



Source: City Manager

Agenda Item No: REP 143-13

To: City Council
From: City Manager and Staff

Council Meeting Date: Sep 16, 2013

Re: Mobile Vending on City Streets.

EXECUTIVE SUMMARY:

This report presents the outline for adding and changing city ordinances to enable mobile vendors (food trucks) to carry out business on city streets for a 6 month pilot period.

DISCUSSION:

Food trucks are a growing trend providing unique cuisine and dining experience. Cities across the country are employing various regulations for food trucks to insure public safety and insure a level playing field for brick and mortar restaurants. Columbia food trucks can only do business in private parking lots with the consent of the property owner, or with a special event permit. Staff and Council members have been approached by food truck owners wishing to open up the City's streets to their businesses.

It became clear early on that allowing food trucks to vend on city streets was best broken down into two areas: downtown (as defined by the CID's boundary) and citywide. Downtown offers unique challenges because of the density of business, value of parking, and the desire to do business in the area. The attached CID report outlines an innovative plan to address these issues. Their plan insures that parking spots will not go unused, mitigates conflicts between food trucks and brick and mortar establishments, covers the cost of parking spots and administration, and brings a desired new trend to our downtown. Staff supports the CID's recommendations for allowing food trucks downtown (see attached).

Below is a list of staff recommendations for regulating food trucks doing business on the city's streets citywide. The 6 month pilot period will create an opportunity to evaluate the impact of allowing mobile vending and the effectiveness of the ordinance regulating mobile vending. Recommendations below would enable mobile vending on streets adjacent to any property zoned commercial, office, manufacturing, or owned by the University of Missouri, Columbia College, and Stephens College. The University of Missouri has expressed that it would not oppose food trucks on City streets on campus, other colleges will be contacted before any ordinance is drafted. Vendors would also be subject to current parking restrictions and prohibitions as present in existing ordinances.

Permit/Fee

To ease the enforcement of regulations related to mobile vendors and the collection of data concerning the number of mobile vendors staff proposes that food trucks submit an annual application for a mobile vending permit in addition to a business license, and be charged a fee that covers our administrative cost for the application and issuance of the permit.

Regulations

Operation prohibited in any area zoned residential with the exception of property owned by the University of Missouri, Columbia College, and Stephens College.

Operation prohibited 200 ft. from the front door of a restaurant, unless given written consent to do so, except as allowed by mobile vending zones in the boundaries of the CID.

Operation prohibited within 500 ft. of any Columbia Public School, unless given written consent to do so, except as allowed by mobile vending zones in the boundaries of the CID.

Operation within 500 ft. of any concert, event, festival, or fair is prohibited, unless given written consent to do so, except as allowed by mobile vending zones in the boundaries of the CID.

Operation within a city park is prohibited unless the vendor has authorized consent of the Parks and Recreation Department.

The use of outdoor sound amplifying equipment, lights, or any other illuminated or noise making devices used to attract customer is prohibited.

Use of any equipment (chairs, tables, signs, etc.) outside of the truck except for one refuse container is prohibited.

A refuse container must be available for use by customers when a food truck is open for business. The container should be placed close to the truck and not impede vehicular or pedestrian traffic. A mobile vendor will contain all refuse generated from operation within the truck.

Operation in an area or time when it would impede or hinder traffic both vehicular and pedestrian, including customer queues, is prohibited.

Operation in spaces adjacent to bus stops, handicapped loading zones, or directly in front of a business entryway is prohibited.

Soliciting occupants of vehicles or advertising in anyway that impedes traffic is prohibited.

If directed by a police officer or any other authorized public personnel, a mobile vendor will move even if it is in a mobile vending zone to avoid congestion or impeding traffic.

A mobile vendor will only do business to the side facing the sidewalk or away from the street.

A mobile vendor may not be left unattended in a public right of way, nor parked overnight in a public right of way.

No mobile vendor will have any exclusive and/or perpetual right to any location upon the streets, alleys, or public grounds of the City, except as provided in the CID.

The size of a mobile vending vehicle will in no way interfere with the city or public use of any public right of way.

Any power required for the mobile vending vehicle located on a public way will be self-contained and will not draw its power from the public right of way. No power cable or equipment shall be extended at grade or overhead across any public street, alley or sidewalk.

Enforcement

Violations of these proposed regulations or any of city, state, or federal law could result in a revocation of a vendors mobile vending permit, and denial of a mobile vendor's access to downtown mobile vending stalls.

Education

The passage of any ordinance to enable mobile vending will be accompanied by educational materials concerning the process and allowed areas, for example, a map highlighting parking spots that would be available for mobile vending.

FISCAL IMPACT:

The CID's approach to mobile vending stalls insures that lost revenue from parking spots is avoided. Proposed fees for permits and violations would insure that administrative cost are covered.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

SUGGESTED COUNCIL ACTIONS:

Direct staff to bring back an ordinance and changes to existing ordinances to allow mobile vending on city streets for a 6 month pilot period.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?		Federal or State mandated?	
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?		Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	
One Time	\$0.00	Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	

Staff Report

To: Economic Development Committee
From: Carrie Gartner
Date: June 19, 2013
Re: Mobile Vendors Ordinance

Overview

Years ago, mobile vending was more often associated with a “roach coach” parked outside a construction site during the lunch hour. Food trucks today are not only cooler than trucks of old, but they often add a touch of diversity with ethnic and fusion offerings. SXSW recently highlighted a wealth of culinary options provided by their city’s food trucks, ranging from spicy Szechuan Fried Chicken to homemade sausages to vegan chili dogs and beet home fries.

These options appeal to both a younger demographics and to the foodie crowd. Here in Columbia, they also address a late-night demand for after-bar food. And in cities such as New York where food deserts are more common, food trucks serve the role of roving grocery store, providing fresh fruit and vegetable options to local residents.

Because the barriers to entry are lower with trucks they can also serve as a “restaurant incubator,” helping a proprietor test the market in anticipation of eventually moving to a brick and mortar location. Shotgun Pete’s BBQ on N. Ninth is an example of a business that initially started as a trailer at Parkade. A brick and mortar restaurant may also branch out from their location with a truck. Pizza Tree at Mojo’s, for instance, is considering a late-night truck option in addition to their current location.

We have only a handful of trucks here in Columbia and they tend to move around the city, with The District as part of their regular route. Currently, food trucks are allowed to vend on private parking lots and they can usually be found once a week or so in the Yoga Sol parking lot on St. James or in the Stephens parking lot on Hitt and Cherry on Thursday, Friday and Saturday late nights. In fact, both Pepe’s and Sunflower Waffle are fixtures on Thursday, Friday and Saturday nights and have expressed a desire to continue this practice.

However, mobile vendors are prohibited from parking at a meter and as surface lots (thankfully) begin to disappear, trucks will see their options shrinking.

The goal thus became encouraging the added vitality that mobile vendors bring while ensuring there would be no serious negative impacts on brick and mortar restaurants.

We have had a number of meetings with the committee, the mobile vendors, and with city staff and the following is a proposed ordinance addressing mobile vendors.

Criteria

We assessed locations based on a number of factors:

- At least 100 ft. from an existing restaurant or bar
- Not in a high demand area in terms of parking
- Not in a spot that may completely block a retailer's window
- Availability and spacing of meters (assumed two spaces per truck)
- Meter use (ie, short term meters for bill paying, post office or bank trips)
- Pedestrian traffic
- Proximity to a public park or plaza where you can eat
- Location of taxi stands
- Location of bus stops
- Common use of the street (ie, tour buses, funerals, events, etc.)
- Slope and other logistics
- High pedestrian traffic

Locations

Walnut from 9th to 10th (lunch, dinner and late night)

Restaurants/Retail

Ok

Parking (grouping of spaces)

West side - 10

East side - 10

Recommendation

Great location, either side of the street would work. Close to Village Square Park and Courthouse Plaza. Free WiFi on 9th, Courthouse Plaza.

Cherry from 6th to 7th (lunch and dinner)

Restaurants/Retail

Fine

Parking (grouping of spaces)

South side - 8

Recommendation

This is a great south of Broadway location. It would also help liven up a dead block between two good blocks.

Locust from 9th to 10th (late night)

Restaurants/Retail

Close to Mackenzies, but late night option ok

Parking (grouping of spaces)

South side – 8

Recommendation

Great late night location, also near a taxi stand

Wabash Station (late night)

Restaurants/Retail

Fine

Recommendation

May not see high use but if Wabash is decommissioned, it would be available day and night and is perfect for large vehicles to pull in and park. There's also shade and places for customers to sit.

Times

We initially discussed mealtimes of three hours but the trucks mentioned that a half hour to set up and a half hour to clean up would be smart. Thus, we're looking at 4 hour blocks in the day and a 5 hour block for late night:

Lunch: 10:30 am – 2:30 pm

Dinner: 4:30 pm – 8:30 pm

Late Night: 9:30 pm – 2:30 am

These are the times that vendors would be allowed to reserve spaces.

Procedure

Food trucks need some consistency in the sense that they need regular locations to gain a following. However, they also need to move between geographical areas over the span of a week. The problem becomes how do we ensure the trucks have a consistent spot but avoid having parking spaces sitting empty?

San Francisco, St. Louis, Austin and other cities are addressing this with a two-step approach. First, certain areas are designated as mobile vendor areas—this allows customers to become accustomed to where to look for the trucks and it allows the city to maintain distance requirements, avoid bus lines, keep the space clear, etc. Second, vendors are required to reserve meters in advance if they intend to use that location the next day. Any meters not reserved are then open to the public to use.

Our proposal would require vendors lease signs for \$10/month per sign. There would be a separate sign for lunch, dinner and late night so trucks would be paying up to \$30/month. The sign would have pre-printed language explaining that these spaces are reserved between specific hours. This is how customers are alerted to the fact that a mobile vendor will be in that space and they should not park there.

As per current ordinance (dealing with meter hoods), the sign would be attached to the meter pole by the vendor 4 hours in advance. The vendor would feed the meter from 8 am - 6 pm and the prohibition against staying longer than 2 hours in one spot would be waived only for mobile vendors with official signs. At the end of the allowed time frame, the vendor would remove the sign and leave.

Wabash Station is somewhat different since it is not used for public parking. Our recommendation is to allow trucks to operate late night from 9:30 pm to 2:30 am but forgo the requirement to post the sign (vendors would still be required to lease it).

Timeline

We would recommend a 6-month pilot project and evaluation to work through the details of the system. This pilot should start 2 weeks after Council approval to give the city time to manufacture and distribute the signs.