

# QUICKNOTES

This PAS QuickNotes was prepared by Patrick Terranova, economic development specialist at the Baltimore Development Corporation, with assistance from David Morley, AICP, senior research associate at the American Planning Association.

## Planning for Food Trucks

While street vending is not a new urban phenomenon, interest in specialty or gourmet food trucks is on the rise across the country. In response, a number of municipalities have updated their business licensing and development regulations to clarify rules for food trucks, trailers, and carts. Meanwhile, many other communities are still evaluating how best to address the opportunities and challenges presented by mobile food vendors.

### Opportunities

For vendors, food trucks offer a cost-friendly alternative to opening a brick-and-mortar restaurant. Being mobile allows a food truck to expand its customer base beyond the catchment area of a fixed location, and many operators use social media outlets such as Twitter and Facebook to enhance this advantage. As the food truck industry expands, it produces jobs for operators, along with increased public revenues from sales and payroll taxes. Popular food trucks also attract foot traffic and encourage social interaction. In communities with lively food truck scenes, local gatherings featuring multiple vendors often serve as exciting attractions for local residents and visitors alike.

### Challenges

Despite these economic and social opportunities, food trucks still pose challenges for communities as they try to balance competing interests. Restaurateurs often claim that food trucks have an unfair advantage in the marketplace due to perceptions that mobile vendors pay less in taxes and are subject to less scrutiny from local regulators. This conflict is intensified by the fact that food trucks often operate in multiple locations—including areas that are not zoned for commercial uses—and can occupy valuable parking in areas of short supply. Local officials frequently struggle with questions of which agency should be principally in charge of regulating food trucks, how to handle permitting, and what restrictions should be placed on the vending units themselves.

### Policy Consideration 1: Location

One of the most important local food truck policy considerations is deciding where mobile vendors will be permitted to operate. At the most basic level, this means clarifying rules for vending on public versus private property, but some communities also use locational restrictions to minimize potential land-use or parking conflicts.

Many communities establish permissible locations for food trucks on private property through local zoning. When localities sanction mobile vending in their zoning codes, they often permit food trucks by right in certain mixed use, commercial, and industrial districts. Some communities also subject mobile vendors to use-specific zoning standards that may further limit permissible locations. For example, a number of localities require property-owner consent before a food truck can operate in a specific location. Another common, though controversial, type of use-specific standard is a minimum distance requirement that prohibits vending within a certain radius of an existing restaurant. A few communities attempt to strike a balance by either easing these distance requirements in priority areas or allowing vendors to pursue agreements with businesses within the required radius.

While some communities prohibit all mobile food vending on public property, others use business licensing standards or standards governing activities in public rights-of-way to establish permissible locations for food trucks to operate. In some localities, mobile vendors can use on-street parking spaces, provided they comply with parking regulations, including time limits and fees. Alternately, communities may elect to extend time limits for mobile vendors, provided they pay for the additional time. As a third



*The Gypsy Queen Café (left) is the two-time reigning champion in the annual “Taste of Two Cities” competition, featuring trucks from Baltimore and Washington, D.C.*



**American Planning Association**

*Making Great Communities Happen*

option, localities may designate special zones for food trucks to congregate at certain times. These areas may be on-street parking spaces or other public sites like plazas or civic center campuses.

### Policy Consideration 2: Operations

Another important local food truck policy consideration is operations. Many localities have adopted operational standards for food trucks to reduce the likelihood of mobile vending becoming a public nuisance. These standards often address hours of operation, access to restrooms, waste or recycling, and the placement of tables and chairs.

In areas with an active nightlife, communities may permit food trucks to operate late at night, but in quieter districts, vendors may need to stop serving in the early evening in order to avoid disturbing residents. Where mobile vendors will be operating for multiple hours at a time, it is important to provide trash and recycling receptacles for customers and restrooms for employees. Finally, in areas with narrow sidewalks or heavy pedestrian traffic, outdoor seating areas must allow for adequate pedestrian traffic flow.

### Policy Consideration 3: Health and Safety

A third important local food truck policy consideration is health and safety. One of the key features of the contemporary food truck movement is an emphasis on freshly prepared food. While local health agencies routinely require inspections for all food service operations, some communities have updated requirements for mobile vendors to ensure they meet the same safety standards as brick-and-mortar restaurants, and have even implemented systems whereby vendors post their health inspection grades on their trucks.

Beyond inspections, basic rules, such as requiring vendors to latch propane tanks within the vehicle and maintain log books of commissary activity, are reasonable. Furthermore, allowing food truck operators to use shared commissary space or pay fees to restaurants for the disposal of waste and preparation of food can reduce financial burdens on operators and can help build relationships amongst vendors and restaurants.

### Policy Consideration 4: Administration and Enforcement

The final major local food truck policy consideration is administration and enforcement. Some communities have streamlined permitting processes through a consolidated right-of-way review that specifies a single point agency. Generally, this agency should be either the health department or an agency that deals with right-of-way permitting issues (such as public works, transportation, or general services). Recognizing that food trucks are a different breed than other vendors, many localities separate permit programs into tiered structures with different vendor classifications and associated fees.

Given the mobile nature of the industry, some creative solutions may be needed for code enforcement. For example, some localities require each food truck to be equipped with a Global Positioning System device so that local officials can monitor its location or perform spot inspections. Others maintain vendors' schedules developed through various location assignment systems, or follow social media posts to track compliance with locational standards.

### Conclusion

With the number of aspiring mobile food entrepreneurs and demand for their products on the rise, food trucks offer a viable path for small business incubation. In addition to their convenience, they also provide a refreshing break from the generic, adding charm and character to city streets. Cities that successfully address logistical challenges can find ways to responsibly grow the food truck industry so that vendors, residents, and governments alike can all benefit.

---

*PAS QuickNotes (ISSN 2169-1940) is a publication of the American Planning Association's Planning Advisory Service (PAS). © 2014 by the American Planning Association. All rights reserved. No part of this publication may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing. Visit PAS online at [www.planning.org/pas](http://www.planning.org/pas) to find out how PAS can work for you. American Planning Association staff: W. Paul Farmer, FAICP, Chief Executive Officer; David Rouse, AICP, Managing Director of Research and Advisory Services; David Morley, AICP, QuickNotes Editor; Julie Von Bergen, Assistant Editor; Susan Deegan, Senior Graphic Designer.*

## REFERENCES

### 1. Published by the American Planning Association

Arroyo, Rodney, and Jill Bahm. 2013. "Food Truck Feeding Frenzy: Making Sense of Mobile Food Vending." *Zoning Practice*, September. Available at [www.planning.org/zoningpractice](http://www.planning.org/zoningpractice).

Ball, Jennifer. 2002. *Street Vending: A Survey of Ideas and Lessons for Planners*. Planning Advisory Service Report No. 509. Chicago: American Planning Association. Available at [www.planning.org/store/product/?ProductCode=BOOK\\_P509](http://www.planning.org/store/product/?ProductCode=BOOK_P509).

### 2. Other Resources

Frommer, Robert, and Bert Gall. 2012. *Food Truck Freedom: How to Build Better Food Truck Laws in Your City*. Arlington, Virginia: Institute for Justice. Available at [www.ij.org/food-truck-freedom](http://www.ij.org/food-truck-freedom).

*Food on Wheels: Mobile Food Vending Goes Mainstream*. 2013. Washington, D.C.: National League of Cities. Available at [www.nlc.org/Documents/FoodTruckReport.pdf](http://www.nlc.org/Documents/FoodTruckReport.pdf).