



Food Truck Regulations and Policy

City Council Meeting – August 23, 2022

Lisa Wise Consulting's Scope of Work

- In May 2021 Lisa Wise Consulting (LWC) was tasked with assisting the City in updating its regulations and policies pertaining to food trucks
- This included an audit of the existing code, engaging with internal and external stakeholders and creating a set of recommendations for future action
- The culmination of this work is LWC's Considerations and Recommendations Report



Outreach Results



Internal Stakeholders

- 10 Interviews were held with various City Departments to create an understanding of the current issues around Food Trucks
- Departments surveyed have at least some interaction with Food Trucks ranging from having them as vendors to issuing permits and citations
- Participants: Development Services, Economic Development, City Attorney, Health, Public Works, Financial Management, Special Events, and Parks, Recreation and Marine

External Stakeholders

- 6 External Stakeholder Interviews were held with 15 total participants.
- Over 50 Food Truck Operators were contacted to participate. Two Food Truck Operators and an Industry Trade Group President spoke with LWC.
- Every Business Improvement District was extended an invite. Uptown, Midtown, Zaferia, DTLB and Bixby Knolls sent attendees.
- Other participants included brick-and-mortar restaurants, property management companies, and residents

Outreach Results

From the City

- Good communication between departments, but unclear regulations make enforcement difficult
- Allowing LA County health permits made food truck operation in Long Beach easier, but local oversight more difficult and unfunded
- Want a thriving food truck scene *and* safe, sanitary food being served to the community, while considering parking, traffic, and pedestrian safety concerns

From the Community

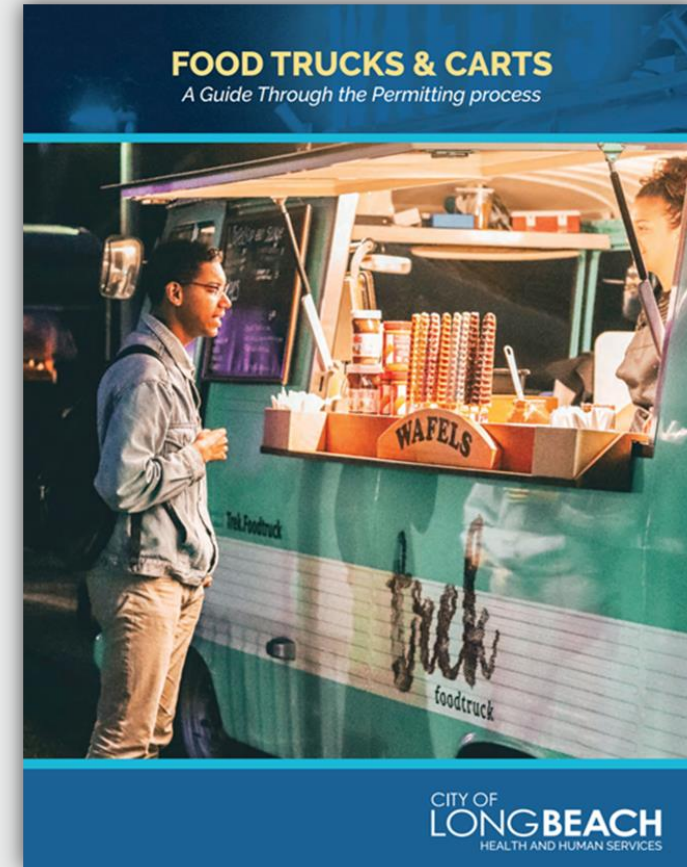
- Food trucks can benefit some neighborhoods without access to fresh, diverse food options
- Competition with brick-and-mortar businesses and parking a big concern
- Unpermitted food trucks cause the worst issues – trash, illegal parking, health code violations
- Mixed opinions on effectiveness and consistency of code enforcement

Policy Options



Phase 1: Focus on Health, Safety, and LBMC Consistency *Immediate Implementation*

- Require a health permit from the City's Health Department
- Update the Long Beach Municipal Code (LBMC) to comply with up-to-date State regulations
- Update LBMC to remove obsolete sections and consolidate relevant codes into one Ordinance, where feasible
- Allow City Manager to adopt reasonable rules and regulations to implement a unified Food Truck Program



Phase 2: Location-Based Regulations and Additional Permits

- Regulations for food truck operation at special events and private property
- Creation of a Public Works Right-of-Way Permit for food trucks
- Land use regulations for food trucks
- Parking and time-based regulations related to safety
- Nuisance abatement regulations
- Appoint a Food Truck Coordinator to manage the unified Food Truck Program
- Explore Food Truck Zones where operation can be encouraged to activate areas
- Explore concerns in residential areas and business districts

Additional Outreach and Education

To make sure that the City's mission to be equitable is met, additional extensive outreach will be conducted make sure that:

- The community has an opportunity to help shape policy and regulations in Phase 2
- The community is informed about new regulations in Phase 1 and Phase 2 once they are adopted

To stay updated on future community meetings or other methods to make your voice heard, please provide your preferred contact information:

<https://bit.ly/clbfoodvendor>



Legal Considerations

- **Location-based restrictions must be reasonable time, place, manner restrictions and for the purpose of public safety**
 - **People v. Ala Carte Catering Co. in 1979** established that regulations must demonstrate a clear purpose in upholding public safety otherwise they may be preempted by State law.
 - **Barajas v. City of Anaheim in 1993** declared that the use of streets for commercial purposes is a matter of public concern and subject to regulation imposed by the State, and not cities.
 - **People v. Margarita Garcia in 2009** struck down parking duration restrictions placed on food trucks. The City of LA attempted to place time limit durations on trucks however these were determined to not be related to public safety and thrown out.
- **Regulations must also be in furtherance of protecting the public, health, safety, and welfare**

Recommendations

- Receive and file the Considerations and Recommendations Report prepared by Lisa Wise Consulting, Inc., regarding the City's existing food truck regulations; and
- Request the City Attorney to prepare an Ordinance to update the Long Beach Municipal Code (LBMC) to comply with the most recently enacted State and federal legislation regarding the food trucks; to consolidate, where feasible, provisions of the LBMC relating to the regulation and enforcement of food trucks and similar operations into one Ordinance; and in consultation with the City Manager, or designee, repeal provisions of the LBMC which are obsolete, no longer applicable, or no longer enforced related to food trucks and similar operations.

Next Steps

- **Receive City Council input on Phase 1 and Phase 2 regulations tonight**
- **Phase 1** – Focus on Health, Safety, and LBMC Consistency
 - Ordinance Drafting – **Immediate**, will return to the City Council as soon as possible
 - Outreach and Education – As soon as Phase 1 Ordinance is adopted
- **Phase 2** – Location-Based Regulations and Additional Permits
 - Regulations Development and Outreach – **August 2022 – March 2023**
 - Policy Options to the City Council – **Expected April 2023**
 - Ordinance Drafting and Adoption – **Summer 2023 – Fall 2023**
 - Outreach and Education – As soon as Phase 2 Ordinance is adopted

*Sidewalk Vending Policy and Regulations Study, including outreach, is already underway and is expected to go to City Council Spring 2023



Thank you

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