

# MISSING ORIGINAL LEGISLATION

== 88648 ==

Resolution / Ordinance Number: \_\_\_\_\_

City Council Meeting Date 12/16/11

Agenda Item No. 9.7

Recorded Vote \_\_\_\_\_

## Reason for Missing Legislation:

- Draft submitted in agenda packet, original never received
- Council amended legislation at the meeting

## Responsible Contact Information:

Department City Council

Contact Person/Ext. A. Chan & Z. Wald  
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Notes (if any)  
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2011 OCT 13 PM 5:03

**OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

Introduced by Councilmembers Brunner and Kaplan

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**Resolution To Direct Staff To Develop A Pilot Special Permitting Process For Limited Mobile Vending Events In Districts 1, 2, 3 And 4 That Will Sunset Upon The Adoption Of A Comprehensive Mobile Food Vending Policy**

**WHEREAS**, When the City of Oakland’s Mobile Food Vending program was originally implemented in 2001, Oakland was a leader in recognizing this small business format, and creating a legal mechanism for their participation in the local economy; and

**WHEREAS**, In the past three years, with the changes in the economy, and the growing food market, entrepreneurs have taken mobile food vending into a whole new direction; and

**WHEREAS**, there is greater general public acceptance and demand for mobile food vendors, and

**WHEREAS**, new concepts like clustering mobile food vendors into “Food Pods” on a temporary site are not covered by our existing mobile food legislation;

**WHEREAS**, Planning Staff are working on developing planning, zoning and operating guidelines for a mobile vending program; therefore let it be;

**RESOLVED**: that the City Council hereby directs staff to develop a pilot special permitting process creating a category under the City of Oakland’s Municipal Code Chapter 5: “Business, Taxes, Permits and Regulations,” for limited mobile vending events in Districts 1, 2, 3 and 4 that will sunset upon the adoption of a comprehensive Mobile Food Vending Policy; and

**FURTHER RESOLVED**: that the permits shall be for “Food Pod” events which are the clustering of two (2) or more mobile food vendors on a pilot basis in a Commercial, Industrial, or Open Space zoning district; and

**FURTHER RESOLVED**: that under this pilot policy, a Food Pod event organizer may apply for a special “Food Pod Event” business permit for no more than two dates per week and up to 40 dates in any one calendar year; and

**FURTHER RESOLVED**: that city staff shall return to the December 6<sup>th</sup> City Council meeting with an ordinance codifying the new “Food Pod” permitting process; and

**FURTHER RESOLVED:** that until this interim “Food Pod” ordinance is adopted, staff shall continue to permit these types of events in Districts 1, 2, 3, and 4 using the special events permitting process.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, DE LA FUENTE , KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California