



Oakland Food Vending proposal

Major changes from current regulations

February 8 2016

To answer questions from the public regarding the draft proposed Food Vending Regulations, staff has prepared this memo, which details the major proposed changes from current regulations:

1. **Vending areas of the City would be expanded:** The areas where an individual food vendor, or a group site (“food pod”) event can go is proposed to be greatly expanded, to include every industrial and commercial area of the City.
 - a. Individual food vendors would be able to apply to sell in downtown, West Oakland and North Oakland. Currently, the areas where an individual vendor can sell are limited to *private property* in the Fruitvale neighborhood and commercial streets in Central and East Oakland (International Blvd, Fruitvale, Foothill, and San Leandro Street).
 - b. Group site organizers are proposed to be allowed to organize food events in the Fruitvale neighborhood, and on commercial streets of Central and East Oakland (the proposal allows group sites in Council Districts 5, 6 and 7, where currently there are prohibitions).
2. **Allows selling food from the street and sidewalk:** Proposal would allow food vendors to get a permit to sell from public streets and sidewalks. On-Street vendors will have to pay all applicable parking meters and observe parking regulations (such as yellow curbs). Currently, no on-street food vending is permitted in Oakland. Sidewalk food vending, such as from roaming Pushcarts and stationary “hot dog cart” type trailers, would also be permitted, preferably, on wider sidewalks (10 feet wide or greater), where there is enough pedestrian clearance and ADA access. Currently, no stationary sidewalk vending is permitted in Oakland.
3. **Expanded number of Group Site or “Food Pod” locations:** Group sites or “Food Pods” are defined as 2 or more food vendors selling together on the same site. The proposal would allow Group site organizers to apply for up to five different locations in Oakland. Currently, the regulation limits two locations per organizer. Also, each Group site would be allowed to conduct sales up to three times a week (an increase from two times per week currently). On private property, group sites would be allowed to sell with no limitation in the number of days. This is to encourage food pods, or a food vending

gathering to be permanently housed on a surface lot, similar to those in San Francisco and in Portland, OR.

4. **Required Fire Inspections:** An inspection by the Oakland Fire Department would be required for Individual Food trucks or trailers/pushcarts which use gas for cooking.
5. **Noticing of neighbors:** Proposal would require Individual vendors to send notices to lots adjacent to the site and across the street. Currently, no noticing is done for an individual food vending application. Group Sites currently have a 300 foot noticing process which will be retained.
6. **Healthy Food Vending:** The selling of healthy foods, which include, but are not limited to: fruits, vegetables, as well as 100% fruit and vegetable juices; whole grain products; dairy products; and non-dairy milks (made from soy, coconut, rice and/ or almonds), will be encouraged. Healthy food vendors will be given incentives in the proposal, particularly the ability to sell within 500 feet of a school, which is currently prohibited.
7. **Grandfathering:** In certain limited circumstances, the proposal would “grandfather” in long-standing food vendors and allow them to continue to sell from current locations. The proposal lists the criteria for granting this special permission.
8. **Enforcement:** The program proposes the creation of new staff in the City Administrator’s office who will be given enforcement and citation authority for food vending.

For questions or comments about the proposed food vending proposal, please contact project manager Devan Reiff, at 510-238-3550, or via email, dreiff@oaklandnet.com.

To review the City’s citywide mobile food vending proposal and map (January, 2016), please see the project website, at www.oaklandnet.com/foodvending.