



Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

**DATE:** FEBRUARY 5, 2025

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**THROUGH:** JAMES F. PARAJON, CITY MANAGER /s/

**FROM:** KARL MORITZ, DIRECTOR, PLANNING & ZONING

**DOCKET TITLE:**

Public Hearing, Second Reading and Final Passage of an Ordinance Approving and Authorizing the Temporary Designation of On-Street Parking Spaces in the 3800 Block of Mount Vernon Avenue for Vending. [ROLL-CALL VOTE]

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**ISSUE:** Consideration of the temporary designation of on-street parking spaces in the 3800 block of Mount Vernon Avenue for vending.

**RECOMMENDATION:** That the City Council:

1. Introduce and pass on first reading of the ordinance (Attachment 2) approving and authorizing the temporary designation of on-street parking spaces in the 3800 block of Mount Vernon Avenue for vending; and
2. Set the ordinance for public hearing and final passage on Saturday, February 22, 2025.

**BACKGROUND:** The 3800 block of Mt. Vernon Avenue is a two-way street running north and south with a mix of commercial uses, on-street parking and private parking lots serving businesses in the Del Ray North shopping center.

For several years, street vendors have been enlivening the sidewalks of the Arlandria-Chirilagua neighborhood, selling a variety of goods to help earn a living while serving the needs of their community. This activity is occurring primarily on the 3800 block of Mount Vernon Avenue where sidewalks are relatively narrow. [The Arlandria-Chirilagua Small Area Plan](#) <[---

City of Alexandria](https://media.alexandriava.gov/content/planning/SAPs/ArlandriaChirilaguaSAPEnglishCurrent.pdf?_gl=1*8mmaxf*_ga*NjUwODQ5NTYzLjE3Mjk3OTA2OTY.*_ga_249CRKJTTH*MTczNDQ0Mjg4Mi45MS4wLjE3MzQ0NDI4ODIuMC4wLjA.></a> recognized the benefits that street vendors can bring to the neighborhood including providing access to affordable fresh food and economic opportunity for neighborhood</p></div><div data-bbox=)

entrepreneurs. The small area plan recommends that a pilot program be considered to allow small-scale street vendors to sell items such as food, art, crafts, and other items within specified locations in the public right-of-way, including in identified on-street parking spaces, as long as the operations do not block the pedestrian zone.

During the COVID-19 pandemic, the City launched the Parklet Program to expand opportunities for retailers and restaurants to use sidewalks and parking spaces for vending; however, the program does not specifically permit vendors without an adjacent brick-and-mortar location to sell in the public right-of-way.

**DISCUSSION:** Over the last year, an interdepartmental staff group has been exploring a legal pathway for vendors currently operating on the sidewalk along this section of Mount Vernon Avenue to continue. Following considerable exploration of various options, staff's findings are that, in addition to the limitations with the Parklet Program described above, state health regulations preclude a legal pathway for the vendors to operate as envisioned, specifically the vendors of prepared or repackaged food (cut-up and seasoned fruit, bagged snacks, and prepared drinks) - this is notable because the vendors report that these food items are popular with their customers and are profitable. These vendors do not qualify under any of the available Virginia Department of Health (VDH) permitting options and are limited to selling only whole, uncut produce that isn't required to be temperature controlled.

Staff is therefore proposing a six-month pilot program that allows vendors to sell whole, uncut produce and/or limited small non-food items in designated on-street spaces on the east side of the 3800 block of Mount Vernon Avenue. These spaces front existing private parking lots for commercial uses in the Del Ray North shopping center. Individual vendor spaces (five in total) will be limited to a 10'x6' area, allowing portable tables and umbrellas. Acceptance into the program will be on a first-come, first-served basis as space allows and successful applicants will agree to comply with all requirements including food safety regulations, annual licensing and liability insurance fees, ensure that items fit neatly within the allotted space and monitor the area for cleanliness (see Attachment 3 for proposed rules of operation).

## **Outreach**

Over the summer and fall, staff engaged with the existing vendors and 20 nearby brick-and-mortar businesses and organizations to discuss the parameters of the pilot and gauge vendor interest in the program. Through these discussions, staff learned that vendors strongly prefer to remain as close as possible to their current location on the 3800 block of Mount Vernon Avenue. To date, two vendors have expressed interest in participating in the pilot. Most surrounding businesses support a solution that allows vendors to continue operating, provided they relocate from the sidewalk in front of existing storefronts. Four businesses raised concerns about moving vendors to the proposed on-street spaces, particularly regarding the pilot's implementation and vendor compliance with the proposed rules. The property owner of the Del Ray North center shared concerns that vendors and their customers will illegally park in the property's parking lots, which they have indicated is an ongoing issue. Businesses expressing opposition also note the potential conflicts with on-street parking availability and pedestrian safety, as well as the concern that vendors will obstruct storefront visibility.

The proposed pilot includes a dedicated bilingual program manager who will serve as a resource to vendors and the surrounding business community and, along with relevant interdepartmental staff, will ensure compliance with program parameters. While several businesses indicated concern with some of the current unregulated vending activity, they support the coordinated interdepartmental approach that has begun and is planned for the pilot. Staff continue to engage with the community to address questions and ensure a smooth rollout and implementation of the pilot program.

On December 9, the Traffic and Parking Board reviewed and made a recommendation to the Director of Transportation and Environmental Services (TES) supporting the temporary designation of vending spaces to the on-street spaces necessary to implement this pilot program. The placement of the vending spaces enhances traffic calming, activates the streetscape, improves pedestrian safety, increases parking availability and is consistent with TES' long-term vision for the avenue.

On January 9, the Planning Commission found the change in use of the public street for the purposes of vending consistent with the Master Plan, specifically the Arlandria-Chirilagua Small Area Plan, which discusses the concept in some detail and specifically mentions the possibility of locating a vendor program in the "sidewalk amenity area and/or in identified on-street parking spaces but should not block the pedestrian zone..." (page 45).

### **Interim Solution**

Beginning December 2, staff temporarily installed the vending spaces as proposed allowing existing vendors who are interested in participating in the pilot to temporarily operate while the proposed program progressed through the City's approval process. Two existing vendors indicated interest and agreed to comply with the proposed parameters. This interim solution allows vendors to continue to earn a living while also addressing immediate concerns with the obstruction of the right-of-way for businesses and pedestrians and bringing vendors into compliance with the health code. As part of the installation, additional on-street parking was created adjacent to the vendors.

### **Implementation and Evaluation of the Pilot**

The interdepartmental staff group coordinating on the development of the pilot will continue to work together to ensure vendor compliance with program parameters as identified in Attachment 3. Over the course of the pilot, staff will evaluate the benefits and impacts of the vending program, making recommendations for changes to the rules as necessary to the Director of the Department of Planning & Zoning.

**FISCAL IMPACT:** Approximately \$2,000 was expended by TES to temporarily install the vending spaces with flex posts and plastic barriers. For enhanced safety, TES recommends the installation of concrete barriers around these spaces, the estimated cost for which is approximately \$5,000.

Funding for the program manager is addressed through the six-month pilot; however, if the program is extended, additional funding will need be identified.

The pilot program will be actively managed and, consequently, we will learn through its implementation what staff and other resources are needed for its success. It is possible that early, consistent levels of oversight will be able to be dialed back over time, but it is also possible that they will need to be sustained.

### **ATTACHMENTS:**

1. Ordinance Cover
2. Ordinance
3. Proposed Pilot Regulations
4. Presentation

### **STAFF:**

Emily Baker, Deputy City Manager

Adriana Castañeda, Director of Transportation & Environmental Services

Dr. David Rose, Director, Alexandria Health Department

Chief Tarrick McGuire, Alexandria Police Department

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