section 9-15-15 herein.~~
15

16 **Sec. 9-15-11 Compliance with other Codes and Regulations**
17

18 All Food Trucks and Food Truck Vendors shall comply with all applicable provisions of
19 this Code, the Code of the State of Virginia and the Federal Code.
20

21 **Sec. 9-15-12 Operational Requirements for All Food Trucks**
22

23 The following rules shall apply to all Food Trucks:
24

25 *A. Hours.*
26

- 27 i. Vending may take place between the hours of 7 a.m. and 8 p.m.
28
29 ii. A Food Truck may not vend for longer than four (4) hours of continuous
30 vending, ~~or in accordance with existing posted public signs, if more~~
31 ~~restrictive, on the same Block.~~
32

33 *B. Parking Locational Requirements.*
34

- 35 i. Food Truck Vendors shall not have any exclusive right to any location on
36 Public Property;
37
38 ii. Food Trucks parked in a marked parking space must fit within the width
39 and the length of the marked parking space;
40
41 iii. Occupation of any parking space shall not interfere with the lighting, trees,
42 overhead wires, and/or utilities;
43
44 iv. The Food Truck Vendor shall not block any other vehicle's or pedestrian's
45 ingress or egress, cause traffic congestion, or be parked in any drive aisles
46 or fire lanes;

- 1
2 ~~v. Food Trucks shall not be located in front of or within twenty (20) feet~~
3 ~~from a commercial outdoor dining area measured along the curb line;~~
4
5 ~~vi. No more than three (3) Food Trucks may vend per Block on a public~~
6 ~~street;~~
7
8 ~~vii. At least five (5) feet of the adjacent sidewalk must be unobstructed for~~
9 ~~pedestrian traffic; and~~
10
11 ~~viii. Food Trucks shall comply with all applicable parking regulations~~
12 ~~including, but not limited to, payment of any parking fees and~~
13 ~~displaying the required receipt.~~
14

15 *C. Vending Locational Requirements.*

- 16
17 i. Vending shall only take place from the inside of the Food Truck;
18
19 ii. Vending shall not take place to any person while such person is standing
20 in the street unless said street has been closed to the public pursuant to a
21 Special Event or street closure permit issued by the City;
22
23 iii. Vending shall not take place to any driver or passenger in a motor vehicle
24 while the motor vehicle is stopped at a red light or while in a moving
25 traffic lane; and
26
27 iv. Food Truck shall not be left unattended while vending.
28

29 *D. Signs.* No sign shall be displayed except for a sign displaying a menu or signs
30 that are imprinted on the exterior body of a licensed Food Truck. All signs shall
31 also comply with the applicable provisions of Article IX of the Zoning Ordinance.
32 The applicable regulations shall include, but not be limited to, that the Food Truck
33 shall not:
34

- 35 i. advertise other businesses on the Food Truck;
36
37 ii. use A-frame signs or remote signs;
38
39 iii. attach balloons or windblown signs to the Food Truck; or
40
41 iv. use animated or electronic signs.
42

43 *E. Noise.*

- 44 i. No music or other amplified announcements that are audible outside of the
45 Food Truck shall be allowed; and
46

- 1 ii. Food Truck Vendors shall comply with the Noise Code as set forth in
2 Section 11-5-1 et. seq. of this Code including utilizing generators that
3 meet the requirements of the Noise Code.

4
5 F. *Storage.* No merchandise, Food, equipment, or other item related to the operation
6 of a Food Truck, other than a trash receptacle required by Section H below, shall
7 be stored or kept adjacent to the Food Truck ~~on any public right-of-way~~
8 **including, but not limited to, sidewalks and streets.**

9
10 G. *Liquid Waste.* No liquid wastes used in the operation of the Food Truck or Food
11 vending shall be allowed to be discharged from the Food Truck except into an
12 approved sewerage system as permitted by law.

13
14 H. *Trash.* Portable receptacles for the disposal of waste materials or other litter shall
15 be provided by the Food Truck Vendor for the use of customers and all Food
16 Truck Vendors shall direct customers to place all waste and litter in the
17 receptacles. All waste shall be removed and disposed of by the Food Truck
18 Vendor. Public trash receptacles shall not be used for compliance with this
19 section.

20
21 ~~I. *Deliveries.* Food Trucks shall not receive deliveries from another vehicle~~
22 ~~while parked on a public right of way.~~

23
24 **Sec. 9-15-13 Vending Locations**

25
26 Vending may take place at the following locations:

- 27
28 A. On Private Property, if the Food Truck Vendor is legally parked on the property
29 and has received written permission from the property owner and displays such
30 written permission upon request;
31
32 B. At any Farmer's Market held on Public or Private Property, if the Food Truck
33 Vendor is legally parked at the Farmer's Market and has received written
34 permission from the Farmer's Market manager and displays such written
35 permission upon request;
36
37 C. On Public Property, including, but not limited to, parks, parking lots, and
38 community buildings, where such Public Property has sufficient space for the
39 parking of vehicles and with the permission of the City Manager;
40
41 D. On Public Property owned by the Alexandria City Public Schools or the City of
42 Alexandria School Board, where such public property has sufficient space for the
43 parking of vehicles and with the permission of the Superintendent of the Schools
44 or his designee;
45

1 ~~E. On any public street that has not been signed as a Residential Permit~~
2 ~~Parking District pursuant to Title 5, Chapter 8, Article F of this Code or is~~
3 ~~not within a designated Restricted Street Vending Zone pursuant to section~~
4 ~~9-15-15 below;~~

5
6 ~~F. In defined locations within a designated Restricted Street Vending Zone~~
7 ~~pursuant to section 9-15-15 below;~~
8

9 G. Within the boundaries of any area designated for a Special Event pursuant to
10 section 9-15-14 below; and
11

12 H. At a Private Residence at the direction of a resident for a private event that is not
13 vending to the public and for which the Food Truck has the applicable licensing
14 and follows the applicable regulations for a caterer.
15

16 **Sec. 9-15-14 Special Events**

17
18 The City Manager may permit Food Truck Vendors to vend at a Special Event approved
19 through the City of Alexandria Special Events Policy and Procedures, approved by the
20 City Council on January 23, 2010, as the same may be amended, provided that Food
21 Truck Vendors:
22

23 A. who vend only at the Special Event and do not vend at other times on public right
24 of way, Public Property or Private Property within the City, shall:
25

26 i. not be required to pay the Food Truck Vendor Permit fee required by
27 Section 9-15-8 herein but shall be required to pay any fees associated with
28 any applicable temporary permits; and
29

30 ii. obtain a temporary Food Truck Vendor Permit and any other temporary
31 permits required by the Special Events Permit, including but not limited to
32 a Permit to Operate a Temporary Food Establishment from the Health
33 Department;
34

35 B. shall vend only within the area designated for the Special Event;
36

37 C. shall not vend within two (2) blocks of a Special Event during a Special Event,
38 notwithstanding certain Food Truck Vendors' ability to vend in certain locations
39 in the City; and
40

41 D. shall comply with all regulations set forth in this chapter unless such regulation is
42 amended by the Special Event Permit or Permit to Operate a Temporary Food
43 Establishment.
44

45 ~~Sec. 9-15-15 Designation of Restricted Street Vending Zones:~~

46

1 ~~A. Whenever it appears, after a survey of demand for Food Trucks, land use~~
2 ~~activity, parking resources and other relevant factors, that there is a need for~~
3 ~~regulation of the location of Food Trucks, the City Manager may designate~~
4 ~~Restricted Street Vending Zones within the City. When establishing such~~
5 ~~Restricted Street Vending Zones, the City Manager shall consider the~~
6 ~~following:~~

7
8 ~~i. Capacity of parking spaces;~~

9
10 ~~ii. Traffic congestion;~~

11
12 ~~iii. Pedestrian activity; and~~

13
14 ~~iv. Any other criteria that affect the health, safety, and general welfare of~~
15 ~~the citizens.~~

16
17 ~~B. The hours of operation and designated locations for Food Truck Vendors~~
18 ~~within each Restricted Street Vending Zone shall be set by the City Manager~~
19 ~~after considering the factors listed in Section 9-15-15(A) above.~~

20
21 ~~C. Restricted Street Vending Zones designated by the City Manager shall be~~
22 ~~subject to review and renewal on such a basis as determined by the City~~
23 ~~Manager, unless removal or alteration is required sooner by a change in~~
24 ~~conditions in the area or based on such criteria that may affect the health,~~
25 ~~safety, and general welfare of the citizens.~~

26
27 ~~D. All Food Trucks within a Restricted Street Vending Zone shall comply with~~
28 ~~all regulations set forth in this chapter unless such regulation is amended by~~
29 ~~the Restricted Street Vending Zone.~~

30
31 **Sec. 9-15-16 Suspension or Revocation of Food Truck Vendor Permit.**

32
33 A. The City Manager may, after providing the opportunity for a hearing as provided
34 herein, suspend or revoke a Food Truck Vendor permit issued under the
35 provisions of this article if the City Manager finds that such person has violated
36 any provision of this article on three (3) or more occasions within a twelve (12)
37 month period.

38
39 B. Prior to ordering the suspension or revocation of a Food Truck Vendor permit, the
40 City Manager shall notify, in writing, the applicant or the permit holder, stating
41 the reasons for the suspension or revocation. This notice shall be mailed, postage
42 prepaid, to the applicant or to the permit holder at the business address appearing
43 on the permit application, or if there is none, to the residential address appearing
44 thereon. The notice shall state that the permit will be suspended or revoked
45 unless a written request for hearing is filed with the City Manager, by the
46 applicant or the permit holder within ten (10) business days of the date the notice

1 is mailed. If no request for a hearing is filed within this ten (10) business day
2 period, the application or the permit shall be suspended or revoked by order of the
3 City Manager, and the suspension or revocation shall be final.
4

5 C. If the applicant or the permit holder files a request for a hearing in accordance
6 with this provision, the City Manager, shall give written notice of the hearing to
7 the applicant or the permit holder at a time and place designated by the City
8 Manager. At the hearing the applicant or the permit holder may be represented by
9 counsel, may cross-examine witnesses, and may present evidence in his or her
10 favor.
11

12 D. The City Manager shall issue his determination in writing, to grant or deny the
13 appeal within ten (10) business days of the conclusion of the hearing.
14
15

16 **Sec. 9-15-17 Enforcement and Penalties**
17

18 A. If the City Manager determines that a violation of this chapter has occurred, he
19 may cause a notice of violation to be served on any or all persons committing or
20 permitting such violation.
21

22 B. Any person who commits, permits, assists in, or attempts, whether by act or
23 omission, a violation of any provision of this chapter shall be liable for a class
24 four civil violation and the violation will be enforced pursuant to Section 1-1-11
25 of the City Code. The penalty for each individual violation shall be \$100 for the
26 first violation, \$250 for the second violation of the same regulation or requirement
27 arising from the same set of operative facts, and \$500 for each additional violation
28 of the same regulation or requirement arising from the same set of operative facts.
29

30 C. Enforcement of penalties of this chapter of the City Code shall not preclude
31 enforcement of violations of other sections of the City Code or Zoning Ordinance
32 that may be applicable.
33
34

35 **Sec. 9-15-18 Expiration**
36

37 **This Chapter shall expire and be null and void on October 31, 2014.**
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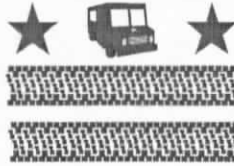
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2 Section 2. That Title 9 as amended pursuant to Section 1 of this ordinance, be,
3 and the same hereby is, reordained as part of the City of Alexandria City Code.
4

5 Section 3. That this ordinance shall become effective ~~upon the date and at the~~
6 ~~time of its final passage~~ **July 1, 2014**. Food Trucks that have valid Health Department
7 and Business License permits to vend at construction sites and Special Events shall not be
8 subject to this ordinance ~~until January 1, 2015~~ but are limited to vending at construction
9 sites and Special Events, unless it obtains a new permit for ~~full~~ vending pursuant to this
10 chapter.
11

12 WILLIAM D. EUILLE
13 Mayor
14

15 Introduction: May 13, 2014
16 First Reading: May 13, 2014
17 Publication:
18 Public Hearing: May 17, 2014
19 Second Reading: May 17, 2014
20 Final Passage: May 17, 2014
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**DISTRICT
MARYLAND
VIRGINIA**
FOOD TRUCK ASSOCIATION



DATE May 17, 2014

TO City of Alexandria City Council

FROM Doug Povich, Chairman of the DMV Food Truck Association

RE **Testimony on Proposed Food Truck Ordinance**

My name is Doug Povich and I am Chairman of the DMV Food Truck Association and Co-Owner of the Red Hook Lobster Pound food trucks. I, along with Alexandria resident Rich Arslan, who owns and operates the Popped Republic food truck out of his new retail location here in Alexandria were also members of the Food Truck Working Group that the City Manager appointed last August to consider the issues surrounding food truck operations in Alexandria. I want to thank you for this opportunity to address the proposed Ordinance that would open parts of the city to food truck vending.

Background

Our Association was formed in 2011 by 17 small business entrepreneurs who launched this new and exciting industry in the DC metropolitan area. We are engaged community members who deeply care about the communities we serve and believe in working together to make a positive impact. Several of our members and their employees are Alexandria residents and some operate their businesses from kitchens in Alexandria. We span the socio-economic gamut and have a wide range of backgrounds including new immigrants, lawyers, working mothers, established restaurateurs, scientists and classically trained chefs. We also have members from numerous nationalities, races and ethnic groups including Black, White, Hispanic, Puerto Rican, Middle Eastern and Asian. Our members' businesses and cuisines reflect this diversity and constitute a true melting pot of small business entrepreneurs, dedicated and passionate about bringing their unique takes on local culture and street food to the people of the DMV. Over the past three years our membership has grown to over 75 small businesses that operate throughout the DC, Maryland and Northern Virginia metropolitan areas. Everywhere, that is, except in Alexandria.

The Proposed Ordinance

The proposed Ordinance, while not perfect, we believe represents a careful, measured and flexible approach to mobile vending in Alexandria. First, it imposes reasonable regulations regarding licensing, health inspections, fees for use of the public right-of-way, size limitations, refuse removal, signage and noise limitations, among others.

Second, it allows food trucks to operate off-street on various types of public and private property, including parks, schools, and farmers markets, but only with the permission of the property owner, school superintendent or market master.

Third, the proposed Ordinance allows on-street vending but subject to restrictions prohibiting food trucks from parking and vending, for example, in signed, residential permit parking zones, within 20 feet of a commercial outdoor dining area and where there is not a minimum of 5 feet of sidewalk width.

Perhaps most importantly with respect to on-street vending, Section 9-15-15 of the proposed Ordinance provides the City Manager with the ability to create Restricted Street Vending Zones (RSVZs) in areas where it is determined that there are issues of parking capacity, traffic congestion, pedestrian activity or any other issues that affect the health and safety of the citizens. And the City Manager, based in part on input from the Working Group, has already identified four such zones where food truck vending will be severely limited. These areas are the King Street corridor (which runs from the Potomac all the way to King Street Gardens and includes the two blocks on either side of King Street), Washington St., Mt. Vernon Avenue in Del Ray and the Eisenhower/Carlyle area. In these zones, food truck vending is entirely prohibited except in parking spaces designated by the City Manager. Specifically, the City Manager has indicated that he intends to designate 9 parking spaces across the entire King Street zone and 3 spaces in each of the other 3 zones. Thus, throughout huge swaths of the City represented by these zones, the City Manager has proposed merely 18 parking spaces where food trucks will be permitted to vend.

Although we disagree with certain of the restrictions contained in the proposed Ordinance and parts of the City Manager's memorandum describing the proposed RSVZs, we appreciate that the regulatory regime generally allows food trucks to operate in a way that is consistent with the primary feature of our business model – our mobility and an ability to meet demand where it exists. For that reason, we support the adoption of the full Ordinance and urge you to adopt it without delay.

Misconceptions About the Ordinance

Despite the plain language of the proposed Ordinance, blatant misinformation persists regarding what the proposed Ordinance means and doesn't mean. For example, Section 9-15-13 of the Ordinance clearly prohibits food truck parking on any public street that has been signed as a Residential Permit Parking District. And I guarantee you that no member of the Working Group, including myself, ever wanted or even proposed food trucks vending to the public in residential areas. Nevertheless, I watched a video yesterday of the May 6th meeting of the Alexandria Planning Commission and the person speaking, who I believe was Chairman Wagner, stated repeatedly and erroneously that the proposed Ordinance would allow food trucks to vend in residential areas of the City and that if he were a community activist he would "gin up a tidal wave of opposition" to the proposed Ordinance.

Another misconception is that places like Old Town will be overrun with food trucks. As I stated earlier, the truth is that the City Manager's proposed RSVZ along King Street completely prohibits food trucks except for 3 parking spaces on Royal Street here by City Hall, 3 spaces in front of the Courthouse and 3 spaces by King Street Gardens. None of those spaces, by the way, are in front of restaurants. Nevertheless, we continue to hear people, including restaurant owners in Old Town,

arguing that implementation of the proposed Ordinance will result in food trucks operating all over Old Town. That is not what is proposed. They are simply mistaken.

Misconceptions About Food Trucks

Misconceptions are not limited to the proposed Ordinance. As a result of our experience over the past several years working with various local jurisdictions in crafting reasonable vending regulations, we know that until people visit and experience modern-day food trucks, misconceptions abound. People believe, for example, that food trucks are not inspected by local health departments. We are, more than most restaurants. They believe we don't pay rent. We do, for the commercial kitchen spaces out of which we're required to operate. They believe we don't collect and remit sales and meals and bag taxes. We do. They believe our trucks are noisy, dirty and unsafe. They're not. Some cost over \$100,000 and are staffed by culinary institute-trained chefs, many of whom want nothing more than to grow their businesses into brick-and-mortar restaurants. In fact, nearly 20 of our members have done just that, and everyday more and more food trucks are growing into brick-and-mortar restaurants. We also have nearly 20 members who started as brick-and-mortar restaurants and have opened food trucks.

People also don't know that these small businesses hire employees, pay income, property and employment taxes and give back to the communities they serve. In addition to our own employees, we hire local service providers, such as bookkeepers, insurance providers and mechanics, and we buy ingredients from local sources. We have members who annually contribute a percentage of their gross revenues to charities. We conduct food drives and regularly support soup kitchens and help charities, schools and religious institutions raise money by contributing a percentage of our sales. We don't do these things because we have to. We do them because, like most businesses, we care about the places where we operate and it's the right thing to do. And we would like to do these things in Alexandria.

Finally, perhaps the biggest misconception is that our presence negatively impacts existing businesses, including brick-and-mortar restaurants. In fact, clear evidence exists that food trucks, by increasing foot traffic in an area, generate more business for restaurants and retailers. For example, across the street from the most popular park in DC for food trucks, four new restaurants have opened. Studies have shown that 50% of food truck patrons are people who regularly eat lunch at their desks, not at restaurants. Bringing those people out on the sidewalks exposes them to other businesses. There is a restaurant in Crystal City that saves a parking space in front of their restaurant for our food truck during lunch service so we can hand out coupons for customers to come back to the restaurant at happy hour for a free appetizer. Finally, we are poster children for helping to create livable, walkable communities – communities where residents enjoy greater food options and where employees want to live and work.

Misconceptions About the Process

Finally, based on comments I heard at the Legislative meeting on Tuesday night, clearly there are misconceptions regarding the April 14, 2014 report issued by the Working Group. Specifically, there is a belief that the report was not complete and that it would be useful to have additional time to finish it. As a member of the Working Group, from my perspective our job was complete following our final meeting at the end of March and after the City Manager solicited comments on the report from all of the Working Group members and received comments from some, including us. At that moment, it was clear to me and other Working Group members that we had completed

all that we could do given the philosophical differences within the group, specifically those related to "on-street" vending.

Due to those differences, there is no amount of additional time that would result in any more consensus. We already received plenty of feedback from a wide variety interested stakeholders and conducted three separate meetings dedicated to receiving input from interested parties in Old Town, Del Ray and Carlyle. The difficulty is that some members, including me, believe that food trucks should be allowed to enter the market, subject only to reasonable health and safety regulations, and offer new food options and compete for dining dollars. Other members, on the other hand, believe that competition from food trucks will negatively impact existing businesses and that any new regulations need to "level the playing field" in order to protect those existing businesses from competition. Because of this core difference in belief, I'm confident that no amount of additional work will bridge this gap and any time spent attempting to do so will be wasted.

Due to the unlikelihood that additional time will lead to any consensus regarding "on-street" vending, we recommend that you not reconvene the Working Group. We believe the solution that the proposed Ordinance reflects -- leaving decisions regarding the creation of RSVZs up to the City Manager, subject to the criteria identified in Section 9-15-15 -- is a balanced approach to overcoming what would otherwise be an impasse that would significantly delay the implementation of new regulations.

Conclusion

Although we are a regional group, we are ourselves members of the Alexandria community. Lifting the city's ban on food trucks in the manner outlined in the proposed Ordinance is a benefit to Alexandria residents and workers and sound policy that promotes economic growth and vibrancy from which the City and all of the area's businesses can benefit. Thank you.

May 17, 2014

8
5-17-14
submitted by
Patrick Mullane

Dear Mayor Euille and Members of the City Council,

First, thank you for holding this hearing today and welcoming me to testify. My name is Patrick Mullane. My wife, Heather, and I are homeowners in the Warwick Village neighborhood and we are here today in support of the proposed food truck ordinance.

While my wife has been an Alexandria resident for more than a decade, I lived and in D.C. when food trucks first came to the city. They were a boon for employees looking for more lunchtime options and residents attending events throughout the city.

But, the food trucks' success was not without controversy. It took several years, hundreds of parking tickets and countless complaints from restaurant owners before proper regulations could be agreed upon. I applaud the Council for taking a proactive approach that will increase options, and help draw employees, tourists and shoppers during the weekdays.

From my experience, food trucks will be drawn to all parts of the city, not just the bustling streets of Old Town and Del Ray, which is a very good thing for the City's businesses. I am opening the Hellbender Brewing Company in D.C. and can tell you that food trucks will be essential to our business. Each brewery in D.C. has at least one food truck on site during tasting hours since the breweries are located in remote and underserved parts of the city. I believe food trucks can and will provide a similar service here in Alexandria, where they can help draw people to underserved parts of the city and enhance civic events.

As written, the proposed ordinance will prevent the clogging of busy streets with numerous trucks, preserve the peaceful nature of our residential neighborhoods and establish fair and effective enforcement measures, all while increasing food options and enhancing our community.

My wife and I encourage you to pass these regulations without delay. Thank you for your time today.

Patrick Mullane

Statement of Michael E. Hobbs
on behalf of the
Old Town Civic Association
City Council
May 17, 2014

8
5-17-14
*submitted by
Michael Hobbs

Proposed Ordinance to Add Chapter 15 (Food Truck Vendors)

Thank you, Mayor Euille, Vice Mayor Silberberg, and members of Council. I am Michael Hobbs, speaking on behalf of the Old Town Civic Association.

OTCA respectfully—but earnestly—urges that you not adopt the ordinance on food trucks that you have set for public hearing today. We strongly disagree both with the substance of this proposal, and with the process that has brought it to you at this point.

OTCA's mission since its formation more than sixty years ago has been to advocate for the preservation of the historic and residential character of Old Town. On both grounds, we are deeply concerned about the impact that little- or non-regulated food trucks could have on both the residential and commercial components of our community, and on the longer term wellbeing of our City at large. The core principle of the Old Town Small Area Plan is the preservation of the "fragile balance" among the residential, restaurant and retail sectors which are the keystone of our community's unique character and vitality. The proposal before you threatens to undermine that balance, for no identified, compelling public need or purpose.

It has been said that this is not a land use matter, and thus not appropriate for the usual processes of our Zoning Code and our Planning Commission, because food trucks are wheeled vehicles on the streets rather than fixed structures on adjacent parcels of land. But that distinction borders on sophistry. The operation of food trucks should be carefully scrutinized, fairly regulated, and permitted only after a process which affords an opportunity for public awareness and comment—for precisely the same reasons that restaurants are subject to the same careful process of review and approval. Restaurants prepare and serve food for their patrons' enjoyment. Food trucks prepare and serve food for their patrons' enjoyment. The conduct of the restaurant's business potentially generates cooking odors, noise, litter, or other effects which, if not contained, could have negative impacts on nearby residential or other commercial property. The same is true of food trucks. Restaurants in Old Town which employed inappropriate signage or incompatible appearance could damage the visual character and integrity of the Old and Historic Alexandria District. The same is true of food trucks. The potential impacts of restaurants and food trucks are not identical, of course. Restaurants probably generate additional demand for parking; food trucks would probably not. But food trucks would occupy a portion of the finite space on Old Town's strictly limited street grid; restaurants do not.

For these reasons, Alexandria has historically and consistently determined that the authorization and operation of restaurants in Old Town should be permitted only with the careful scrutiny, opportunity for public participation, and specific conditions of a Special Use Permit. That was your carefully considered conclusion when you adopted the Old Town Small Area Plan that still governs today. During my own experience, you reviewed and reaffirmed that conclusion in the

King Street Retail Strategy of 2005; the Small Business Zoning revisions of 2008; and most recently, the Waterfront Small Area Plan of 2012. For the same reasons, and for the sake of fundamental fairness, we believe that food trucks, like their fixed-place food service brethren, should be held to no less rigorous a standard now.

The process that has brought this proposed ordinance before you today has also fallen woefully short of the standard that you the Council and we the citizens have a right to expect.

The broad outlines of the substance of this proposal were made known at your work session barely three weeks ago. There has apparently been no final report and recommendations from the citizen/industry panel that you appointed to advise you on the subject. The proposed ordinance was made available for public awareness and consideration just within the past week. Your decision to hold a public hearing on the entirety of that ordinance was taken just three days ago. The alternative ordinance that you discussed at your May 13 meeting has not yet been made available for public inspection.

In keeping with the civic engagement principles of your recently adopted "What's Next Alexandria" policy, which call for full, open and transparent discussion, informed consideration, and broad public participation before governmental action, we urge you not to act on this proposal on the basis of such limited public awareness and opportunity for participation.

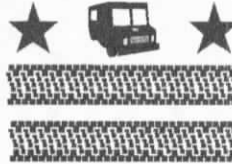
The Old Town Civic Association Board of Directors adopted the attached Statement of Position on Food Trucks at our most recent meeting, and we commend it to your consideration.

The subject was discussed at the OTCA Membership meeting on May 14, and I think it would be fair to say that the overwhelming preponderance of opinion vigorously supported the principles of our resolution. Councilman Chapman briefed our members on the origins of this proposal, the process to date, and the alternative way forward that he had suggested to you the day before. As to process, he ventured the observation that a public hearing and final adoption of an important public policy are likely to be most effective when they are the culmination of a broadly participatory civil process that has led to a broad consensus of public understanding and support—rather than a substitute for or short-circuit of such a process. That is a sentiment with which we heartily agree.

Thank you for your consideration.

8
5-17-14

**DISTRICT
MARYLAND
VIRGINIA**
FOOD TRUCK ASSOCIATION



Arepa Zone
Ball or Nothing
BBQ Bus
Big Cheese
BonMi
Borinquen Lunch Box
BurGorilla
Cajunators
Capital Chicken & Waffles
Captain Cookie and the Milk Man
Caribbean Cafe
Carmen's Italian Ice
Carnivore BBQ
Carolina Q
Crab Cab
Crepe Love
Crepes Parfait
Crusty Dog
Curbside Cupcakes
Dangerously Delicious Pies
DC Ballers
DC Empanadas
DC Greek Food
DC Pailo
DC Slices
DC Sliders
DC Taco
Dolci Gelati Truck
Doug the Food Dude
Feel'n' Crabby
Fire & Rice
Goode's Mobile Kitchen
Good Grub'n'
Goodies Frozen Custard & Treats
Halal Grill
Hala Gyro Plus
Hardy's BBQ
Hula Girl Truck
Jamaican Mi Crazy
Kabob Bites
KaftaMania
Lemongrass Truck
Midnight Confection's Cupcakery
Mighty Dog and Acai
Neat Meat
OoH DaT ChickEh
Orange Cow
Pepe
Peruvian Brothers
PhoWheels
Popped! Republic
Rebecca's Ethiopian Cuisine
Red Hook Lobster Pound-DC
Reggae Vibes
Rita Loco
Sang on Wheels
Scoops2u
Simplicity Ice Cream
South Meets East
Stella's PopKern
SUNdeVich
Sweetbites
TaKorean
Tasty Fried
That Cheesecake Truck
Top Dog
Tortuga
TSR Quesadillas and Empanadas
Woodland's Vegan Bistro

DATE

May 16, 2014

TO

Honorable Mayor William D. Euille
Honorable Vice Mayor Allison Silberberg
Honorable Councilman John T. Chapman
Honorable Councilman Timothy B. Lovain
Honorable Councilwoman Del Pepper
Honorable Councilman Paul C. Smedberg
Honorable Councilman Justin Wilson

FROM

Che Ruddell-Tabisola, Executive Director, DMV Food Truck Association

RE

Support for Food Trucks from Carlyle Residents and Workers.

Please accept the attached 370 signatures from Carlyle residents and workers who ask you to say yes to food trucks in Carlyle.

The petition reads: **I live/work in the Carlyle community and want more lunchtime choices and competition for my hard-earned dollars. Food trucks make Alexandria a more enjoyable place to work and live!**

The signatures were collected on May 8 during the annual Community Day at the U.S. Patent and Trade Office, which hosted several food trucks outside its office.

Passage of the complete food truck ordinance would allow Carlyle residents and workers to enjoy food trucks regularly without the need to apply for a special events permit. The ordinance allows the City of Alexandria to designate areas such as Carlyle as a restricted zone, placing strict limits on the number of food trucks and where food trucks can operate.

On the following page are photos from Community Day.

Photos from May 8 Community Day at the U.S. Patent and Trademark Office



8
5-17-14

Jackie Henderson

From: htfairfax@yahoo.com
Sent: Friday, May 16, 2014 1:16 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51402: Mayor, Vice Mayor City Council Food Truck Issue: I am very disturbe

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51402.

Request Details:

- Name: H. Talmage Day
- Approximate Address: No Address Specified
- Phone Number: 703-684-9849
- Email: htfairfax@yahoo.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Food Truck Issue:

I am very disturbed by the proposal that food trucks may be approved to set up in any legal parking zone in Alexandria's commercial and residential neighborhoods.

I am familiar with food truck operations around Metro Center, DC, where streets are wider and all outdoor dining has a greater setback.

In that area, the trucks create bad odors and congestion. In Alexandria, the street congestion would be worse, the impairment for other commerce would be more severe, and there would be a greater litter problem as well.

Food trucks are not a good idea in Alexandria.

Thank you,

Tal Day

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Jackie Henderson

From: dnstraub@netscape.net
Sent: Friday, May 16, 2014 10:36 AM
To: Jackie Henderson
Subject: Call.Click.Connect. #51375: City Clerk and Clerk of Council As a long-standing resident and Council-

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51375.

Request Details:

- Name: daniel straub
- Approximate Address: No Address Specified
- Phone Number: (703) 6848575
- Email: dnstraub@netscape.net
- Service Type: City Clerk and Clerk of Council
- Request Description: As a long-standing resident and Council-appointed representative to a local committee (8 years), I would like to respectfully request City Council to defer any discussion and vote on the FoodTruck item scheduled for the Saturday session.

daniel straub, co-chair
UrbanDesignAdvisoryCommittee

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at [the *Call.Click.Connect.* staff interface.](#)

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: vanhorns1@verizon.net
Sent: Friday, May 16, 2014 11:54 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51392: Mayor, Vice Mayor City Council Please see attached letter.

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51392.

Request Details:

- Name: Hugh & Mary Van Horn
- Approximate Address: No Address Specified
- Phone Number: (703) 836-1066
- Email: vanhorns1@verizon.net
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Please see attached letter.
- Attachment: <http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/docx/07e7d748-41b0-442b-be7d-05d33de19db7>
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

16 May 2014

Dear Mayor Euille, Vice Mayor Silberberg, and Members of City Council:

We are unable to attend the City Council meeting on Saturday, 17 May 2014, but we want to go on record as being vehemently opposed to the operation of food trucks on any public property in the City of Alexandria. We are not opposed to food trucks on private property with the landowner's permission.

We also regard it as unconscionable that this controversial issue has been rushed through without even waiting for the report of the committee that was established for the specific purpose of studying this matter.

The proper course of action at Saturday's meeting is to defer any action until after the food-truck committee's report has been finished and submitted, and Council has had time to digest and act in a thoughtful manner on the issue. We urge you to do this!

Remember the old adage: "Act in haste; repent at leisure!"

Hugh & Mary Van Horn

Jackie Henderson

From: kljhoffman2@verizon.net
Sent: Friday, May 16, 2014 1:05 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51401: Mayor, Vice Mayor City Council Please vote against allowing food trucks

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51401.

Request Details:

- Name: Katherine Hoffman
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: kljhoffman2@verizon.net
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Please vote against allowing food trucks in Alexandria.

Food trucks parked on King Street would destroy the appearance of the Old Town historic area and negatively effect business owners.

As a 30 year resident of Alexandria, I've overheard visitors say they are charmed with the historic area. Don't change what makes Alexandria unique to visitors. By allowing food trucks you will be destroying part of Alexandria's charm. Don't try and make Alexandria like every other place. Keep it unique or you will lose visitors and have unhappy residents.

As a volunteer teacher of English to immigrants, I am aware of the large number of different ethnic groups in Alexandria. If you want to try something to draw tourists, perhaps a once-a-year food festival featuring foods of the different ethnic groups that live here. Pittsburgh does an annual food festival like this and it is very successful.

Or if you are pushed to allow food trucks, do it on an experimental, provisional basis so that it can be cancelled when you see how it negatively effects existing restaurants and how much trash it generates. Or only allow one or two food trucks to serve Market Square on King Street. And if you allow food trucks, who is going to monitor safety/health regulations? And what about parking and traffic congestion? Please think all this through and do not allow food carts.

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: mallen@markallenlaw.com
Sent: Friday, May 16, 2014 12:58 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51400: Mayor, Vice Mayor City Council Dear Friends, Can any of you explain

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51400.

Request Details:

- Name: Mark Allen
- Approximate Address: No Address Specified
- Phone Number: 703-836-8787
- Email: mallen@markallenlaw.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Friends,

Can any of you explain the rush to judgment you're engaged in with respect to food trucks? Ignoring your own work group. Distorting their interim findings. There seems to be an nothing that can affect this unnatural alliance with the food truck movement, all to disregard of your own citizens.

The same is true for your embrace of the pro-bicycle folks. In your arrogant zeal to have Alexandria become as "progressive" as you can, you've repeatedly disregarded the will of the people who elected you. What happened to the collaborative way of doing things we used to have?

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a *Call.Click.Connect.* request. Please do not reply to this email.

Jackie Henderson

From: higs743@yahoo.com
Sent: Friday, May 16, 2014 12:23 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51396: Mayor, Vice Mayor City Council Dear Mayor Euille, Vice Mayor and City C

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51396.

Request Details:

- Name: John Higgins
- Approximate Address: No Address Specified
- Phone Number: 703-623-1116
- Email: higs743@yahoo.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor Euille, Vice Mayor and City Council,
On behalf of the owners at The Henry Condominium, we would like to register our opposition to food trucks in the Old Town Alexandria area. I have attached a letter expressing our opposition and concern with this issue. We are opposed to anything that would degrade the quality of our community and increase traffic congestion.
Sincerely
John Higgins
President
Unit Owners Association of The Henry Condominium
- Attachment: <http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/pdf/4d45481f-4071-462f-acae-b7569b84ebc0>
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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THE HENRY

Unit Owners Association of The Henry Condominium

May 16, 2014

Dear Mayor Euille, City Council, City Manager and Members of the Planning Commission,

Re: Proposed Food Truck Ordinance

The Unit Owners Association of The Henry Condominium representing 168 residential units joins the Old Town Civic Association (OTCA) in opposing Food Trucks in the Old Town area. The King Street area is characterized by overextended parking, heavy vehicle and foot traffic, lots of good food, and a nice trolley. Adding food trucks would make the problems worse and not fill a need.

Other parts of Old Town are characterized by quiet residential neighborhoods that need neither more curbside food nor more noise and congestion.

We are also concerned with the insufficient controls (parking, noise, competition, etc.) in the legislation as enumerated by the OTCA letter. We are also aware of how other communities have struggled greatly with truck vs hardstand vendor competition as well as increased litter and burden on municipal services. These additional issues add to the risks of this plan without filling a need.

The Henry welcomes further discussion on the issue, but currently sees problems without benefits in the Food Truck plan.

Respectfully,

John Higgins
President

Unit Owners Association of The Henry Condominium

CC: Board Members of Unit Owners Association of The Henry Condominium

Jackie Henderson

From: Poul Hertel <poulh@erols.com>
Sent: Friday, May 16, 2014 1:55 PM
To: William Euille; Paul Smedberg; Del Pepper; delpepper@aol.com; John Chapman; Allison Silberberg; Justin Wilson; Timothy Lovain
Cc: Jackie Henderson; Joanna Anderson
Subject: food ruck ordinance

Re; Food truck ordinance

Dear Mr. Mayor and members of the City Council

I suggest the following changes to the proposed ordinance

1. Food trucks should be subject to fire prevention permit regardless of venue.(page 2 of 9)

Sec. 9-15-7 Permits and Licenses Required

42 D. Fire Prevention Permit, ~~if required~~, pursuant to Title 4, Chapter 2, Article B of

43 this Code.

They should also be required to have automatic fire suppression systems, a one-button fire suppression activation system to eliminate grease/stove fires.

2. Food truck should be required to use "Whisper Generators" since three in a row can cause significant noise issues. The noise ordinance is neither sufficiently clear nor applicable for continued use of an average food truck generator. (see <http://alexandriava.gov/tes/oeq/info/default.aspx?id=4034#1151>)

Sincerely
Poul Hertel

8
5-17-14

Jackie Henderson

From: csimagine@aol.com
Sent: Friday, May 16, 2014 3:40 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51433: Mayor, Vice Mayor City Council Re: Saturday, May 17, 2014, Docket Item

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51433.

Request Details:

- Name: Carol Supplee
- Approximate Address: No Address Specified
- Phone Number: 703-969-6820
- Email: csimagine@aol.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Re: Saturday, May 17, 2014, Docket Item 14-2809, Food Truck Vendors, please see my support attached.
- Attachment: <http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/doc/e9070bd2-c1b9-4921-a0b2-5643656f288a>
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the *Call.Click.Connect.* staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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1124 King Street, Alexandria, Virginia 22314 703-548-1461

May 16, 2014

The Honorable William Euille, Vice Mayor Allison Silberberg and Members of the Alexandria City Council:

As a resident of Alexandria, I believe that the only legitimate argument for excluding a class of businesses is whether that class contributes their fair share of cost overhead and sales tax revenue. Licenses and permits will assure that.

As a business owner, I believe no argument can be made that one type of business should be excluded on the basis of not wanting competition. Some of my business friends have been calling to warn me that clothing trucks are coming next. I could not in good conscience oppose that.

Over the 20+ years I have owned Imagine Artwear on King Street, I have listened to the fears of people about First Night Alexandria, tattoo parlors, mental health facilities, outdoor dining, sex shops and now food trucks. I have never seen any of the fears expressed over any of those issues cause any hardship on residents or businesses. And I have not heard of any documented case of a restaurant going out of business because of food trucks.

By defining where food trucks may operate and knowing that if problems arise those issues can be addressed by revisions, the City has the opportunity to take preemptive action without throwing open the entire City.

A vibrant community does not come about because we have excluded businesses or choices for people. It comes from allowing as many legitimate businesses as will fit on the street and then letting the marketplace – the consumer – decide which of those businesses he or she will support.

Sincerely,

Carol Supplee

Owner, Imagine Artwear

8
5-17-14

Jackie Henderson

From: julieokkema@me.com
Sent: Friday, May 16, 2014 4:48 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51443: Mayor, Vice Mayor City Council Dear Mayor Euille, Vice Mayor Silberberg

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 51443.

Request Details:

- Name: Julie Okkema
- Approximate Address: No Address Specified
- Phone Number: 703-801-7522
- Email: julieokkema@me.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor Euille, Vice Mayor Silberberg and Council Members Chapman, Lovain, Pepper, Smedburg and Wilson,

We are out of town this weekend at our daughter Justine Johnson's (TCWHS '10) McIntire School of Commerce, UVA graduation and are unable to attend the City Council public hearing May 17, 2014.

We do wish to submit our comment regarding off-site food trucks as we understand Council wishes to focus on this on Saturday. We read through the documents provided on the Council Agenda for May 13, 2014, on food truck regulation.

Our personal residential concern is over Chinquapin Park and possibly TCWHS (if Superintendent allows) and the presence of rats, etc. As we understand the Ordinance, it states the food truck vendor has sole/full responsibility for garbage pickup. We are wondering if Council will consider how this will work when residents buy their food at the truck, yet eat it around Chinquapin such that food, containers etc are spread out throughout the Park? Will the vendor truly go around Chinquapin and pick up all garbage and empty trash containers each time? Point of information, at times on weekends all Park trash containers are overflowing as it is.

Knowing human nature, we have significant reservations that the needed clean up of left over food, plates, utensils, drinks etc will occur. This raises a true public health issue. Rats already come over from the Park and TCW so neighbors, including us, bait traps. But none of us are prepared for an onslaught such as may occur if left over garbage becomes a problem with the introduction of Park food trucks. It strikes both of us this issue of responsibility needs to be more thought out. Will Parks and Recreation maintenance truly have no roll here, seeing Chinquapin is a City Park? Will they and City Department of Health monitor this issue so it does not become a significant public health issue due to vermin disease transmittal and even standing water?

We had a major rat problem in 2004-2007 when TCWHS was being constructed. We personally paid for regular pest control via bait boxes which did not fully work (no spray chemicals). We do not wish to have to hire private pest control chronically (we border Chinquapin Park) as it's expensive and because of the pesticide chemicals used to combat rats, mice, possums, chipmunks, other rodents and foxes. We do not use spray pesticides nor yard chemicals: we are completely green due to one family member's active Neuropathy. We do not want mice, etc., coming into our house and the cost of eliminating them as happened in 2004-2007.

We do not therefore support food trucks off-site in Chinquapin or any other City Park given the current Ordinance. If the Ordinance read that food is purchased and must be eaten in a restricted, immediately cleanable area by vendor near King Street entrance that may be one thought, but who is going to keep to that in reality? And who in Parks and Recreation or City is going to monitor this issue.

We know you will be inundated with comments, yet we do ask that no very real public health nuisance be added to our City which residential homeowners have to pay the price for, both by health issues and cost to avoid.

Thank you for your consideration of this important comment.

Sincerely yours,
Julie Okkema MD and Kurt Johnson PhD
1300 Bishop Lane
Alexandria VA 22302

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the [Call.Click.Connect. staff interface](#).

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Jackie Henderson

From: website <webmaster@alexandriava.gov>
Sent: Friday, May 16, 2014 11:33 AM
To: Jackie Henderson; Gloria Sitton
Subject: City Council speaker's form submission received

Meeting Date: 05/17/2014
Docket Item# 8

Speaker's Name: Jeffrey Hoffman
Phone #: 7025680600
Email:
Address: 210 E Howell Ave. #3

Representing self? Yes
If representing other:

Position on the item: For

Nature of interest: Employee of affected business, resident of area

Are you being compensated? No

Please click the link below to access your file. Larger files can take longer to upload, so if your file isn't immediately available please try again in a few minutes. If you are still unable to access your file after 30 minutes please contact the survey administrator:

http://surveygizmoreponseuploads.s3.amazonaws.com/fileuploads/118293/1021442/52-cfe107522db5e0579d5d1dd16774bf39_Jeff+Hoffman+-+Testimony.docx

May 17, 2014

Dear Mayor Euille and Members of the City Council,

My name is Jeff Hoffman and I support lifting our community's near-total ban of food trucks and allowing them to serve residents and workers on public streets and private property.

My family and I are lifelong Alexandria residents. I have seen this area change massively, from the big changes like the construction of the Trademark Office and the Carlyle area, to the small changes like the closing of Tiffany Tavern. This area is an incredible and dynamic place that thrives on small business and the opportunity to create. To deny trucks, an equal opportunity to participate is unfair to the very same kinds of small businesses that make up the city.

Food trucks make our community a more enjoyable place to live and work! They help to draw people to restaurant and shopping areas and increase foot traffic for all surrounding businesses. And every day food trucks are growing into brick-and-mortar restaurants, creating jobs and contributing to city revenues.

The proposed food truck ordinance ensures proper licensing, permitting and enforcement of violations. It also places numerous rules and regulations for how food trucks operate, including prohibiting food trucks from vending in residential areas, and creates additional limitations on the number of food trucks in city-identified restricted zones.

The proposal provides Alexandria residents and workers more choices at lunchtime and more competition for our dollars. Everybody should support that!

Please pass the complete ordinance without delay.

Sincerely,

Jeff Hoffman

Gloria Sitton

From: website <webmaster@alexandriava.gov>
Sent: Wednesday, May 14, 2014 12:19 PM
To: Jackie Henderson; Gloria Sitton
Subject: City Council speaker's form submission received

Meeting Date: 05/17/2014
Docket Item# 8

Speaker's Name: Janet Gregor
Phone #: 571-551-6048
Email: jgregor@carlylecouncil.com
Address: 2050 Ballenger Ave., Alexandria, VA 22314

Representing self? No
If representing other: Carlyle Council

Position on the item: Against

Nature of interest: represent Carlyle property owners

Are you being compensated? Yes