



Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 18, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

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

DOCKET TITLE:

Consideration of the Draft Procedure for Administering the Off Street Food Truck Pilot Program and the Draft Policy on Food Truck Vending in Public Parks and Recreation Centers.

ISSUE: Consideration of the draft Procedure for Administering the Off Street Food Truck Pilot Program and the draft Policy on Food Truck Vending in Public Parks and Recreation Centers.

RECOMMENDATION: That City Council approve the draft administrative regulations for the administration of the Off Street Food Truck Pilot Program including the Policy on Food Truck Vending in Public Parks and Recreation Centers and authorize the City Manager to finalize the administrative regulations for the July 1 start date of the program.

DISCUSSION:

On May 17, 2014 the City Council adopted an ordinance to establish a pilot program for off street food truck vending. The pilot program is to run from July 1, 2014 through October 31, 2015 and allows food trucks to vend in certain off street locations between the hours of 7 am and 8 pm daily with certain restrictions. The ordinance includes the authorization for the City Manager to establish administrative regulations to administer the program (Section 9-15-10). The regulations provide the details for how each of the locational and operational requirements established by the ordinance will be administered. The attached draft Procedure for Administering the Off Street Food Truck Pilot Program and the draft Policy on Food Truck Vending in Public Parks and Recreation Centers are the proposed regulations to implement the pilot program for off street food truck vending.

In establishing a food truck program, the City's goal is to allow food trucks in the City in a way that emphasizes the opportunity to bring vibrancy to the community but minimizes the negative impacts and ensures public safety. The pilot program will provide the City with the opportunity to evaluate the types of locations and regulations are necessary for a successful food truck program.

First, under the pilot program food trucks will be allowed to vend at certain public and private locations including:

- City Parks, Recreation Centers and other City property with off-street parking
- farmers' markets with off street parking, at the discretion of each market manager.
- Alexandria City Public Schools property with off-street parking, subject to approval by the Superintendent of Schools.
- private property (such as churches, private schools, and commercial and multi-family apartment parking lots), with the permission of the property owner. Food trucks may also serve private residential events in the same manner as caterers.
- special events within the area designated in each special event permit.

The public property locations will be established ahead of time either through the criteria established in the policy addressing parks and recreation centers or by pre-approval by the City Manager in consultation with the applicable City Department where the parking lot would be located. The draft parks policy establishes fourteen (14) parks and recreation center locations where food trucks may locate. Staff is currently reviewing whether there are any other public parking lots that would be able to accommodate food truck vending. These locations, and any changes to the locations, will be posted on the City's website for easy reference by the public and the food truck vendors. Having these pre-approved locations will give the food trucks the opportunity to move around to different locations without having to contact the City before choosing each location. Additionally, the pre-approved locations will set community expectations for where they may expect to see food trucks within the City.

The additional locations including farmer's markets, private property, and School property require the food trucks to ask for permission prior to using these properties or be invited by the property owner or market master. A list of food trucks that have obtained a Food Truck Vendor Permit will also be posted on the City's website in order to assist in establishing the relationship between the permitted food trucks and potential locations where permission is required.

Additionally, the pilot program includes operational requirements both in the ordinance and in additional administrative regulations that are designed to minimize the impacts of the food trucks including:

- noise regulations that prevent amplified sound outside of the truck and require compliance with the noise code regulations for levels of sound that are allowed to be emitted from the trucks; in parks and recreation centers the noise measurement will be taken from the edge of the parking lot area where the truck is parked, on all other property the noise measurement will be taken from the property line;
- sign regulations that prevent signs other than menu boards;
- trash collection requirements including requiring a trash can outside of the truck for the use of patrons; in parks, recreation centers the food truck vendor will also be required to remove any litter or trash within fifty feet of the truck;
- locational requirements including prohibition from parking in fire lanes, drive aisles, in a way that blocks ingress and egress;
- hours that limit each food truck to no more than 4 hours of continuous vending and only during the hours of 7 am - 8 pm; in Parks and Recreation Centers' parking lots, the food trucks will only be able to vend during these hours if the park or recreation center is open;

Staff believes that the locational and operational regulations that are proposed will address most concerns that have been raised about food trucks generally. However, as the program is implemented if additional concerns arise, the City Manager may amend or add additional regulations as needed to address a public health, safety or

welfare issue.

The pilot program will be enforced by zoning inspectors with the Department of Planning and Zoning. Although the program is not being administered through the Zoning Ordinance, the zoning inspectors have the most experience with enforcing ordinances with similar requirements and therefore were the best choice for this new program. The City's website page dedicated to food trucks will have clear instructions on how citizens can provide feedback, including complaints.

Staff posted the draft administrative regulations on the City's website and invited the public to submit written comments regarding the regulations to the staff by June 19. Additionally, the ordinance specifically requires that the Park and Recreation Commission review the policy on Food Truck Vending in Public Parks and Recreation Centers. The Park and Recreation Commission will hold a public hearing on the policy on Thursday, June 19 at 7 pm. Given the short time between these comment periods and the City Council's legislative meeting, the comments received both written and at the Commission hearing are not able to be summarized in this report, however Staff will verbally report on all comments received at the meeting on June 24.

An important aspect of any pilot program is the measures that will be used in order to determine the success of the program and what changes would be desirable before making any program permanent. The administrative regulations set forth the purpose of the pilot program including that the pilot program will:

- Provide the City with data to use in evaluating whether to adopt a more comprehensive food truck program, to adopt a permanent program for food trucks to operate only off street, or not to adopt a permanent program;
- Provide the City with data to use in evaluating the appropriate regulations of food trucks to minimize negative impacts to the community and ensuring the safety of pedestrians and vehicles;
- Introduce the use of food trucks to the public; and
- Allow the city to evaluate the costs and staffing needs of such a program.

Staff is currently preparing a plan for measuring the success of the pilot program. The information gathered will address matter such as the impact of food trucks on vehicular and pedestrian traffic, noise and trash generated, appropriate locations for food truck vending, the sales revenue generated from the food trucks, the number of food trucks that obtain permits through the program and other matters. The information will be gathered through complaints and/or positive feedback received from community members, food truck vendors and food truck patrons; staff inspections of food trucks at the off street locations; and potentially surveys or other means of obtaining feedback. This information gathered, coupled with the experiences of other jurisdictions in the DC metro area as well as across the country, will help to inform the next steps for food truck vending in Alexandria.

FISCAL IMPACT:

The annual fee collected for the Food Truck Vending Permit will be \$250. The annual application fee will be \$100. Staff expects extra costs in staff time to administer the program. The cost of additional staff time will be quantified as part of the pilot program. The fee will be established annually.

ATTACHMENTS:

Attachment 1 - Adopted Pilot Program Ordinance #4875

Attachment 2 - 06.10.14 draft Procedure for Administering the Off Street Food Truck Pilot Program

Attachment 3 - 06.10.14 draft Policy on Food Truck Vending in Public Parks and Recreation Centers

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