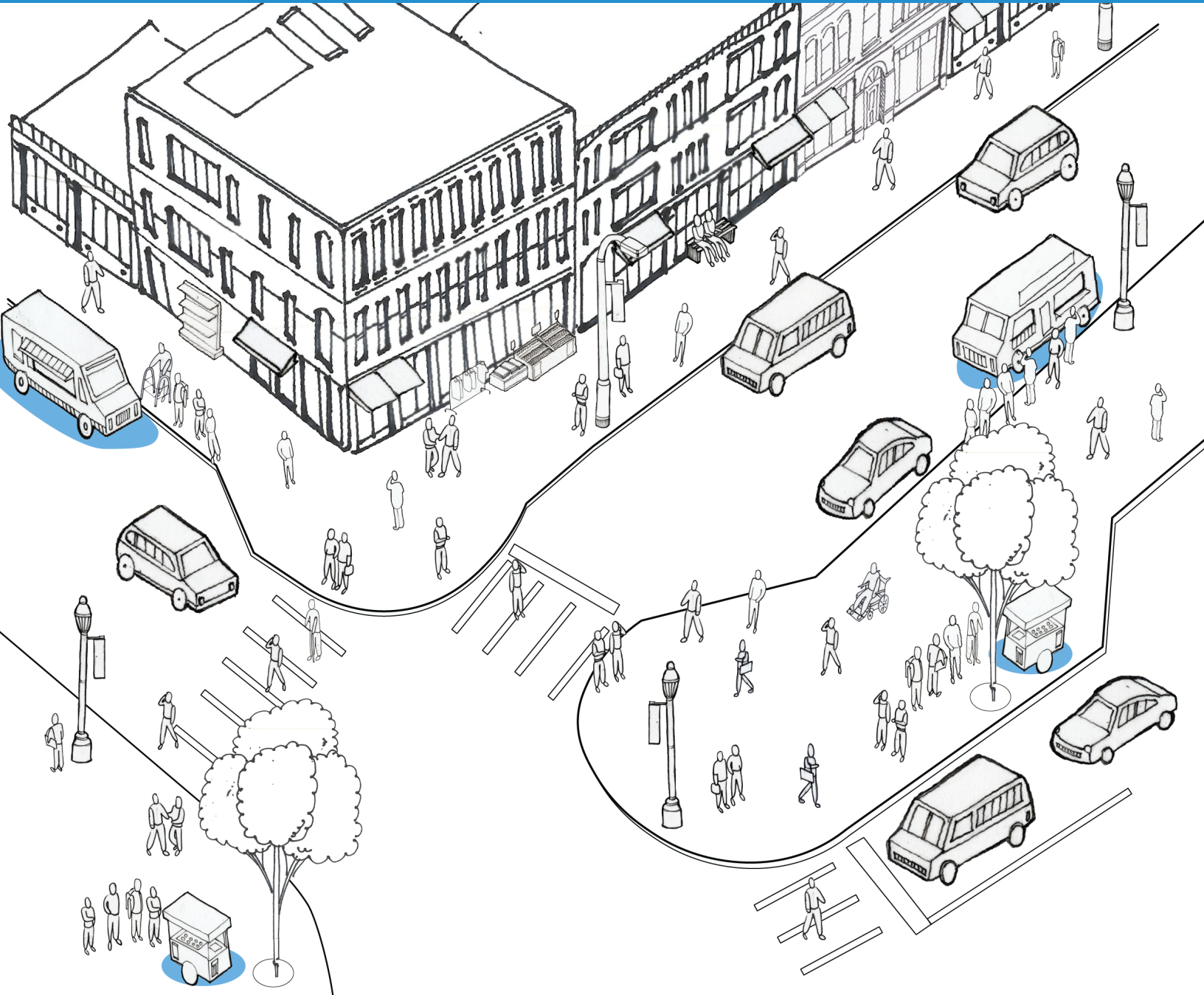


DIRECTOR'S RULE 01-2023

Vending in the Public Place



<p>Subject: Vending in the Public Place</p>	<p>Page 1 of 42 Supersedes: SDOT Director's Rules 3-2011 and 6-2012 Publication: August 1, 2022 Effective: January 18, 2023</p>
<p>Type of Rule: Legislative</p>	<p>Ordinance Authority: SMC 3.12.020 and Ordinance 126732</p>
<p>Code and Section Reference: Seattle Municipal Code Section 15.02.046 and Chapter 15.17</p>	<p>Approved:  <small>Greg Spotts (Jan 18, 2023 12:40 PST)</small> _____ Director, Seattle Department of Transportation</p>

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- 1.1. Seattle Municipal Code (SMC) Title 11, Vehicles and Traffic
- 1.2. SMC Title 15 (Street and Sidewalk Use), SMC Chapter 15.17 (Vending) and Subtitle IV (Enforcement)
- 1.3. SMC Section 18.12.030, Parks Code
- 1.4. SMC Chapter 23.32, Land Use Maps
- 1.5. SMC Chapter 25.08, Noise Control
- 1.6. SMC Chapter 25.24, Pike Place Market Historical District
- 1.7. SMC Chapter 23.55, Signs
- 1.8. SMC Title 25, Environmental Protection and Historic Preservation
- 1.9. SMC Chapter 23.66, Special Review Districts
- 1.10. Seattle Department of Transportation Director's Rule 04-2017, Streets Illustrated: Right-of-Way Improvements Manual
- 1.11. Seattle Department of Transportation Director's Rule 01-2017, Right-of-Way Opening and Restoration Rule
- 1.12. Seattle Building Code (SBC) Chapters 11 and 16
- 1.13. International Code Council A117.1-2009
- 1.14. Seattle 2035: City of Seattle Comprehensive Plan 2015-2035

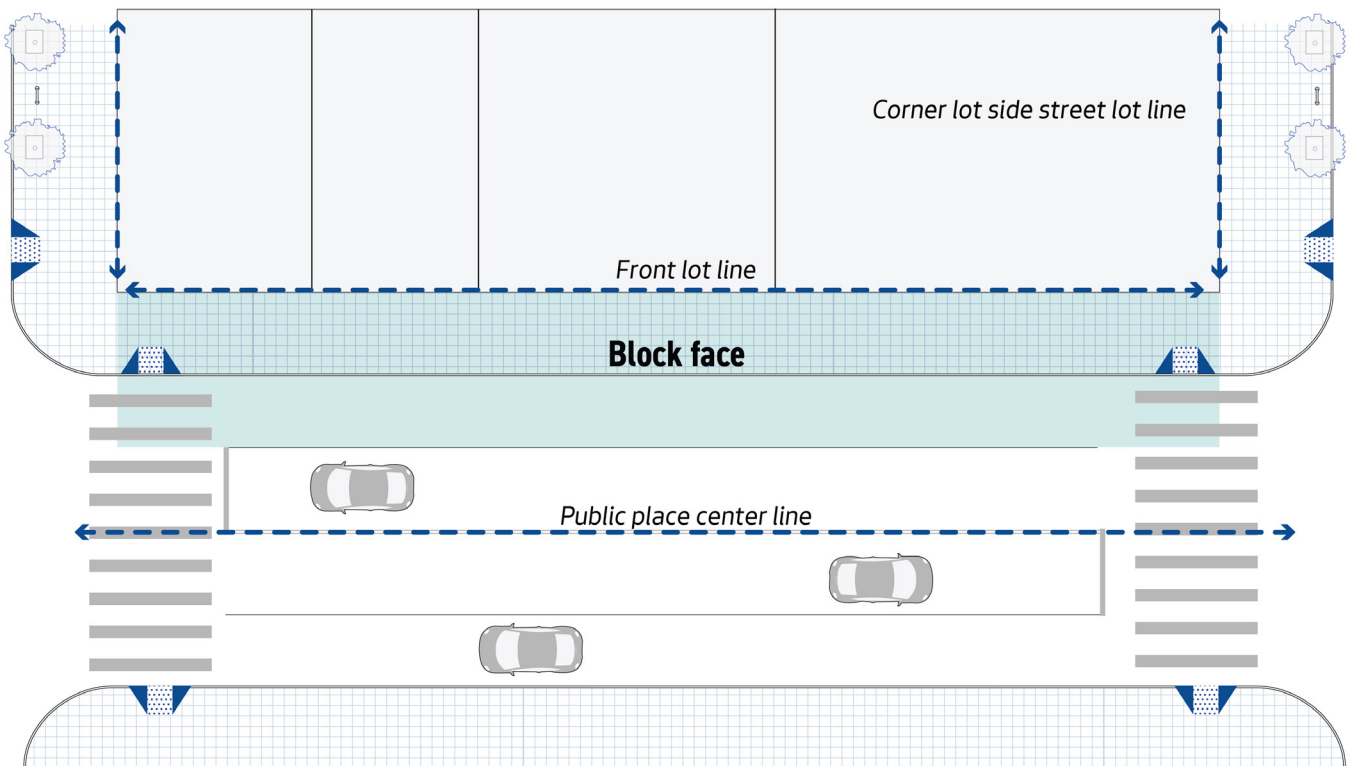
- 2.1. The Seattle Department of Transportation (“SDOT”) is authorized to manage Seattle’s transportation system and strives to operate and maintain this system to support the public health and safety for the traveling public of all ages and abilities. We are also responsible for overseeing permit processes for the public place, including the application process for vending permits.
- 2.2. SDOT supports the vending program to increase vibrancy and economic and social activity in our commercial districts, and to create opportunities for small businesses. Vending is an economically viable business often pursued by immigrants, refugees, and people of color.
- 2.3. The purpose of this rule is to interpret and implement provisions of SMC Chapter 15.17, Vending; adhere to Ordinance 126732 authorizing SDOT to make permanent programmatic elements of the Temporary Business Recovery Program that authorized vending in the city during the COVID-19 pandemic; and provide standardized conditions for issuing Street Use vending permits, including siting and design standards. This rule does not apply to First Amendment Vending as defined by SMC 15.17.200. When the rule is citing existing sections of the SMC, the code language is referenced by the SMC citation.

One of the four central goals identified for the City of Seattle transportation system, as outlined by the Seattle 2035 Comprehensive Plan, is to “develop a more vibrant city by creating streets and sidewalks that generate economic and social activity, adding to the city’s overall health, prosperity, and happiness.” The City of Seattle seeks to design and operate streets to promote healthy and vibrant urban environments while keeping safety, accessibility, and aesthetics in balance. Street vending, if managed correctly, can help the City meet these goals and these specific policy objectives identified in the plan:

- Transportation policy 5.10: Build great streetscapes and activate public spaces in the right-of-way to promote economic vitality.
- Transportation policy 2.15: Create vibrant public spaces in and near the right-of-way that foster social interaction, promote access to walking, bicycling, and transit options, and enhance the public realm.
- Transportation policy 2.11: Design sidewalks in urban centers, urban villages, and areas designated as pedestrian zones in the Land Use Code to meet the dimensional standards as specified in the Right-of-Way Improvements Manual to foster vibrant pedestrian environments in these areas.
- Transportation policy 2.6: Allocate space in the flex zone to accommodate access, activation, and greening functions, except when use of the flex zone for mobility is critical to address safety or to meet connectivity needs identified in modal master plans.
- Growth Strategy policy 3.25: Promote well defined outdoor spaces that can easily accommodate potential users and that are well integrated with adjoining buildings and spaces.

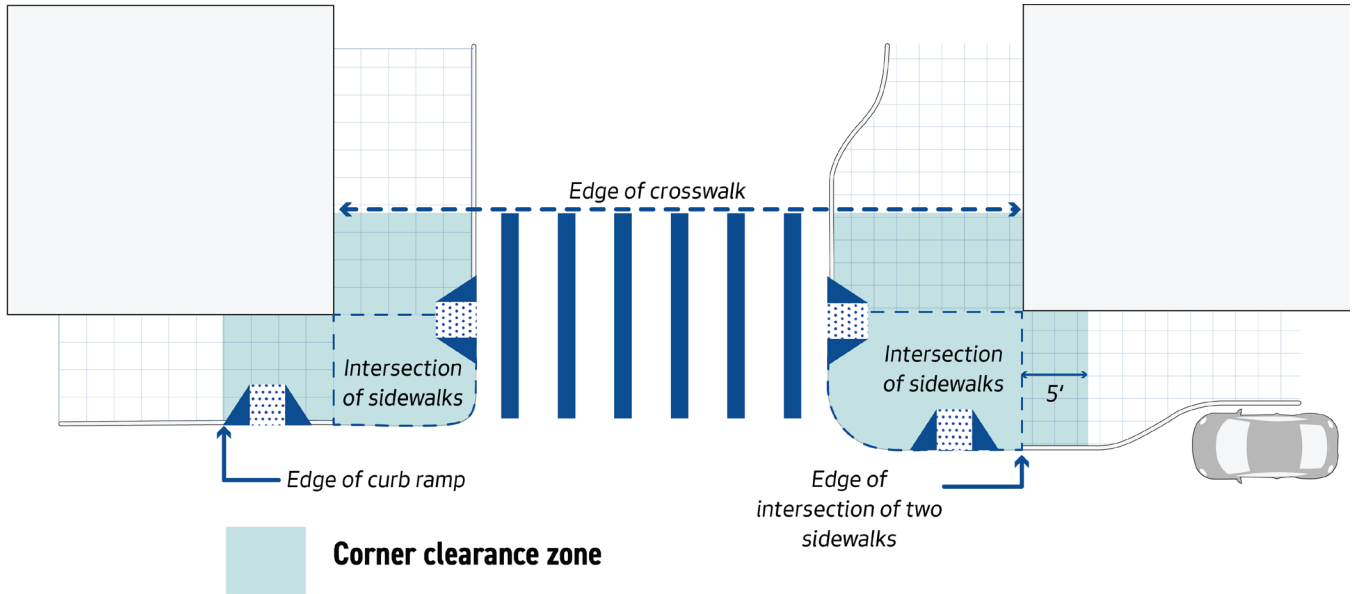
- 3.1 “Block face” means the area bounded by: the continuous front lot lines abutting a public place within a block; each corner lot side street lot line as extended to the centerline of the public place abutting the front lot lines; and the centerline of the abutting public place (Exhibit A for 15.02.042: Block Face and Figure 1 below). (SMC 15.02.042)

FIGURE 1: BLOCK FACE



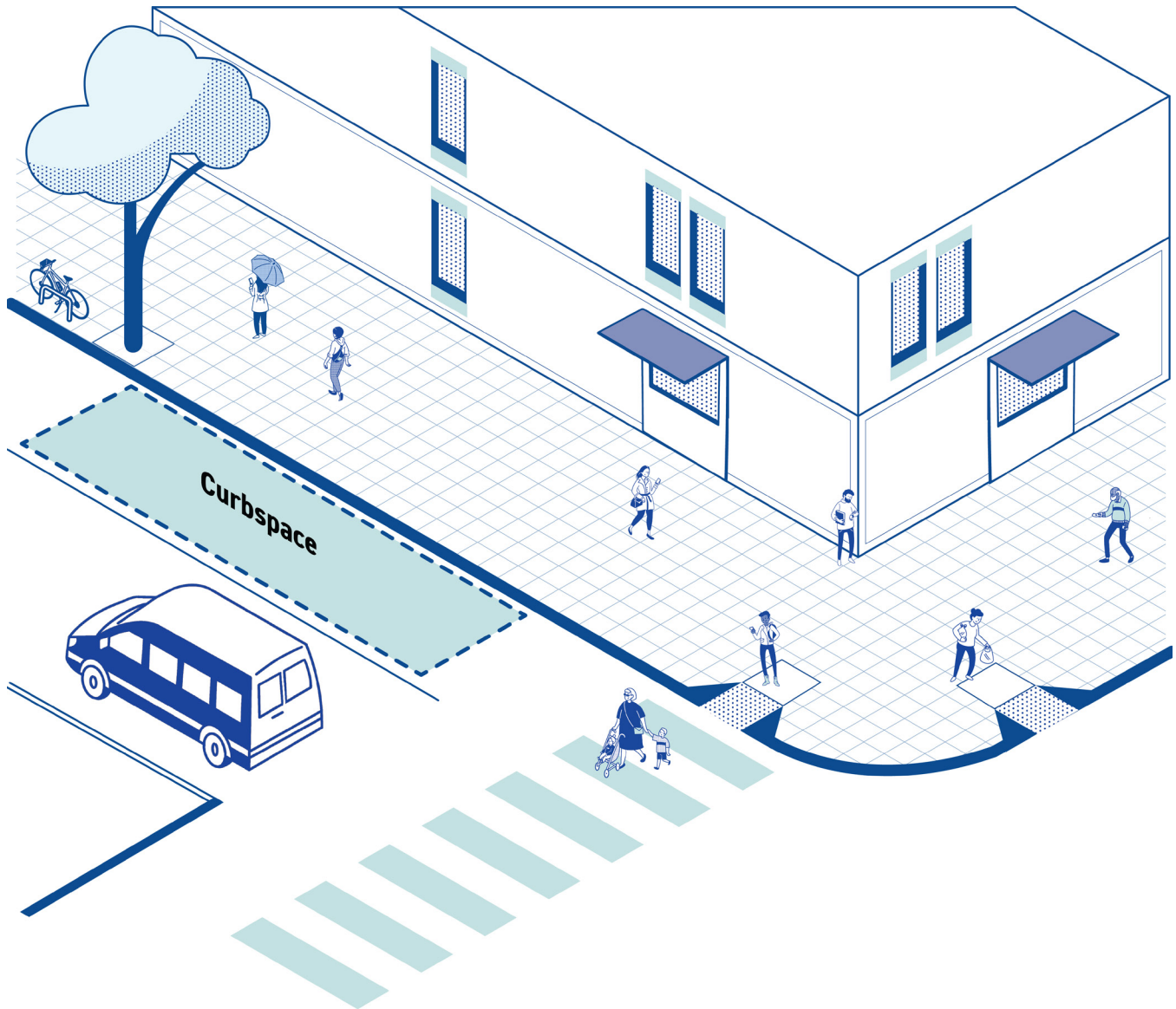
- 3.2 “Corner clearance zone” means the area that includes the intersection of two sidewalks and extends on the sidewalk to whichever is farther: 5 feet from the intersection of two sidewalks; or the far edge of a marked crosswalk or curb ramp, as illustrated in Exhibit B for 15.02.042 and Figure 2 below. (SMC 15.02.042)

FIGURE 2: CORNER CLEARANCE ZONE



- 3.3 "Crosswalk" means the portion of the roadway between the intersection area and the prolongation or connection of the farthest sidewalk line, or, in the event there are no constructed sidewalks, then between the intersection area and a line ten feet (10') therefrom, except as modified by a marked crosswalk. [SMC 11.14.135]
- 3.4 "Curbspace" means that portion of the roadway area next to the curb. See Figure 3 below. [SMC 11.14.157]

FIGURE 3: CURBSPACE



3.5 "Food service business" means:

3.5.1 The following business or other entities that serve, vend, or provide food for human consumption, including but not limited to:

- 3.5.1.1 Food establishments permitted by the Seattle-King County Department of Public Health;
- 3.5.1.2 Restaurants, snack bars, cafeterias, taverns, bars;
- 3.5.1.3 Stores selling groceries, produce, meat/fish/poultry, baked or delicatessen goods;

- 3.5.1.4 Food services in schools and private higher education learning facilities; and
- 3.5.1.5 Institutions licensed by the Seattle-King County Department of Public Health, such as hospitals, prisons, state-licensed higher education facilities, and child-care facilities.

3.5.2 The following businesses or other entities are not food service businesses:

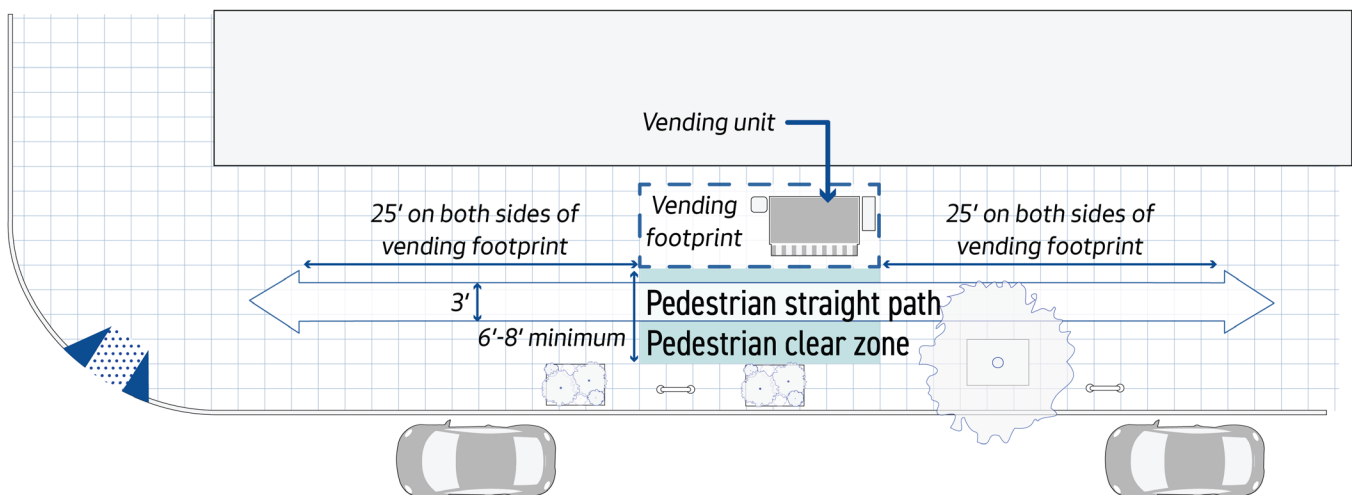
- 3.5.2.1 Private homes where food is prepared by or served to household members, their tenants, or guests;
- 3.5.2.2 Wholesale food distributors or food processing plants;
- 3.5.2.3 Food vehicles or vending carts; and
- 3.5.2.4 Establishments where the sales of nonpotentially hazardous food are incidental to the business. (SMC 15.02.044).

3.6 “Food vehicle” means a licensed and operable motor vehicle used to serve, vend, or provide food or nonalcoholic beverages for human consumption from a fixed location or along a route in a public place as authorized by the Seattle-King County Department of Public Health and SMC Chapter 15.17. (SMC 11.14.227)

3.7 “Food-vehicle zone” means a portion of a public place designated by a sign or other traffic control device that is reserved for the exclusive use of food vehicles and vending vehicles that are permitted to vend in the curb-space portion of the public place.

3.8 “Pedestrian clear zone” means the area of the public place that is specifically reserved for pedestrian travel. Street furniture, plantings, and other obstructions shall not protrude into this zone. See Figure 4 below. (SMC 15.02.046)

FIGURE 4: PEDESTRIAN CLEAR ZONE AND PEDESTRIAN STRAIGHT PATH



- 3.9 “Pedestrian straight path” means a 3-foot-wide continuous, straight, and unobstructed corridor within the designated pedestrian clear zone that extends along the permitted area and for 25 feet on either end of the permitted area’s boundaries along the block face. The pedestrian straight path provides pedestrians with a clear indication of the travel path location, usually parallel to the curb, and dictates that the pedestrian clear zone shall be generally straight with no sharp turns. See Figure 4 above. (SMC 15.02.046)
- 3.10 “Permittee” means a person or entity that has received a permit to use the public place. (SMC 15.02.046).
- 3.11 “Public place” means public right-of-way and the space above or beneath its surface, whether or not opened or improved, including streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, planting strips, squares, triangles, and plazas that are not privately owned. (SMC 15.02.046)
- 3.12 “Route vending” means to sell, offer for sale, solicit orders, display, or otherwise peddle from a public place food that is exempt from acquiring a food establishment permit under Title 5 of the King County Board of Health. (SMC 15.02.046)
- 3.13 “Vend or vending” means to sell, offer for sale, solicit orders, rent, lease, or otherwise peddle any good, ticket, thing, or service from a public place, as authorized or prohibited in Chapters 15.14 or 15.17. (SMC 15.02.046)
- 3.14 “Vending unit” means a unit used to sell, offer for sale, solicit orders, or otherwise peddle any good, ticket, or service as authorized or prohibited by Title 15. (SMC 15.02.046)
- 3.15 “Vending vehicle” means a licensed and operable vehicle used to sell, offer for sale, solicit orders, or otherwise peddle any good, ticket, or service from a fixed location or along a route in a public place as authorized by SMC Title 15. (SMC 11.14.712)
- 3.16 “Vending zone” means a portion of a public place designated by a sign or other traffic control device that is reserved during posted hours for the exclusive use of vendors that are permitted to vend in the designated portion of the public place. (SMC 11.14.713)

Vending may be allowed in a variety of public place locations including sidewalks, public plazas, curbspaces, alleys, and streets with or without curbs. SDOT may determine the type of vending permit and if vending is an appropriate use at a specific location based on factors including, but not limited to, the type and duration of vending activity, abutting designated land uses, neighborhood context, street type, and site conditions. The following locations carry specific conditions that define, limit, or otherwise affect vending proposals and review determinations.

4.1 ZONING

4.1.1 Applications to vend in the public place abutting a lot zoned as Neighborhood Residential (NR 1, NR2, and NR3) as defined in SMC Title 23 Land Use Code and as shown in the Official Land Use Map (SMC 23.32, Ordinance 126509), will be subject to additional review considerations:

4.1.1.1 Review considerations may include but are not limited to: Street Type as defined in Streets Illustrated; the neighborhood context and character including compatibility with the density of the built environment; nearby land uses; proximity to business districts or businesses; noise; odors; traffic conditions; and desirability of increased public activation.

4.1.2 Vending permits issued for a location abutting a lot zoned Neighborhood Residential (NR1, NR2, and NR3) will restrict vending between the hours of 10 p.m. and 7:00 a.m.

4.2 NEAR PARKS AND RECREATION PROPERTY

4.2.1 Street Use vending applications for locations within 50 feet of a Seattle public park as defined in SMC 18.12.030, will be subject to additional review by Seattle Parks and Recreation.

4.2.1.1 The Superintendent of Seattle Parks and Recreation may recommend to the Director of Transportation whether the vending site should be approved or denied based on the following considerations:

- Public safety or access within the park;
- Conflicts with permitted events or other special activities occurring in the park; or
- The need to encourage park activation.

4.3 HISTORIC DISTRICTS

- 4.3.1 Street Use vending permits for vending in the Pike Place Market Historical District may be issued only to the Pike Place Market Preservation Development Authority directly, or to a business that is located in this district, licensed by the City, and permitted by the Pike Place Market Preservation and Development Authority to do business within this district.
- 4.3.2 In historic or landmark districts, including Pike Place Market Historical District, street use vending permits may require a Certificate of Approval for vending activity subject to the provisions of SMC Title 23 or 25.

4.4 STADIUM AND EVENT CENTER AUTHORIZED AND RESTRICTED VENDING AREAS

- 4.4.1 The authorized Stadium and Event Vending Area is bounded by the center line of South Jackson Street, the center line of Fifth Avenue South, the center line of Airport Way South, the center line of Sixth Avenue South, the center line of South Holgate Street, and the center line of Alaskan Way South as depicted in Map 10.1.
- 4.4.2 No person shall vend to the public in a public place within the Restricted Vending Area: the area bounded by the centerline of South Royal Brougham Way, the center line of First Avenue South, the center line of Edgar Martinez Drive South, and the center line of Third Avenue South; and on Occidental Avenue South between Railroad Way South and South Jackson Street, for the event day, a 24-hour period starting the midnight before any event scheduled at the stadiums or exhibition event center begins and ending the midnight after the event ends, except as provided in 4.4.3 of this Director's Rule.
- 4.4.3 Newspapers, magazines, event programs, and other similar publications may be vended on foot within the Stadium and Event Center Restricted Vending Area as authorized by rules adopted by the Director of Transportation.

4.5 PROHIBITED ROUTE VENDING AREAS

- 4.5.1 Route Vending is not allowed in areas depicted on Map 10.2 Prohibited Route Food Vending Area – Greater Downtown, and Map 10.3 Prohibited Route Food Vending Area – University District.
- 4.5.2 Route Vending shall not include locations within 1,000 feet of a public or private school containing a kindergarten to 12th grade class.
- 4.5.3 SDOT may limit or prohibit Route Vending when it might interfere with mobility or access due to known or expected traffic conditions or high pedestrian volumes. This might occur in designated HUB or high impact areas, along construction haul routes, near active construction projects, or in areas with frequent scheduled events.

SMC Chapter 15.17 authorizes the Director of Transportation to issue several different types of Street Use vending permits for the public place. Site-specific vending permits are based on where in the public place the vending use is located and includes Sidewalk and Plaza, Curb Space, Stadium and Event Center, and Temporary vending permit types. Vending may also be sited in other public place locations such as streets with unimproved sidewalks, or locations authorized by SDOT to support activation. In these cases, SDOT has the authority to determine the type of vending permit required and apply the appropriate and applicable standards from this rule.

For the minimum required setback and clearance standards, see Section 6. Additional conditions may also be applied to a vending permit depending on site characteristics and public comment received on a site-specific basis. For a list of applicable vending permit conditions, see Section 8.4. The different types of vending Street Use permits are described below. At SDOT's discretion, the vending of food, flowers, or other goods may also be allowed under a Street and Sidewalk Activities permit.

5.1 SIDEWALK AND PLAZA VENDING

- 5.1.1 Vending from a vending cart is allowed on a public sidewalk or plaza with a valid Street Use vending permit for a specific location.
- 5.1.2 Vending from a vending vehicle may also be allowed on a public plaza with a valid Street Use vending permit for a specific location.
- 5.1.3 Sidewalk and Plaza vending permits are issued for a one-year period, for specific days of the week and times of day that recur weekly throughout the year.
- 5.1.4 Depending on site conditions, and to ensure an appropriate balance between private activation use and public access and mobility, SDOT may limit the number of sidewalk and plaza vendors permitted within a defined area, such as a single block face. See section 6.5 of this Director's Rule for details on Density of Approved Sites.
- 5.1.5 Vending under a Sidewalk and Plaza vending permit shall be limited to the vending of food, flowers, and non-alcoholic beverages.

5.2 CURBSPACE VENDING

- 5.2.1 Vending from a vending vehicle is allowed in a curbspace with a valid Street Use vending permit for a specific location.
- 5.2.2 Allowable curbspace vending locations may be designated and signed as Food Vehicle Zones or Vending Zones by the Department of Transportation.
 - 5.2.2.1 Increasing the size of a food-vehicle zone or vending zone does not prevent the Director from exercising the inherent authority to regulate uses of the public place and reduce the size of the zone at a later date.
- 5.2.3 Curbspace vending activity is allowed solely on the side of the vehicle that is parked abutting and parallel to the curb.
- 5.2.4 Curbspace vending permits are issued for a one-year period, for specific days of the week and times of day that recur weekly throughout the year.
- 5.2.5 Depending on site conditions, and to ensure an appropriate balance between private activation use and public access and mobility, SDOT may limit the number of curbspace vendors permitted within a defined area, such as a single block face.
- 5.2.6 Curbspace vending permittees must comply with traffic rules and Seattle Municipal Code Title 11 (Traffic Code).
- 5.2.7 Vending under a curbspace permit shall be limited to the vending of food, flowers, and non-alcoholic beverages.

5.3 STADIUM AND EVENT CENTER VENDING

- 5.3.1 Vending from a vending vehicle, vending cart, or an alternative vending unit is allowed within the SDOT-designated Stadium and Event Center area with a valid Street Use vending permit for a specific location.
- 5.3.2 Route vending is not allowed in the Stadium and Event Center Vending area.
- 5.3.3 Stadium and Event Center vending permits are issued for a one-year period.
- 5.3.4 Vending activity permitted under a Stadium and Event Center vending permit may be allowed for a maximum of 24 hours per day on stadium event days.
- 5.3.5 Stadium and Event Center vending permits may be conditioned with specific days of the week and times of day during the one-year permit during which vending activity is allowed.
- 5.3.6 SDOT may permit multiple vendors at the same site during different times, days of the week, or dates.

- 5.3.7 SDOT recognizes that the Stadium and Event Center Vending Area is a high demand location for vending due to the large volume of pedestrians during events and limited number of sites available close to the Stadium and Event Center. To help determine that sites are being used consistently throughout the year and to encourage additional vending opportunities, additional review considerations may include but are not limited to: type of vending unit, including overhead weather protection; intended level of use throughout the year; demonstrated plan for storing vending equipment on private property when not actively setting up, vending, or breaking down the vending unit after vending; and the adequacy of planned waste collection and disposal.
- 5.3.8 Vendors with a Stadium and Event Center permit must comply with traffic rules and Seattle Municipal Code Title 11 (Traffic Code).
- 5.3.9 A Stadium and Event Center permit allows the vending of goods, tickets, things, services, food, or nonalcoholic beverages of any kind.

5.4 ROUTE VENDING

- 5.4.1 Vending from a vending vehicle or mobile cart is allowed along a mobile route with a valid Street Use vending permit for Route vending.
- 5.4.2 Route vending permits are issued for a one-year period.
- 5.4.3 Route vending permits allow the vendor to stop intermittently along their route only for long enough to serve waiting customers at each stop.
- 5.4.4 Vendors operating a route vending permit must obey all traffic rules and must comply with the Seattle Municipal Code Title 11 (Traffic Code) and Seattle Municipal Code Chapter 25.08 (Noise Control).
- 5.4.5 A Route Vending permit allows the vending of food or nonalcoholic beverages that the Director of Public Health – Seattle King County or an authorized representative has determined are exempt from the food-establishment permit requirement of Title 5 of the King County Board of Health Code, or as subsequently amended.

5.5 TEMPORARY VENDING

- 5.5.1 Temporary vending from a vending cart is allowed on a public sidewalk or plaza with a valid Street Use vending permit for a specific location.
- 5.5.2 Temporary vending from a vending vehicle is allowed in a curb space and may also be allowed on a public plaza with a valid Street Use vending permit for a specific location.

5.5.3 Temporary vending opportunities include the following:

5.5.3.1 Temporary Event vending: A short-term permit to allow for occasional vending activity, often associated with a nearby event on private property or the public place.

- SDOT may limit the total number of temporary event permits issued per block per calendar year.
- Each temporary event permit is limited to a maximum of 4 event days.

5.5.3.2 4-Month site trial vending: A specific 4-month period for a vendor to try out a vendor-identified new site.

- Site trial vending permits are limited to Curbspace Vending and Sidewalk and Plaza Vending types; they will not be issued for sites in the Stadium and Event Center Vending Area and are not applicable to Route Vending which is not site-specific.
- Site trial vending permits allow vendors time to build a customer base and evaluate a site's long-term potential for sales.
- Each vending business shall be limited to one 4-month trial site vending permit per block per calendar year.
- SDOT may limit the total number of 4-month site trial permits issued per block per calendar year.
- Site trial vending permits for Curbspace Vending shall be limited to a maximum of 4 hours of vending on any permitted day.
- Site trial vending permits for Sidewalk and Plaza Vending shall be limited to a maximum of 8 hours of vending on any permitted day.

5.5.4 Vendors with a Temporary Vending permit for a site in a curb space must comply with Seattle Municipal Code Title 11 (Traffic Code).

5.5.5 Vending under a Temporary Vending permit shall be limited to the vending of food, flowers, and non-alcoholic beverages.

5.6 FIRST AMENDMENT VENDING

5.6.1 This Director's Rule does not apply to First Amendment Vending. Please see Seattle Municipal Code 15.17.200 and Director's Rule SED 94-2 or subsequent amendments for information related to First Amendment Vending.

We will not approve vending units or operations that adversely impact the traveling public or interfere with the functionality of other street fixtures. Vending units located in alleys, on plazas, on streets without curbs, and in other alternative locations in the public place may be required to comply with these standards as deemed appropriate by SDOT.

6.1 MEASUREMENT STANDARDS

- 6.1.1 Siting standards in Section 6 apply to the entire vending footprint, which includes any associated elements located in the public place that extend beyond the vending unit's operational space.
- 6.1.2 Siting dimensions are measured from the outside edges of the vending area footprint including associated elements to the outside edge of the nearest obstruction in the public place (e.g. tree pit, signage, pay station, bike rack, signpost base, or other objects). For frontage zone vending sites (those immediately next to a building), if no obstruction exists on the sidewalk, these dimensions are measured to the back of the curb.

6.2 CLEARANCE REQUIREMENTS FOR PEDESTRIAN MOBILITY

- 6.2.1 Corner Clearance Zone
 - 6.2.1.1 Vendors shall be sited to provide an unobstructed corner clearance zone. See definition and associated exhibit showing the corner clearance zone in Section 3.2 of this Director's Rule.
- 6.2.2 Pedestrian Clear Zone and Pedestrian Straight Path
 - 6.2.2.1 Vending units located on the sidewalk or where pedestrian mobility is impacted shall be sited to provide an unobstructed pedestrian clear zone abutting the entire length of the permitted vending footprint, and a pedestrian straight path within that zone, both as shown in Figure 4. See Figure 4 and definitions for pedestrian clear zone and pedestrian straight path in Sections 3.8 and 3.9 of this Director's Rule.
 - 6.2.2.2 The 3-foot-wide pedestrian straight path runs within the pedestrian clear zone for the length of the permitted vending footprint and extending 25 feet on either end of that vending footprint.
 - The pedestrian straight path should not meander and should be a straight path of travel for pedestrians.

- 6.2.2.3 The Director may determine that the pedestrian clear zone can extend into an adjacent public place closed to vehicular travel, a public place plaza, or other public space in consultation with the authorizing official responsible for regulating or managing the space.
- 6.2.2.4 The minimum width of the pedestrian clear zone is determined by the street type where the vending unit is located as defined by the Right-of-Way Improvements Manual or successor rule.
- In no case shall the pedestrian clear zone be less than 6 feet wide.
 - Vending units located on the sidewalks of Downtown Streets, as defined by the Right-of-Way Improvements Manual, shall have a pedestrian clear zone at least 8 feet wide.
 - The Right-of-Way Improvements Manual calls for wider minimum pedestrian clear zone dimensions along certain streets. Vending units located on sidewalks shall maintain a minimum pedestrian clear zone equal to the dimension established for the street type where the vending unit is located, including additional width requirements based on the adjacent land use (e.g. located within a pedestrian-designated zone, as defined by SMC 23.34.086) and transportation context (e.g., located on a street within the Frequent Transit Network)
- 6.2.2.5 The pedestrian clear zone shall be free of all obstructions from the public place surface to 8 feet above that surface.

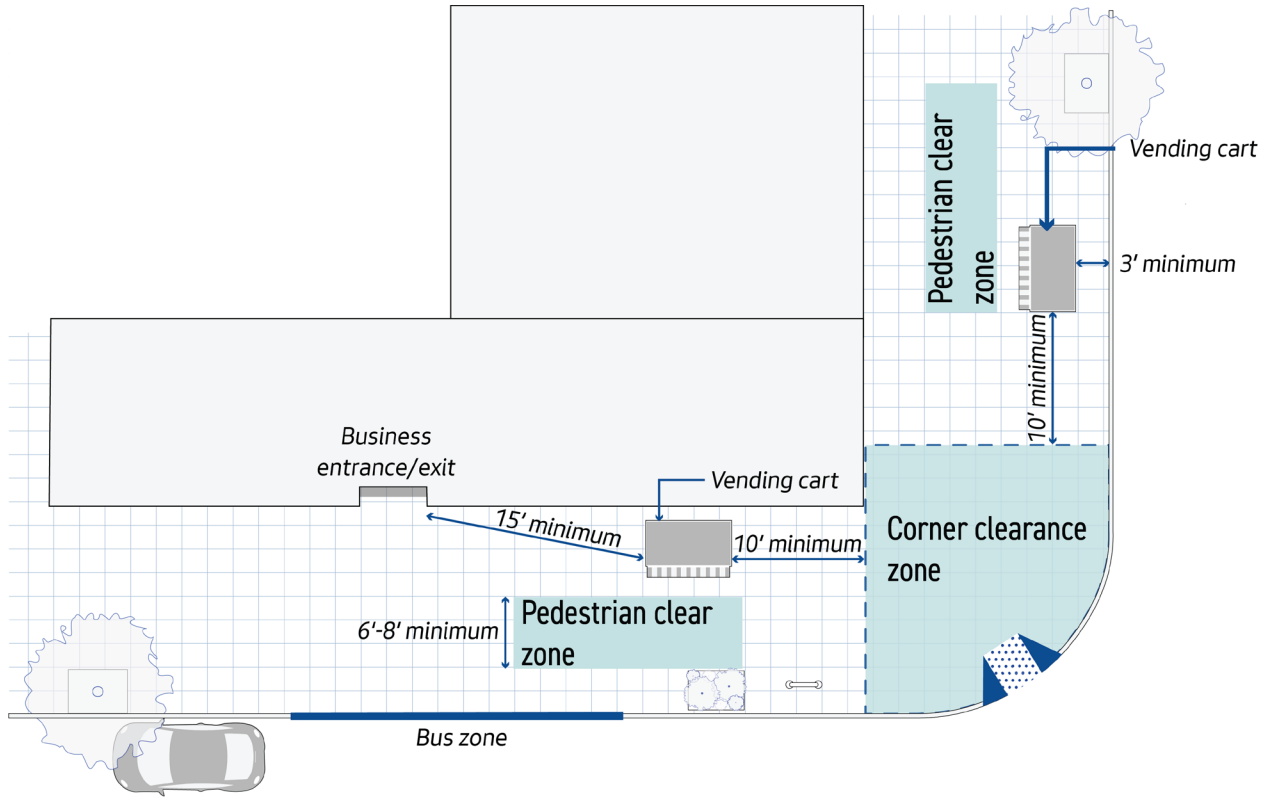
6.3 SETBACK REQUIREMENTS FOR SIDEWALK, PLAZA, AND STADIUM VENDING UNITS

- 6.3.1 Vending units shall comply with clearances required in the Right-of-Way Improvements Manual or successor rule, except for setbacks from the pedestrian clear zone. See some common setbacks depicted in Figure 5 below.
- 6.3.2 Vending units shall not be sited:
- 6.3.2.1 In a way that inhibits the operation, maintenance, visibility, or functionality of any utilities or street fixtures;
 - 6.3.2.2 In a tree pit;
 - 6.3.2.3 Adjacent to bus zones, layover zones, commercial vehicle or truck loading zones, or designated food vehicle or vending zones;
 - 6.3.2.4 Adjacent to passenger loading zones or designated disabled spaces (ADA), unless approved by SDOT; or
 - 6.3.2.5 Within any mid-block curb ramp element, including the curb ramp landing.

6.3.3 Vending units shall be sited:

- 6.3.3.1 At least 5 feet from alleys and driveway aprons for vending units located in the furniture zone;
- 6.3.3.2 At least 10 feet from the edge of an alley or driveway for vending units located in the frontage zone;
- 6.3.3.3 At least 10 feet from the corner clearance zone;
- 6.3.3.4 At least 5 feet from Fire Department connections and fire escape ladders unless an alternative dimension is approved by the Seattle Fire Department;
- 6.3.3.5 At least 15 feet from a business entrance or exit, unless otherwise approved by SDOT;
- 6.3.3.6 To maintain an adequate clearance equal to the required pedestrian clear zone width from other street fixtures in the public place beyond the vending footprint where pedestrian mobility could be impacted; and
- 6.3.3.7 To provide adequate clearance from the back of the curb, furniture zone vending units must be set back at least 3 feet from the back of curb. SDOT may require additional width when the vending unit will be approved on a block without designated disabled parking (ADA), adjacent to a passenger load zone (when approved by SDOT), or adjacent to a shuttle or charter bus zone.

FIGURE 5: VENDING SETBACK REQUIREMENTS



6.4 SETBACK REQUIREMENT FOR VENDING UNITS IN CURBSPACES

Curb space vending sites are typically permitted in designated, signed Food Vehicle Zones or Vending Zones. Exceptions to these zones may be made at SDOT's discretion for Temporary Vending permits. Many designated, signed vending zones currently exist in key business districts. Permit applicants may propose new sites to be considered for future designated vending zones as part of their curb space vending permit application. The setback requirements below will help applicants determine the appropriateness of a new site proposal. See some common setbacks depicted in Figure 6 below.

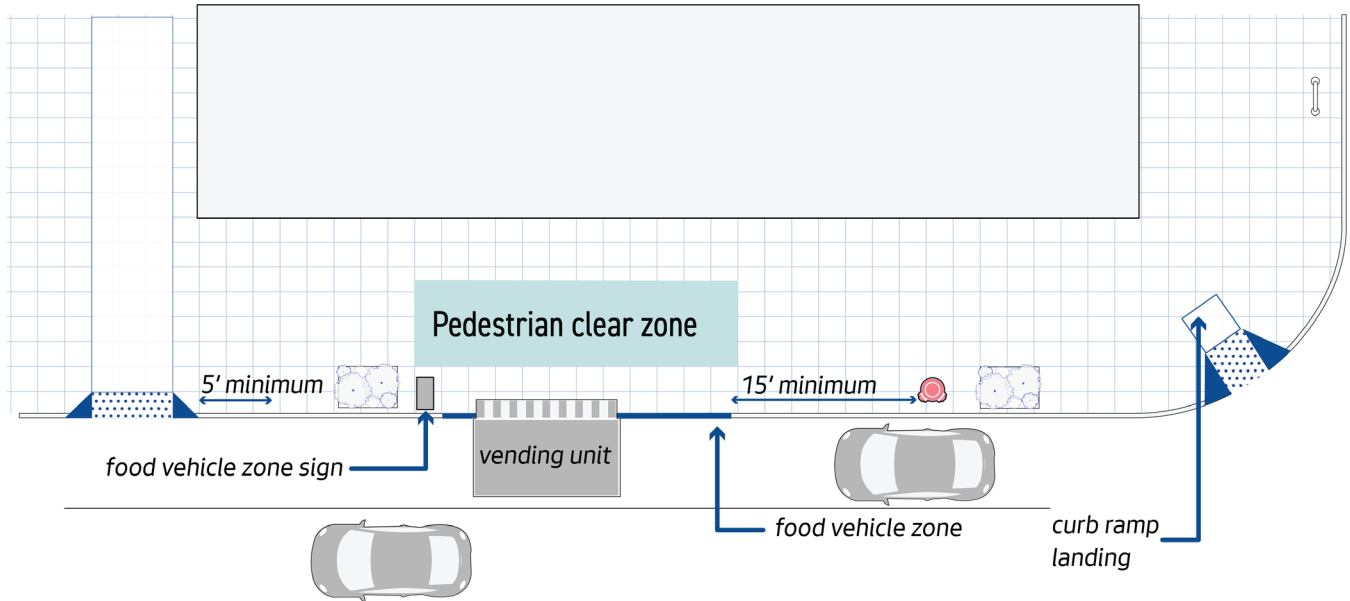
- 6.4.1 Vending units shall comply with clearances required in the Right-of-Way Improvements Manual or successor rule, except for setbacks from the pedestrian clear zone.
- 6.4.2 Vending units **shall not** be sited:
 - 6.4.2.1 In a way that inhibits the operation, maintenance, visibility, or functionality of any utilities or street fixtures;
 - 6.4.2.2 In a transit or travel lane, bus or layover zone, ADA-designated parking zone, or loading zone, unless the relocation of the curbspace use is approved by SDOT; or
 - 6.4.2.3 Within any curb ramp element, including the curb ramp landing.

6.4.3 Vending units **shall** be sited:

6.4.3.1 At least 5 feet away from alleys and driveway aprons; and

6.4.3.2 At least 15 feet from a fire hydrant.

FIGURE 6: SETBACK REQUIREMENTS FOR VENDING UNITS IN CURBSPACES



6.5 DENSITY OF APPROVED SITES

6.5.1 Density requirements outlined in Section 6.5 do not apply to Stadium and Event Vending, Temporary Vending, or Route Vending permit types.

6.5.2 The following restrictions and exceptions apply to the density of vendors allowed in the public place per block face (one side of the street):

- 6.5.2.1 A maximum of four permitted vending units may operate during the same time period on the same block face, as specified below:
- A maximum of two permitted vending units may operate during the same time period on a public sidewalk or plaza; and
 - A maximum of two permitted vending vehicles shall operate in a maximum of one designated food vehicle zone or vending zone during the same time period.

- 6.5.3 The Director of Transportation may allow exceptions to these density restrictions based on the following criteria:
- 6.5.3.1 The critical transportation needs for access and mobility;
 - 6.5.3.2 The existing and proposed private uses of the public place along the block face and their cumulative impact on the space available for people walking; and
 - 6.5.3.3 The potential benefit of additional activation to the streetscape.
- 6.5.4 If an application is approved to allow an exception to these density restrictions, SDOT may first issue a temporary site trial permit not to exceed 4 months of duration prior to considering a vending permit type with a longer duration.

6.6 APPLYING THE SITING STANDARDS

- 6.6.1 SDOT has authority to require dimensions greater than the minimum standards outlined in this rule based on site-specific conditions, including but not limited to:
- 6.6.1.1 Areas with transit or shuttle loading zones, ADA spaces, public plazas, art installations, and adjacent land use or access points with high stationary pedestrian use of the sidewalk;
 - 6.6.1.2 Areas with high peak-period pedestrian volumes, high event-period pedestrian volumes, or temporary demands on the sidewalk like permitted free-floating mobility devices;
 - 6.6.1.3 Areas with approved street design plans or street concept plans that call for additional space for pedestrians; and
 - 6.6.1.4 Areas where the proposed vending placement would divert pedestrian traffic to lower-quality sidewalk surfaces or surfaces that do not meet ADA accessibility.
- 6.6.2 Applicant-Requested Deviations from Siting Standards
- 6.6.2.1 The Director of Transportation may grant a deviation from the following standards upon determining adequate space is provided for pedestrian passage, traffic management, and all other public-use purposes (SMC 15.04.35.E):
 - Corner clearance zone (as described in Section 6.2.1);
 - Pedestrian clear zone (as described in Section 6.2.2);
 - Pedestrian straight path (as described in Section 6.2.2); and
 - Setbacks (as described in Sections 6.3 and 6.4).

6.6.2.2 Applicants may request consideration of reduced dimensions to the standards delineated in Section 6.6.2.1 by submitting a deviation request as established in the Right-of-Way Improvements Manual or successor rule. In addition to the deviation request submittal requirements, SDOT may require additional information necessary to evaluate the deviation request. Additional review time and review fees may be required.

6.6.2.3 SDOT may evaluate the deviation request to determine if a vending unit with the proposed deviation is a suitable use for the proposed site and will not unreasonably infringe on use of the public place by the traveling public. In making the determination, we may consider factors including, but not limited to:

- The alignment of the proposal with the intent of the applicable standard;
- The pedestrian volume along the block face and the impact of the vending unit on pedestrian activity;
- The degree to which the proposal constitutes a grant of special privilege inconsistent with the limitations applicable to other uses in public places in the vicinity;
- How the proposal provides for or limits universal access or ADA requirements;
- The proposed vending unit's siting context, including the degree to which underdeveloped right of way makes it impossible or challenging to meet standards; and
- How the proposal compares to the minimum necessary deviation to afford relief to the applicant.

SDOT encourages innovative designs in vending units and vending area layouts. At the same time, SDOT design standards help to ensure vibrant, attractive, and inviting public places throughout the City.

7.1 VENDING UNIT AND OVERHEAD DESIGN ELEMENTS (WEATHER PROTECTION)

- 7.1.1 All elements of the vending unit, whether a truck, cart, van, tent, tables and chairs, or other alternative, shall be constructed of durable materials intended for commercial use in an urban environment, and shall be kept in good repair, clean, and free of graffiti.
- 7.1.2 We discourage overhead design elements for vending units sited outside of the Stadium and Event Center area, with the exception of free-standing umbrellas, or awnings extending from a vending vehicle or cart over the direct service area.
- 7.1.3 Where allowed, overhead design elements including but not limited to tents, canopies, awnings, and umbrellas, shall not span nor encroach unnecessarily into the pedestrian clear zone and, if overhanging the pedestrian clear zone, shall be a minimum of 8 feet above the ground.
- 7.1.4 Stanchions (vertical posts) supporting overhead weather protection shall not be located within the pedestrian clear zone and shall be set back a minimum of 1 foot from the pedestrian clear zone.
- 7.1.5 Overhead design elements that interfere with sight distance shall not be allowed.

7.2 ACCESSORIES

- 7.2.1 All accessories including but not limited to condiment tables, coolers, and food display units, shall be constructed of sturdy materials, and shall be kept in good repair, clean, and free of graffiti.
- 7.2.2 Accessories shall be kept within the permitted vending area as depicted on the approved site plan and shall not be allowed to encroach into the pedestrian clear zone at any time.
- 7.2.3 Accessories shall be cane detectable for those with visual or other sensory impairments and shall comply with ADA guidelines.

7.3 FENCING AND CUSTOMER SEATING

- 7.3.1 Although not required, fencing or other barriers related to the permitted vending operation may be proposed and approved for placement on a sidewalk or plaza, or in the stadium area to control customer queues or enclose customer seating. Fencing or other barriers shall be constructed of sturdy materials and shall comply with ADA guidelines for cane detectability.
- 7.3.2 Customer seating shall be constructed of sturdy materials, and shall be kept in good repair, clean, and free of graffiti.
- 7.3.3 Fencing, barriers, and customer seating shall be of a temporary nature, easily installed and removed within the permitted vending time period each day.

7.4 GENERATORS, REFRIGERATION, CORDS, AND LIGHTING

- 7.4.1 Generators must comply with SMC 25.08 (Noise ordinance).
- 7.4.2 Electrical cords or strings of lights are allowed over the sidewalk or at grade per the conditions below. Please note, the Seattle Department of Construction and Inspections and the Seattle Fire Department generally do not allow extension cords on or over the sidewalk.
 - 7.4.2.1 At least 10 feet of vertical clearance above the standard surface grade of the sidewalk is required if cords or lights are above the sidewalk;
 - 7.4.2.2 The use of at-grade cords should be minimized. If at-grade cords are necessary, cords shall not be placed within the pedestrian clear zone and must be covered with ADA-compliant ramps; and
 - 7.4.2.3 Cords or strings of lights may not be affixed to any street fixtures, street trees, or public utilities unless authorized by the City.
- 7.4.3 Lighting shall be shielded to minimize nighttime glare and shall be directed away from adjacent buildings and vehicular traffic.
- 7.4.4 Strobe or flashing lights are prohibited.

7.5 SIGNAGE

- 7.5.1 Signs and other graphic representations located on the vending unit, including graphics on tents, canopies, awnings, and umbrellas, shall be appropriate in size and conform to SMC 23.55 (Sign Code); applicable Historic or Landmark District guidelines; SMC Title 25, Environmental and Historic Preservation; and SMC Chapter 23.66, Special Review Districts.
- 7.5.2 Signs shall only advertise goods that are sold from the vending unit.
- 7.5.3 Signs shall be made of durable, permanent materials.
- 7.5.4 Signs should use large font and be easy to read and interpret to accommodate customers with visual impairments.
- 7.5.5 All signs shall be contained within or directly adjacent to the permitted footprint of the vending area as shown on the approved site plan. Each vending unit may have a maximum of one portable sign (sandwich board) placed on the ground, either directly abutting the permitted vending footprint or, in the case of frontage zone vending units, in the directly adjacent furniture zone in line with other street amenities such as street trees and parking meters.

7.6 WASTE MANAGEMENT CONTAINERS

- 7.6.1 Vending units shall provide, in a location readily accessible to customers, the required garbage, recycling, and composting receptacles capable of accommodating all waste generated by the vending.

SDOT provides more detailed and current application requirements, process, and timelines on the SDOT Permits website. This section details some of the critical components of application review and consideration.

8.1 MINIMUM REQUIREMENTS FOR APPLICATION

- 8.1.1 The applicant shall, unless otherwise approved by SDOT, be the vendor, adjacent tenant, adjacent business, adjacent property owner, or a public entity. The vendor shall have applied for or shall have in effect all City, state, and county permits, licenses, and certifications required for operating the vending unit.
- 8.1.2 Only complete applications received by the appropriate application submission deadline will be included in any lottery held for an eligible site with multiple applicants. Please see section 9.3 of this Director's Rule for more details on lotteries.
- 8.1.3 Once a permit application for vending is approved for issuance, a notification is sent to the applicant. If the applicant does not pay their fees within 30 days of that notification, SDOT may determine the application abandoned, notify the applicant that the application will be closed in 10 business days, close the application, and open the site to new applicants.

8.2 ADA REQUIREMENTS

SDOT's review of vending applications to determine compliance with the Americans with Disabilities Act (ADA) is limited to Title II that encompasses the requirements for state and local governments. Under this review, SDOT's focus is to determine that the public place around the permitted vending area is accessible and usable for people living with disabilities. The vending permittee has independent obligations under Title III of the ADA.

SDOT does not review a vending application for compliance with Title III, which applies to public accommodations and commercial facilities. Vending permittees are solely responsible for complying with Title III of the ADA, and all other federal and state accessible design standards. Permittees are obligated to offer accommodations that provide an equal opportunity for individuals with disabilities to enjoy the goods and services offered to everyone. Approval of the Street Use vending permit does not establish compliance with ADA or other state and local accessibility regulations.

8.2.1 SDOT will review for the following:

8.2.1.1 ADA access in the public place around the permitted vending area by requiring an adequate pedestrian clear zone as described in Section 6.2.2; and

8.2.1.2 All furniture, accessories, fencing, stanchions, or other boundary elements are detectable by cane.

8.2.2 As a condition of the Street Use vending permit, we require that all permittees comply with Title III of the ADA.

8.3 PUBLIC NOTICE

8.3.1 Public notice is intended to inform the public of and solicit comments on the proposed use. (SMC 15.04.030)

8.3.2 SDOT may require applicants to provide public notice of their Street Use application in a form approved by SDOT. The public notice form shall include information regarding the proposed vending site dimensions and location, proposed dates and hours of use, comment period dates, how the public can comment on the pending application, and how to request a review or reconsideration of a Street Use permit decision.

8.3.3 The public notice period shall run for 10 business days.

8.3.4 Public notice must be hand delivered, mailed, or emailed by the applicant.

8.3.5 SDOT will also post the public notice on our website during the notice period.

8.3.6 If mailing notices, the applicant shall send all required notices three calendar days before the start of the public notice period.

8.3.7 Notice shall be provided to:

8.3.7.1 All street level units including all businesses, public entities, and residences and, for above-street level units, to the property manager, homeowner's association, or apartment manager located:

- Within a 100-foot radius of the vending site;
- On the adjacent and opposing block face of the vending site; and
- On the adjoining block face around the corner if the vending site is located within 10 feet of a corner clearance zone.

8.3.7.2 All public schools containing any class from kindergarten to twelfth grade within a 200-foot radius of the vending site

8.3.8 Written comments concerning the application shall be postmarked or emailed to the Director of Transportation no later than ten business days after the first day of the public notice period.

- 8.3.8.1 SDOT encourages all comments to identify specific issues or concerns.
- 8.3.8.2 In making a decision to issue the permit or to condition the permit based on impacts listed in Section 8.5, SDOT will consider public comments that are related to the SDOT Director's authority to regulate vending under SMC Chapter 15.17, SMC Title 15, this Director's Rule, and other applicable law.
- 8.3.9 When notice is required, a Street Use vending permit shall not be issued until after the close of the public notice period.
- 8.3.10 Public notice shall be required for:
 - 8.3.10.1 One-year Sidewalk and Plaza or Curbspace Vending permit applications for:
 - A previously unpermitted site;
 - A change in days of the week or hours of the day for a previously permitted site;
 - 8.3.10.2 Applications for a previously-unpermitted stadium vending site;
 - 8.3.10.3 Applications to transition an active 4-month site trial permit into a one-year permit for the same site; and
 - 8.3.10.4 Applications that propose an increase in the previously-permitted site footprint that SDOT deems significant. Footprint increases that are 75% or greater than the original footprint will require notice.
- 8.3.11 Public notice shall not be required for:
 - 8.3.11.1 Route Vending applications;
 - 8.3.11.2 Temporary Event Vending applications;
 - 8.3.11.3 4-month Site Trial applications;
 - 8.3.11.4 Applications to renew a current one-year Sidewalk and Plaza, Curbspace, or Stadium and Event Center Vending permit;
 - 8.3.11.5 Applications to vend at a previously designated or permitted site in the Stadium and Event Center authorized area; or
 - 8.3.11.6 Applications from a different vendor for the same site, days, and hours previously permitted for another vendor.

8.4 PERMIT CONDITIONS

- 8.4.1 SDOT may condition the Street Use vending permit to address:
 - 8.4.1.1 Conditions, restrictions, and prohibitions related to specific locations as detailed in Section 4 of this Director's Rule;
 - 8.4.1.2 Licenses, permits, and certifications from City, state, and county departments required for the vending unit and operation;
 - 8.4.1.3 Permittee's responsibility to adhere to ADA, Title III;
 - 8.4.1.4 Permittee's responsibility to obtain Temporary No Parking Permits and install No Parking Easels, when required;
 - 8.4.1.5 Design standards and placement of associated elements;
 - 8.4.1.6 Hours and dates of vending operation and public place occupation;
 - 8.4.1.7 Impacts associated with vending activity from lighting, noise, or the placement of signage, furniture, or accessories;
 - 8.4.1.8 Pedestrian passage, traffic management, and any public-use purpose; and
 - 8.4.1.9 Any additional permittee and vendor responsibilities under the permit.

8.5 REQUESTS FOR REVIEW AND RECONSIDERATION

- 8.5.1 A request for review or reconsideration of a vending permit decision may be made to the SDOT Director by filing a written request within ten calendar days of the date of the SDOT decision. (SMC 15.04.112)

9.1 PERMIT ADMINISTRATION – GENERAL

- 9.1.1 All Street Use permits are of a temporary nature, vest no permanent rights, and are revocable. (SMC 15.04.070)
- 9.1.2 The Director may modify the conditions of an existing Street Use vending permit if determined necessary for safety, traffic management, and any other public-use purpose, after providing the permittee with written notice 10 days before modifying the Street Use permit. (SMC 15.04.070)
- 9.1.3 A Street Use inspector may perform inspections to ensure that vending site is operating according to the permit conditions and approved site plan, and, for curb space sites in parking zones, within the approved designated curb space.
- 9.1.4 The Director of Transportation has the authority to determine priority use for individual vending sites, and to establish and enforce application submission deadlines and review and issuance timelines to management priority determinations.

9.2 SITE PRIORITY FOR NEW VENDING SITES

- 9.2.1 Initial site priority for applied-for days of the week and times of day for a one-year permit at a specific vending location is established on the day the associated public comment period is posted.
 - 9.2.1.1 Once the permit application is approved for issuance, a notification is sent to the applicant. If the applicant does not pay the fees due and thus receive an issued permit within 30 days of that notification, SDOT may deem the application abandoned, notify the applicant that the application will be closed in 10 business days, close the application, and, if applicable, return the site to lottery. If this occurs, site priority is lost. (SMC 15.17.006.B)
 - 9.2.1.2 Once site priority is granted on a one-year site-specific permit, it remains valid if the vendor renews their permit per Section 9.5.

9.2.2 The first complete 4-month site trial application submitted for a new site is given initial site priority for the applied for days of the week and times of day.

9.2.2.1 Once the permit application for a trial-site permit is approved for issuance, a notification is sent to the applicant. If the applicant does not pay the fees due and thus receive the issued permit within 30 days of that notification, SDOT may deem the application abandoned, notify the applicant that the application will be closed in 10 business days, and close the application. (SMC 15.17.006.B) If this occurs, site priority is lost.

9.2.2.2 Once site priority for the applied for days of the week and times of day is granted on a 4-month site trial permit, it remains valid if, prior to the permit's expiration date, the permitted vendor submits an application to extend the trial permit into a standard one-year permit type, and that one-year permit type is approved and issued.

9.3 SITE PRIORITY AND LOTTERY FOR EXISTING VENDING SITES

9.3.1 When multiple vendors apply for the same existing vending site, a lottery may be held to determine site priority. Situations in which a lottery might be required include, but are not limited to:

9.3.1.1 When there is no current permit issued for the site and multiple applications for the site are received;

9.3.1.2 When there is a current site trial permit issued for the site, multiple applications for the site are received for the same operating period, and the site trial permittee does not apply for an extension to a one-year permit prior to the expiration date of the site trial permit;

9.3.1.3 When there is a current permit issued for the site, multiple applications for the site are received, and the current permittee did not apply by the required renewal application submission deadline; or

9.3.1.4 When there is a current permit issued for the site, multiple applications for the site are received, the current permittee applied by the required renewal application submission deadline, and the current permittee had two or more Street Use citations upheld by the Hearing Examiner within one year before the expiration of the current Street Use permit.

- 9.3.2 When a site is eligible for a lottery, only complete applications for the site shall be included. If an application submission deadline is posted, only complete applications that are submitted by the application submission deadline shall be included in that lottery.
- 9.3.3 Once the permit application for the lottery winner is approved for issuance, a notification is sent to the applicant. If the applicant does not pay their fees and thus receive an issued permit within 30 days of that notification, SDOT may deem the application abandoned, notify the applicant that the application will be closed in 10 business days, close the application, and return the site to lottery. (SMC 15.17.006.B) If this occurs, site priority is lost.

9.4 SITE PRIORITY BETWEEN VENDING AND MERCHANDISE DISPLAY OR OUTDOOR CAFE

- 9.4.1 The Director of Transportation has the authority to determine priority use for individual sites in the case of competing applications from vendors and retail or food service businesses, and to establish and enforce application submission deadlines to manage priority determinations. Situations in which this determination might be required include:
 - 9.4.1.1 When a vending permit is currently issued for a site, and an application for the same permitted site is subsequently submitted by a retail or food service business for a merchandise display or outdoor cafe; or
 - 9.4.1.2 When a vending application is under review for a site and an application is subsequently submitted by a retail or food service business for a merchandise display or outdoor cafe.
- 9.4.2 If a vending permit is currently issued for a vending site, the permitted vendor shall have priority for the site for the length of their current permit period. The following directs priority determinations for subsequent vending permit renewal periods.
 - 9.4.2.1 If the abutting retail or food service business submits a merchandise display or outdoor café permit application 60 or more days prior to the expiration of the current vending permit, and that application is approved and a permit issued, the abutting retail or food service business applicant shall have priority for the site upon expiration of the current vending permit period.
 - 9.4.2.2 If the abutting retail or food service business submits a merchandise display or outdoor café permit less than 60 days prior to the expiration of the current vending permit, and the current vending permittee submits an on-time application for a renewal of the site, the vendor shall have priority for the site for the upcoming renewal period.

- 9.4.2.3 SDOT will not allow cafes or displays that extend past the abutting business frontage when the extension would displace a permitted vending site. The vending site would maintain priority over a proposed café or display extension through the current permit period and through all subsequent approved renewal periods. SDOT will consider exceptions to this site priority if we determine an extension is needed in order to site a feasible cafe or display and if the vendor(s) can be accommodated within a two-block vicinity of the site.
- 9.4.3 If a vending application is under review for a site, the related public comment period has begun, and an application is subsequently submitted by an abutting retail or food service business, the vending applicant shall have priority for the site throughout the length of their permitted period.
 - 9.4.3.1 If the abutting retail or food service business submits a merchandise display or outdoor café permit application 30 or more days prior to the start of the vending application’s public comment period, and that application is approved, the abutting retail or food service business applicant shall have priority for the site.
 - 9.4.3.2 In all cases where a merchandise display or outdoor café application is under review concurrent with a vending application under review for the same site and that retail or food service business does not abut the site, the vendor applicant shall have priority for the site.

9.5 PERMIT RENEWAL

- 9.5.1 A Street Use vending permit may be renewed provided:
 - 9.5.1.1 The permittee is in compliance with all Street Use permit conditions;
 - 9.5.1.2 The permitted area does not conflict with setback requirements established in Section 6, Siting Standards;
 - 9.5.1.3 A new vending application or vending revision amendment, including all required supporting documentation, has been submitted by the renewal application submission deadline;
 - 9.5.1.4 The business or business ownership has not changed; and
 - 9.5.1.5 The Director of Transportation determines the space is not needed for transportation, utility, or any other public use purpose.
- 9.5.2 The Director of Transportation has the authority to determine priority use at the time of renewal for individual sites in the case of multiple applicants. See Section 9.3 of this Director’s Rule regarding site priority in the case of multiple applicants.

9.6 PERMIT EXPIRATION

9.6.1 A Street Use vending permit expires if: the permitted business changes ownership; the Street Use permit duration expires; or Street Use permit fees are not paid as required by subsection 15.04.074.D.

9.6.1.1 In cases where the permitted business changes ownership, the new owner must submit a new permit application for review. That application shall be subject to site priority rules in Section 9.3 in this Director's Rule, and any priority established for the site by the prior permit-holder shall not transfer to the new applicant.

9.6.2 The permittee shall remove all permit-related encroachments from the public place by the permit expiration date.

9.6.3 A Street Use permit to vend shall not be transferable or assignable, unless approved by the Director of Transportation.

9.7 PERMIT SUSPENSION OR REVOCATION

9.7.1 A Street Use vending permit may, upon 30 calendar days' notice to permittee, be temporarily suspended or fully revoked if SDOT determines the current site is needed to accommodate construction activities, utilities, or other City projects. SDOT may address this interruption of the permitted time period as follows:

9.7.1.1 For permits with less than 30 days remaining prior to permit expiration, the permit will be revoked, with no additional action taken by SDOT; or

9.7.1.2 For permits with 30 or more days remaining prior to permit expiration, SDOT will work with the vendor to identify alternative sites or prorate occupation fees.

9.8 ABATEMENT

9.8.1 The Director may immediately and without notice remove any vending unit located in the public place that the Director determines is a threat to public health or safety, or obstructs travel or transportation (SMC 15.04.070, 15.38.010)

9.8.2 The Director may also remove any vending unit located in a public place if the Director determines the vendor is violating SMC Chapter 15.17 and that vendor received two upheld citations for the same violation in the prior one-year period. (SMC 15.91.002, 15.91.030)

- 9.8.3 When the Director decides not to pursue immediate removal of the vending unit under 9.8.1, prior to removing the vending unit from the public place, SDOT may issue an abatement warning to the person or entity that owns or operates the vending unit. The warning may be mailed to the owner of the vending unit by first-class mail if the owner's mailing address can be determined by reasonable investigation. This investigation would include searching the City permitting database for contact information, searching City of Seattle and Washington State business license records, searching the internet for the vending business' legal and trade names to find associated contact information, and, when speaking to the vending operator in the field, requesting they provide us with their mailing address or show us a copy of their driver's license. A warning may alternatively be hand-delivered to the operator of the vending unit or, if the operator is not present, the warning may be posted in a conspicuous manner on the vending unit. The warning shall include:
- 9.8.3.1 The Seattle Municipal Code or Director's Rule provisions violated;
 - 9.8.3.2 The date and time of the violation;
 - 9.8.3.3 The location of the vending unit;
 - 9.8.3.4 A statement giving 24-hours to remedy the violations and the potential for future abatement for subsequent violations; and
 - 9.8.3.5 A statement that if the vending unit is removed for violating Chapter 15.17, any food in the vending unit that may pose a health or safety risk if the food remains in the unit and the unit is removed from the public place, will be disposed of by the City on or following the date of removal.
- 9.8.4 Once the vending unit is removed, the Director may impound and store the vending unit, give notice of the impound and associated fees, charge those associated fees, and, if applicable, arrange for the sale of the vending unit. (SMC 15.38)
- 9.8.5 The owner of the vending unit shall pay to the City all costs associated with removing, transporting, and storing the vending unit before the vending unit may be released to the owner by the Director's order. (SMC 15.38.020)

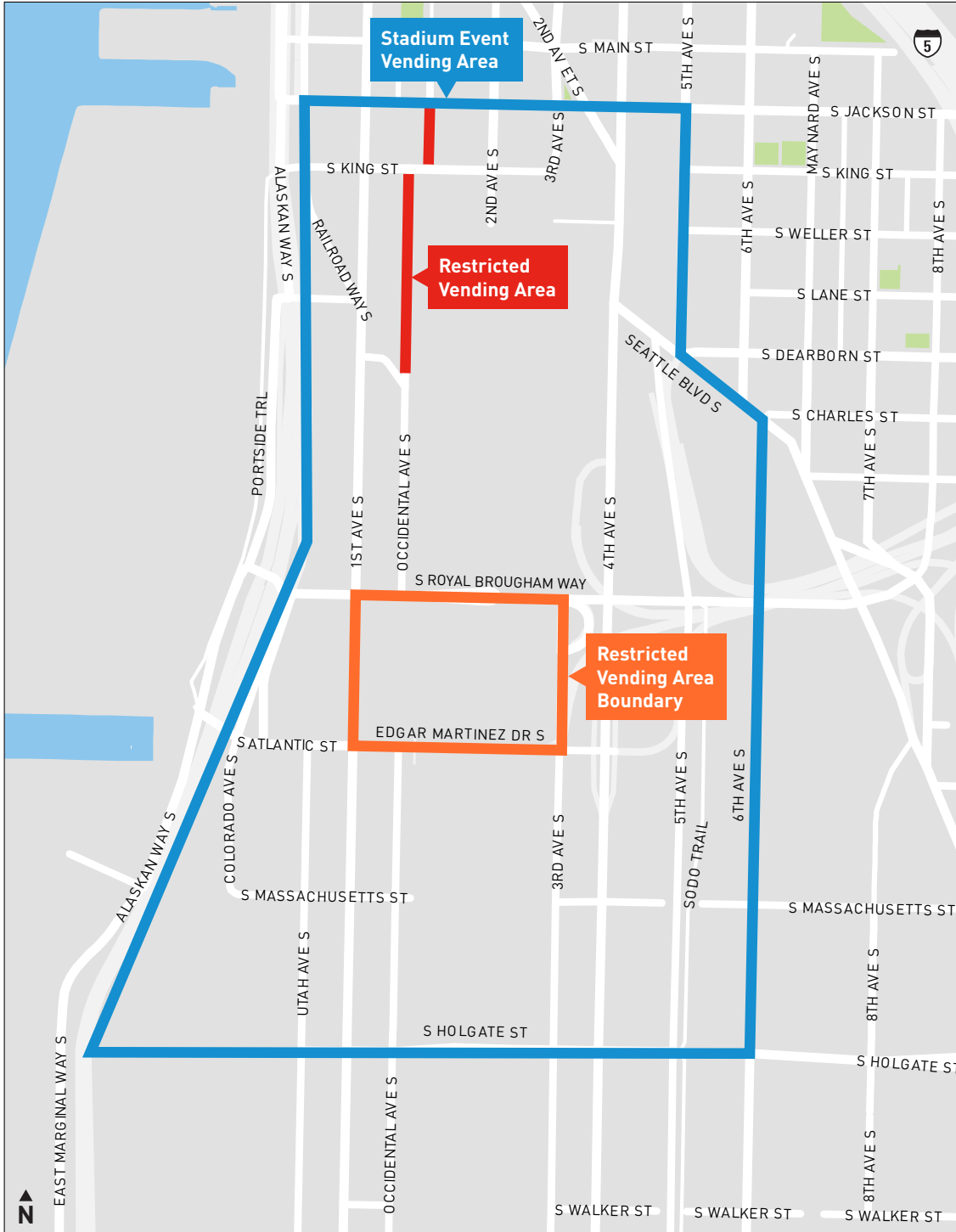
9.9 PERMITTEE RESPONSIBILITIES

- 9.9.1 The permittee shall comply with SMC Chapter 15.17 and this Director's Rule.
- 9.9.2 Permitted vendors shall have in effect prior to the issuance of their permit and shall maintain in effect throughout the duration of their permit, all City, state, and county permits, licenses, and certificates required for their vending units and activities.
- 9.9.3 Food vending permittees shall comply with all applicable requirements of Title 5 of King County Board of Health Code, or as subsequently amended.

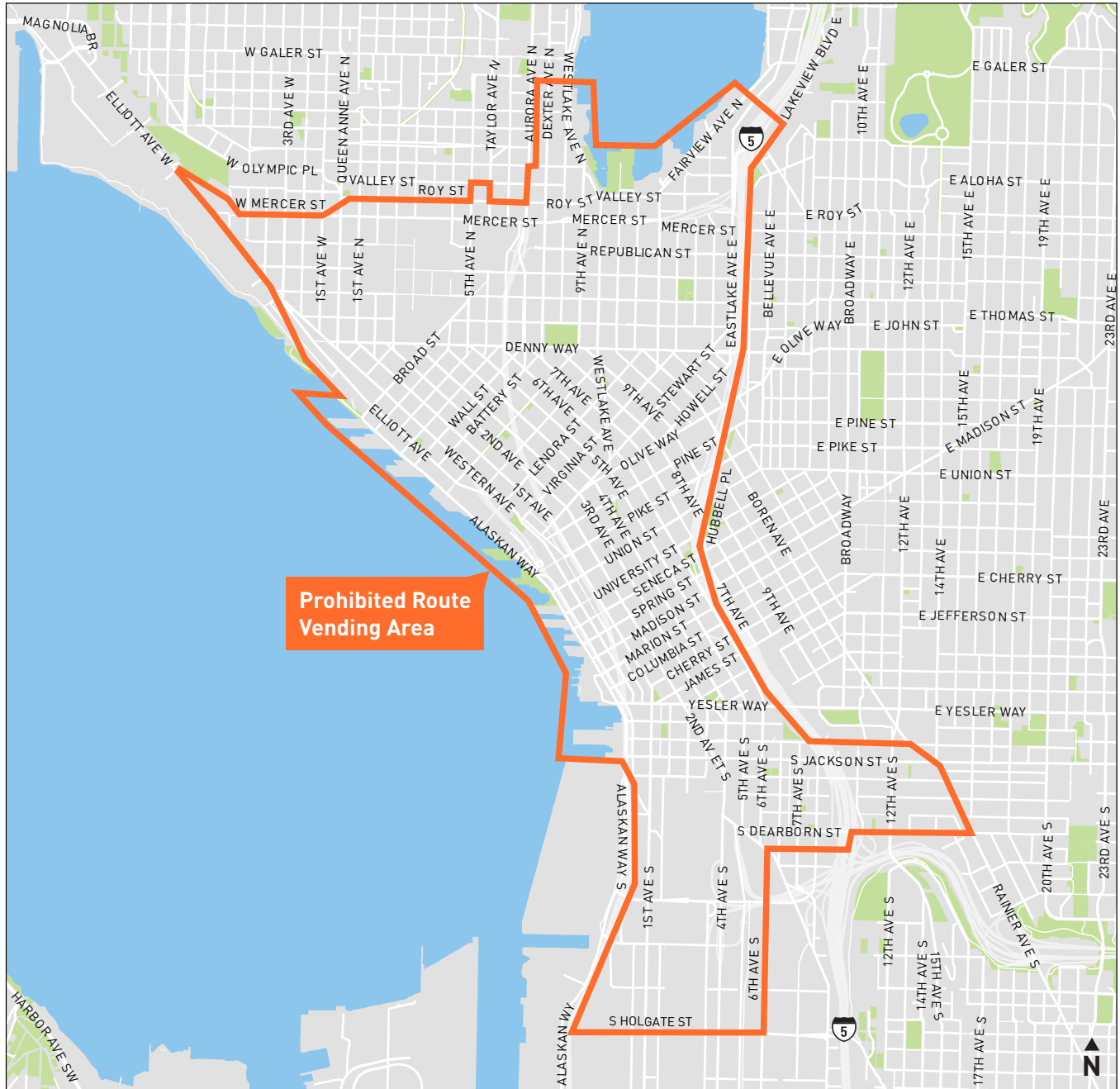
- 9.9.4 Use of amplification or noise-making devices is not allowed by permittees, except as approved by SDOT under a Route Vending permit. All vending permittees shall comply with SMC Chapter 25.08 (Noise Control).
- 9.9.5 The permittee shall provide to the public sufficient garbage, recycling, and composting receptacles to accommodate all waste generated by the vending activity.
- 9.9.6 Waste containers shall be maintained, cleaned, and emptied regularly and shall be removed from the public place at the end of each day's permitted vending time.
- 9.9.7 The adjoining and abutting public place shall be kept free of all refuse of any kind generated from the vending activity.
- 9.9.8 The permittee shall keep a copy of the issued permit available with the vending unit whenever operating in the public place.
- 9.9.9 The permittee shall not leave the vending unit unattended in the public place for more than 30 minutes.
- 9.9.10 Wheels on the vending truck, cart, or accessories shall be safely secured while the permittee is conducting business, and throughout the time the vending unit occupies the permitted site.
- 9.9.11 The permittee shall not operate the vending unit in a way that:
 - 9.9.11.1 Violates the ADA;
 - 9.9.11.2 Restricts or interferes with access to abutting properties or utilities;
 - 9.9.11.3 Creates a nuisance or hazard to public health, safety, or welfare; or
 - 9.9.11.4 Creates an obstruction for fire, police, or sanitation vehicles.
- 9.9.12 The permittee shall ensure that customer queues, displays, or vending activity do not encroach into the roadway; or cause pedestrians to divert from the abutting pedestrian zone.
- 9.9.13 The permittee shall ensure that the vending activity does not impede pedestrian mobility, including reducing vertical clearances in the pedestrian clear zone below 8 feet or diverting the pedestrian clear zone or pedestrian straight path. Umbrella bases, portable signs, diverters, or any other encroachments are prohibited in the pedestrian clear zone or pedestrian straight path.

- 9.9.14 The permittee shall temporarily remove the vending unit and clear the public place when ordered by the Director of Transportation, the Chief of Police, the Fire Chief, or other City official. Typical reasons for the order may include but are not limited to: when deemed necessary for transportation mobility or public safety purposes; to temporarily accommodate access to abutting properties; or to provide adequate access to public and private utilities, access panels, valves, and other utility or emergency equipment or features.
- 9.9.14.1 In the case of a permitted activity, such as a parade authorized by SMC Chapter 11.25 or special event authorized by SMC Chapter 15.52, SDOT or another City department shall make this request at least 24 hours before the required removal time.
- 9.9.14.2 In an emergency, the City may immediately remove the vending unit to preserve public health and safety. If this should occur, the City shall not be responsible for any loss or damages.
- 9.9.15 The permittee shall notify SDOT when their business closes or their business is sold or transferred to a new owner. This will enable SDOT to close the permit and open the site to new applicants.

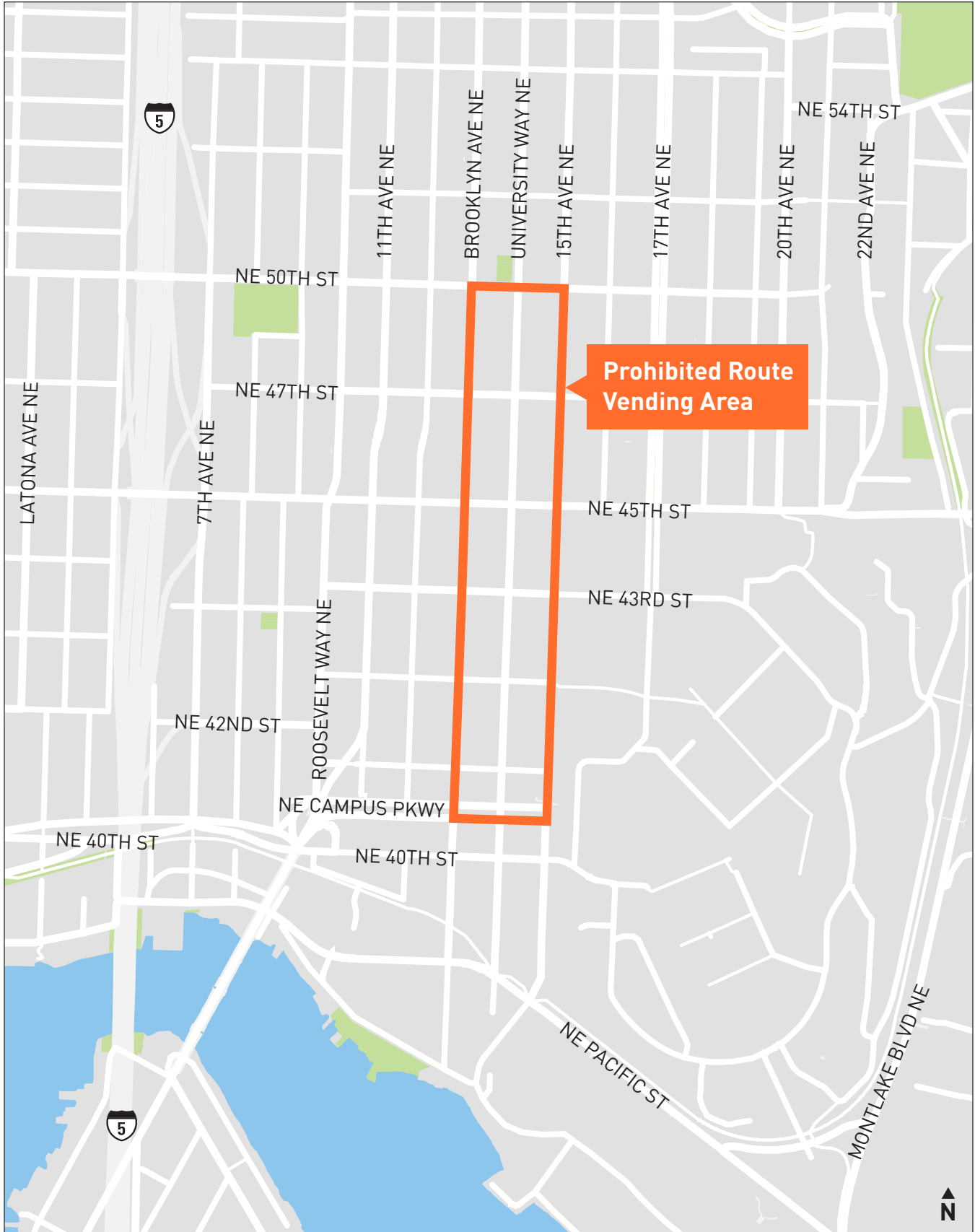
10.1 Stadium Event Vending Area



10.2 Prohibited Route Vending Area: Greater Downtown



10.3 Prohibited Route Vending Area: University District



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