

FILED
OFFICE OF THE CITY CLERK
OAKLAND

October 2011
2011 OCT 13 PM 5:04

To: CED Committee

From: Councilmembers Kaplan and Brunner

RE: Resolution allowing limited mobile food vending to occur in Districts 1, 2, 3 and 4 through a pilot special events permitting process that will sunset upon the adoption of a comprehensive Mobile Food Vending Policy

When the City of Oakland's the 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.

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 there is greater general public acceptance and demand for mobile food vendors, rendering aspects of our existing program out of date.

Planning Dept. Staff are working on developing planning, zoning and operating guidelines for a mobile vending program. This entails public meetings, focus groups and technical assistance groups, vetting with the brick and mortar business community as well as the emerging entrepreneurs eager to do business in Oakland.

We propose a pilot approval process restricted to City Council districts 1, 2, 3, and 4, creating a category for mobile food vending "Food Pods" under the City of Oakland Municipal Code Chapter 5: Business Taxes, Permits and Regulations. This pilot approval process will sunset upon the adoption of a comprehensive Mobile Food Vending Policy.

A Mobile food vending "Food Pod" event refers to the clustering of two (2) or more mobile food vendors on a temporary basis in a Commercial, Industrial, or Open Space zoning district. Each approved mobile food vending Group Site cluster or "pod" will consist of a specified number of vending spaces for use by individual food vendors and may include such amenities as shared seating areas and/or restroom facilities.

To ensure public safety and consistency with applicable city codes, appropriate permits will be required for any connection to on-site utilities, right-of-way encroachments, temporary street closures, or use of public property. Under this pilot policy, a Food Pod event organizer may apply for a special "Food Pod Event" business permit for no more than one date per week and up to 40 dates in any one calendar year.

Until this pilot Food Pod event ordinance is adopted in December, staff shall continue to permit these types of events in Districts 1, 2, 3, and 4 using the special events permitting process.

DRAFT

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OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmembers Brunner and Kaplan

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 6th 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