

Attachment 4: Vendor Ordinance Update

Summary of Changes, June 14 2021

No.	Section	Current Ordinance	Proposed Change	Reason for Change
1	Throughout	Uses the term "Catering Vehicle"	Use "Food Trucks" instead of "Catering Vehicle"	Catering vehicles is a term used for a specific use of food trucks not regulated by the ordinance.
2	20-16.030; 20-16.130	Not in current ordinance	Establish "Designated Locations" for Food Trucks	Allows for a fixed location for a Food Truck during the hours 10am to 3am without the need to "reserve" the location with another vehicle.
3	20-16.120	Not in current ordinance	Add "Ice Cream Truck" as a vendor type	Establish specific regulations and fees for Ice Cream Trucks
4	20-16.130(v)	Not in current ordinance	Allow Food Trucks on "Private Property" with a Conditional Use Permit	Expand the opportunities for vending with a Food Truck
5	20-16.130(e); 20-16.130(f)(2); 20-16.130(i)	Not in current ordinance	Allow Food Trucks adjacent to Public Parks	Expand the opportunities for vending with a Food Truck. Expand the use of parks and bring more "eyes on the street" for safety.
6	Throughout	Allows for "services" to be allowed through a vendor permit.	Remove "services" from allowable items for sale by a Food Truck, Nonmotorized Pushcart or Street Vendor	More clearly defines sale item to indicate the purchase of an item or food or beverage.
7	Throughout	Uses the term "deputy city manager/city engineer"	Remove the term and replace with "city engineer"	Updates the position to the current job title.
8	Throughout	Uses the term "his"	Change the term to replace with "their"	Update to use gender neutral terminology.
9	20-199(c)(4)	Not in current ordinance	Requires background check for anyone selling products marketed for children.	Brings greater scrutiny and security to anyone selling to children.
10	20-16.100	Limits the total number of catering vehicle permits to those established as of November 1, 2005 (32).	Limit the total number of Food Truck permits <u>at a "Designated Location"</u> to 52.	Creating a "Designated Location" is estimated to cost approximately \$1250 per location excluding staff time. Establishing a limited number of "Designated Locations" provides a clear estimate of the impacts the provision will impact the General Fund.
11	20-16.110(a)(6)	Not in current ordinance	Restricts Nonmotorized Pushcarts from operating within 200-ft of a "High Collision Intersections" as defined in the Vision Zero Action Plan	Align with city plans to reduce collisions and increase safety on public streets. Restriction would eliminate added distractions near the 10 "High Collision Intersections" identified in the Vision Zero Action Plan.

No.	Section	Current Ordinance	Proposed Change	Reason for Change
12	20-16.110(a)(7)	Not in current ordinance	Restricts the use of more than 24-sf of space by a Nonmotorized Pushcart.	Controls the area used by a Nonmotorized Pushcart to minimize the impact of public sidewalks.
13	20-16.110(a)(7)	Not in current ordinance	Establishes 3-ft setbacks from utility boxes, fire hydrants, tree wells and bus stops.	Reduce the obstruction and restrict use of city utilities and street features due to vendors.
14	20-16.110(a)(7)	Not in current ordinance	Maintain a 3-ft distance between Nonmotorized Pushcarts	Reduce conflicts between vendors and provide access between vendors.
15	20-16.110(e)	Restricts sale of food items or beverages from Nonmotorized Pushcarts.	Allow sale of food items or beverages from Nonmotorized Pushcarts	Aligns with state law (SB 946).
16	20-16.110(f)	Not in current ordinance	Prohibit attaching rope, banners, merchandise to a street tree, streetlight, pole or utility box.	Reduce the obstruction and restrict use of city utilities and street features by vendors.
17	20-16.110(g)	Not in current ordinance	Restrict use of furniture other than allow a stool and umbrella for Nonmotorized Pushcarts	Reduce the obstructions in the right of way.
18	20-16.110(h)	Not in current ordinance	Require a minimum clearance of 18-in clearance from adjacent street curb.	Align with city standard clearance for structures in the right of way from the curb.
19	20-205 (current ordinance)	Requires a bathroom and handwashing facility within 200-ft of vendor.	Remove requirement to regulated handwashing facility within 200-ft of vendor.	This is a requirement of the Monterey County Health Department for a Mobile Food Facility health permit.
20	20-16.120	Not in current ordinance	Add operating restrictions for Ice Cream Trucks.	Establish regulations and fees specific to Ice Cream Trucks.
21	20-16.130(c)	Hours of operation from 3:00 am to 6:00 pm and 3:00 pm to 3:00 am for stationary vendors.	Change hours of operation to 10:00 am to 3:00 am for Food Trucks in "Designated Locations"	The proposed hours of operation were proposed by the current vendors and discussed during a meeting.
22	20-16.130(c)(1)	Not in current ordinance	Require unhitching of trailers and stands operating on "Designated Locations"	Allows for better use of the right of way without the added obstruction of the hauling vehicle.
23	20-16.130(d)	Not in current ordinance	Allows an unlimited number of Food Trucks to operate in non-Designated Locations and establishes hours of operation of 8:00 am to 8:00 pm. Requires relocation every 4 hours.	Opens vending opportunities and reduces the waitlist.
24	20-16.130(e)	Not in current ordinance	Establishes hours of operation for food trucks adjacent a public park to sunrise to sunset.	Aligns with hours of operation for public parks.

No.	Section	Current Ordinance	Proposed Change	Reason for Change
25	20-16.130(e)	Hours of operation for Food Trucks vending fresh fruits and vegetables are 6:00 am to 8:00pm	Change hours of operation for Food Trucks vending fresh fruits and vegetables to sunrise to sunset.	Allows for Food Trucks that sell fresh fruits and vegetables to align with public park hours of operation.
26	20-16.130(e)(2)	Not in current ordinance	Give preference to Food Trucks who sell fresh fruits and vegetables to operate at public parks with restrooms.	Health permits require property owner signatures for the use of a restroom for a food vendor. Given fresh fruit and vegetable vendors preference at public parks with restrooms would incentivize the sale of healthy food options at parks along with increasing access to healthy food options for residents.
27	20-16.130(e)(3)	Not in current ordinance	Establish permit fees specific to Food Trucks who sell fresh fruits and vegetables.	Incentivizes the sale of healthy food options and increases residents' access to healthy food options for residents.
28	20-205(e) current ordinance	Requires a 300-ft setback from any catering vehicle to a church, synagogue, or other house of worship.	Removes restriction.	Increases vending opportunities and reduces the waitlist.
29	20-16.130(f)	Requires a 300-ft setback from a school to a catering vehicle.	Requires a 200-ft setback from a Food Truck to a K-12 school.	Increases vending opportunities and reduces the waitlist.
30	20-16.130 (g)	Requires a 300-ft setback between catering vehicles	Requires a 200-ft setback between food trucks	Increases vending opportunities and reduces the waitlist.
31	20-16.130(h)	Not in current ordinance	Establishes regulations for Food Trucks at public parks	Sets more stringent regulations for Food Trucks at public parks
32	20-16.130(i)	Not in current ordinance	Restricts Food trucks from operating along "High Collision Corridors" as defined in the draft Vision Zero Action Plan	Align with city plans to reduce collisions and increase safety on public streets. Restriction would eliminate added distractions at the 10 "High Collision Corridors" identified in the Vision Zero Action Plan.
33	20-16.130(k)	Restricts Food Trucks adjacent all residential zoning.	Allow Food Trucks adjacent mixed-use zoning.	Increase vending opportunities and reduces the waitlist.
34	20-16.130(m)	Not in current ordinance	Restricts Food Trucks from operating adjacent green curb markings or adjacent to time-restricted parking stalls.	Aligns Food Truck operations with existing parking restrictions.

No.	Section	Current Ordinance	Proposed Change	Reason for Change
35	20-16.130(r)	Not in current ordinance	Restricts Food Trucks from preventing or disrupting routine street sweeping operations.	Aligns with city street sweep goals and requirements as required by the Regional Water Control Board.
36	20-16.130(s)	Not in current ordinance	Encourage the use of biodegradable cutlery and straws and avoid use of polystyrene food containers.	Align with more environmentally sensitive goals and existing City Code.
37	20-16.130(w)	Not in current ordinance	Restricts overnight parking of Food Trucks on a public street, public park, or public property.	Requires food trucks to be stored at storage locations as permitted by the Health Department and City.
38	20-16.130(x)	Not in current ordinance	Restricts owners or operators of Food Trucks from leaving vending vehicles unattended for more than 30 minutes.	Reduces the use of the right of way by Food Trucks not in operation.
39	20-16.130(y)	Not in current ordinance	Add “agricultural fields” to provision allowing industrial zoning vending of Food Trucks and removed “industrial”.	Expands vending opportunities and reduces the waitlist. Industrial governed by CUP process.
40	20-16.150	Not in current ordinance	Adds appearance requirements for Food Trucks, Ice Cream Trucks and Nonmotorized Pushcarts	Creates regulations for more visually appealing and maintained vending units consistent with other jurisdictions.
41	20-16.160(e)	Not in current ordinance	Restricts issuance of a vendor permit to any vendor for 5 years for vending without a permit.	Strengthens enforcement to reduce illegal vending.
42	20-16.160	Not in current ordinance	Defines a 3-year ineligibility term for any vendor whose permit was revoked.	Strengthens enforcement to reduce permit violations.