

Council Meeting of
March 6, 2012

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Community Development –Adopt ORDINANCE amending the Torrance Municipal Code to establish standards for regulating mobile food vendors and events.

Expenditure: N/A.

RECOMMENDATION

Recommendation of the Community Development Director that City Council:

- 1) Adopt an ORDINANCE amending the Torrance Municipal Code to establish standards for regulating mobile food vendors and events; and
- 2) Approve an Ordinance Summary for publication.

Funding

Not applicable

BACKGROUND

Recently, the City of Torrance has seen a proliferation of mobile food vendor operations and food truck events where multiple vendors will gather in the parking lot of business, school or commercial site. These events due to their size and popularity can create potential impacts to public safety and welfare, parking, and circulation. In addition, it was found that there were instances of unlicensed vendors and non-compliant vehicles participating in some of these events. Council directed staff to develop standards to regulate mobile food vendors operating off of the street on public or private property in an effort to proactively address these concerns for their consideration.

On December 6, 2011, the City Council adopted an Ordinance amending Section 47.2.6 of the Torrance Municipal Code relating to public health and food safety by incorporating the changes made to the Los Angeles County Code to enhance the food safety regulations of mobile food facilities.

On December 21, 2011, the Planning Commission conducted a public hearing on the proposed standards for regulating mobile food vendors and events. Prior to the Planning Commission public hearing, staff met with Matthew Geller and Kevin Behrendt, representatives of the Southern California Mobile Food Vendor Association (SoCalMFVA), an advocacy group that represents approximately 150 vendors to discuss their concerns regarding the proposed standards. In a letter dated December 5, 2011, SoCalMFVA

expressed concerns about the following requirements: a minimum of 100 parking spaces, a maximum of ten percent parking space displacement, providing restrooms for customer, a prohibition of tables and chairs, and a maximum of 24 days per year per location. During the public hearing, Mr. Geller reiterated the same concerns and suggested that the events be limited to 26 days per year per location, which would allow vendors to operate every other week, for better continuity.

The Planning Commission unanimously recommended that the City Council adopt an Ordinance to amend the Torrance Municipal Code to establish standards for regulating mobile food vendors and events by a seven to zero vote with the following amendments: that the minimum 100 parking spaces requirement be deleted, an event that displaces more than 10% of the total parking may be approved on a case by case basis with Fire Department and Police Department concurrence, and allowing tables and chairs for patrons to be set up as part of the event. The Planning Commission also recommended that the definition of food trucks on a fixed route be expanded for clarification, 20-minute time limit be retained for fixed route food trucks, and the Vehicle Identification Number be included on business license for each mobile food vendor.

ANALYSIS

The purpose of this Ordinance is to regulate mobile food vendor operations and events that occur on public and private property. These regulations and permit requirement will not apply to mobile food vendors operating on a public street or that have been sanctioned by Torrance Unified School District and conducted on TUSD property. Each mobile food vendor vehicle shall be subject to obtaining a city business license, passing a Police Department vehicle safety inspection, and obtaining a food handling permit from the County of Los Angeles Department of Public Health regardless of where they operate.

Under the proposed Ordinance, mobile food vending would be subject to the approval of a Temporary Parking Lot Event Permit if the food vendor or vendors will be operating on a site for a period exceeding twenty (20) minutes. The Temporary Parking Lot Permit would not apply to events occurring on TUSD property. The Temporary Parking Lot Event Permit would not apply to food caterers delivering food to private events, ice cream trucks as defined by Section 22456 c) of the California Vehicle Code, and food trucks on routes which operate on sites for less than 20 minutes.

The provisions of this Ordinance will apply to events held on public or private property and will not govern events held on TUSD property. Events subject to Temporary Parking Lot Event Permit will be subject to the following standards:

- Events will be restricted to non-residential sites and for the event boundaries shall be located a minimum 100 feet from residential uses.
- A maximum of 10% of the total number of on-site parking spaces provided may be displaced by a mobile food vendor event. An event that displaces more than 10% of the total parking may be approved on a case by case basis with Fire Department and Police Department concurrence.
- Events will be limited to a maximum of 24 days per calendar year.
- Event hours of operation shall between 9:00 a.m. and 10:00 p.m. daily.

- Tables and chairs for patrons may be permitted as part of the approved Temporary Parking Lot Event Permit application and plan.
- Access to permanent public restroom facilities for customer use shall be provided for each event.
- All participating food vendors shall have obtained a city business license. (Each mobile food vendor vehicle must pass a Police Department safety inspection and obtain Los Angeles County Health Department Permit prior to issuance of the business license)

On January 28, 2012, a display ad for this public hearing was published in the Daily Breeze.

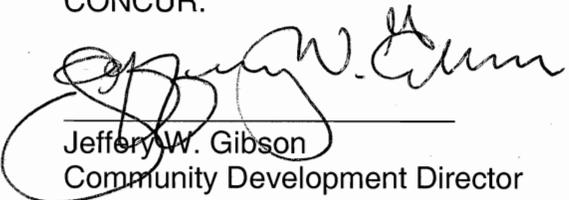
Staff recommends that the Council adopt the attached Ordinance and approve an Ordinance Summary for publication.

Respectfully submitted,

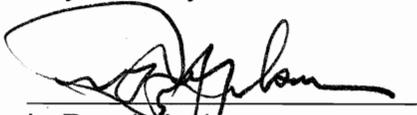
JEFFERY W. GIBSON
COMMUNITY DEVELOPMENT DIRECTOR

By 
Gregg Lodan, AICP
Planning Manager

CONCUR:


Jeffery W. Gibson
Community Development Director


John L. Fellows III
City Attorney


LeRoy J. Jackson
City Manager

- Attachments:
- A) Ordinance
 - B) Ordinance Summary
 - C) Draft standards with Planning Commission recommendations
 - D) Planning Commission item
 - E) Excerpt of Planning Commission Minutes
 - F) Proof of Publication
 - G) Mayor's Script (Limited Distribution)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF TORRANCE ADDING A NEW
SECTION 93.1.8 TO THE TORRANCE
MUNICIPAL CODE RELATING TO MOBILE
FOOD VENDORS**

NOW, THEREFORE, the City Council of the City of Torrance ordains as follows:

SECTION 1

Section 93.1.8 of the Torrance Municipal Code is added to read in its entirety as follows:

“SECTION 93.1.8 – Mobile Food Vendors on Public or Private Property

- a) Definitions
 - 1) Mobile Food Vendor means any person or entity operating a vehicle, trailer, car, wagon, bicycle, conveyance or structure on wheels, not firmly fixed to a permanent foundation and which is required to be registered with the California Department of Motor Vehicles, that offers the sale of food or beverage.
 - 2) Mobile Food Vendor Event means a gathering of one or more Mobile Food Vendors.
- b) Mobile Food Vendors operating on public or private property will be required to obtain a Temporary Parking Lot Event Permit as required by Section 93.1.7 as well as be required to comply with the Mobile Food Vending Event requirements found in Section 93.1.8(c) and the General Operating Requirements found in Section 93.1.8(d).
 - 1) Exemptions from Temporary Parking Lot Event Permit Requirement
 - a) Mobile Food Vendor events on Torrance Unified School District property are exempt from obtaining a Temporary Parking Lot Event Permit. But, the Mobile Food Vendors attending a Mobile Food Vendor Event on Torrance Unified School District property are still required to obtain all of the following:
 - i) valid approvals from the County of Los Angeles Department of Public Health including but not limited to a food handling permit or other health permit required by law shall possess and at all times display such required permit(s) in conspicuous view upon such

vehicle and must also display the Letter Grade issued by the County of Los Angeles Department of Public Health;

- ii) a City business license issued to the vehicle (tracked by the Vehicle Identification Number) of that Mobile Food Vendor that includes a vehicle inspection by the Police Department; and
 - iii) proof of current registration and insurance for each Mobile Food Vendor vehicle operating in the City.
- b) Temporary Parking Lot Event Permits also do not apply to:
- i) Food caterers delivering food to private events;
 - ii) Ice cream trucks as defined in California Vehicle Code section 22456(c); or
 - iii) Mobile Food Vendors on fixed routes that operate on construction or industrial sites for less than 20 minutes.
- c) Mobile Food Vending Requirements
- 1) A Mobile Food Vendor, with the exception of Torrance Unified School District property, shall be subject to Temporary Parking Lot Event Permit if a Mobile Food Vendor or Vendors will be operating on site for a period exceeding 20 minutes.
 - 2) A Mobile Food Vendor and Mobile Food Vendor Events are not permitted on properties used or zoned for residential purposes.
 - 3) Authorization from the property owner (or authorized agent) of the site/location on which the event is taking place on shall be required.
 - 4) Mobile Food Vendor Events shall be located a minimum of 100 feet from property zoned or used for residential purposes as measured from the event perimeter to residential property line.
 - 5) Mobile Food Vendor Events shall be limited to no more than 24 days per calendar year per site or location as determined by the Community Development Director or his/her designee.
 - 6) No more than 10% of the total number of parking spaces provided on the site/location shall be displaced by Mobile Food Vendor Event and no more than 10 vendors per Mobile Food Vendor event. A Mobile Food Vendor Event that displaces more than 10% of the total parking may be approved on a case by case basis with Fire Department and Police Department concurrence based upon circulation, public health, safety and welfare.

- 7) A detailed and dimensioned site plan of the Mobile Food Vendor Event layout shall be provided with the Temporary Parking Lot Event Permit application. The plan of the Mobile Food Vendor Event layout shall include the location of each Mobile Food Vendor, adequate space for customer queues and safe pedestrian movement without interfering with circulation outside of the designated Mobile Food Vendor Event area, and location of all other activities or temporary structures associated with the Mobile Food Vendor Event.
 - 8) Temporary Parking Lot Event Permit application shall include a list of each Mobile Food Vendor participating, their active business license identification number, and Vehicle Identification Number for each Mobile Food Vendor vehicle that will be present.
 - 9) Mobile Food Vendor Event hours of operation shall be between 9:00 a.m. to 10:00 p.m. daily.
 - 10) All Mobile Food Vendor vehicles shall remain parked and stationary during the Mobile Food Vendor Event. There shall be no Mobile Food Vendor vehicle movement during the Mobile Food Vendor Event.
 - 11) On and off site vehicular and pedestrian circulation shall be maintained at all times during the Mobile Food Vendor Event.
 - 12) Handicap parking spaces and accessibility shall be maintained at all times during the Mobile Food Vendor Event.
 - 13) The applicant shall demonstrate that there will be sufficient access to on-site restroom facilities provided for customers of the Mobile Food Vendor Event. Portable restroom facilities are not permitted.
 - 14) Temporary tables and seating for patrons may be permitted within the Mobile Food Vendor Event area as part of the approved Temporary Parking Lot Event Permit application and plan.
- d) General Operating Requirements
- 1) Vending shall be from vehicle duly registered and licensed by the State of California Department of Motor Vehicles.
 - 2) Each Mobile Food Vendor shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by such vending.
 - 3) Each Mobile Food Vendor shall pick up and deposit in the trash receptacle on the vehicle any paper, cups, wrapper, litter or other refuse of any kind which were a part of the goods or merchandise supplied from the Mobile

Food Vendor vehicle and which have been left or abandoned within 25 feet of the Mobile Food Vendor vehicle on any public property other than in a trash receptacle provided for such purposes. No Mobile Food Vendor or operator shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such Mobile Food Vendor.

- 4) Each Mobile Food Vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit is required by law shall possess and at all times display such required permit(s) in conspicuous view upon such vehicle and shall also display the Letter Grade issued by the County of Los Angeles Department of Public Health.
 - 5) Each Mobile Food Vendor shall have obtained valid approvals from the County of Los Angeles Public Health Department, and a City of Torrance Business License which includes review of proper registration, proof of insurance and a vehicle safety inspection by the Police Department prior to operation.
 - 6) Each Mobile Food Vendor and Mobile Food Vendor Event shall be subject to the Torrance Municipal Code Noise Ordinance.
- e) The issuance of a permit, certification, or approval under the provisions of this Section or Section 93.1.7 shall not constitute a waiver of any other requirement contained in the Torrance Municipal Code or any other law, ordinance or regulation, and all such requirements shall be complied with in addition to the obtaining of a permit, certification, or approval under the provisions of this Section.
- f) The issuance of a permit, certification, or approval under the provisions of this Section or Section 93.1.7 shall not constitute an approval of any violation of any provision of this Section, or any law, ordinance or regulation, and a permit, certification, approval, or other document purporting to give authority to violate any law or ordinance shall not be valid with respect thereto.
- g) Violations
- 1) Any person who violates any provision of this Section is guilty of a misdemeanor.
 - 2) Any violations of this Section, other applicable Sections of the Torrance Municipal Code, and/or conditions of approval may result in civil, criminal and/or administrative enforcement actions, immediate suspension of Temporary Parking Lot Event Permit and denial of an application for future Temporary Parking Lot Event Permits by the Mobile Food Vendor and/or the Property Owner.”

SECTION 2

Any inconsistent provisions of the Torrance Municipal Code, or any other inconsistent ordinances of the City, are repealed, to the extent of the inconsistencies.

SECTION 3

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then the decision will not affect the validity of the remaining portion of the ordinance. The City Council declares that it would have passed this ordinance and each of its sections, subsections, sentences, clauses and phrases, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases might be declared invalid or unconstitutional.

SECTION 4

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED and **APPROVED** this _____ day of _____, 2012.

ADOPTED and **PASSED** this _____ day of _____, 2012.

Mayor of the City of Torrance

ATTEST:

Sue Herbers, City Clerk

APPROVED AS TO FORM:

John L. Fellows III
City Attorney

By: _____
Patrick Q. Sullivan
Assistant City Attorney

ORDINANCE NO. _____

SUMMARY

On _____, 2012, the City Council of the City of Torrance adopted Ordinance number _____ adding Section 93.1.8 the Torrance Municipal Code relating to Mobile Food Vendors. The Ordinance provides definitions of Mobile Food Vendors and Mobile Food Vendor Events. It sets forth various operating and vending requirements for Mobile Food Vendors including, but not limited to, hours of operation, the percentage of a parking lot that can be used for an event, a limitation of 24 events per year at one location, access to permanent restrooms at the location, and a prohibition on having events on residential sites or within 100 feet of residential sites. It provides that Mobile Food Vendors operating on public or private property for a period exceeding 20 minutes will be required to obtain a Temporary Parking Lot Event Permit as required by Torrance Municipal Code section 93.1.7. Temporary Parking Lot Event Permits would not be required for events that occur on Torrance Unified School District property. All Mobile Food Vendors must have a permit from the County of Los Angeles Department of Public Health, proof of current registration and insurance, and a City of Torrance business license that includes a vehicle inspection by the Police Department. Violation of this Ordinance is a misdemeanor.

*****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.*****

Mobile Food Vendors Operating on Public or Private Property (Not on Public Streets)

Mobile food vendors operating on public or private property will be subject to the following standards and a Temporary Parking Lot Event Permit. **Mobile food vendor events on Torrance Unified School District property are exempt from obtaining a Temporary Parking Lot Event Permit**, vendors however are subject to obtaining County Health Department approval, a city business license which includes a vehicle inspection by the Police Department, and proof of current registration and insurance for each mobile food vendor vehicle operating in the city.

Mobile food vendor shall mean any person or entity operating a vehicle, trailer, car, wagon, bicycle, conveyance or structure on wheels, not firmly fixed to a permanent foundation and which is required to be registered with the California Department of Motor Vehicles, that offers the sale of food or beverage. A Parking Lot Event Permit does not apply to food caterers delivering food to private events, ice cream trucks as defined by Section 22456 c) of the CA Vehicle Code operating of public streets or food trucks on routes which operate on sites for less than 20 minutes.

Proposed Mobile Food Vending Event Requirements

1. Mobile food vending shall be subject to Temporary Parking Lot Event Permit if:
 - a food vendor or vendors will be operating on site for a period exceeding twenty (20) minutes (except Torrance Unified School District property)
2. Mobile food vending is not permitted on properties used or zoned for residential purposes.
3. Authorization from the property owner (or authorized agent) of the site/location on which the event is taking place on shall be required.
4. Mobile food vendor events shall be located a minimum of 100 feet from property zoned or used for residential purposes as measured from the event perimeter to residential property line.
5. Mobile food vendor events shall be limited to no more than 24 days per calendar year per site or location as determined by the Community Development Director or his/her designee.
6. ~~A mobile food vendor event may only occur on a site or location containing a minimum of 100 off street parking spaces. (Deleted by Planning Commission)~~
7. No more than 10% of the total number of parking spaces provided on the site/location shall be displaced by mobile food vendor event and no more than 10 vendors per mobile food vendor event. *An event that displaces more than 10% of the total parking may be approved on a case by case basis with Fire Department and Police Department concurrence. (Amended by Planning Commission)*
8. A detailed and dimensioned site plan of the event layout shall be provided with the Temporary Parking Lot Event Permit application. The plan of the event layout shall include the location of each mobile food vendor, adequate space for customer queues and safe pedestrian movement without interfering with circulation outside of the designated event area, and location of all other activities or temporary structures associated with the event.
9. Temporary Parking Lot Event Permit application shall include a list of each mobile food vendor participating and their active business license identification number.

10. Mobile food vendor event hours of operation shall be between 9:00 a.m. to 10:00 p.m. daily.
11. All vendor vehicles shall remain stationary during the event. There shall be no vendor vehicle movement during the event.
12. On and off site vehicular and pedestrian circulation shall be maintained at all times during vendor operation.
13. Handicap parking spaces and accessibility shall be maintained at all times during the event.
14. The applicant shall demonstrate that there will be sufficient access to on-site restroom facilities provided for customers. Portable restroom facilities are not permitted.
15. ~~No mobile food vendor shall use or have moveable or permanent stand(s), table(s), chair(s), equipment or device(s) at any approved location other than the permitted mobile unit.~~ *Tables and seating for patrons may be permitted within the mobile food vendor event area as part of the approved Temporary Parking Permit application and plan.* (Amended by Planning Commission)

General Operating requirements (on or off street)

1. Vending shall be from vehicle duly registered and licensed by the state.
2. Each mobile food vendor shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by such vending.
3. Each mobile food vendor shall pick up and deposit in the trash receptacle on the vehicle any paper, cups, wrapper, litter or other refuse of any kind which were a part of the goods or merchandise supplied from the vehicle and which have been left or abandoned within twenty-five feet of such vehicle on any public property other than in a trash receptacle provided for such purposes. No vendor or operator shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such vendor.
4. Each mobile food vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit is required by law shall possess and at all times display such required permit(s) in conspicuous view upon such vehicle and shall also display the Letter Grade issued by the Department of Public Health of the County of Los Angeles.
5. Each mobile food vendor shall have obtained valid Health Department approvals, and a City of Torrance Business License which includes review of proper registration, proof of insurance and a vehicle safety inspection prior to operation
6. Mobile food vendor operations shall be subject to Torrance Municipal Code Noise Standards

Supplemental #1 to Agenda Item No. 11A

To: Members of the Planning Commission
From: Redevelopment and General Plan Divisions
Date: December 21, 2011
Subject: Zoning Ordinance Amendment ZON11-00002 City of Torrance

After the agenda packets were distributed to the Planning Commission, staff met with the representatives from the Southern California Mobile Food Vendors Association to discuss their concerns regarding the proposed Mobile Food Vendor regulations that were expressed in their letter dated December 5, 2011 which was included as part of the item. More specifically, they had concerns regarding the minimum 100 parking space and maximum ten percent parking space displacement requirements, the restrooms for customers and table/chair prohibition requirements, and 24 days per year per location limitation.

Staff recommends that a minimum parking space threshold and maximum parking displacement be established as part of the Ordinance to ensure that there is sufficient space for the event and still provide adequate parking on site for customers of the existing businesses at the location and mobile food vendors. These thresholds and limitations on the size of events could be based on the size of the property and the number of off-street parking spaces that are provided. The smaller the lot on which the event is held, it is more difficult to mitigate potential impacts to surrounding properties and ensuring sufficient on site parking.

For comparison and analysis purposes, aerial photographs depicting various shopping centers and commercial properties of varying size throughout the city have been provided to show how parking and surrounding properties could be potentially affected by a mobile food vendor event. Each of these properties in its entirety or portion thereof is at least 100 feet away from a residential use.

We have also edited the language of the draft mobile food vendor regulations for clarity and have attached a clean copy.

Staff continues to recommend that the Planning Commission conduct a public hearing to receive comments from the public. After receiving input, staff recommends that the Planning Commission recommend that the City Council adopt an Ordinance regulating mobile food vendors based upon on the testimony and comments received during the public hearing.

Prepared by,



Kevin Joe
 Planning Associate, AICP

Respectfully submitted,



Gregg Lodan, AICP
 Planning Manager

Attachment

1. Draft Mobile Food Vendor regulations
2. Aerial photographs of various commercial properties

Attachment #1. Revised Draft Mobile Food Vendor regulations

Mobile Food Vendors Operating on Public or Private Property (Not on Public Streets)

Mobile food vendors operating on public or private property will be subject to the following standards and require a Temporary Parking Lot Event Permit. **Mobile food vendor events on Torrance Unified School District property are exempt from obtaining a Temporary Parking Lot Event Permit.** All vendors however are subject to obtaining County Health Department approval, a city business license which includes a vehicle inspection by the Police Department, and proof of current registration and insurance for each mobile food vendor vehicle operating in the city.

Mobile food vendor shall mean any person or entity operating a vehicle, trailer, car, wagon, bicycle, conveyance or structure on wheels, not firmly fixed to a permanent foundation and which is required to be registered with the California Department of Motor Vehicles, that offers the sale of food or beverage. A Parking Lot Event Permit does not apply to food caterers delivering food to private events, ice cream trucks as defined by Section 22456 c) of the CA Vehicle Code operating of public streets or food trucks on routes which operate on sites for less than 20 minutes.

Proposed Mobile Food Vending Event Requirements

1. Mobile food vending shall be subject to Temporary Parking Lot Event Permit if:
 - a food vendor or vendors will be operating on site for a period exceeding twenty (20) minutes (Torrance Unified School District property and public streets exempted)
2. Mobile food vending is not permitted on properties used or zoned for residential purposes.
3. Authorization from the property owner (or authorized agent) of the site/location on which the event is taking place on shall be required.
4. Mobile food vendor events shall be located a minimum of 100 feet from property zoned or used for residential purposes as measured from the event perimeter to residential property line.
5. Mobile food vendor events shall be limited to no more than 24 days per calendar year per site or location as determined by the Community Development Director or his/her designee.
6. A mobile food vendor event may only occur on a site or location containing a minimum of 100 off-street parking spaces.
7. No more than 10% of the total number of parking spaces provided on the site/location shall be displaced by mobile food vendor event and no more than 10 vendors per mobile food vendor event.
8. A detailed and dimensioned site plan of the event layout shall be provided with the Temporary Parking Lot Event Permit application. The plan of the event layout shall

include the location of each mobile food vendor, adequate space for customer queues and safe pedestrian movement without interfering with circulation outside of the designated event area, and location of all other activities or temporary structures associated with the event.

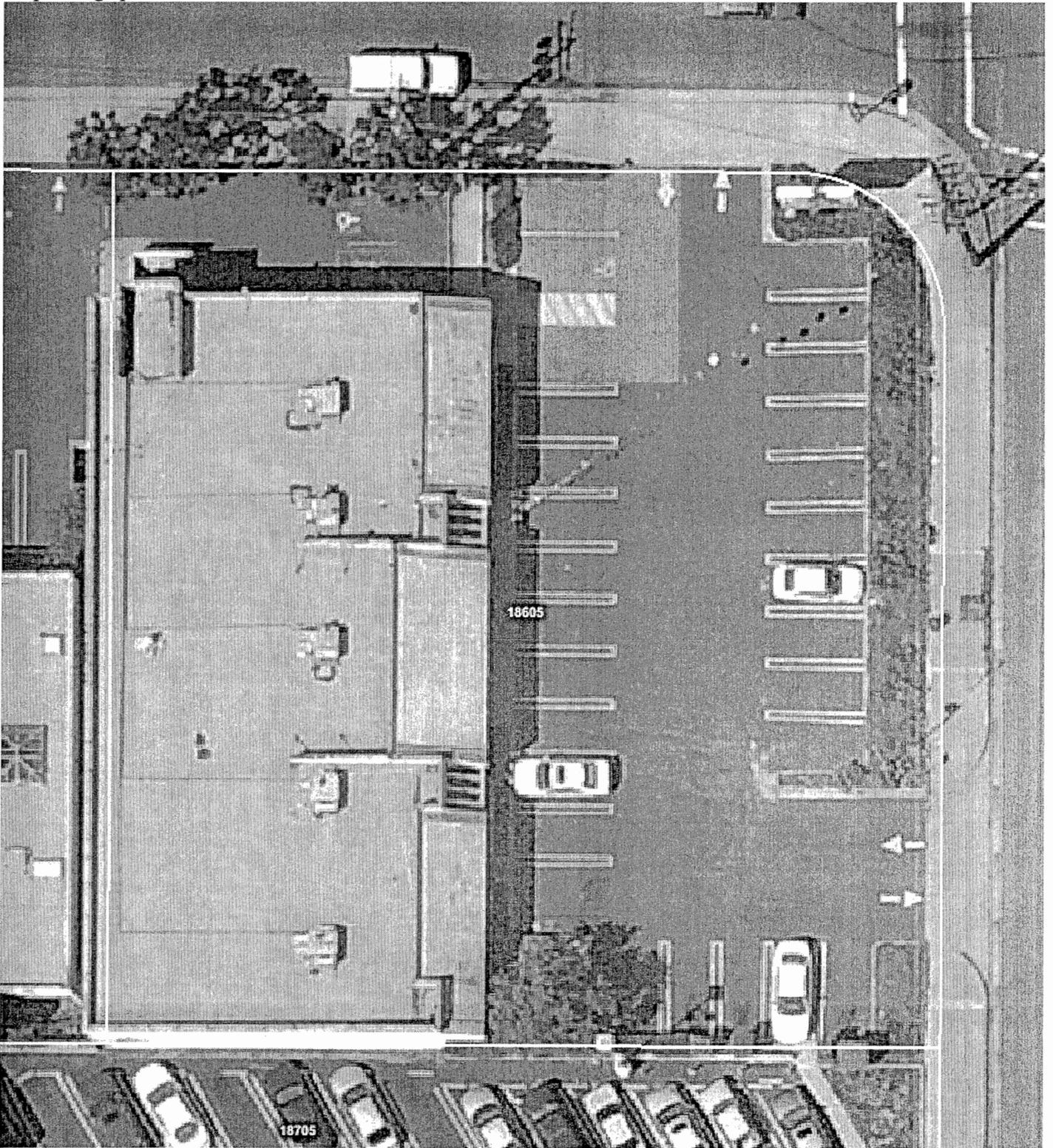
9. Temporary Parking Lot Event Permit application shall include a list of each mobile food vendor participating and their active business license identification number.
10. Mobile food vendor event hours of operation shall be between 9:00 a.m. to 10:00 p.m. daily.
11. All vendor vehicles shall remain stationary during the event. There shall be no vendor vehicle movement during the event.
12. On and off site vehicular and pedestrian circulation shall be maintained at all times during vendor operation.
13. Handicap parking spaces and accessibility shall be maintained at all times during the event.
14. The applicant shall demonstrate that there will be sufficient access to on-site restroom facilities provided for customers. Portable restroom facilities are not permitted.
15. No mobile food vendor shall use or have moveable or permanent stand(s), table(s), chair(s), equipment or device(s) at any approved location other than the permitted mobile unit.

General Operating requirements (on or off street)

1. Vending shall be from vehicle duly registered and licensed by the state.
2. Each mobile food vendor shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by such vending.
3. Each mobile food vendor shall pick up and deposit in the trash receptacle on the vehicle any paper, cups, wrapper, litter or other refuse of any kind which were a part of the goods or merchandise supplied from the vehicle and which have been left or abandoned within twenty-five feet of such vehicle on any public property other than in a trash receptacle provided for such purposes. No vendor or operator shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such vendor.
4. Each mobile food vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit is required by law shall possess and at all times display such required permit(s) in conspicuous view upon such vehicle and shall also display the Letter Grade issued by the Department of Public Health of the County of Los Angeles.
5. Each mobile food vendor shall have obtained valid Health Department approvals, and a City of Torrance Business License which includes review of proper registration, proof of insurance and a vehicle safety inspection prior to operation
6. Mobile food vendor operations shall be subject to Torrance Municipal Code Noise Standards

Shopping Center/ Major Tenant(s)	Address	Parking Spaces Provided	Notes
Ortho Mattress	18605 Hawthorne Blvd.	28	
vacant parking lot	2540 Sepulveda Blvd.	54	
Pier One Imports	23000 Hawthorne Blvd.	67	adjacent to residential
S-Mart (former Freshsia market)	2515 Torrance Blvd.	141	CUP83-16, VAR83-01 less than required parking, adjacent to residential
Palos Verdes Bowl	24600 Crenshaw Blvd.	245	
Lowes	22255 Western Avenue	797	CUP98-05
Torrance Crossroads Home Depot, Vons	24215-24631 Crenshaw Blvd.	1,882	PD90-02

18605 Hawthorne Boulevard (Ortho Mattress)
28 parking spaces



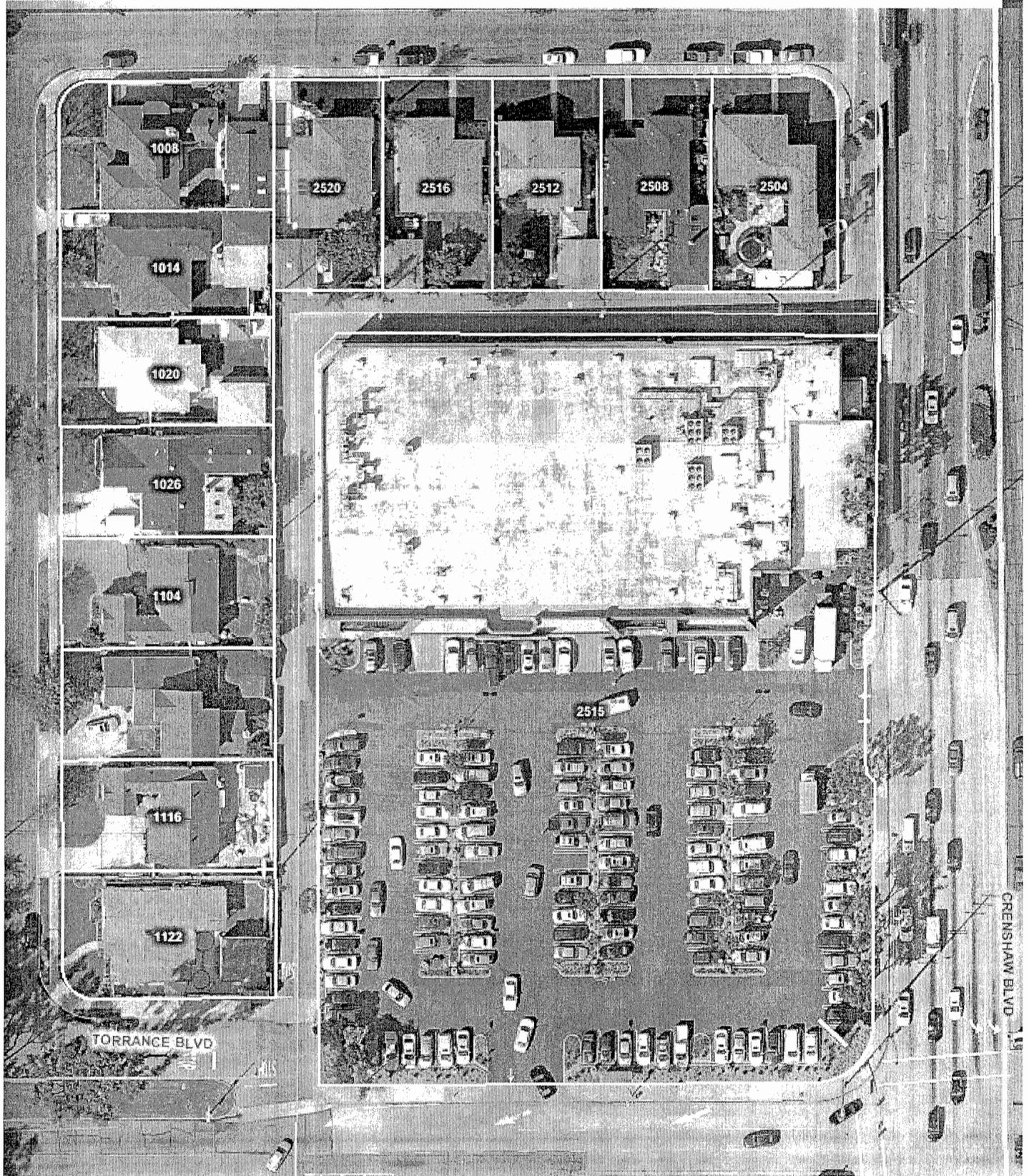
2540 Sepulveda Boulevard (vacant parking lot)
54 parking spaces



23000 Hawthorne Boulevard (Pier One Imports)
67 parking spaces

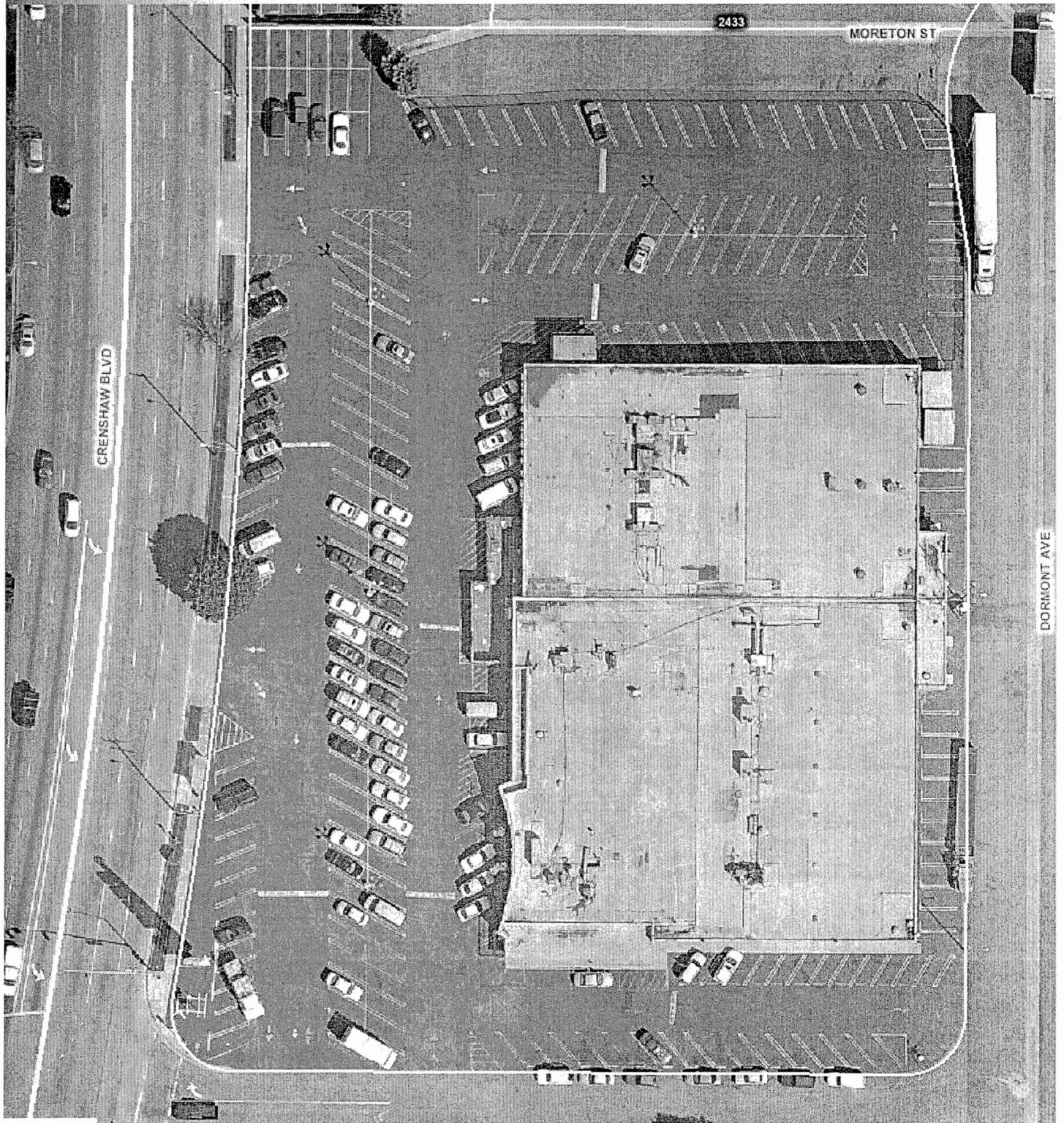


2515 Torrance Boulevard (S-Mart)
141 parking spaces, parking Variance

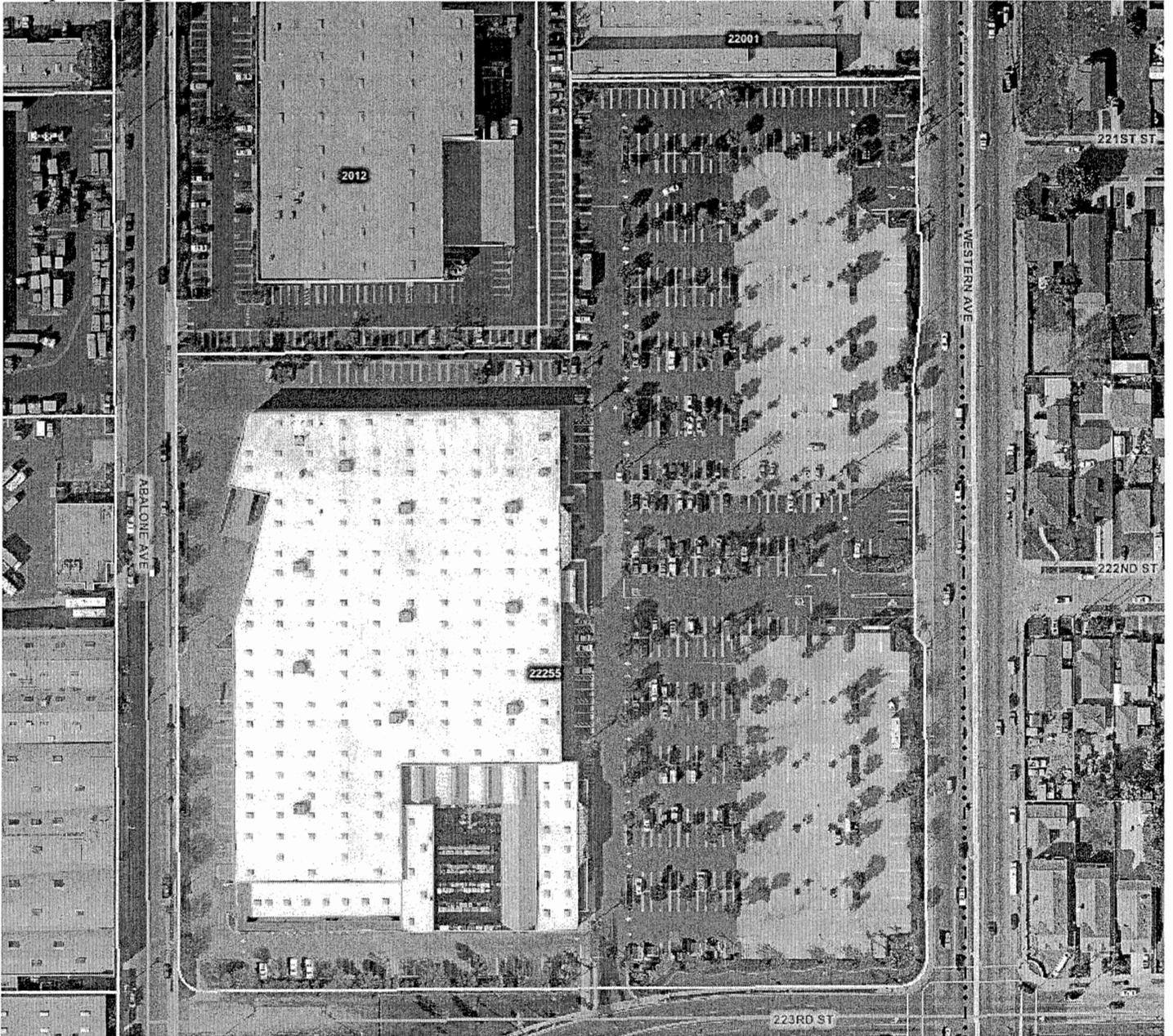


24600 Crenshaw Boulevard (Palos Verdes Bowl)

245 parking spaces

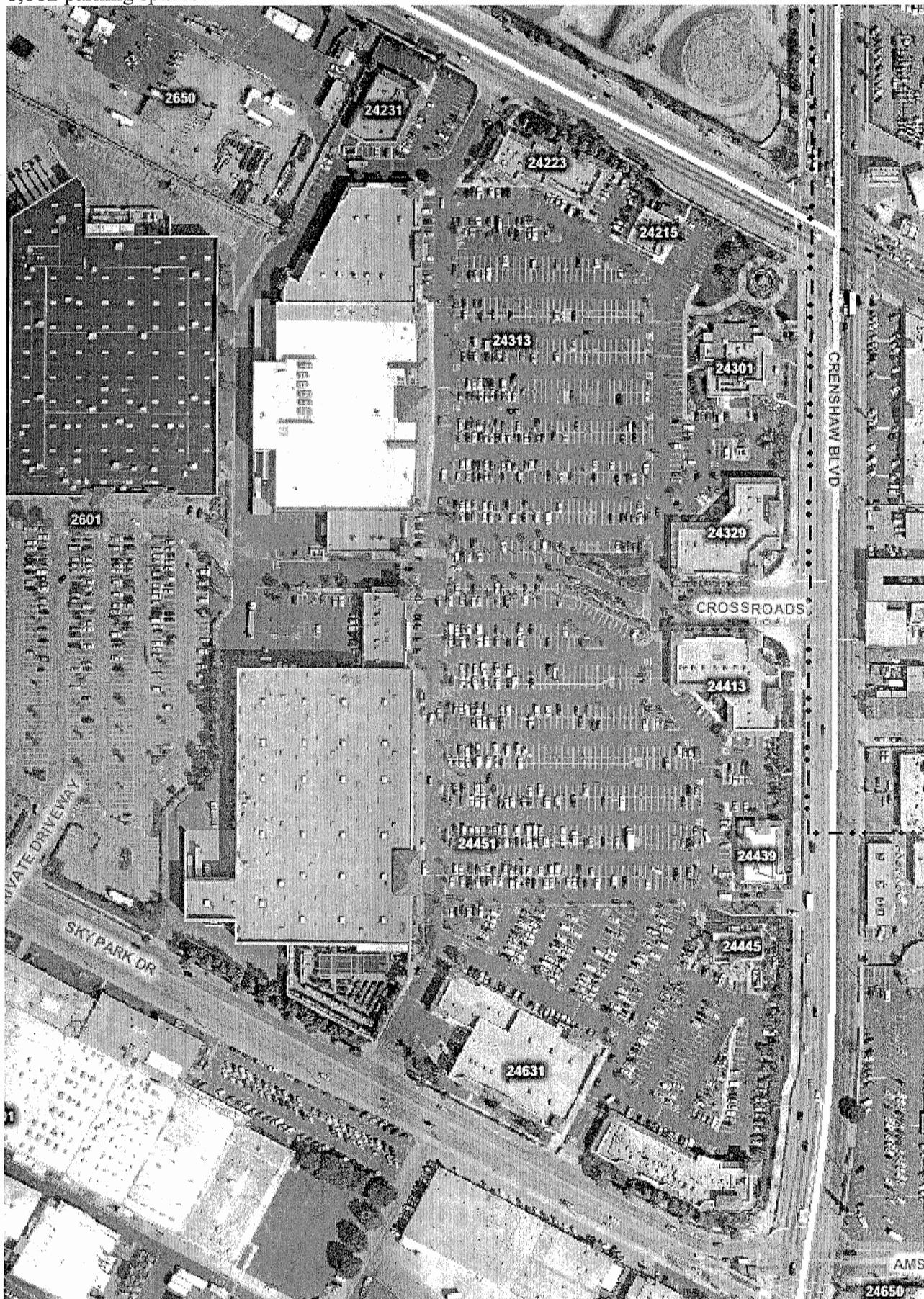


22255 Western Avenue (Lowe's Home Improvement)
797 parking spaces



24215-24631 Crenshaw Boulevard (Torrance Crossroads)

1,882 parking spaces



AGENDA ITEM NO. 11A**CASE TYPE & NUMBER:** ZONING ORDINANCE AMENDMENT - ZON11-00002**NAME:** City of Torrance**PURPOSE OF APPLICATION:** The City of Torrance proposes to amend the Torrance Municipal Code to establish standards regulating mobile food vendors and events.**LOCATION:** Citywide**ENVIRONMENTAL FINDINGS:**

Pursuant to Section 15060 (b) (2) (an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060 (c) (3) (an activity defined as not a project as defined in Section 15378) of the California Environmental Quality Act Guidelines, the proposed Zoning Ordinance Amendment is not subject to CEQA. The enactment or amendment of a Zoning Ordinance undertaken by a public agency is not considered a project under Section 15378 (a) (1) of CEQA.

BACKGROUND AND ANALYSIS:

The presence of mobile food vendors and food truck gatherings within the City and region has greatly increased in recent years. A mobile food truck and food truck gatherings can often attract large crowds due to their popularity and large social media following. Unlike a traditional lunch truck that has a fixed route and makes multiple stops at a business or construction site, a gourmet food truck vendor will often station itself at single location for several hours. The draw of the food trucks is significant enough to generate potential impacts to parking, circulation, public safety, and health and welfare of those in attendance and surrounding uses.

On December 6, 2011, the City Council adopted an Ordinance amending Section 47.2.6 of the Torrance Municipal Code relating to public health and food safety by incorporating the changes made to the Los Angeles County Code to enhance food safety regulations of mobile food facilities. The Council also authorized staff to increase outreach efforts to mobile food vendors and event planners in order to better educate them of the City's requirements for operating or conducting an event in the City. These actions were taken in response to recent events where unlicensed vendors and non-compliant vehicles were participating and involved a Torrance Police Department response, including issuances of citations and, in some instances, the impounding of vehicles.

City Council also directed staff to prepare guidelines for regulating mobile food vendor events operating on public and private property for consideration by the Planning Commission and City Council in an effort to address these issues and proactively address potential impacts associated with mobile food vendor events. The proposed standards that are being considered in this item address mobile food vendor operations on public (off-street) and private property and not on-street operations. Staff notes that these proposed standards and permit requirement would not be applicable to events

sanctioned by and held on Torrance Unified School District property, with the exception that each vehicle obtains a city business license and Police Department vehicle inspection. Mobile food vendors operating on a public street are subject to the California Vehicle Code Section 22455 (Attachment 6) which is enforced by the Police Department. The Vehicle Code restricts how long and where a vehicle can be parked on the street and conduct business.

Staff has researched ways to regulate mobile food vendors to allow food trucks and gathering events to occur while protecting public safety and welfare of the community. Staff contacted several jurisdictions in the area to determine how they regulate mobile food vendors and corresponded with the Southern California Mobile Food Vendor Association (SoCalMFVA), an advocacy group representing approximately 150 vendors, in developing regulations for food vendors operating on public or private property. The SoCalMFVA had expressed concerns regarding restroom and parking requirements and the restriction of the number of days per location (Correspondence attached to Council item).

The proposed Ordinance regulating mobile food vendors will include the following provisions:

1. define a mobile food vendor as any person or entity operating a vehicle, trailer, car, wagon, bicycle, conveyance or structure on wheels, not firmly fixed to a permanent foundation and which is required to be registered with the California Department of Motor Vehicles, that offers the sale of food or beverage
2. require Temporary Parking Lot Event Permit be obtained for each event when a food truck will operate on a site for a period exceeding 20 minutes and/or when two or more vendors are operating on the same site. Catering trucks providing services for private event permit on public or private property and ice cream trucks exclusively selling ice cream products from a vehicle would not be subject to a Temporary Parking Lot Event Permit
3. require each vendor to obtain a valid City business license and applicable County of Los Angeles Health Department Permits for food handling and display letter grades or inspection certificate issued by the County Health Department
4. require each vehicle to be duly licensed and registered by the State
5. restrict events to non-residential sites and for the event boundaries to be located a minimum of 100 feet away from residential uses
6. limit the number of parking spaces displaced by the event to no more than ten percent (10%) of the total provided
7. require events take place on sites with a minimum of 100 parking spaces
8. restrict the number of days per calendar year a food truck event can occur on a property to 24 days
9. limit the event hours of operation between 9:00 a.m. to 10:00 p.m. daily
10. require restroom facilities to be provided for customers within 200 feet of the mobile food vendor operation
11. require vendor vehicles to remain stationary during the event
12. require vendors to properly dispose of trash, refuse, and waste generated by the operation

13.require that safe and adequate handicap access, pedestrian and vehicular circulation, and space for customer queues be maintained during the event

All mobile food vendors operating in the City of Torrance are required to obtain a city business license, vehicle inspection from the Police Department for each mobile food vendor vehicle, and food handling permit from the County of Los Angeles Department of Public Health regardless of where they operate. Prior to issuance of a business license, staffs verifies that each vehicle has passed the Police Department inspection, a valid registration for the specific vehicle, proof of automobile insurance, and a County food handling permit.

According to the Torrance Municipal Code, businesses that operate vehicles for purposes of sale of food shall have each vehicle inspected by the Police Department prior to issuance of a business license. Each vehicle must pass a 28-point vehicle inspection which includes making sure that all basic safety equipment are functioning (the Vehicle Inspection checklist is attached as part of the December 6 Council Item). The vehicle inspection fee is currently \$37 and must be performed annually by the commercial enforcement officer from the Police Department. The cost of the business license is \$236 annually (business license rate will be \$245 in 2012) and can be prorated depending on when the business license is issued. The application fee for Temporary Parking Lot Event Permit is currently \$216.

PROJECT RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Conduct a public hearing to receive comments from the public and discuss an Ordinance regulating mobile food vendors; and
2. Recommend that the City Council adopt an Ordinance that amends the Torrance Municipal Code regulating mobile food vendors and approve an Ordinance Summary for publication.

Prepared by,



Kevin Joe, AICP
Planning Associate

Respectfully submitted,



Gregg Lodan, AICP
Planning Manager

ATTACHMENTS:

1. Draft Mobile Food Vendor Guidelines
2. December 6, 2011 Council Item
3. Excerpt of Minutes from December 6 Council Meeting
4. Mobile Food Vendor Regulation of Other Cities
5. County of Los Angeles Department of Public Health Mobile Food Facility Guidelines
6. California Vehicle Code Section 22455
7. Correspondence

Mobile Food Vendors Operating on Public or Private Property

Mobile food vendors operating on public or private property will be subject to the following standards and a Temporary Parking Lot Event Permit. Mobile food vendor events on Torrance Unified School District property are exempt from obtaining a Temporary Parking Lot Event Permit, vendors however are subject to obtaining a city business license and vehicle inspection by the Police Department for each mobile food vendor vehicle.

Mobile food vendor shall mean any person or entity operating a vehicle, trailer, car, wagon, bicycle, conveyance or structure on wheels, not firmly fixed to a permanent foundation and which is required to be registered with the California Department of Motor Vehicles, that offers the sale of food or beverage. A Parking Lot Event Permit does not apply to food caterers providing services for private events within a building on public or private property and ice cream trucks selling exclusively ice cream products from a motor vehicle.

1. Mobile food vending is not permitted on properties used or zoned for residential purposes.
2. Mobile food vending shall be subject to Temporary Parking Lot Event Permit if:
 - 1) the vendor will be operating on site for a period exceeding twenty (20) minutes; and/or
 - 2) more than one vendor will be operating on the same site or property at the same time. Authorization from the property owner (or authorized agent) of the site/location on which the event is taking place on shall be required.
3. Mobile food vendor events shall be located a minimum of 100 feet from property zoned or used for residential purposes as measured from the event perimeter to residential property line.
4. Mobile food vendor events shall be limited to no more than 24 days per calendar year per site or location as determined by the Community Development Director or his/her designee.
5. A mobile food vendor event may only occur on a site or location containing a minimum of 100 off-street parking spaces.
6. No more than 10% of the total number of parking spaces provided on the site/location shall be displaced by mobile food vendor event and no more than 10 vendors per mobile food vendor event.
7. A detailed and dimensioned site plan of the event layout shall be provided with the Temporary Parking Lot Event Permit application. The plan of the event layout shall include the location of each mobile food vendor, adequate space for customer queues and safe pedestrian movement without interfering with circulation outside of the designated event area, and location all other activities or temporary structures associated with the event.

8. Temporary Parking Lot Event Permit application shall include a list of each mobile food vendor participating and their active business license identification number.
9. Mobile food vendor event hours of operation shall be between 9:00 a.m. to 10:00 p.m. daily.
10. All vendor vehicles shall remain stationary during the event. There shall be no vendor vehicle movement during the event.
11. On and off site vehicular and pedestrian circulation shall be maintained at all times during vendor operation.
12. Handicap parking spaces and accessibility shall be maintained at all times during the event.
13. The applicant shall demonstrate that there will be sufficient access to on-site restroom facilities provided for customers. Portable restroom facilities are not permitted.
14. No mobile food vendor shall use or have moveable or permanent stand(s), table(s), chair(s), equipment or device(s) at any approved location other than the permitted mobile unit.

General Operating requirements (on or off street)

1. Vending shall be from vehicle duly registered and licensed by the state.
2. Each mobile food vendor shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by such vending.
3. Each mobile food vendor shall pick up and deposit in the trash receptacle on the vehicle any paper, cups, wrapper, litter or other refuse of any kind which were a part of the goods or merchandise supplied from the vehicle and which have been left or abandoned within twenty-five feet of such vehicle on any public property other than in a trash receptacle provided for such purposes. No vendor or operator shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such vendor.
4. Each mobile food vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit is required by law shall possess and at all times display such required permit(s) in conspicuous view upon such vehicle and shall also display the Letter Grade issued by the Department of Public Health of the County of Los Angeles.
5. Each mobile food vendor shall have obtained valid City of Torrance Business License prior to operation
6. Mobile food vendor operations shall be subject to Torrance Municipal Code Noise Standards

Council Meeting of
December 06, 2011

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: City Manager - Consideration of Interim Guidelines for Allowing Mobile Food Vendors at Special Events

RECOMMENDATION

Recommendation of the City Manager that City Council:

1. Consider interim guidelines for allowing mobile food vendors at special events; and
2. Adopt an **ORDINANCE** modifying health code posting requirements and approve **ORDINANCE** summary for publication; and
3. Approve outreach program to Mobile Food Vendors and to Community Event Planners.

Funding

N/A

BACKGROUND

Over the last several months there has been a series of issues arise over the appropriate authorization procedure for mobile food vendor events in the City of Torrance. The issues initially dealt with assemblage on private property or City parking lots. Council has asked staff to revisit existing rules and identify possible options for the City Council's consideration with respect to mobile food vendors operations in these areas.

There has recently been another issue related to mobile food vendors on public school property which resulted in confusion and concern to the event holders, the vendors, the attendees and City Council.

Part of the confusion results from the City's practice of not requiring event permits for events at public schools. In clarification, mobile food vendors are not considered events but a business participating in an event. Therefore, the City's requirement for businesses to obtain a business license, and, if operating a heavy duty vehicle such as a mobile food truck, an annual safety check of the vehicle, continues to apply to vendors on public school property.

The City's approach in enforcing these requirements is to issue a warning for the first violation. Subsequent violations of either requirement result in a citation(s). This practice recently resulted in the citing of several mobile food vendors, who had previously received a warning, at the school fundraiser noted above. The Police Officers indicated to the cited vendors that they

could continue to operate for the night but many chose to leave and the event was terminated early.

This concern by all parties resulted in the City Council requesting that staff take a priority look at the issue of mobile food vendors on public school property. Specifically, Council requested that staff review current laws and guidelines and determine possible alternatives to be considered by Council.

ANALYSIS

Staff has surveyed practices in other cities, has reviewed proposals that other cities are considering and has assessed our own Municipal Code. There are three main elements related to food vending:

1. Safety related regulation
2. Health inspection compliance
3. City permitting, Municipal Code and licensing

According to the City's Municipal Code, businesses that operate vehicles for the purpose of sale of food shall have the vehicle inspected by the Torrance Police Department before securing a Torrance business license. Once the vehicle passes inspection the owner must display a vehicle identification tag in a conspicuous place on the exterior of the vehicle. The inspection includes verification of such items as: current registration, a health permit, insurance, operational back up alarm, brakes, emergency stop system, and other safety features.

The cost of the Torrance business license is \$236 annually and the vehicle inspection fee is \$37. (The 2012 business license rate is \$245. The vehicle inspection fee will remain the same.) The business license fee can be prorated depending on when a business secures a business license. So if a business wishes to secure a business license in April, it would pay for three-quarters of the year, i.e., the remaining portion of the calendar year. If a business is securing a business license in the last quarter of the year it would pay one-quarter of the fee, which would be, based on the 2011 rate, \$59. As it is the end of the calendar year, a business that wishes to secure a license or renew now for the year 2012 can do so for the full year.

Survey Results

The survey of business license rates across the County for mobile fee vendors is presented below. The rates listed do not include event permit fees, health inspection fees, etc. and most do not require a vehicle inspection.

• Los Angeles County covering unincorporated areas	\$168
• City of Los Angeles	Free
• Santa Monica	\$270
• El Segundo	\$190
• Arcadia	\$170
• Manhattan Beach	\$250
• Alhambra	\$300
• Long Beach (operates own Health Dept)	\$403

In reviewing the County and other cities' practices, staff suggests the following steps:

Mobile Food Facility Grade Display

The food trucks that operate in Los Angeles County are required to prominently display their mobile food facility grade that indicates the vendors comply with the County Public Health food safety requirements. Staff recommends that the City implement this display requirement, therefore an ordinance has been prepared and is attached for adoption by the City Council tonight to formally adopt the County's requirement. This is a modification of the existing City ordinance that pertains to restaurant grading.

Mobile Food Draft Policy Review by Planning Commission

Staff has put together a draft policy slated for review at an upcoming Planning Commission meeting. This plan is attached to this item and outlines standards for all future mobile food vendor events that are subject to a Temporary Parking Lot Event Permit.

Interim Action Plan

In the interim, if the PTA, or any other group wishes to hold a special event where mobile food vendors will be present on Torrance Unified School District property, the event coordinator will be required to have authorization by the District and they should contact the City Manager's Office to obtain a list of currently licensed mobile food vendors. The District would be requested to notify the City Manager's Office of the time and place for the event. If the group wishes to bring in other mobile food vendors, those vendors will need to comply with City requirements of a commercial vehicle inspection and Torrance business license.

If other groups in the City wish to have similar events they need to complete an application for a Temporary Parking Lot Event Permit and pay a filing fee of \$216. Five calendar days are requested for processing of the application. Applications can be obtained from the Community Development Department and can also be found online at:

http://www.torranceca.gov/Documents/Temp_Parking_Lot_Event_Permit_10-01-11.pdf

The permit requires approval of the property owner, a review of available space and security and the compatibility of the proposed event with the surrounding community.

City's Objective

Concerns have been expressed that somehow the enforcement steps taken by the City appear to not be business friendly. It should be observed that while the City prides itself in trying to assist businesses in being successful in the community, the City must still maintain the health and safety laws of the City. Brick and mortar restaurants must meet land use, public safety and building code requirements; they must have restrooms and sufficient parking, and all must have annual fire code investigations and a valid business license. Placing reasonable guidelines on mobile food vendors will ensure public safety.

The City intends to be fair and equitable to all who wish to hold special events and find a suitable way to accommodate the presence of mobile food vendors in Torrance. To this end, staff will continue to work with the Southern California Mobile Food Vendors Association and reach out to other groups and mobile vendors to facilitate licensing. Staff will also work with any community event planners through the City's Special Events Team providing up-to-date listings of licensed mobile food vendors to help successfully coordinate future events. Any

group that wishes to coordinate a special event and bring in mobile food vendors is invited to contact the City Manager's Office to coordinate a meeting with the Special Events Team.

Respectfully submitted,

LeROY J. JACKSON
CITY MANAGER

By 
Fran Fulton
Management Associate

CONCUR:


LeRoy J. Jackson
City Manager

Attachments:

- A. Vehicle Inspection Form
- B. Standards for Mobile Food Vendor Events
- C. Ordinance
- D. Temporary Parking Lot Event Permit Application
- E. Correspondence



**City of Torrance, Business License
Vehicle Inspection** (Per Chapter 16 TMC)

Firm Name:	Unit No:
Vehicle Year/Make:	CA License:
Unladen Weight:	Reg. Expiration:

Vehicle Inspection Check List

Item	Pass	Fail	Equipment	Item	Pass	Fail	Equipment
1			Registration	15			Flashing Rear Lamps
2			Health Permit	16			Reflectors
3			Proof of Insurance	17			Clearance Lamps
4			License Plates	18			Mud Guards
5			Head Lamps (high/low)	19			Tire Tread
6			Turn Indicators	20			Wheel Rims
7			Windshield	21			Exhaust
8			Windshield Wipers	22			Fuel Cap
9			Mirrors	23			Steering Wheel
10			Trade Marks	24			Brakes
11			Tail Lamps	25			Low Air Warning Device
12			Brake Lamps	26			Emergency Stop System
13			Back Up Alarm	27			Roadside Warning Device/Triangles
14			Horn	28			Check Valve (wet tank)

Remarks:

Inspection By:	Date:
1.	
2.	
3.	
Sticker Number:	

Private Property/Public Property Mobile Food Vendors

Standards for mobile food vendor events that are subject to a Temporary Parking Lot Event Permit

Mobile food vendor shall mean any person or entity operating a vehicle, trailer, car, wagon bicycle, conveyance or structure on wheels, not firmly fixed to a permanent foundation and which is required to be registered with the California Department of Motor Vehicles, that offers the sale of food or beverage. This does not include food caterers providing services for private events on private property and ice cream trucks selling exclusively ice cream products from a motor vehicle.

1. Mobile food vending is not permitted on properties used or zoned for residential purposes.
2. Mobile food vending shall be subject to Temporary Parking Lot Event Permit if:
 - 1) the vendor will be operating on site for a period exceeding twenty (20) minutes; and/or
 - 2) more than one vendor will be operating on the same property at the same time. Authorization from the property owner (or authorized agent) of the site/location on which the event is taking place on shall be required.
3. Mobile food vendor events shall be located a minimum of 100 feet from property zoned or used for residential purposes as measured from the event perimeter to residential property line.
4. Mobile food vendor events shall be limited to no more than 24 days per calendar year per site or location as determined by the Community Development Director or his/her designee.
5. A mobile food vendor event may only occur on a site or location containing a minimum of 100 off-street parking spaces.
6. No more than 10% of the total number of parking spaces provided on the site/location shall be displaced by mobile food vendor event and no more than 10 vendors per mobile food vendor event.
7. A detailed and dimensioned site plan of the event layout shall be provided with the Temporary Parking Lot Event Permit application. The plan of the event layout shall include the location of each mobile food vendor, adequate space for customer queues and safe pedestrian movement without interfering with circulation outside of the designated event area, and location all other activities or temporary structures associated with the event.
8. Temporary Parking Lot Event Permit application shall include a list of each mobile food vendor participating and their active business license identification number.
9. Mobile food vendor event hours of operation shall be between 9:00 a.m. to 10:00 p.m. daily.

10. All vendor vehicles shall remain stationary during the event. There shall be no vendor vehicle movement during the event.
11. On and off site vehicular and pedestrian circulation shall be maintained at all times during vendor operation.
12. Handicap parking spaces and accessibility shall be maintained at all times during the event.
13. The applicant shall demonstrate that there will be sufficient access to on-site restroom facilities provided for customers. Portable restroom facilities are not permitted.
14. No mobile food vendor shall use or have moveable or permanent stand(s), table(s), chair(s), equipment or device(s) at any approved location other than the permitted mobile unit.

General Operating requirements (on or off street)

1. Vending shall be from vehicle duly registered and licensed by the state.
2. Each mobile food vendor shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by such vending.
3. Each mobile food vendor shall pick up and deposit in the trash receptacle on the vehicle any paper, cups, wrapper, litter or other refuse of any kind which were a part of the goods or merchandise supplied from the vehicle and which have been left or abandoned within twenty-five feet of such vehicle on any public property other than in a trash receptacle provided for such purposes. No vendor or operator shall dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such vendor.
4. Each mobile food vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit is required by law shall possess and at all times display such required permit(s) in conspicuous view upon such vehicle and shall also display the Letter Grade issued by the Department of Public Health of the County of Los Angeles.
5. Each mobile food vendor shall have obtained valid City of Torrance Business License prior to operation.
6. Mobile food vendor operations shall be subject to Torrance Municipal Code Noise Standards.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF TORRANCE RELATING TO
PUBLIC HEALTH AND FOOD SAFETY**

WHEREAS, the California Retail Food Code (Health and Safety Code sections 113700 et seq.) authorizes local agencies to adopt an evaluation or grading system for food facilities, including mobile food facilities; and

WHEREAS, in October 2010, Los Angeles County amended its Public Health laws to enhance food safety regulations of mobile food facilities; and

WHEREAS, California Government Code section 5022.9 specifically authorizes cities to enact ordinances which adopt by reference county codes; and

WHEREAS, effective enforcement of state and local Public Health laws is a critical component of the City's overall commitment to protecting the health and welfare of its citizens, work-force, and visitors;

NOW, THEREFORE, the City Council of the City of Torrance ordains as follows:

SECTION 1

Section 47.2.6 of the Torrance Municipal Code is amended to read in its entirety as follows:

“47.2.6 – Readoption of County Code; Food Facility Grading

a) Sections 11.02.010 to 11.38.610, inclusive, with the exception of Sections 11.02.192, 11.04.030 to 11.04.330, 11.15.010 to 11.15.050, 11.16.060, 11.16.110, 11.91.010 to 11.19.040, 11.28.010 to 11.28.060, 11.36.010 to 11.36.080, 11.38.470 and 11.38.460, and Chapter 11.20 of the Health and Safety Code of the County of

Los Angeles and all subsequent ordinances amending the incorporated sections of Title 11 of the Los Angeles County Code, are adopted and incorporated by this reference as if set forth in full in this Section. The adopted provisions of the Health and Safety Code fully express the will and intention of the City Council of the City of Torrance as to those matters relating to public health that are contained in the sections of the Los Angeles County Code incorporated and adopted by this Section.

b) Sections 8.04.142, 8.04.165, 8.04.200, 8.04.225, 8.04.275, 8.04.306, 8.04.311, 8.04.337, 8.04.339, 8.04.403, 8.04.405, 8.04.595, 8.04.720 (to the extent that the fees set forth in this Section apply to food official inspections), 8.04.728, 8.04.752, 8.04.755, 8.04.790, 8.04.810, 8.04.817 and 8.04.943 of Title 8 of the Los Angeles County Code (Consumer Protection and Business Regulations) and all subsequent ordinances amending the incorporated sections of Title 8 of the Los Angeles County Code, are adopted and incorporated by this reference as if set forth in full in this Section. The adopted provisions of Title 8 of the Los Angeles County Code fully express the will and intention of the City Council of the City of Torrance as to those matters relating to public health that are contained in the sections of the Los Angeles County Code incorporated and adopted by this Section.

c) The provisions of this Section, insofar as they are substantially the same as provisions of the Torrance Municipal Code relating to the same subject matter existing immediately preceding adoption of this Section, shall be construed as restatements and continuances, and not as new enactments.

d) The issuance of a permit, certification, or approval under the provisions of this Section shall not constitute a waiver of any other requirement contained in the Torrance Municipal Code or any other law or ordinance, and all such requirements shall be complied with in addition to the obtaining of a permit, certification, or approval under the provisions of this Section.

e) The issuance of a permit, certification, or approval under the provisions of this Section shall not constitute an approval of any violation of any provision of this Section, or any law or ordinance, and a permit, certification, approval, or other document purporting to give authority to violate any law or ordinance shall not be valid with respect thereto.

f) Any person, group, corporation or association which prepares food for, or dispenses food to, members of the public shall comply with the provisions of the Los Angeles County Health and Safety Code, which are adopted and incorporated by this Section and which impose requirements for food handling, preparation, storage and treatment and for the packaging of box lunches, sandwiches and other prepared food.

g) In the event of any conflict, inconsistency or ambiguity arises between the provisions of Title 8 and Title 11 of the Los Angeles County Code as adopted by this Section and any other provision of the Torrance Municipal Code, the provisions of the Torrance Municipal Code shall govern.

h) A copy of Title 8 (Consumer Protection and Business Regulations) and of Title 11 (Health and Safety) of the Los Angeles County Code is on file in the Office of the City Clerk.”

SECTION 2

Any inconsistent provisions of the Torrance Municipal Code, or any other inconsistent ordinances of the City, are repealed, to the extent of the inconsistencies.

SECTION 3

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then the decision will not affect the validity of the remaining portion of the ordinance. The City Council declares that it would have passed this ordinance and each of its sections, subsections, sentences, clauses and phrases, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases might be declared invalid or unconstitutional.

SECTION 4

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED and **APPROVED** this _____ day of _____, 2011.

ADOPTED and **PASSED** this _____ day of _____, 2011.

Mayor of the City of Torrance

ATTEST:

Sue Herbers, City Clerk

APPROVED AS TO FORM:

John L. Fellows III
City Attorney

By: _____
Patrick Q. Sullivan
Assistant City Attorney

ORDINANCE NO. _____

SUMMARY

On _____, 2011, the City Council of the City of Torrance adopted Ordinance number _____ amending Section 47.2.6 of the Torrance Municipal Code.

The City Council amended Section 47.2.6 to incorporate the changes made to the Los Angeles County Code in October 2010. The changes to the Los Angeles County Code establish standards for the letter grading of Mobile Food Facilities requiring that the owners of the Mobile Food Facilities obtain annual certification, submit to semi-annual routine inspections, and provide the Department of Public Health with current route information. Additionally, the changes to the Los Angeles County Code will require the owners of Mobile Support Units to obtain annual certification, submit to an annual routine inspection, and provide the Department of Public Health with current route information.

*****City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.*****


City of Torrance, Community Development Department

Jeffery W. Gibson, Director

3031 Torrance Blvd., Torrance, CA 90503, Phone (310) 618-5990 Fax (310) 618-5829

Instructions for Filing an Application for a TEMPORARY PARKING LOT EVENT PERMIT
Pursuant to Article 1, Section 93.1.7 of Chapter 3 of Division 9 of the Torrance Municipal Code
FILING FEE

The filing fee is \$216.00. Make checks payable to "City of Torrance."

APPLICATION & PLOT PLAN

The completed application form and a dimensioned plot plan indicating the following information is required at the time of filing:

- Location and dimensions of property lines in relation to adjacent public streets.
- Existing on-site parking and circulation layout, and the total number of available on-site parking spaces.
- Total number and location of the parking spaces to be used for the proposed event.
- Location of existing buildings and any temporary tents, trailers, electrical or mechanical equipment, trash receptacles, and signs.
- Expected number of attendants and whether Security is to be provided. Please note the number of guards and whether they will be armed.
- Location of required safety devices such as portable fire extinguishers, no smoking signs, and emergency exits.
- If the proposed event is a Christmas tree lot, also indicate the location of tree storage areas, public activity areas, fenced areas, and distances between tree displays to parking areas and temporary structures as required by the Fire Department.
- Any other information found by the Community Development Department to be necessary for the review of the application.

Please note: Representatives from the various City Departments may make onsite visits to verify information outlined on the requested plot plan.

PERMIT ISSUANCE

If all the requirements of Section 93.1.7 are satisfied, the Community Development Director will issue a Temporary Parking Lot Event Permit within ten (10) days of the filing of the application. If a permit is not issued, the Community Development Director will notify the applicant in writing. The notice will set forth the Community Development Director's reasons for denial and the procedures for an appeal of the Community Development Director's determination.

STANDARDS AND REQUIREMENTS

The proposed parking lot event must comply with the standards and criteria as listed in Article 1, Section 93.1.7 of Chapter 3 of Division 9 of the Torrance Municipal Code. A copy of this information is available upon request.

APPEAL PROCESS

The determination of the Community Development Director for the approval of a Temporary Parking Lot Event Permit may be appealed to the Planning Commission by the proponent or any person who may be damaged by said determination. Such appeal will be made in writing to the Planning Commission within five (5) calendar days of the determination of the Community Development Director. Notice of the time and place of the appeal hearing will be made to the proponent and any person appealing.

OTHER PERMITS

After approval of a Seasonal Sales Permit, the following permits must be obtained before opening to the public:

- A Business License from the Revenue Division of the Finance Department;
- Permits from the Building and Safety Division for temporary power and/or structures;
- Permits from the Fire Department for tents, canopies, and Sales of Christmas trees;
- Permits from the Environmental Division for signage.

Note: Proof of a Temporary Parking Lot Permit is required prior to obtaining a business license or other required permits.



City of Torrance, Community Development Department

Jeffery W. Gibson, Director

3031 Torrance Blvd., Torrance, CA 90503, Phone (310) 618-5990 Fax (310) 618-5829

TEMPORARY PARKING LOT EVENT PERMIT APPLICATION

Parts I, II, and III to be completed by the Applicant. Please print or type.

I. BUSINESS OWNER INFORMATION/PROPOSED EVENT LOCATION

Name of Applicant			
Name of Business			
Property Address (proposed parking lot event location)	City	State	Zip Code
Name of Business Owner		Contact Phone Number	
Mailing Address (if different from above)	City	State	Zip Code

II. EVENT AND SITE INFORMATION

Check type of approval requested:

- Promotional Outdoor Event
- Outdoor Gathering Of People
- Includes Amplified Sound
- Pumpkin Sales Lot
- Christmas Tree Sales Lot
- Other (Please Describe): _____
- Security # of Guards _____
- Armed (Y/N) _____

Describe the proposed event: _____

Date(s) and Hours of event:

Date:	From:	To:	Hours:	From:	To:
Set Up Date(s):	From:	To:	Clean Up Date:		

Site Information:			
Zoning	Total Lot Area (in sq. ft)	Total Number of Parking Spaces On-Site	Number Parking Spaces Displaced by the Event

III. STANDARDS AND REQUIREMENTS

By signing this application form, I as the business owner and/or the property owner, hereby acknowledge that I have read and agree to comply with all applicable City standards regulating the proposed temporary use(s) and the following conditions of approval:

- a) No person will use any existing parking lot for a temporary parking lot sales event or a temporary parking lot special event, as defined in Sections 91.2.165 and 91.2.166 respectively, without first obtaining the prior approval of a Temporary Parking Lot Event Permit.
- b) The location of the proposed event is within an existing parking lot area and is being held by a permanent on-site business.
- c) The proposed event will not disrupt circulation of traffic within the parking lot or within the vicinity as determined by consideration of the location and design of on-site driveways; the on-site parking and circulation, including pedestrian movements; and the on-site lighting and traffic signage in relation to the location of the proposed parking lot event.

- d) The proposed event will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity.
- e) The proposed event will not cover more than ten percent of the required parking spaces.
- f) The proposed event will not cause a shortage of parking for or restrict access to the existing uses.
- g) The business establishment proposing the event has not exceeded the maximum allowable number of four events per business establishment per calendar year.
- h) There are no other temporary parking lot sales or special events occurring on the same parking lot and during the same time period.
- i) All temporary structures, equipment and debris will be removed and the parking lot area will be cleaned and restored to its original condition within one calendar day immediately following the last effective date of the approval for the event.
- j) The operation of a pumpkin or a Christmas tree sales lot will conform to the requirements of Subsections c) and d) 2 through d) 5 of Section 92.2.9 regulating pumpkin and Christmas tree sales on vacant property (summarized below).
- k) The Community Development Director may impose additional conditions to the approval of the Temporary Parking Lot Event Permit to insure the preservation of the public peace, safety, health, and general welfare.
- l) Any violations of Section 91.3.7, other applicable Sections of the Torrance Municipal Code, and/or conditions of approval may result in enforcement actions, immediate suspension of the issued Temporary Parking Lot Event Permit and the denial of an application for such future event permits by the operator and/or the property owner.

Additional requirement for pumpkins or Christmas trees sales:

- a) No permit will be issued prior to September 1st for a pumpkin lot and November 1st for Christmas tree lot.
- b) Site preparation and set up for the sales lot will not commence prior to September 20th for a pumpkin sales lot, and November 15th for a Christmas tree sales lot.
- c) Sales operations to the public for a pumpkin lot will begin no earlier than October 10th and end no later than October 31st.
- d) Sales operations to the public for a Christmas tree lot will begin no earlier than December 1st and end no later than December 25th.
- e) The proposed sales operation is conducted between the hours of 9:00 a.m. to 10:00 p.m. daily.

APPLICANT		BUSINESS OWNER AND/OR PROPERTY OWNER	
Print Name of Applicant		Print Name of Business Owner and/or Property Owner	
Mailing Address	City, State, Zip	Mailing Address	City, State, Zip
Contact Phone Number		Contact Phone Number	
Signature	Date	Signature	Date

IV. FOR CITY USE ONLY – DO NOT WRITE BELOW THIS LINE

Plot Plan Attached Other Information Attached: _____

Application/Case No.	Date of Acceptance	Fee Amount	Accepted By:
----------------------	--------------------	------------	--------------

- Fire Approved Denied See Remarks By: _____ Date: _____
- Building Approved Denied See Remarks By: _____ Date: _____
- Environmental Approved Denied See Remarks By: _____ Date: _____
- Police Approved Denied See Remarks By: _____ Date: _____

REMARKS Please log comments in Permit Plan	
Fire	
Building	
Environmental	
Police	

STAFF ASSESSMENT AND RECOMMENDATION (COMMUNITY DEVELOPMENT DEPARTMENT)

- The applicant has satisfied all the standards and requirements of the Permit. Therefore staff recommends approval of the Temporary Parking Lot Event Permit subject to the Standards and Requirements contained in Section III of this approval.
- The application does not meet the standards and requirements for issuance of a Temporary Parking Lot Event Permit and therefore staff recommends denial. The following standards/requirements were not met:

Assessment Made By:	
Name	Title
Recommended By:	
Name	Title

COMMUNITY DEVELOPMENT DIRECTOR APPROVAL

This request for a Seasonal Sales Permit is:

- Approved Denied Temporary Parking Lot Permit Number: _____

Jeffery W. Gibson
 Community Development Director

Date:

Decisions by the Community Development Director pertaining to a Temporary Parking Permit Lot Event Permit are appealable to the Planning Commission within five (5) calendar days following the above date of approval or denial.

Fulton, Fran

From: Jackson, LeRoy
Sent: Wednesday, November 30, 2011 6:18 AM
To: Neu, John; Fulton, Fran
Subject: FW: Torrance Food Trucks

From: Numark, Cliff
Sent: Tuesday, November 29, 2011 8:05 PM
To: Jackson, LeRoy
Subject: FW: Torrance Food Trucks

Cliff Numark
 Councilman
 City of Torrance
 cnumark@TorranceCA.gov

From: satkisson@socal.rr.com [satkisson@socal.rr.com]
Sent: Tuesday, November 29, 2011 2:15 PM
To: Numark, Cliff
Subject: Torrance Food Trucks

Dear City Councilman Numark,

My name is Stefanie Atkisson and I am a 3rd grade teacher at Victor Elementary School in Torrance.

I am the organizer of Victor's Friday Night Eats. The first Friday of each month, I bring 10 gourmet food trucks to our campus for a night of community and good eats! We started this in October and it has been wildly popular for both of the months we have had it! I made a little YouTube video about the October event and the families at our school have been very supportive, along with the local community members that do not have children. We had over 650 people in October and at least 450 came out in the rain to November's night!

When I started the process of organizing this, I knew I needed the districts permission as well as the city go ahead because Torrance is not a city that allows food trucks to "pony up" to the street side, so to speak. I went about it the right way and my principal made all the contacts with the district people and we were approved. My understanding was that the district personal had made the proper contacts and asked all the right questions to have this approved at our school. Our understanding was that these trucks were approved because it was a fundraiser for the school. We promoted to the community by flyer's home with the kids and I created a Facebook and Twitter account for the event. Nothing major but it was just a little way I could get word out to the community that do not have children at Victor.

Then we found out what happened at Yukon last week and needless to say I was outraged. Yukon's event was HUGE and an outside person, who is known to run "illegal" events, was the organizer behind it. This person is not liked at all in the gourmet food truck community. There are many trucks that will not be involved in whatever he organizes. I found it reprehensible that Yukon Elementary's Academic Alliance would go "hire"

this person. Maybe they did not know his reputation, but that is hardly an excuse!

Before I share why it has painful to hear that those trucks received tickets, let me start out by saying, I am a law-abiding citizen and I wish my trucks to be the same. I have gone about it the right way in contacting all the trucks on my grid and sharing the information I gleaned from contacting city hall last week and finding out what they need to do to be legal and on our campus. I have sent a huge e-mail explaining that if they get the Torrance Business License, then they can come out any month of our event and the city will show up! I have had a few trucks get the application and from what they shared, have started the process.

What happened at Yukon has now "ruined" it for the rest of us that had events in the next week or so. At November's event, we held a can food drive for The Salvation Army (which is near Victor and serves a chunk of our kids) in which we asked if people were coming to bring a canned food item. It was optional and by no means was an admission fee. Our community, the community of Torrance, came through and we collected over seven boxes (over 200 cans) for The Salvation Army. It was awesome! So my small committee decided that for December's month, we would have Toy Drive for The Salvation Army. The same thing applied...if you can, bring an unwrapped toy and all donations will go to The Salvation Army. This Friday, December 2, which was supposed to be our next event, is now not happening! The Salvation Army will now not be getting the community donation of toys for the holidays.

Something you might not know about and one of the reasons we started these creative fundraising options is that the state of California starting in January will be taking away \$189 per child in ADA (the money we get for children being in attendance to school) and we as schools are looking at small way to earn some of that back! For us at Victor with 987 children, that is going to be a HUGE hit! In our case, I ask our trucks that come out for a flat rate donation for the evening. Is it enough to make up the difference that the state of California will be taking from us? No way...but it is a small amount in which we can provide some extra intervention tools for the kids that come through our doors, whether it be a set of books being replaced because they are falling apart or a new chair for the kids to sit in because the plastic is cracking. Friday Night Eats is a way that I could organize something that was not only profitable for the school in a donation form, but also profitable for the trucks in such a foodie community such as Torrance.

At Victor, we have cancelled the upcoming month. First, I do not want any of the trucks that I have invited (12 to be exact) to have to scurry around and feel like I invited them into an ambush for TPD to come through and ticket them for having the proper paperwork. It is correct that most of the gourmet food trucks do not have a Torrance Business License (I checked with all my December trucks and they did not.) Most cities are fine with the LA County Business License that most trucks carry and do not require a separate one. That is one question I would like to know about. Why is an LA County Business License not enough for these trucks to come and do something positive for the schools in Torrance?

Our event is so awesome! The kids in our classrooms looked forward to the flyer's going up in all of our classrooms. They looked forward to seeing what new trucks were coming in the future months. They brought their families and extended family for an event that brought the community together, a place where people could sit down and enjoy delicious food and most importantly, spend time with one another. Our Victor community is

very sad and I am still very upset at what happened at Yukon. Whether or not, you wished to not have the bad PR as the article stated, you have brought this issue to the forefront and we as teachers and community members are committed to fighting this and hopefully with your help find an amicable way to solve this horrible situation that has been created!

As a resident of Torrance, I am saddened that the TPD had nothing else better to do than shut down an event that was benefiting the schools.

As a teacher in Torrance, I am disgusted by the fact the TPD, whether they were directed by city officials or not, has decided to pick on the schools for something that doesn't hurt anyone. I understand the legality and the possibility that restaurants may say otherwise, but most of us are only organizing these once a month. That is hardly a HUGE hit on their monthly sales.

As a food truck lover, I am upset that TPD feels the need to put them through all the hoops in order to make a statement!

Most importantly, as the organizer of Friday Night Eats, I am more determined than ever to fight for this at our Torrance schools. This is good for the schools and most importantly, great for the community. In a time where coming together as a community is lacking in a lot of areas, why would you not try to build something up that is positive and uplifting? It all gives me a sense of what to do to get my event back on its feet. It will be back in January if only it has a few trucks and we at Victor will show the TPD and the city that nothing can stop this from running when it comes to the educational well-being of our Torrance kids!

I am more than willing to talk more with you about this situation if you would like so that together, we can hopefully come up with a solution to this issue. Ultimately, the children of Torrance are the ones that are being hurt by this because we can't fundraise in a creative way that brings the community together! Feel free to contact me at any of the below contacts and I look forward to discussing this more.

My sincerest thanks for reading,

Stefanie Atkisson

3rd Grade Teacher

Victor Elementary School

satkisson@socal.rr.com

310-613-6535 - Cell Phone (best number to be reached) 310-371-0170 - Home Phone

Fulton, Fran

From: Jackson, LeRoy
Sent: Wednesday, November 30, 2011 7:57 PM
To: Fulton, Fran; Tsao, Eric; Gibson, Jeff
Subject: FW: Food Trucks

Attachments: image003.png



image003.png
 (9 KB)

From: mwermers@gmail.com [mwermers@gmail.com] On Behalf Of Michael Wermers [mwermers@gpsd.com]
Sent: Wednesday, November 30, 2011 7:56 PM
To: Don Lee
Cc: Scotto, Frank; Neu, John; Jackson, LeRoy; Mannon, George; albert.muratsuchi@doj.ca.gov; ragins@socal.rr.com; msteffen1@pacbell.net; Barnett, Gene; Brewer, Tom; Furey, Pat; Numark, Cliff; Rhilinger, Susan; Sutherland, Bill
Subject: Re: Food Trucks

Being as I am the junior member, and the quietest and shyest, of this esteemed list, allow me to lead off the responses.

I think this is a good plan. It looks very.... Mayoral. But what would I know?

We have to do something proactive as opposed to our current reactive moves. The schools have caused this problem, but our friends on Torrance Blvd. have been taking the brunt of the abuse in both the paper and on the streets.

Food trucks are the current hot item and they aren't just going to go away. The fund raising organizations of the local schools have begun to understand Sacramento is not going to save them, so they are willing to try anything to improve their lot. The local parents are tired of just throwing funds at their schools; this lets them feel like they are getting something back in return.

From a precursory search on the web, Torrance isn't the only city struggling with what to do with food trucks. It doesn't help that they receive national coverage on TV and people feel they are less expensive than a standard bricks and mortar establishment. It seems that "foodies" enjoy them as well, as they allow for sampling of many different cuisines.

I like the idea of a free license only for TUSD sanctioned events. This will keep the events under the umbrellas of the local school sites for responsibility and management of the event and with the safety inspection required, it will keep the participants to only reputable businesses. We can manage our events to the Torrance PD and if a rouge event is happening,

they can close it down as they won't have the required business licenses and the permission of TUSD.

There are many details to be worked out, but Don is correct, we need to move faster than normal to keep this from continuing to be an ongoing problem that only allows us to react.

My two cents.

MW

On Wed, Nov 30, 2011 at 3:13 PM, Don Lee

<dlee@farmersagent.com<mailto:dlee@farmersagent.com>> wrote:

I just talked to John Neu and George Mannon as well as too many other people to count about this and here is my idea on a solution to the "Great Food Truck Controversy" .

1. Each School Site that wants a Food Truck night will have to apply to the City for a free non-profit business license just like any other organization would have to do (I'm thinking about things like carnivals, and special events like that). With the license application they will have to list all of the names of the food trucks and the food trucks will have to make themselves available to a public safety inspection. Also from what I understand the inspections would be free as well but to make it easy for the City I would recommend that the inspections be made at the Police Station. Having the inspections away from the site will ensure that if there is a problem with the Food Truck it's not in full view of the people coming to the event to avoid what happened at Yukon School. We can provide the Schools a list of the Food Trucks that currently have Torrance Business Licenses so if they do not want to go thru the inspection step they can use the Trucks that are already approved. This might have an extra benefit of having the Trucks that do a number of these events just going ahead and getting a Business License so save the aggravation of being inspected before each event.
2. TUSD will have a set of rules about when these events can happen and how often they can happen. The Principal will be responsible for placing the Food Trucks in a area where there is the least impact on the surrounding residents and for informing these people of the events.
3. The City Council, School Board, and City and School Administrations will issue these rules (guidelines?) jointly so that there will be no misunderstandings and will show that all the governmental agencies are on the same page.
4. I think the faster all of us can get this done the faster all of this will go away so if at all possible I would hope we could get this done before the end of the year.

It will not bother me at all if all of you think these are horrible ideas but we need to find a solution ASAP so this can go away and I thought I would start the conversation. Thanks!

Don Lee
President of The Board of Trustees
Torrance Unified School District

Cell Phone 310-345-0071<tel:310-345-0071>

Email dlee@farmersagent.com<mailto:dlee@farmersagent.com>

[cid:image003.png@01CCAF70.1A437C10]

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Herbers, Sue

From: Sutherland, Bill
Sent: Tuesday, December 06, 2011 10:18 AM
To: Herbers, Sue
Subject: Fw: Food Trucks

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my Verizon Wireless 4GLTE Phone

-----Original message-----

From: John <john@barbiesq.com>
To: "Sutherland, Bill" <BSutherland@TorranceCA.gov>
Sent: Tue, Dec 6, 2011 17:44:14 GMT+00:00
Subject: Food Trucks

Mayor & City Council Members

City of Torrance

Dear Mayor & Council Members

I am writing regarding your consideration of permits and regulations pertaining to food trucks in the City of Torrance.

I am a former truck owner/operator and currently book trucks for events, fundraisers etc. I have previously booked food trucks for several Torrance school fundraising events. I also owned a brick-and-mortar restaurant for 25 years and am a retired two-term Mayor and Council Member from Hermosa Beach.

Firstly, I want to encourage you to codify a simple method of permitting fund raising activities for the Torrance Schools. Considering the current financial state of our local schools, any method that provides additional funding resources to hire teachers or purchase supplies should be embraced and welcome. These food truck fundraising events are both simpler and more lucrative than car washes, bake sales, candy sales and other traditional methods. In that the trucks are either paying a flat fee or a percentage of sales to the schools, it would be best if city fees for these events (whether for the trucks or the schools) are kept to a minimum. Monies spent on fees and permits are monies taken away from the school. Perhaps if it simply requires the trucks to possess a city business license which would be required to participate in either a fundraiser or catering events.

From the response we have received from other similar food truck events, the citizens of Torrance clearly relish the opportunity to participate in this food truck phenomenon. They flock to these new food trucks whenever they are present in the community. Allowing the trucks to participate in the vibrant commercial life of Torrance could be beneficial to Torrance in more than simply a fundraising capacity. The trucks are often used as an attraction to bring customers into moribund shopping areas. Several cities (including Chambers of Commerce) who initially were opposed to food trucks in their commercial area have now embraced the idea after merchants reported a substantial jump in sales when the trucks were present. Instead of hassling the vendors, the municipalities now **sponsor** regularly scheduled truck nights in their downtown.

In reality, these new food trucks represent a sea change in how food will be provided in the future. When I operated my restaurant, I had to continually entice diners to find and come to my restaurant for lunch or dinner. When I operated my truck, ***I took the food to where the people were.*** We are seeing this phenomenon in many aspects of our lives. Mobile dog groomers, drop off & pickup for dry cleaners, mobile barbers, mobile car detailers in workplace parking lots and even mobile clothing retailers.

I am old enough to remember when McDonalds first burst on the scene with prices that greatly undercut all the competition and incredibly quick service. Although it revolutionized the restaurant industry at the time and sent shockwaves through traditional restaurants, no one suggested that the police should be called to hassle McDonalds for being creative and innovative. The free market determined whether they would succeed in the market place. When Sam Walton created Walmart, which totally reinvented the retail sales industry, no one suggested that they be forbidden from doing business simply because they competed with existing retailers. In America, we all realize that competition is what keeps prices low and quality high. The buying public always benefit from competition.

I encourage you to be creative in addressing this issue so that you cannot only allow your schools to creatively raise badly needed funding, but also you can also allow your citizens the ability to enjoy this fun new cuisine as part of their daily lives..

Thank you sincerely for your time and attention.

John Bowler
Concierge
FoodTruckConnection.Com
310-989-5110

LAW OFFICES
DERMER BEHRENDT
13101 WASHINGTON BOULEVARD, STE 407
LOS ANGELES, CA 90066
(310) 614-2492
FAX (310) 954-9206

KEVIN BEHRENDT
KEVIN@DERMERBEHRENDT.COM

December 5, 2011

VIA Fax

Kevin Joe
Planning Associate
Community Development Department
City of Torrance
3031 Torrance Blvd.
Torrance, CA 90509

Re: Torrance Mobile Food Regulations

Mr. Joe:

We write in response to your November 16, 2011 fax regarding proposed ordinance regulating mobile food vendors operations in Torrance. Our Client, the SoCal Mobile Food Vendors Association, has reviewed the draft ordinance and has the following comments.

As a preliminary matter, we assume that as a first step the City will repeal the current Section 61.6.12 of the municipal code. As we detailed in our March 2, 2011 email to Patrick Sullivan, the current code section is invalid pursuant to state law.

Second, the requirement that mobile food vendors display a letter grade is a little tricky as the Health Department does not issue letter grade cards to all mobile vendors. The cards are only issued to mobile food facilities that park at commissaries in cities that have authorized the County to inspect the trucks and issue the letter grades. Therefore, since some cities have not yet authorized the County to issue the letter grades, some trucks do not have letter grade cards.

As for the operation of Lot Events and the Permit Application process, we believe the proposed ordinance is a great start. We have a couple of questions and concerns regarding the permitting process and the operation of the actual lots.

Questions

1. Who is the applicant? Is it exclusively the property owner or authorized agent?
2. Will each Lot Event require a unique permit? Or will an applicant be able to request permit for a set number of dates in advance? i.e. The First Wednesday of each month.
3. How will the application and permit fees be determined?
4. How far in advance must a permit application be submitted?
5. Will application approval be discretionary? Or ministerial?
6. The Lot Event Permit appears to exclude ice cream trucks. Are ice cream trucks exempt from the permit process or are they forbidden to operate on private property?
7. The Lot Event Permit only applies when a property owner desires to have two or more trucks operating on its property. What will the procedure be for a property owner who desires only one truck to operate? Will a CUP be required?

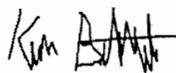
Concerns

- 100 parking space and ten percent parking space displacement requirements
These requirements will severely limit the locations available for Lot Events. It will make it difficult typical food truck events that involve much smaller locations. The typical event takes place in lots with under 50 parking spaces and requires nearly 50 percent displacement.
- Restroom Facilities and Lack of tables and chairs
On its own each of these requirements appears reasonable. However, when combined they appear quite unfair. The Lot Events will be required to provide sufficient restroom access for customers as if the Event is a restaurant. However, without tables and chairs, the Lot Events will be much more of a takeout affair. If customers are not encouraged to stay at the Event to eat, then why have a restroom requirement?
- 24 days per year per location
As the most popular events are held on a weekly basis, the Association would prefer that this limit be doubled to 48 days per location.

We appreciate the City sharing the draft ordinance with us and would be happy to sit down with your office to discuss our questions and concerns. Please let us know a time that works for your department to meet with a representative of the Association.

Thank you again for your work on this matter.

Sincerely,



Kevin Behrendt

Cc: Patrick Sullivan, Esq.
Asst. City Attorney (Via Email)

Sullivan, Patrick

From: Rhilinger, Susan
Sent: Thursday, December 01, 2011 9:59 AM
To: Brewer, Tom; dlee@farmersagent.com; mwerwers@gpsd.com; Sullivan, Patrick
Cc: Scotto, Frank; Neu, John; Jackson, LeRoy; Mannon, George; albert.muratsuchi@doj.ca.gov; ragins@socal.rr.com; msteffen1@pacbell.net; Barnett, Gene; Furey, Pat; Numark, Cliff; Sutherland, Bill
Subject: RE: Food Trucks

Gentlemen-

I know you mean well, and I agree that this matter needs to be expedited, however, these communications are (in my opinion) a violation of the Brown Act . If I am wrong, I am sure the City Atty will so advise.

Susan

From: Brewer, Tom <TBrewer@TorranceCA.gov>
Sent: Thursday, December 01, 2011 9:44 AM
To: dlee@farmersagent.com <dlee@farmersagent.com>; mwerwers@gpsd.com <mwerwers@gpsd.com>
Cc: Scotto, Frank <FScotto@TorranceCA.gov>; Neu, John <JNEU@TorranceCA.gov>; Jackson, LeRoy <LJACKSON@TorranceCA.gov>; Mannon, George <Superintendent@tUSD.org>; albert.muratsuchi@doj.ca.gov <albert.muratsuchi@doj.ca.gov>; ragins@socal.rr.com <ragins@socal.rr.com>; msteffen1@pacbell.net <msteffen1@pacbell.net>; Barnett, Gene <GBARNETT@TorranceCA.gov>; Furey, Pat <PFurey@TorranceCA.gov>; Numark, Cliff <CNumark@TorranceCA.gov>; Rhilinger, Susan <SRhilinger@TorranceCA.gov>; Sutherland, Bill <BSutherland@TorranceCA.gov>
Subject: Re: Food Trucks

Well this discussion keeps getting more interesting. Two churches and one Little League team emailed me to ask if they can have "Food Truck" events too. The churches argue that it is just as right for them as it is for schools. They reminded me of the separation of church and state.

Regards,
 Tom Brewer,
 Council Member,
 City of Torrance

-----Original message-----

From: Don Lee <dlee@farmersagent.com>
To: Michael Wermers <mwerwers@gpsd.com>
Cc: "Scotto, Frank" <FScotto@TorranceCA.gov>, "Neu, John" <JNEU@TorranceCA.gov>, "Jackson, LeRoy" <LJACKSON@TorranceCA.gov>, "Mannon, George" <Superintendent@tUSD.org>, "albert.muratsuchi@doj.ca.gov" <albert.muratsuchi@doj.ca.gov>, "ragins@socal.rr.com" <ragins@socal.rr.com>, "msteffen1@pacbell.net" <msteffen1@pacbell.net>, "Barnett, Gene" <GBARNETT@TorranceCA.gov>, "Brewer, Tom" <TBrewer@TorranceCA.gov>, "Furey, Pat" <PFurey@TorranceCA.gov>, "Numark, Cliff" <CNumark@TorranceCA.gov>, "Rhilinger, Susan" <SRhilinger@TorranceCA.gov>, "Sutherland, Bill" <BSutherland@TorranceCA.gov>
Sent: Thu, Dec 1, 2011 05:43:43 GMT+00:00
Subject: Re: Food Trucks

12/6/2011

I have tried to Mentor Mr Wermers but as his remarks below prove, I have failed. I'm open for suggestions but my best idea is to have him run for City Council so one of you can see if you can do a better job:-) p

Sent from my iPhone

On Nov 30, 2011, at 7:56 PM, Michael Wermers <mwermers@gpsd.com> wrote:

Being as I am the junior member, and the quietest and shyest, of this esteemed list, allow me to lead off the responses.

I think this is a good plan. It looks very.... Mayoral. But what would I know?

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There are many details to be worked out, but Don is correct, we need to move faster than normal to keep this from continuing to be an ongoing problem that only allows us to react.

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On Wed. Nov 30, 2011 at 3:13 PM. Don Lee <dlee@farmersagent.com> wrote:

I just talked to John Neu and George Mannon as well as too many other people to

count about this and here is my idea on a solution to the "Great Food Truck Controversy" .

1. Each School Site that wants a Food Truck night will have to apply to the City for a free non-profit business license just like any other organization would have to do (I'm thinking about things like carnivals, and special events like that). With the license application they will have to list all of the names of the food trucks and the food trucks will have to make themselves available to a public safety inspection. Also from what I understand the inspections would be free as well but to make it easy for the City I would recommend that the inspections be made at the Police Station. Having the inspections away from the site will ensure that if there is a problem with the Food Truck it's not in full view of the people coming to the event to avoid what happened at Yukon School. We can provide the Schools a list of the Food Trucks that currently have Torrance Business Licenses so if they do not want to go thru the inspection step they can use the Trucks that are already approved. This might have an extra benefit of having the Trucks that do a number of these events just going ahead and getting a Business License so save the aggravation of being inspected before each event.
2. TUSD will have a set of rules about when these events can happen and how often they can happen. The Principal will be responsible for placing the Food Trucks in a area where there is the least impact on the surrounding residents and for informing these people of the events.
3. The City Council, School Board, and City and School Administrations will issue these rules (guidelines?) jointly so that there will be no misunderstandings and will show that all the governmental agencies are on the same page.
4. I think the faster all of us can get this done the faster all of this will go away so if at all possible I would hope we could get this done before the end of the year.

It will not bother me at all if all of you think these are horrible ideas but we need to find a solution ASAP so this can go away and I thought I would start the conversation. Thanks!

Don Lee

President of The Board of Trustees

Torrance Unified School District

Cell Phone 310-345-0071

<span style="font-size:10.0pt; font-family:"Constantia",

Fellows, John

From: Fellows, John
Sent: Wednesday, November 30, 2011 9:51 PM
To: dlee@farmersagent.com
Cc: Jackson, LeRoy
Subject: Food trucks

Please take the city council out of your discussion loop. This would be a good topic for the joint TUSD/council committee meetings.

Fellows, John

From: Fellows, John
Sent: Thursday, December 01, 2011 8:49 AM
To: Don Lee
Cc: Jackson, LeRoy; Scotto, Frank; George Mannon; Patrick Q. Sullivan
Subject: Re: Food trucks

Don, my only concern is that the city council not get involved in an illegal serial meeting that has the potential for violating the Brown Act. Patrick Sullivan is in the loop now to help you out.

On Dec 1, 2011, at 6:11 AM, "Don Lee" <dlee@farmersagent.com> wrote:

> Can I get an advance copy once you approve it?
>
> Sent from my iPhone
>
> On Dec 1, 2011, at 8:04 AM, "Jackson, LeRoy" <LJACKSON@TorranceCA.gov>
> wrote:
>
>> We have an item on for this next meeting -- ljj
>>
>> -----Original Message-----
>> From: Don Lee [mailto:dlee@farmersagent.com]
>> Sent: Thursday, December 01, 2011 8:00 AM
>> To: Fellows, John
>> Cc: Jackson, LeRoy; Scotto, Frank; George Mannon
>> Subject: Re: Food trucks
>>
>>
>> This needs to get done ASAP. If we have a committee meeting and then
>> wait for the item to get on the Councils agenda it will take months.
>> My proposal follows current City protocols on how you deal with
>> non-profit organizations so it is really just a administrative
>> clarification of current policy. I fully understand the political
>> issues at play here and the sooner this gets done the less grief the
>> City/Council is going to have to deal with. It's not going away, also
>> John Bowler the former Hermosa Beach City Councilman is now a "Food
>> Truck Consultant" and he is talking to the School Groups about moving
>> this forward so if we control the issue then we can find a solution
>> that works for everyone rather than one that is hammered out at 11pm
>> on a Tuesday with 400 angry PTA moms in the Council Chambers.
>>
>>
>>
>>
>> Sent from my iPhone
>>
>> On Nov 30, 2011, at 9:51 PM, "Fellows, John"
>> <JFellows@TorranceCA.gov> wrote:
>>
>>> Please take the city council out of your discussion loop. This would
>>> be a good topic for the joint TUSD/council committee meetings.
>>
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EXCERPT OF MINUTES Minutes Subject to Approval

December 6, 2011

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL****1. CALL TO ORDER**

The Torrance City Council convened in an adjourned regular session at 5:30 p.m. on Tuesday, December 6, 2011 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Furey, Rhilinger, Sutherland and Mayor Scotto.

Absent: Councilmembers Brewer and Numark.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

12B. ORDINANCE/GUIDELINES RE MOBILE FOOD VENDORS**Recommendation**

Recommendation of the City Manager that City Council:

- 1) Consider interim guidelines for allowing mobile food vendors at special events;
- 2) Adopt an Ordinance modifying health code posting requirements and approve an ordinance summary for publication; and
- 3) Approve outreach program to mobile food vendors and to community event planners.

Mayor Scotto noted supplemental information available at the meeting.

Management Associate Fulton reported that recent special events involving mobile food vendors at local schools have led to some confusion, therefore, the City Council requested that staff revisit this issue. She advised that staff researched the practices in other cities and subsequently determined that existing procedures remain the best approach and provide the greatest latitude for the school district without imposing special fees for school events. She explained that in order to operate in Torrance, mobile food vendors must obtain a Torrance business license and have their vehicles inspected by the Torrance Police Department, which includes a safety inspection and verification of insurance, valid registration and county health department permit. A Temporary Parking Lot Event Permit is required if an event involving mobile food vendors is held on private/public property, but such a permit is not required if the event is held on Torrance Unified School District property. She noted that the agenda item includes a draft of standards for mobile food vendor events that

require a Temporary Parking Lot Permit, which is slated to be reviewed by the Planning Commission on December 21, 2011.

Police Chief Neu reported that this matter came to the City's attention when Torrance High held a fundraiser with mobile food vendors and the organizers did not understand that while no permit from the City was required, the vendors must have Torrance business licenses; that police officers explained this requirement to the vendors and warned them that subsequent violations would result in citations; and that citations were issued to vendors who had been previously warned at an event at Yukon Elementary School approximately two weeks later. He noted that vendors who were cited were not asked to leave because it was not the Police Department's intent to disrupt the fundraiser, but several chose to do so.

Councilmember Sutherland asked about penalties for not being properly licensed, relating his understanding that one of the food trucks at the Yukon Elementary event had not been registered for two years.

Police Chief Neu explained that there will be an effort to educate mobile food vendors about the requirements and they will be cited if they continue to operate without a business license. He noted that the licensing procedure is not complicated and the vehicle inspection takes only about 15 minutes.

Mayor Scotto stated that business license fees are not onerous and they are prorated so the vendors could have obtained the required license for approximately \$20 plus the \$37 vehicle inspection fee. He pointed out that all restaurants in Torrance must have business licenses and county health permits and related his belief that it would be unfair for unlicensed food vendors to take away business from these restaurants.

At Mayor Scotto's request, Management Associate Fulton reviewed the names of the 19 mobile food vendors that currently have Torrance business licenses. Mayor Scotto noted that groups planning events with mobile food vendors can obtain a list of licensed vendors by contacting the City.

Cathy Beasley, Torrance, read excerpts from a previously submitted letter from her husband Mike Beasley, president of the Yukon Elementary Academic Alliance, recommending that the proposed standards for mobile food vendors (Attachment B) and/or the application form be amended to explicitly state that school fundraisers are exempt from the requirement that a Temporary Parking Lot Event Permit be obtained for this type of event. She called for clear and concise rules to be adopted for school fundraisers involving mobile food vendors.

City Manager Jackson noted that the Planning Commission will be considering the proposed standards for mobile food vendors on December 21, 2011 and the Council will not be taking any action on them at this time.

In response to Councilmember Brewer's inquiry, Ms. Beasley reported that the Yukon Elementary Academic Alliance would like to hold events with mobile food vendors approximately two times a month as fundraisers and the number and type of vendors will change based on the demographics of those who attend the events.

Assistant City Attorney Sullivan disclosed that he and his wife were involved in the founding of the Yukon Elementary Academic Alliance along with Mr. Beasley, and his wife taught at the school but this would not affect his legal advice this evening.

Mayor Scotto disclosed that his daughter and daughter-in-law have taught school at Yukon Elementary.

Councilmember Furey disclosed that his wife served as president of the Yukon Elementary PTA.

Glenn Debacca, organizer of the mobile food vendors for the Yukon Elementary event, stated that the vendors at the event were not the same as those at the Torrance High event therefore they had not been warned about licensing requirements. He reported that he has been operating the same type of event at Narbonne High School and has raised over \$3000 for the school in the last three months and there have never been any problems with the school district or city officials. He stated that he also operated a mobile food truck event in the Lowe's parking lot, but stopped when he became aware that this was not permitted and only agreed to do the Yukon Elementary event after he was assured that all the necessary permits were in place.

In response to Councilmember Rhilinger's inquiry, Mr. Debacca expressed his willingness to make sure that each mobile food vendor participating in events that he organizes in the future has the necessary permits and licenses.

Mayor Scotto reported that he has attended approximately three events operated by Mr. Debacca and doubted that a single one of the food trucks could pass a vehicle safety inspection due to issues such as bald tires and missing taillights/ headlights.

Mr. Debacca expressed concerns that Torrance's vehicle inspection for food trucks goes beyond safety issues, noting that no other city requires a vehicle inspection.

Mayor Scotto related his belief that the City has a responsibility to ensure that food trucks are properly equipped.

Kevin Behrendt, an attorney representing SoCal Mobile Food Association, reported that the non-profit organization acts as a conduit between city councils/ enforcement agencies/ police departments and the food vendors to try to prevent what occurred at the Yukon Elementary event. He pointed out that there are 88

cities in L.A. County so mobile food vendors have to contend with a lot of different regulations. He expressed the association's willingness to help disseminate information to members about the City of Torrance's procedures/requirements. He noted that he submitted written comments about the proposed Ordinance, which were included in the supplemental material.

John Bowler, Hermosa Beach, former owner of a mobile food truck and current organizer of food truck events, acknowledged that he operated a school fundraising event in Torrance without the proper licensing because he was under the impression that the school had secured all the necessary permits. He explained that the operator of a mobile food vendor event is responsible for making sure that participating vendors are properly licensed, not the group sponsoring it. He stated that the City of Torrance is the only city that he has encountered that requires a vehicle inspection, but he does not believe this will be a problem if it is as simple as has been described. He stated that food truck events are much easier and more profitable than other types of fundraisers and he hopes to be able to continue to operate them in Torrance.

In response to Councilmember Brewer's inquiry, Mr. Bowler confirmed that he will be present to oversee any events he operates in Torrance and he will verify that participating food trucks have City business licenses.

Councilmember Sutherland expressed concerns that 5 of the last 6 mobile food vehicles that were inspected failed to pass.

Mr. Bowler related his experience that there are two types of catering vehicles, route trucks that drive around to various industries and construction sites and the newer gourmet food trucks that are operated by independent business owners, which tend to be fastidiously maintained.

In response to Councilmember Rhilinger's inquiry, Community Development Director Gibson clarified that mobile food vendors with City business licenses may park on City streets in accordance with DMV regulations, which limit them to a period of two hours or less.

Mayor Scotto asked about Mr. Bowler's and Mr. Behrendt's position on the proposed Ordinance which requires mobile food vendors to prominently display their county health department letter grade the same as restaurants must do.

Mr. Behrendt explained that letter grades are only issued to food trucks that park in commissaries in cities that have authorized the county to inspect the trucks and issue letter grades, therefore some vehicles do not have letter grade placards.

Mayor Scotto suggested the possibility of having vehicles that do not have placards post their numerical score from the health department.

City Manager Jackson noted that the proposed Ordinance contains the same provisions as adopted by Los Angeles County and related his

understanding that it includes an exemption for vehicles without placards until the inspection program is fully implemented.

Assistant City Attorney Sullivan advised that he has been working on resolving this issue and recommended that the Council adopt the proposed Ordinance as written and amend it at a later date if clarifying language is necessary.

Janet Payne, Torrance, stressed the need for a clear and concise list of requirements for this type of fundraiser.

Community Development Director Gibson advised that once the guidelines for regulating mobile food vendors have been considered by the Planning Commission and approved by the City Council, the department will prepare a checklist of requirements.

Police Lieutenant Steve D'Anjou, Traffic Division, briefly described the vehicle inspection for mobile food vehicles, explaining that it's a simple inspection done by well-trained personnel who have completed an 80-hour CHP training course on inspecting commercial vehicles. He reported that 14 out of 20 gourmet food trucks recently inspected failed the inspection and some were found to be in deplorable condition, lacking basic safety features such as parking brakes. He noted that while some of the businesses have vehicles that have passed safety inspections, they sometimes send other uninspected vehicles to events. He expressed concerns about the hazards posed by allowing unsafe vehicles on school sites and related his belief that safety inspections are critically important.

In response to Councilmember Brewer's inquiry, Assistant City Attorney Sullivan clarified that the Ordinance staff was recommending for adoption this evening (Supplemental Material #3) incorporates the changes made to the Los Angeles County Code in October 2010 and establishes standards for the letter grading of mobile food facilities.

Councilmember Brewer expressed concerns that provisions in the Ordinance could impede school fundraisers due to the requirement that mobile food vendors display letter grades since some do not have them.

Assistant City Attorney Sullivan reported that he has been working with Mr. Behrendt on this issue and believes it can be resolved before the Ordinance takes effect.

Mayor Scotto related his understanding that even in cities that do not require restaurants to post health department letter grades, a restaurant may request a grade placard for posting so mobile food vendors should be able to do the same thing.

MOTION: Councilmember Furey moved to concur with the staff recommendation to refer guidelines for allowing mobile food vendors at special events on private property to the Planning Commission; to adopt an Ordinance modifying health code posting requirements and approve an ordinance summary for publication; and to approve an outreach program to mobile food vendors and to community event planners. The motion was seconded by Councilmember Sutherland and passed by unanimous vote (absent Councilmembers Barnett and Numark).

ORDINANCE NO. 3753

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TORRANCE RELATING TO PUBLIC HEALTH AND FOOD SAFETY**

MOTION: Councilmember Sutherland moved for the adoption of Ordinance No.3753. The motion was seconded by Councilmember Brewer and passed by unanimous vote (absent Councilmembers Barnett and Numark).

End of Excerpt

Mobile Food Vendors Regulations of Other Cities

City	Regulations/Restrictions
Anaheim	Mobile food vendors are allowed in conjunction with a sanctioned event, but not independently.
Burbank	Standards are under development
Cerritos	A Temporary Use Permit is required for operation of more than one truck. Limit three hours per location
Hawthorne	A Special Use Permit/Community Event Permit is required for operation. Allowed to operate between 9:00 a.m. and 6:00 p.m. in residential areas. A Community Events Coordinator is appointed by City Manager to enforce regulations. For an event: one truck is allowed per 30 parking spaces and one truck per 25 parking spaces when parking or circulation are not impeded.
Long Beach	Standards are under development
Manhattan Beach	A Temporary Use Permit is required for operation. Limited to three nights a week, no more than 30 days per calendar year, and no later than 10:00 p.m.
Pasadena	A Temporary Use Permit is required for operation.
Redondo Beach	A Temporary Use Permit is required for operation, which are currently limited to one event per quarter. Standards are under development.
Santa Monica	A Temporary Use Permit, business license, Police permit and fingerprinting are required for operation. Standard are under development.
West Covina	A permit is required for operation in addition to a business license. Only one vender per location. Vendor must be a minimum of 150 feet away from property zoned or used for residential purposes. Prohibits moveable stands, tables, chairs, and equipment. Allowed to operate between 7:00 a.m. to 11:00 p.m.



COUNTY OF LOS ANGELES
Public Health

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Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy Director

Environmental Health
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MOBILE FOOD FACILITY INFORMATION PACKET

OPERATIONAL GUIDELINES

These guidelines have been established to assist in the permitting process for a mobile food facility. The following requirements are extracted from the California Health & Safety Code, California Retail Food Code (Cal Code).

A Mobile Food Facility is any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. Mobile Food Facility does not include a transporter used to transport packaged food from a food facility, or other approved source to the consumer.

A Mobile Support Unit is a vehicle, used in conjunction with a commissary that travels to, and services, mobile food facilities as needed to replenish supplies, including food and potable water, clean the interior of the unit, or dispose of liquid or solid wastes.

A. ADMINISTRATIVE

1. PERMITS

All vehicles shall have a valid Los Angeles County Public Health Permit in order to operate legally in Los Angeles County. The permit shall note the specific vehicle license plate number and the name of the current registered owner of the mobile food facility. A valid DMV registration, if applicable, and a valid identification are required to obtain a public health permit. The health permit shall be posted or otherwise maintained within the vehicle at all times.

2. COMMISSARY

All mobile food facilities shall operate from a commissary, a mobile support unit, or other approved facility. A commissary is a food facility that services mobile food facilities, and mobile support units; where food, containers, or supplies are stored; food is prepared or prepackaged for sale or service at other locations; utensils are cleaned; liquid and solid wastes are disposed of; and potable water is obtained. See Commissary Lists for Mobile Food Facilities. A restaurant or market may also act as a commissary when approved by this agency. STORAGE OF THE MOBILE FOOD FACILITY OR ANY TYPE OF FOOD PRODUCT AT HOME IS NOT APPROVED.

Owners of mobile food facilities shall provide a written statement signed by the commissary owner stating that the cart will be housed and serviced at that location. A copy of the Verification of Proper Food Vehicle Storage is included in this document. This Department conducts random inspections for verification of commissary use. A permit shall not be issued, until the commissary location is verified and approved by this Department.

3. MINIMUM STANDARDS OF KNOWLEDGE IN FOOD SAFETY

All food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties. Food facilities that prepare, handle, or serve nonprepackaged potentially hazardous food, shall have an owner or employee who has successfully passed as approved and accredited food safety certification examination. The certification is valid for five years from the issue date. There shall be at least one food safety certified owner or employee at each food facility. No certified person at a food facility may serve at any other food facility as the person required to the food safety certification. A food facility that commences operation, changes ownership, or no longer has a certified owner or employee pursuant to this section shall have 60 days to comply.

4. WRITTEN OPERATIONAL PROCEDURES

The permit holder of a mobile food facility handling nonprepackaged food shall develop and follow written operational procedures for food handling and the cleaning and sanitizing of food contact surfaces and utensils. The enforcement agency shall review and approve the procedures prior to implementation and an approved copy shall be kept on the mobile food facility during periods of operation. See Written Operational Procedures.

5. BUSINESS LICENSES

Owners shall obtain the necessary business permits from the local City Hall or County Business License office prior to operating. Local cities may have restrictions regarding sales from vehicles. All vehicles are to display a current Public Health Permit and a current certification decal.

6. IDENTIFICATION

The business name or name of the operator, city, state, zip code and the name of the permittee, if different from the name of the food facility, shall be legible, clearly visible to patrons, and permanently affixed on the customer side of the mobile food facility and mobile support unit. The name shall be in letters at least three inches high and shall be of a color contrasting with the vehicle exterior. Letters and numbers for the city, state, and zip code shall not be less than one inch high. Motorized mobile food facilities and mobile support units shall have the required identification on two sides.

7. TOILET FACILITIES

Mobile food facilities shall be operated within 200 feet travel distance of approved and readily available toilet and hand washing facilities or as otherwise approved by the enforcement agency, to ensure restroom facilities are available to facility employees whenever the mobile food facility is stopped to conduct business for more than a one hour period. Written documentation must be provided to the Vehicle Inspection Program indicating permission for the food handlers to use these toilet facilities. A copy of the letter shall be maintained inside the vehicle at all times during operation.

8. CERTIFICATION INSPECTION

Each mobile food facility is required to be certified by the Vehicle Inspection Program once a year. After passing an inspection conducted at the commissary, the mobile food facility will be issued a Certification Decal/Sticker.

B. GENERAL OPERATIONAL REQUIREMENTS FOR MOBILE FOOD FACILITITES

1. All food handlers shall wash their hands with soap & water before beginning to handle or prepare food, and also after visiting the toilet.
2. All food handlers/operators shall wear clean outer garments and keep their persons clean at all times while engaged in handling food, utensils, or food contact equipment. Gloves shall be worn if the employee has any cuts, sores, rashes, artificial nails, nail polish, and rings. All food handlers shall wear approved hair restraints (i.e. hairnet, cap). The use of tobacco in any form is prohibited within the food preparation area.
3. Hot and cold running water shall be supplied to the handwashing sink and the warewashing sink. The minimum water temperature for mobile food facilities conducting warewashing is 120°F. For mobile food facilities utilizing a hand washing sink only, a minimum of 100°F is required.

4. All potentially hazardous foods shall be maintained at or above 135°F or below 41°F. An accurate thermometer shall be provided to facilitate the checking of food temperatures. Potentially hazardous foods held at 135°F shall be destroyed at the end of the operating day.
5. All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from an approved source; and shall be protected from dirt, vermin, unnecessary handling, droplet contamination, and overhead leakage. Condiments shall be prepackaged or placed in approved dispensing devices.
6. All perishable pre-packaged food that is prepared on the vehicle and made available for self-service, shall be marked with the date that the food is being offered for sale, "Day Prepared For". All perishable prepackaged foods shall be marked "Perishable, Keep Refrigerated."
7. No foods which are required to be wrapped and dated shall be rewrapped, used, sold, or given away, after the "Day Prepared For" which is inscribed on the container or package. The "Day Prepared For" marking shall not be removed or obliterated. All prepackaged food shall be properly labeled in English. Invoices shall be presented upon request, i.e. tamales, Gulf oysters.
8. Ice used for cooling is not for human consumption.
9. Single-service utensils such as forks, spoons, napkins, straws, etc., shall be stored in a manner that protects them from contamination, e.g. forks and spoons shall have only the handles exposed.
10. All food contact surfaces and storage areas, shall be cleaned daily. All food facilities in which food is prepared or in which multi-service utensils and equipment are used shall provide manual methods to effectively clean and sanitize utensils as specified in Section 114099.
11. All potable water tanks and waste water tanks shall be thoroughly flushed and sanitized during the servicing operation.
12. Cleaning supplies and wiping cloths shall be stored in an area away from all food and food equipment.
13. An adequate number of easily cleanable containers for refuse disposal shall be provided. All refuse shall be removed and disposed of in a sanitary manner as frequently as may be necessary to prevent the creation of a nuisance.
14. Any discharge of wastewater onto the surface of the ground is strictly prohibited. Waste tank outlets shall be maintained closed or tightly capped and shall be maintained in good repair. All wastewater generated by the vehicle shall be disposed of at an approved commissary or at other approved facility.

C. FULL FOOD PREPARATION

1. Full food preparation shall be conducted in a fully enclosed mobile food facility.
2. All food in the warming oven and steam table shall be held at 135°F, or above at all times. An accurate oven thermometer shall be placed in the warming oven and a probe thermometer shall be placed in the steam table to facilitate the checking of the food temperature.
3. Thawing of foods shall be conducted by an approved method only.
4. All areas of the vehicle where unpackaged food or beverages are displayed for sale shall have tight fitting doors which, when closed, completely enclose the food compartments and shall be maintained clean.
5. All windows, door and other openings shall be in good repair and provided with screens or flaps to prevent the entrance of flies. Pass through windows shall be covered when not in use. Self-closing screens are required to be attached to the exterior of all pass through openings.
6. The door to the food preparation area shall be self-closing and shall be maintained closed.
7. Aisle space shall be unobstructed at all times. Foods and food supplies shall be maintained off of the floor.
8. Food, food supplies or personal items shall not be stored in the sinks. Personal items shall not be stored in food compartment of the vehicle.
9. Mobile Food Facilities serving raw oysters shall comply with requirements outlined in the Health Advisory Bulletin.

D. LIMITED FOOD PREPARATION

1. Limited food preparation may be conducted in an unenclosed mobile food facility or a fully enclosed mobile food facility.
2. All potentially hazardous food shall be cooked to order. Hot holding of potentially hazardous food for later use is not approved.
3. All raw ingredients shall be peeled, sliced and prepared in advance, at the commissary.
4. Food handling shall be conducted within the approved food compartment.
5. Utensils shall be washed, rinsed, and sanitized in an approved manner depending on the food operation.
6. Warewashing shall be performed within the enclosure affixed to the 3-compartment sink.

E. PREPACKAGED FOOD

1. All food items i.e. candy shall be from an approved source. Do not sell Lead tainted candy.
2. Peeling or slicing of fruits shall only be conducted at the commissary or other approved facility.
3. Scooping, i.e. ice cream, icees, ice, shall only be conducted in an approved mobile food facility.
4. Prepackaged food shall not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, container, or its positioning in the ice or water.
5. Mobile food facilities approved for the sale of produce and prepackaged food shall not store or sell potentially hazardous food unless an approved refrigeration system is installed. (Plan submittal required)

F. MOBILE SUPPORT UNIT (MSU)

1. When used in conjunction with an off site commissary, the mobile support unit shall be equipped with approved equipment to maintain food at the required temperatures.
2. Hoses for potable water transfer shall not come into contact with the floor or the ground.
3. All storage compartments on a MSU used in conjunction with an off-site commissary, shall be permanently affixed to the MSU. The food compartments shall be properly labeled and not used for storage of cleaning supplies, soiled rags, etc.
4. The MSU shall be used per the approved plan. For example, MSU's without a sink cannot service mobile food facilities without sinks.



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HEALTH CODE VIOLATIONS-ENFORCEMENT POLICY

This is to inform you of our current enforcement policy concerning health code violations observed on Mobile Food Facilities.

When the following violations are observed, the Public Health Permit (PHP) may be subject to suspension, or revocation and the inspection may be immediately referred to the City or District Attorney for prosecution:

- Food preparation that is beyond the scope of the operation
- Lack of hot and/or cold running water
- Improper food temperatures
- Unpackaged foods offered for customer self-service, including pastries and food within a self-service warming oven
- Lack of proper dating on potentially hazardous foods offered for customer self-service
- Unlabeled or misbranded prepackaged foods offered for customer self-service
- Gross unsanitary conditions, including vermin infestations (flies, cockroaches, mice, etc.).
- Sale of home prepared foods or foods from an unapproved source
- Discharge of wastewater onto the ground
- Operating without a valid Public Health Permit
- Inadequate mechanical refrigeration
- Lack of oyster tags and warning signs
- Repeated violations
- Interference in the performance of the duty of the Enforcement Officer
- Inability to warewash

When other types of violations are observed, a certain amount of time (noted on the inspection report) will be allowed for the violations to be corrected. If the corrections are not made within that time period, the Public Health Permit may be subject to suspension or revocation and the inspection may then be referred to the City or District Attorney for prosecution.

The owner, manager, or operator of any food facility is responsible for any violation by an employee of any provision of this part or any regulation adopted pursuant to this part. Each day the violation occurs shall be a separate and distinct offense. Except as otherwise stated, any person who violates any part of these regulations shall be guilty of a misdemeanor, punishable by a fine or imprisonment or by both fine and imprisonment.

If you have any questions, contact the Vehicle Inspection Program at (626) 430-5500.



COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
 Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
 Chief Deputy Director

Environmental Health
Terrance Powell, R.E.H.S.
 Acting Director

Food Inspection Bureau
Joe E. Nash, II, R.E.H.S., M.P.H.
 Director
Vehicle Inspection Program
 5050 Commerce Drive
 Baldwin Park, California 91706
 TEL (626) 430-5500 · FAX (626) 813-3021
www.lapublichealth.org/eh



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LABELING REQUIREMENTS FOR FOOD PREPARED ON MOBILE FOOD FACILITEIS

The California Health & Safety Code requires that unpackaged food shall not be displayed for self-service on a Mobile Food Facility. Food prepared on a Mobile Food Facility and offered for self-service to the public, shall be wrapped or packaged to protect the food from contamination and shall be labeled as required in the Health & Safety Code (commencing with Section 109875), Sherman Food, Drug, and Cosmetic Law.

The current requirements for packaged foods, available for self-service are:

- The name and place of business of the manufacturer, packer, or distributor
- An accurate statement of the quantity of the contents in terms of weight, measure, or numerical count
- The common or usual name of the food in English
- An ingredient statement listing the common or usual name of each ingredient in descending order of predominance if the food is fabricated from two or more ingredients

All prepackaged food offered for sale from a place other than where it was manufactured shall comply with all the existing labeling requirements of the California Health & Safety Code as well as those of the Los Angeles County Code, Title 11, Section 11.12.330. Violations involving the sale of improperly labeled or unlabeled packaged food offered for self-service from a Mobile Food Facility shall be referred to the City or District Attorney for prosecution.

If you have any questions, contact the Vehicle Inspection Program at (626) 430-5500.



1 of 1 DOCUMENT

DEERING'S CALIFORNIA CODE ANNOTATED
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*** This document is current through urgency Chapter 745 & Extra. Sess. Ch. 16 ***
 of the 2011 Session, and the 2011 Governor's Reorganization Plan No. 1.

VEHICLE CODE
 Division 11. Rules of the Road
 Chapter 8. Special Stops Required

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Veh Code § 22455 (2010)

§ 22455. Vending products from vehicle in residence district; Safety requirements; Local regulation

(a) The driver of any commercial vehicle engaged in vending upon a street may vend products on a street in a residence district only after bringing the vehicle to a complete stop and lawfully parking adjacent to the curb, consistent with the requirements of Chapter 9 (commencing with Section 22500) and local ordinances adopted pursuant thereto.

(b) Notwithstanding subdivision (a) of *Section 114315 of the Health and Safety Code* or any other provision of law, a local authority may, by ordinance or resolution, adopt additional requirements for the public safety regulating the type of vending and the time, place, and manner of vending from vehicles upon any street.

HISTORY:

Added Stats 1984 ch 362 § 1. Amended Stats 1985 ch 495 § 1; Stats 2008 ch 139 § 3 (AB 2588), effective January 1, 2009.

NOTES:

Former Sections:

Former § 22455, similar to present *Veh C § 22452*, was enacted Stats 1959 ch 3 and repealed Stats 1959 ch 1881 § 4.

Amendments:

1985 Amendment:

Deleted the former second sentence of subd (b) which read: "An ordinance or resolution adopted pursuant to this subdivision may prohibit vending from a vehicle upon a street."

Cal Veh Code § 22455

2008 Amendment:

(1) Substituted "parking" for "parked" after "lawfully" in subd (a); and (2) amended subd (b) by (a) adding "Notwithstanding subdivision (a) of *Section 114315 of the Health and Safety Code* or any other provision of law,"; and (b) substituted "the type of vending and the time, place, and manner of vending from vehicles" for "any type of vending from vehicles".

Collateral References:

Witkin & Epstein, *Criminal Law* (3d ed), Crimes Against Public Peace and Welfare § 259.

8 Witkin Summary (10th ed) *Constitutional Law* §§ 992, 1003.

Hierarchy Notes:

Div. 11 Note

Div. 11, Ch. 8 Note

NOTES OF DECISIONS

A municipal ordinance that banned vending from vehicles parked in public streets in residential areas was invalid as being preempted by state law. The ordinance conflicted with *Veh. Code, § 22455* (regulation of vending products from vehicle in residential district). An earlier version allowed municipalities to ban such vending, but the Legislature amended the statute to omit that provision, thus indicating an intent to allow local regulation of street vending but not an outright ban. Also, the ordinance had an impact on a matter of statewide concern. As evidenced by *Veh. Code, § 21*, the state has plenary power and preempts the entire field of traffic control. Unless expressly provided by the Legislature, a city has no authority over vehicular traffic control. Further, the use of streets for commercial purposes is a matter of public concern and subject to regulation imposed by the state, and not by a city. *Barajas v. City of Anaheim* (1993, *Cal App 4th Dist*) 15 *Cal App 4th* 1808, 19 *Cal Rptr 2d* 764, 1993 *Cal App LEXIS* 558.

Joe, Kevin

From: Herbers, Sue
Sent: Friday, December 09, 2011 11:38 AM
To: Joe, Kevin
Subject: FW: Additional Comments on Food Truck Ordinance
Attachments: food truck lists.pdf

To add to the Planning Commission agenda for consideration on December 21, 2011.
 Sue Herbers

From: The Beasleys [mailto:mbeasley@flash.net]
Sent: Friday, December 09, 2011 10:56 AM
To: Scotto, Frank; Barnett, Gene; Brewer, Tom; Furey, Pat; Numark, Cliff; Rhilinger, Susan; Sutherland, Bill; Herbers, Sue
Cc: Neu, John; Jackson, LeRoy; Sullivan, Patrick
Subject: Additional Comments on Food Truck Ordinance

Honorable Mayor and Members of the City Council,
 First, let me again thank you for addressing the issue of school fundraisers using food trucks. The Yukon Elementary Academic Alliance (YEAA) supports the guidelines you adopted at the December 6th Council meeting. After reviewing the posted materials for Agenda Item 12B and the video from that Council meeting, I have the following additional comments, requests, and questions.

The City has documented its approach to enforcing mobile food truck requirements in the Item 12B Staff Report as a two step process; first is educate and issue a warning, and two issue citations thereafter. Police Chief Neu also echoed this approach as the Police policy at approximately 2:30:35 in the video of the council meeting. I strongly support this approach. If a vendor has been provided the proper information, knows the requirements, and has been given a warning, a citation is warranted on the second violation. Chief Neu testified that the trucks at Yukon were the same as the trucks at Torrance High (2:33:32). However, there was other testimony at the council meeting that the trucks at Yukon were, in fact, not the same trucks that were at the Torrance High event. After listening to the proceedings of the evening, I investigated which trucks were present at Torrance High on November 14, 2011. Through social media postings (Twitter and thefoodtrucker.com), I was able to determine that there were six trucks at Torrance High that evening. None of those six were present, or associated with, the trucks we had at Yukon Elementary (a copy of the list of trucks present at Torrance High, with results from my internet searches, and a list of trucks that were present at Yukon are attached). It appears that Chief Neu was incorrect when he advised the Council that his officers followed the policy and the trucks at Yukon were the same trucks that were at the Torrance High event. Therefore, the documented approach of the City and the stated policy of the Police were not followed at the Yukon event. Citations were issued without the education and warning required under the policy. I would therefore request that the citations issued be rescinded and that the Staff Report under Item 12B (paragraph four, under Background) be revised to reflect the fact that the approach and policy were not followed in the case of the Yukon event.

The issue of fees was discussed extensively at the council meeting. Last week I contacted the City's Finance office to gather the required forms and determine the process for a truck to become legal. I was ably assisted by Gina Otjen in the Revenue Division, who graciously walked me through the process and provided the required information. She mentioned a third fee that I did not hear mentioned at the council meeting. Apparently there is a one-time processing fee of \$24 required, also. That's not very much, but any discussion of fees should include all of the required fees. If this one-time fee is a required fee, the food truck owners should be made aware of it and the Analysis section of the Staff Report should reflect that.

Under the Survey Results section of the Staff Report there is a listing of business license rates for other areas of the region. The Long Beach fee stands out for two reasons. One, it is significantly higher than any of the other fees listed. And two, is the parenthetical "operates own Health Dept" that is added to the line item. My question is, is the \$403 fee that Long Beach charges solely for a business license or have they coupled the business

license fee with additional fee(s) related to other activities, such as a health inspection or obtaining a health license? There is also a notation that most of the listed jurisdictions do not require a vehicle inspection. I interpret this as meaning that some do. It would be informative to know who is performing these inspections. Also, if one of the trucks passes an inspection at one of the other jurisdictions, can Torrance accept that certification? This might be one way to streamline the process and avoid bureaucratic duplication.

And lastly, I understand that the process has now been forwarded to the Planning Commission and I will participate in that meeting on December 21st. My request is that you ask the Planning Commission to expedite any work that they have to do as it applies to school fundraisers. I am concerned that this issue will be stuck in the process for a considerable amount of time. We are almost half way through the school year and we are losing time to raise money to fund intervention teachers.

Thank you very much for your thoughtful consideration of this issue and my comments.

Sincerely,
Michael Beasley
President
Yukon Elementary Academic Alliance

Trucks at Torrance High event (11/14/11)	Trucks at Yukon Elementary event (11/18/11)
A Rock In Ice	Rancho a Go Go
India Jones	ZZ Truck
Lees Philly	Lomo Arigato
Ludo Truck	Lobsta Truck
Me So Hungry	Vchos Truck
Rebel Bite	Tortaville
	Grill Em All
	Los Saigon
	BSweet Mobile
	Philly Please Truck
	Tinos Pizza Truck
	Aloha FridaysLA
	Jogasaki Burrito



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Another successful night. Thanks to @rebelbite @ARockinLee @IndiaJonesCT @LeesPhilly @MeSoHungryTruck @LudoTruck for coming out to support!

8:48 PM, Nov 14th via [Twitter for iPhone](#) · [Details](#)

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Food Trucks In Carson Los Angeles

Sha

For more results check the live [food truck map!](#)

Tw



Grill 'em All: Matt & Ryan will be on the Carson Daly radio show this Friday around 8:30am! Listen to it on 97.1 AMP here in... <http://t.co/2zBVVbNE>
(3 days ago)



Kogi BBQ: Friday Dinner in the South Bay~ VERDE: 6-9PM @Gardena (18300 S. Figueroa St 90248); 10-1130PM @Carson (Wilmington Ave and E 220th St 90745)
(20 days ago)



Flatiron Truck: Listen to Timothy talking w/ Carson Daly about Farm to Street. <http://t.co/67QLss2p>
(20 days ago)



Flatiron Truck: Carson Daly: Food Truck Friday With The Flatiron Truck! <http://t.co/yOvpyZma> via @ampradio
(20 days ago)



Flatiron Truck: Tomorrow tune in to @ampradio w/ Carson Daly at 8:30am for Food Truck Friday w/ us!
(20 days ago)



A Rockin Ice: DINNER #Torrance High School Lot @IndiaJonesCT @LeesPhilly @LudoTruck @MeSoHungryTruck @THSPitStop 2200 W. Carson Torrance NOW til 8pm
(23 days ago)



India Jones: Lunch today at 7th & Fig 11- 2:30p Dinner Torrance HS fundraising event 2200 Carson 5 -9pm. Join us and a few of our friends !
(24 days ago)



Kogi BBQ: LA Late Night 2nite~ 1030-1130PM: ROJA @Yogurtland La Brea (3rd & La Brea 90036); VERDE @Carson / Long Beach (Wilmington & E 220th St 90745)
(27 days ago)



White Rabbit Truck: ... SANTA MONICA ... Lunch 11aa-2pm at Pennsylvania & 26th. :-:CARSON/SOUTHBAY :-: Dinner 6pm-9pm 24300 Western Ave Harbor City
(28 days ago)



Rebel Bite: Nov. 14 Mon @THSpitstop w/ @LudoTruck @MeSoHungryTruck @LeesPhilly @IndiaJonesCT @ARockinIce. 5-8pm at Torrance High 2200 W. Carson St.
(29 days ago)



Clean Street Food: Carson Daly loves his Crab Cakes Sliders and Thai Chicken-"So moist and tender and flavorful". Thanks Carson and 97.1 Amp Radio.

Pop

Burb

Sant

Dow

Pasa

UCL

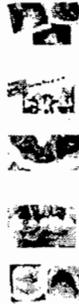
Thursday, December 08, 2011



CATEGORY WHERE? BLOG NEWS

WHAT ARE YOU IN THE MOOD FOR?

search...



The FoodTrucker

Events Calendar

11/14 DIN-Torrance HS Pit Stop - LA (Torrance)

Monday 14 November 2011, 17:00 - 21:00

Hits : 719

Torrance High School is holding a fundraiser on Monday, 5-9pm!

11/14 Food truck lineup:

A Rock In Ice - shave ice

Lee's Philly - cheesesteaks and more

Ludo Truck - famous fried chicken balls

Me So Hungry - gourmet sliders

Rebel Bite - grilled cheese

Location: Torrance High School, 2200 W Carson St, Torrance - MAP

[Back](#)

.Events v2 0.11 Stable Copyright © 2006-2011

NEWS FLASH

Check our Picasa Web Album filled with trucks and food pics! **FOOD PORN SLIDESHOW** **FULL WEEK SCHEDULE**

FOODTRUCK CALENDAR

Thu, Dec 08, 11:00-02:00

12/8 LUN-FoodTruck Fare - OC (OC Fairgrounds)

Thu, Dec 08, 05:00-08:30

12/8 DIN-Castle Rock Elementary - LA (Diamond Bar)

Thu, Dec 08, 05:00-

DIN-LA Downtown Artwalk - LA (Downtown)

Thu, Dec 08, 05:00-09:00

12/8 DIN-Neighborhood Christian Fellowship - LA

(Covina)

Thu, Dec 08, 05:00-08:00

12/8 DIN-Arcadia Truck Fiesta - LA (Arcadia)

Thu, Dec 08, 05:30-09:00

12/8 DIN-Picnic at The Plaza - OC (Los Alamitos)

Thu, Dec 08, 05:30-10:30



Keep up!

Sign up for our newsletter with Got Foodtrucks to keep up on our latest news and events!

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EXCERPT OF MINUTES Minutes Approved **Minutes Subject to Approval**

December 21, 2011

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION****1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, December 21, 2011 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Weideman.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners Gibson, Horwich, Polcari, Rizzo, Uchima, Weideman and Chairperson Skoll.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Kevin Joe, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Assistant City Attorney Sullivan.

11A. ZON11-00002: CITY OF TORRANCE

Planning Commission consideration of an Ordinance establishing standards for regulating mobile food vendors.

Management Associate Fran Fulton provided background information about the item on mobile food vendors considered by the City Council at the December 6, 2011 City Council meeting. She explained that the item specifically addressed food truck events at Torrance schools, which are exempt from the requirement that a Temporary Parking Lot Permit be obtained, however, all mobile food vendors are required to have a City of Torrance business license and to have their vehicles inspected by the Torrance Police Department. She noted that the Council also approved modifications to an existing ordinance, which makes mobile food vendors subject to the same requirements as restaurants with regard to restaurant grading, and the Council requested that there be a listing of properly licensed mobile food vendors on the City's website, which will be done after the first of the year when the license renewal period is over. She advised that staff is concerned that mobile food vendors with vehicles that have passed the police department's inspection sometimes use other vehicles that have not been inspected, therefore they are looking into including Vehicle Identification Numbers (VINs) on business licenses to discourage this practice.

In response to questions from the Commission, Ms. Fulton clarified that the City does not require a Temporary Parking Lot Permit for events held on TUSD (Torrance Unified School District) property in order to aid the district in its fundraising efforts, but such a permit would be required for a food truck event held anywhere else.

Police Lieutenant Steve D'Anjou, Traffic Division/Special Events Division Commander, reported that an organizer of food truck events had contended that the trucks were well maintained, however, only 6 have passed a basic safety inspection and 20 have failed, of which only 2 came back to be re-inspected, and an additional 5 paid for the required vehicle inspection but did not show up.

Commissioner Rizzo questioned whether food carts would be covered under the definition of "mobile food vendor" and therefore subject to proposed Ordinance regulating them.

Assistant City Attorney Sullivan advised that food carts would not be covered under the proposed Ordinance and while they have shown up sporadically, they have not been a problem.

Lieutenant D'Anjou explained that if a food cart was causing a problem, the operator could be cited for operating a business without a business license.

Commissioner Gibson asked if the same thing would apply to children operating a lemonade stand, and Lieutenant D'Anjou stated that according to the letter of the law, the children could be cited, but he felt this was a spirit of the law issue. He noted that someone recently complained about children selling hot chocolate in the Sleepy Hollow Christmas light area, but obviously the police would not write citations for this and would only become involved if there were safety issues.

Planning Manager Lodan stated that the City has an existing parking lot event process that staff would like to expand to include mobile food vendor events and was therefore proposing an ordinance that will address over-crowding and parking issues, as well as allow more flexibility by increasing the number of times per year a business may hold such an event. He briefly highlighted the following provisions in the ordinance:

- Requires a Temporary Parking Lot Event Permit for food truck events, excluding ice-cream trucks, catering trucks on a fixed route of construction sites or industrial properties, and events held on TUSD property.
- Requires events to be a minimum of 100 feet away from residential zoned properties.
- Limits food truck events to 24 per year per property.
- Requires that events take place on sites with a minimum of 100 parking spaces.
- Limits the number of parking spaces to be displaced by the event to no more than 10%.

Planning Manager Lodan noted that all mobile food vendors operating in Torrance must obtain a City business license, a vehicle inspection from Police Department, and a food handling permit from the L.A. County Department of Public Health regardless of where they operate.

Matt Geller, representing the Southern California Mobile Food Vendors Association (SoCalMFVA), reported that the association supports the City's efforts to control mobile food vendor events to protect the health and safety of the public, but they have the following concerns:

- The 100 parking space lot size minimum/10% maximum parking displacement. He stated that this was overly restrictive because it would greatly limit the locations available for food truck events and the usual displacement is 30-40% and sometimes as much as 50%. He proposed eliminating the minimum lot size requirement and increasing the percentage of displaced parking spaces to between 30 and 40%.
- The prohibition of tables and chairs. He stated that some food trucks like to put out tables and chairs because it makes it more of a social event otherwise people grab their food and leave. He conceded that this should be done in a controlled environment with restroom facilities provided.
- The required display of letter grades from the L.A. County Health Department. He explained that some mobile food vendors do not have letter grade placards because their vehicles are housed in commissaries within cities that have not authorized the health department to issue them.

Mr. Geller stated that the SoCalMFVA supports the proposed requirement that food trucks undergo safety inspections by the Police Department and believes this is good for the industry.

Planning Manager Lodan advised that staff recommended that tables and chairs be prohibited for safety reasons and to minimize the footprint of an event, however he understood that event organizers might find it desirable in some cases. He indicated that staff was open to the idea of allowing seating on a case-by-case basis as long as it can be done safely without hindering circulation in the parking lot and there are provisions for clean-up after the event. He suggested the possibility that an applicant could submit a detailed seating plan for approval as part of the permitting process to be reviewed and signed off by the various city divisions/departments involved.

Mr. Geller proposed increasing the number of days per year an event can occur on a particular property from 24 to 26, explaining that there are cases where food trucks visit a site every two weeks and limiting visits to 24 would leave a gap. He expressed concerns that food trucks on a fixed route can be at a location no more than 20 minutes, or they become subject to Temporary Parking Lot Permit requirements, relating his experience that it can take much longer to service a very large business complex.

Commissioner Gibson expressed concerns that a business not participating in a food truck event could be impacted due to people using their restroom facilities.

Planning Manager Lodan reported that the permit process requires the property owner or his/her agent to sign-off on the application and staff envisions in a multi-tenant situation, the host would be responsible for providing restrooms, not another business that happens to be sharing the same property.

Commissioner Uchima expressed support for allowing tables and chairs at food truck events on a case-by-case basis. He noted that the office complex where he works hosts a tenant appreciation day once year and a mobile food vendor comes in and sets up tables and chairs in the parking lot so tenants can meet and socialize while eating and it has never caused any problems.

Commissioner Rizzo asked about the possibility of having food trucks that do not have letter grade placards from the health department post their inspection reports instead.

Mr. Geller explained that the inspection report is three pages long with small print and terminology that's hard for the public to understand. He noted that each food truck is required to display a health department permit and probably all will have letter grades within the next 6-12 months.

Commissioner Weideman suggested that the description of food trucks on fixed routes exempted from obtaining a Temporary Parking Lot Permit, "*food trucks on routes which operate on sites for less than 20 minutes*," be amended for purposes of clarity and expressed concerns that 20 minutes may not be long enough for some of the larger industrial complexes.

Mr. Geller suggested eliminating the 20-minute time limit and specifying that the food service must take place between 11:00 a.m. – 2:00 p.m.

Commissioner Weideman noted that there are manufacturing businesses in Torrance that operate three shifts, 24-hours a day so specifying a certain time period would not work.

Planning Manager Lodan suggested that the time limit could be expanded and/or clarifying language could be included, i.e. *food trucks on fixed routes servicing employees of a particular business*.

Lieutenant D'Anjou recommended against changing the 20-minute time limit to cover the exception to the rule. He explained that the City has only two commercial enforcement inspectors and they have neither the time nor the inclination to pursue this type of violation.

Commissioner Uchima asked about the impetus for the new regulations, and Planning Manager Lodan stated that the issue came to the Community Development Department's attention when complaints were received about a mobile food vendor in Downtown Torrance and this sparked a dialogue with mobile food vendors, who expressed an interest in developing a permit process for this type of activity. He noted that while there is a permit process in place for parking lot events, it allows only four per year at each location and it does not specifically address mobile food vendor events.

In response to Commissioner Gibson's inquiry, Lieutenant D'Anjou confirmed that issues concerning the holding of food truck events on TUSD property have been resolved.

Mike Beasley, president of Yukon Elementary Academic Alliance (YEAA), expressed support for the proposed ordinance regulating mobile food vendor events. He noted that his wife testified at the City Council meeting about the need for clear and easy-to-understand regulations and he believes the ordinance provides this. He thanked staff for expediting this process so his organization can go forward with fundraising events, offering his assurance that they now understand the requirements and will enforce them. He indicated that he favored allowing tables and chairs on a case-by-case basis as has been discussed.

Assistant City Attorney Sullivan disclosed that he worked with Mr. Beasley on setting up the Yukon Elementary Alliance and his wife also taught at Yukon School, but this would not affect his comments or advice this evening.

Planning Manager Lodan requested input from the Commission on the 100-parking space minimum lot size/10% maximum parking displacement requirements. He noted that there is currently a 10% maximum parking displacement for Temporary Parking Lot Events, but there is no minimum lot size.

Commissioner Uchima related his belief that the 100-parking space minimum lot size was too restrictive as it would make it impossible for churches and small businesses to host this type of event.

Mr. Geller reported that parking displacement is usually around 30-35%, but recommended that there be some flexibility because it varies based on the particular lot. He noted that they try to arrange trucks in a horseshoe if there are tables and chairs in order to protect the seating area.

Commissioner Weideman indicated that he favored setting a maximum parking displacement percentage as a means of regulating the size of events and eliminating the minimum lot size requirement.

Commissioner Rizzo asked if other cities had set maximum parking displacement percentages, and Planning Associate Joe advised that most cities regulate food truck events via a Temporary Use Permit, which allows them to restrict the size of an event, but he was not aware of any that specify percentages.

Mr. Geller reported that Torrance is a trail blazer in drafting regulations specifically to address mobile food vendor events. He expressed support for Commissioner Weideman's proposal to set a maximum parking displacement percentage and eliminate the minimum lot size requirement.

Commissioners briefly debated what would be an appropriate maximum parking displacement percentage.

Lieutenant D'Anjou stated that from a police perspective, he would prefer to leave the parking displacement at a very conservative 10% rather than trying to come up with a perfect number. He noted that this can always be changed after the City has some experience with this type event if it turns out that it's too restrictive.

Commissioner Rizzo suggested that possibility of placing a 10% limit on parking displacement, but allowing this to be exceeded at the discretion of the Community Development Director or via the permit approval process.

Commissioner Weideman stated that he was willing to adhere to the 10% maximum parking displacement but felt that the 100 parking space minimum lot size was a little too limiting.

Planning Manager Lodan explained that staff arrived at that number due to the growing popularity of food truck events and they want to make sure that if an event is hosted during business hours, there is adequate parking for both businesses and food truck customers. He indicated that he was open to allowing the 10% displacement limit to be exceeded with the review and approval of the police and fire departments.

Planning Associate Joe noted that an event that takes up only a couple of parking spaces can draw a hundred customers, therefore staff wanted to minimize the impact on the surrounding area.

Commissioner Rizzo suggested the possibility of retaining this limit as a general rule but allowing it to be waived with the approval of the Community Development Director and police and fire departments.

Commissioner Horwich noted that many restaurants also do fundraising events for various groups, pointing out that several local restaurants donate 15% of sales on a designated evening to the Special Olympics and Tip-a-Cop nights are also popular fundraising events. He stated that he saw a lot of problems with the proposed ordinance and wondered if the real purpose was to protect restaurants from low-cost competition.

Planning Manager Lodan responded that the proposed ordinance was not meant to protect existing businesses, but rather make it possible for a new type of business to operate.

Commissioner Gibson noted that a lot of small restaurants have requested outdoor seating during her time on the Commission and these requests have almost all been denied so she felt there was a fairness issue with regard to allowing tables and chairs at food truck events.

Planning Manager Lodan explained that the requests were denied in instances where restaurants did not have sufficient parking to accommodate the outdoor seating and due to the temporary nature of food trucks events they are not held to the same standards as "brick and mortar" restaurants.

A brief discussion ensued regarding how best to proceed.

Planning Manager Lodan related his understanding that the Commission had reached a consensus on most of the issues discussed and proposed that straw votes be taken to clarify the Commission's position.

Commissioner Weideman noted that the only thing not discussed was requiring Vehicle Identification Numbers (VINs) on City Business Licenses to address the problem of food vendors bringing uninspected trucks to food truck events.

Assistant City Attorney Sullivan advised that staff intends to add a provision requiring VINs on Business Licenses and is working with the Southern California Mobile Food Vendors Association on this issue. He noted that SoCalMFVA has been a valuable resource in drafting the regulations.

By 6-1 straw vote, with Commissioner Horwich dissenting, the Commission recommended that seating be allowed as part of mobile food vendor events with approval of a detailed site plan.

By unanimous straw vote the Commission recommended that the event host be required to provide access to restrooms.

The Commission briefly discussed whether to modify or eliminate the 20-minute time limit for food trucks on fixed routes.

Mr. Geller reported that even if the 20-minute limit is not enforced by the City, his association would not schedule a food truck for a site where that limit might be exceeded because they would not become involved in anything that's illegal. He noted that the food truck that services the L.A. Mart in downtown Los Angeles is at the site for approximately 1½ hours.

Lieutenant D'Anjou advised that there is no L.A. Mart type business in Torrance that would require a food truck to be on-site for 1-2 hours and reiterated his recommendation that the 20-minute limit be retained.

By unanimous straw vote the Commission recommended that the definition of food trucks on a fixed route be expanded for purposes of clarification and that the 20-minute time limit be retained.

By unanimous straw vote the Commission recommended eliminating the minimum lot size requirement and retaining the 10% maximum parking displacement, adding a provision that would allow the 10% maximum to be exceeded with approval on a case-by-case basis.

By unanimous straw vote the Commission recommended that Vehicle Identification Numbers (VINs) be included on Business Licenses for Mobile Food Vendors.

MOTION: Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote.

MOTION: Commissioner Polcari moved to forward the Ordinance to the City Council, with the staff report to reflect the Commission's comments/straw votes. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Manager Lodan reported that the matter will likely be considered by the City Council in early February 2012.

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Daily Breeze

21250 HAWTHORNE BLVE, STE 170 * TORRANCE CALIFORNIA 90503-4077

Direct: (310) 543-6635 Fax: (310) 316-6827

PROOF OF PUBLICATION

(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published _____

in the City of Torrance* County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of _____

June 10, 1974

Case Number SWC7146 that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

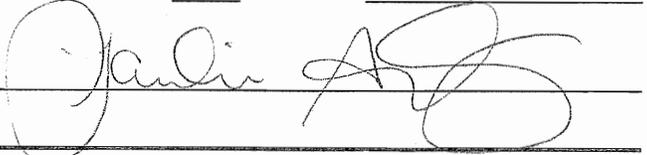
January 28,

all in the year 2012

the foregoing is true and correct.

Dated at Torrance

California, this 28 January 2012



*The Daily Breeze circulation includes the following cities: Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Rancho Palos Verdes Estates, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington

This space is for the County Clerk's Filing Stamp

2012 JAN 31 AM 10:15

DB 1-64



NOTICE OF CITY OF TORRANCE CITY COUNCIL PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Torrance City Council on February 7, 2012 at 7:00 p.m. in the Torrance City Council Chambers of City Hall located at 3031 Torrance Boulevard, Torrance, California on the following matter:

ZON11-00002: Petition of the CITY OF TORRANCE for consideration of an Ordinance amending the Torrance Municipal Code establishing standards for regulating mobile food vendors and events.

For further information, contact the Community Development Department at (310) 618-5990.

**SUE HERBERS
CITY CLERK**

Pub.: January 28, 2012.