



Date: March 24, 2026

Honorable Mayor and Council Members:

Author and title: Chelsea Crager, Senior Planner

Title: **Public Hearing: Application 2024-00000059 (Sidewalk Vending Ordinance) Amending Chapter 13.08 (Sidewalk Vending) of the Truckee Municipal Code; Townwide**

Jen Callaway, Town Manager

Recommended Action: That the Town Council conduct a public hearing and take the following actions:

- 1) Find the new ordinance to be exempt from the California Environmental Quality Act (CEQA) because the adoption of this ordinance and resolution is not a “project” pursuant to Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations, and because under Section 15061(b)(3) of the State CEQA Guidelines, the amendments are exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment; and
- 2) Introduce Ordinance No. 2026-05, amending Chapter 13.08 (Sidewalk Vending) of the Truckee Municipal Code, which implements regulations for sidewalk vending; and
- 3) Adopt Resolution No. 2026-08, amending the Town of Truckee fee schedule to add a new fee for Sidewalk Vending Permits.

Discussion:

Background

On January 1, 2019, Senate Bill 946 (SB 946), “The Safe Sidewalk Vending Act” became effective, which decriminalized sidewalk vendors throughout California. Under this bill, local jurisdictions are allowed to regulate the time, place, and manner of sidewalk vendors, and are allowed to require a permit for sidewalk vending activities. On January 1, 2023, Senate Bill 972 (SB 972) became effective, which places some limits on local jurisdictions’ authority to regulate sidewalk vending uses and allows a streamlined permitting process for health permit approvals. The State of California’s stated intent of the sidewalk vending bills is to promote entrepreneurship and support immigrant and low-income communities.

Consistent with Town Council’s direction and with State law, staff prepared an ordinance to regulate sidewalk vending within the Town, including establishment of a sidewalk vending permit. On September 23, 2025, Town Council adopted the ordinance, establishing Truckee Municipal Code Chapter 13.08 (Sidewalk Vending). To date, no vendors have applied for a sidewalk vending permit, though sidewalk vending is occurring throughout Truckee.

After adoption of the ordinance, Nevada County Environmental Health reached out to staff regarding some of the ordinance’s regulations as they relate to food preparation. Specifically, it was noted that the Town’s limitations on hazardous materials and maximum height of the vending receptacle created a significant hurdle to food preparation.

Proposed Amendments

Cooking Methods

The currently effective ordinance places limitations on hazardous materials with the intent of ensuring public safety, and states:

No sidewalk vending receptacle shall contain or use propane, natural gas, batteries, or other explosive or hazardous materials.

After discussions with Nevada County Environmental Health staff, it became clear that these prohibitions were unintentionally overly restrictive to food vendors and prevented most forms of heating and/or cooling necessary for food vendors. Town staff proposes that the above language be eliminated, and the below language inserted which would allow for propane, natural gas, or battery powered cooking and food storage.

Sidewalk vending receptacles containing or utilizing propane, natural gas, batteries, or other explosive or hazardous materials shall maintain adequate distance from combustible materials including, but not limited to, overhead coverings and vegetation.

Staff has discussed the proposed change to allow propane, natural gas, and batteries with the Fire Marshal of the Truckee Fire Protection District, who does not object to the proposed changes. It should be noted that open flames on sidewalk vending receptacles remain prohibited in the Town ordinance due to fire risk.

Size and Height Limitations

The currently effective ordinance places limitations on the maximum size and height of vending receptacles with the intent of ensuring public safety and preventing safety impacts to congested walkways and sidewalks. The existing regulation states:

Sidewalk vending receptacles and any attachments thereto, including, but not limited to, signage, umbrellas, and canopies, shall not exceed a total height of four (4) feet, a total width of four (4) feet, and a total length of four (4) feet.

After adoption of the ordinance, Nevada County Environmental Health staff reached out to inform Town staff that all food preparation requires some type of overhead cover, such as an umbrella, to obtain a valid permit from Environmental Health. The four-foot height limitation of the ordinance restricts the ability to have an overhead cover and thus is unintentionally overly restrictive to food vendors. Town staff proposes that the language be amended to read:

Sidewalk vending receptacles and any attachments thereto, including, but not limited to, signage, umbrellas, and canopies, shall not exceed a total height of four (4) feet, a total width of four (4) feet, and a total length of four (4) feet, unless otherwise required by a valid Nevada County Environmental Health permit.

This language would allow vendors to utilize overhead covers as required by Nevada County Environmental Health, but would continue to prohibit covers larger than required for food safety purposes that may interfere with safe movement of pedestrians on Town rights-of-way.

Sidewalk Vending Permit Fees

In conjunction with the Municipal Code updates to the sidewalk vending regulations, staff also requests that the Town Council adopt Resolution No. 2026-08, amending the Town of Truckee fee schedule to add a processing fee for sidewalk vending permit applications. Staff recommends a flat fee of \$195, which equates to the fully loaded rate for one hour of Planning staff time to process the application. While staff has not yet processed an actual sidewalk vending permit application, we believe it will take approximately one hour from beginning to completion of the review process. Staff will evaluate this fee as applications come in and if takes, on average, more than an hour, staff will return to Council in the future with a revised fee request. Staff will complete their first evaluation of review time with the annual fee schedule update in August, if any sidewalk vending applications have been received.

Environmental Review: Staff recommends that the Council find the amendment exempt from the California Environmental Quality Act (CEQA) because the adoption of this ordinance and resolution is not a “project” pursuant to Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations, and because under Section 15061(b)(3) of the State CEQA Guidelines, the amendments are exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

Staff Summary and Recommendation: Staff supports the adoption of the proposed amendments to the sidewalk vending ordinance to encourage entrepreneurship and provide economic opportunities, consistent with the intent of SB 946. The proposed regulations included in the draft amendments are intended to continue to ensure the safety, health, and general welfare of the community, while providing reasonable opportunities for sidewalk vendors to operate.

Alternative Actions: Actions that the Town Council may take as an alternative to the recommended action include:

1. Continue the public hearing to a date and time certain. The Council may request additional information from staff or changes to the draft ordinance and/or the draft resolution. (If new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted.)
2. Decline to approve the ordinance and/or resolution.

Priority:

<input type="checkbox"/>	Enhanced Communication	<input type="checkbox"/>	Climate and Greenhouse Gas Reduction	<input type="checkbox"/>	Housing
<input type="checkbox"/>	Infrastructure Investment	<input type="checkbox"/>	Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/>	Core Service

Fiscal Impact: No fiscal impact to the Town is anticipated as a result of the proposed amendments to the sidewalk vending ordinance. Adoption of an application processing fee will ensure that the applicant bears the cost of the staff time necessary to ensure initial compliance with the Town’s ordinance.

Public Communication: Notice of the public hearing was published in the *Sierra Sun* on March 13, 2026 and March 20, 2026. The hearing date with a link to the staff report was also provided on the Town website five days prior to the Council hearing. As of the date of publication of this staff report, no public comments have been received regarding the proposed project.

Attachments:

Attachment 1: Draft Ordinance 2026-05

Exhibit A: Municipal Code amendment in redline

Attachment 2: Draft Resolution 2026-08

Exhibit A: Community Development Department Planning Division Fee Schedule amendment in redline