

Meeting Date: 7/21/2015

Report Type: Public Hearing

Report ID: 2015-00631

Title: Fee for Food Vending Vehicle Property Pods (Noticed 07/10/2015)

Location: Citywide

Recommendation: Conduct a public hearing and upon conclusion pass a Resolution approving the Mobile Food Vendor Pod Fee.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

Presenter: Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

Department: Finance

Division: Revenue Administration

Dept ID: 06001211

Attachments:

1-Description/Analysis

2-Resolution

City Attorney Review

Approved as to Form

Steve Itagaki

7/7/2015 9:59:54 AM

Approvals/Acknowledgements

Department Director or Designee: Leyne Milstein - 7/1/2015 8:28:50 AM

Description/Analysis

Issue Detail: On May 26, 2015, City Council passed an ordinance amending food vending vehicle regulations in Title 5 of the Sacramento City Code and establishing a Food Vending Vehicle Property Permit (permit). The permits are required for what are referred to as “private property pods” and are issued for small pods (one to two trucks) and large pods (three or more trucks). Fees for the private property pod permits were not established at the time the ordinance was adopted because staff wanted to be sure the fee included the recovery of costs incurred during the issuance of the permit.

Policy Considerations: The proposed fees are consistent with Council’s adopted Fees and Charges policy and support the City’s goals of budget sustainability and fiscal responsibility.

Economic Impacts: None.

Environmental Considerations: This action is not a project subject to the California Environmental Quality Act because it involves the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses. (Pub. Res. Code §21080.)

Sustainability: There is no sustainability consideration applicable to the fees and charges included in this report.

Commission/Committee Action: None.

Rationale for Recommendation: The approval of fees for private property pods will allow mobile food vendors to apply for a permit and establish a pod in order to provide food service.

Financial Considerations: The approval of the private property pod fees ensures an appropriate mechanism for the recovery of costs associated with the issuance of the permits. The proposed fee for a small pod permit is \$1,500 for a new permit and \$1,250 for renewal. The proposed fee for a large pod permit is \$1,000 for a new permit and \$970 for renewal. Applicants for a large pod permit are also required to obtain a conditional use permit from the Community Development Department. Zoning Administrator staff will review both small and large pod permits for zoning matters. The cost for zoning services is included in the small pod permit fee but not in the large pod permit fee. For large pod permits, the zoning service costs will be collected as part of the conditional use permit fee.

Local Business Enterprise (LBE): Not applicable.

RESOLUTION NO.

Adopted by the Sacramento City Council

ESTABLISHING APPLICATION FEES FOR FOOD VENDING VEHICLE PROPERTY PERMITS

BACKGROUND

- A. On May 26, 2015, the City Council adopted an ordinance amending the Food Vending Vehicles regulations and the Outdoor Vending regulations (Sacramento City Code chapters 5.68 and 5.88 respectively) to allow food vending vehicles to operate on private property for extended periods of time by obtaining a Food Vending Vehicle Property Permit or as it is commonly referred to, a “pod” permit. These pod permits will be issued by the Revenue Division.
- B. The City Code distinguishes between a pod permit for the operation of one or two food vending vehicles (a “small pod”), and a pod permit for the operation of more than two food vending vehicles (a “large pod”). To obtain a small pod permit, the property owner is required to provide notice to the surrounding neighborhood, pursuant to section 5.68.130 of the Sacramento City Code. To obtain a large pod permit, section 5.68.140 of the Sacramento City Code requires the property owner to obtain a separate conditional use permit for an outdoor market issued by the zoning administrator.
- C. Section 5.68.120.B of the Sacramento City Code requires that every application for a pod permit be accompanied by a non-proratable and nonrefundable application fee in an amount established by resolution of the City Council.
- D. Seven (7) Revenue staff hours would be needed to process an application for a new small pod permit and four (4) Revenue staff hours would be needed to process an application to renew a small pod permit at \$75 per hour.
- E. Three (3) Zoning staff hours would be needed to process an application for a new small pod permit and one and a half (1.5) Zoning staff hours would be needed to process an application to renew small pod permit at \$113 per hour.
- F. Four (4) Revenue staff hours would be needed to process an application for a new large pod permit and two and one-half (2.5) Revenue staff hours would be needed to process an application to renew a large pod permit at \$75 per hour. These costs for large pod permits are in addition to any of the City’s costs incurred to process the conditional use permit issued by the zoning administrator. The fees relating to conditional use permits are established in a separate action.

- G. Eight (8) Code Enforcement hours a year per pod permit would be needed to ensure continued compliance with City guidelines and requirements at \$60 per hour.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council finds and determines that the background statements A through G are true.

Section 2. The City Council establishes the application fees for pod permits as follows:

Small Pod - New	\$1,500
Small Pod - Renewal	\$1,250
Large Pod - New	\$1,000
Large Pod - Renewal	\$ 970