

**From:** Jacob Patterson< jacob.patterson.esq@gmail.com>  
**Sent:** Monday, March 4, 2019 9:29 AM  
**To:** Jones, Marie  
**Subject:** Food Carts/Trucks

Marie,

Just watched the food truck discussion from the special meeting last week--I have returned and am on catch-up--and I thought I would add one thing to the discussion. Using private parking lots is good but I would encourage the City to permit using all private property, not just private parking areas. I am thinking of private open space like "Spring Commons" which already has mobile food sometimes anyway. Or any of the empty lots. A little cart near the sidewalk seems like an ideal spot even if it isn't formal paved parking location. Seems like something that could work. Actually, not using actual private parking areas in favor of private property locations next to existing parking seems better because it doesn't remove parking spaces. [Note: I haven't reviewed the existing ordinance yet but will prior to any City Council agenda item.]

I like flexible permitting not tied to a location with a mechanism to require relocation or termination of an operating location that becomes problematic. Four locations seems fine but I would suggest the definition of a "location" to be anywhere along a certain block (or segment therein) or any spot within a certain distance from the identified spot to allow for flexibility.

I suggest that we might not want to require any special permits for private property locations that don't implicate encroachment permits. Instead of planning for only potential problems, we can go wild west and then deal with actual problems as they arise. Couldn't we just create a list of prohibited locations (e.g., intersection visibility or view corridor zones) rather than permitted locations? There could be a way to have a property owner get their frontage added to the exclusion list rather than having to notice each one (i.e., a reactive rather than proactive approach).

Anyway, I have a City business license that logically doesn't need a specified location since I don't operate out of a fixed office--they made me get a home occupation permit even though that doesn't really fit either--and I don't see that causing any problems for anyone else. Treating mobile vendors like that makes some logical sense as long as they don't cause any of the problems the regulations were intended to address in how they are implemented (perhaps as special conditions of these business licenses). Businesses without a fixed location need a license or permit category that fits their model, probably with a fixed annual "fee" as the business tax rate as opposed to the poorly-structured gross receipts mechanism that applies to some business types.

I don't mind the minor dependence on staff time "costs" we can't fully cover since the General Fund basically covers this anyway and it isn't any different than other time that is a basic overhead expense. Accommodating business opportunity is more important than cost recovery models that are burdensome and probably not worth the effort, particularly since I don't think the volumes will be significant.

Regards,

--Jacob