



REQUEST FOR COUNCIL ACTION

Title: INFORMATION ONLY: Food Truck Regulations

Preferred Agenda: September 10, 2024

Submitted By: Blair Larsen, Community & Economic Development Director

Reviewed By: Jason Ogden, Interim City Manager

Type of Action: Resolution _____ Motion _____ Roll Call _____ Other _____

Relevant Code/Policy: N/A

Towards Council Goal: Aspiration I: Desirable Community

Attachments: N/A

Purpose of this RCA:

The purpose of this RCA is to inform the Council of pending policy changes that will regulate food trucks within the public right-of-way.

Background/Context:

The City of Sweet Home Development Code regulates the placement of food trucks on private and public property, however, it does not govern food trucks operating within public rights-of-way, that is, parked in on-street parking spaces. City Code also requires that transient merchants obtain a license from the City.

Sweet Home Municipal Code §10.08.150 authorizes the City Manager to establish and maintain parking zones along certain streets, mostly in the in the downtown area. This authorizes the City Manager to determine the location of parking spaces and designate the time limitations for any time limitations for parking in those areas. These parking zones include:

- Main Street
- Long Street
- 9th Avenue from Main Street to Nandina Street
- 10th Avenue from Long Street to Main Street
- 12th Avenue from Kalmia Street to Nandina Street
- 13th Avenue from Kalmia Street to Nandina Street
- 15th Avenue from Long Street to Nandina Street
- The north side of Kalmia Street from its western terminus to 15th Avenue
- 43rd Avenue from Long Street to Airport Road
- Airport Road from 43rd Avenue to 49th Avenue
- 49th Avenue from Airport Road to Main Street

During the most recent Oregon Jamboree, two food trucks obtained transient merchant licenses and sought permission from the City Manager to operate from on-street parking spaces—one on Main Street and one near the library, both of which were granted. This was the first time that any staff are aware of food trucks requesting to operate within the public right-of-way.

Unfortunately, the City then received complaints from local residents and businesses, and the food truck on Main Street was hit by a passing vehicle. Complaints centered on issues of safety, (such as blocking the sidewalk, posing a danger to passing vehicles, and improperly storing propane tanks), and concern about the placement of food trucks close to competing brick and mortar businesses. The City Council asked Staff to investigate the problem and develop solutions so that similar problems do not happen in the future.

The Challenge/Problem:

How does the City regulate food trucks parked within public rights-of-way within the City?

Stakeholders:

- Sweet Home Residents – Residents deserve safe and clean commercial areas with a variety of shopping and dining options.
- Local and Transient Businesses – Businesses operating in the City deserve opportunities to fairly compete for customers.
- Sweet Home City Council – The City Council is responsible for enacting ordinances and regulations that meet the needs of residents, businesses, and visitors.

Issues and Financial Impacts:

Fees for transient merchants do not bring in enough revenue to have much of an impact, and Staff do not expect that food trucks will have any more of a financial impact.

Elements of a Stable Solution:

Because the Sweet Home Municipal Code already grants the City Manager the authority to set time limitations for parking spaces, Staff have determined that any impacts from food trucks in the public right-of-way can be addressed through a parking permit specifically developed for food trucks and other vendor that wish to operate from an on-street parking space.

Staff are developing a parking permit for such businesses that will grant them the right to occupy an on-street parking space for up to three days, subject to the following requirements:

- Food trucks must be completely self-contained (no seating, tables, materials, or any fuel stored on the ground next to the unit or on the sidewalk).
- Food trucks must be parked completely within the marked parking space and may not protrude into the travel lanes of the road or the neighboring parking spaces.
- The adjacent sidewalk must allow for the free passage of pedestrians (at least three feet).
- No vendor may park within 100 feet of a competing brick-and-mortar business.
- No vendor may park within 20 feet of a street corner.
- No vendor may park within 5 feet of a driveway.
- On street vendors are only permitted in commercial zones.
- Vendors must also obtain a transient merchant license.
- Waste must be contained within the vehicle or trailer and may not be discharged into the gutter.
- Any violation of the above requirements will result in the revocation of the permit and towing of the vehicle or trailer.

Staff are still developing this parking permit and are open to additional requirements. Staff do not anticipate any requests to operate food trucks within any public rights-of-way until next summer.

Recommendation:

Staff recommend that a permit program be developed within the City Manager's existing authority. The Council may, if they wish, direct staff to provide additional options for regulating food trucks.