

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Temporary Curb Space Vending



The City adopted Ordinance 123569 in July of 2011 in order to stream line the rules and regulations for street-food vending. The City of Seattle encourages street-food vending to increase public use, enjoyment, and safety of our public right-of-way. With proper design and management, street-food vending can be a great way to encourage walking, add vitality to the street, and promote local economic development.

In this Client Assistance Memo (CAM) 2510, you are given information regarding when you might be eligible for a temporary curb space vending permit. This CAM also provides you with the rules and requirements and how to obtain a temporary curb space Street Use vending permit. For more information on Sidewalk and Plaza Street-Food Vending refer to CAM 2501, for Curb Space Food-Vehicle Zone Vending refer to CAM 2507, for Stadium and Event Center Vending refer to CAM 2508, or for Mobile-Food Vending refer to CAM 2509.

Temporary Curb Space Vending (SMC 15.17.120)

You may be eligible for a temporary curb space vending permit in the following scenarios:

- In conjunction with an event located on private property; or
- In conjunction with an event occurring in a public place.

If the event requires a Special Event as permitted and authorized under SMC Chapter 15.52, Special Event permits, the Director of Transportation is not allowed to issue a temporary-curb-space vending Street Use permit.

Temporary curb space vending requires a valid Street Use vending permit for that specific location and permitted days and hours and may require additional permits from the Traffic Management Division to reserve the curb space or from Street Use to close the street for the event. The Street Use permit may be applied for by the vendor, property owner, or public entity associated with the temporary event. (Street Use permit use code 19I.)

All food vehicles must comply with the Traffic Code, SMC Title 11, and reserve the curb space accordingly.

A. Location

To temporarily vend from a curb space, you must find a suitable site that meets all the setback requirements. The location must be approved by the Street Use Division of the Seattle Department of Transportation (SDOT). The site will become the assigned temporary location for your food vehicle. If you request more than one food truck for your event, a separate Street Use vending permit will be required for each vendor.

The following setback and clearance standards apply to all vending activity in public places. SDOT has the discretion to increase some of these distances or add specific conditions to the Street Use permit based on site characteristics. Street Use will determine the appropriateness of each requested location based on the following setback and clearance standards:

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1. **Zoning.** One permit per year is allowed for a block abutting any lot zoned RSL, SF 5000, SF 7200, SF 9600, LR1, LR2, or LR3 as shown on the Official Land Use Map, SMC Chapter 23.32. The vending activity must end by 10 PM in these zones. For all other zones, a Street Use permit may be issued for up to four days in a six-month period for the adjoining address.

The City of Seattle zoning map can be viewed at: <http://www.seattle.gov/dclu/Research/gis/webplots/smallzonemap.pdf>

2. **Clear Pedestrian Zone Area.** A designated pedestrian zone with a linear-pedestrian-visual corridor is required adjacent to all vending activity. A clear pedestrian zone must be maintained at all times on the sidewalk adjacent to the food vehicle. The pedestrian zone is measured from the outside edge of the vending area to the nearest obstruction; for example, a tree pit, parking pay station, bike rack, sign post, or other similar object. If no obstruction exists, the pedestrian zone is measured to the back of the curb. The pedestrian visual corridor is within the pedestrian zone and dictates that the pedestrian zone will be generally straight and with no sharp or jagged turns that impair pedestrian circulation (see Figure 1: Pedestrian Zone/ Pedestrian Visual Corridor).
 - o In the Downtown Urban Center (see Map 1: Downtown Urban Center), a pedestrian zone at least 6 feet wide with a 4-foot-wide pedestrian visual corridor is required.
 - o Outside the Downtown Urban Center, a pedestrian zone at least 5 feet wide with a 3-foot-wide pedestrian visual corridor is required.
 - o Free-standing umbrellas or canopies, A-frame signs, portable signs, planters, or any other encroachment is not allowed in the pedestrian zone or pedestrian visual corridor. Awnings with a minimum clearance of 8 feet above the sidewalk grade may project over the pedestrian zone.
 - o Electrical cords or strings of lights may not be strung over or be placed on the pedestrian zone.
3. **Setbacks.** Setbacks are required from the following elements and must be clearly identified on the required site plan for the Street Use permit application:
 - o 15 feet from any business entrance or exit;

- o A larger setback distance may be required by the Director to provide for pedestrian passage, traffic management, or any other public-use purpose.
- o May not be located in driveways or loading zones. Vending may only occur from the side of a food vehicle that is parked abutting and parallel to the curb.

4. **Near Parks property.** If the proposed temporary vending location is within 50 feet of a park as defined in SMC Section 18.12.030, the Superintendent of the Parks Department may recommend to the Director of Transportation whether the vending site should be approved or denied based on the following considerations:
 - o Public safety or access within the park;
 - o Conflicts with existing businesses and concessionaires, permitted events, or other special activities occurring in the park; or
 - o The need to encourage park activation.
5. **Pike Place Market Historic District.** Vending is allowed on public places located in the Pike Place Market Historical District, as depicted in Map 2: Pike Place Market Historic District, only if:
 - o The Pike Place Market Preservation and Development Authority is the applicant and obtains a Street Use vending permit; or
 - o A business located in the Pike Place Market Historic District, licensed by the City to do business and permitted to do business in the Pike Place Market Historic District by the Pike Place Market Preservation and Development Authority, is the applicant and obtains a Street Use vending permit; and
 - o The applicant has obtained a Certificate of Approval for the vending activity from the Historic Commission subject to the provisions of SMC Chapter 25.24.

B. Application to SDOT

A Street Use vending permit is required to operate a food vehicle in the right-of-way. This type of permit may be valid for the duration of the temporary event subject to the zoning limits detailed in Section A.1. (Street Use permit use code 191.)

Step 1: Application Submittal. Street Use vending permit applications may be submitted at the Street Use Permit Counter on the 23rd floor of the Seattle Municipal Building at 700 5th Avenue. The permit applicant must provide the following information at the time of application submittal:

- Signed **Street Use vending permit application**;
- Three copies of a legible **site plan** including the following:
 - North arrow;
 - Name and location of adjoining street(s) or alley(s);
 - Width of adjacent sidewalk(s);
 - Location of existing improvement (e.g., utility poles, parking pay stations, bus shelters, sign posts, tree pits) detailing distance of each from nearest edge of the proposed temporary vending area;
 - Location of property lines and dimensions of the public place area proposed for vending use, including food vehicle, customer queuing area, and accessories;
 - If fencing or other delineating barrier is proposed by the applicant or required by the Director for customer queuing, fencing detail including materials and dimensions;
 - Sidewalk width remaining for pedestrian zone and pedestrian visual corridor;
 - Location and dimensions of any proposed installations in the sidewalk area associated with the vending activity;
- NOTE:** Installations such as tables and chairs require a separate Street Use review and permit(s);
 - Location of abutting building exits and entrances; and
 - Location and description of adjacent parks, adjacent streets that are closed to traffic, or adjacent public plazas available for pedestrian travel.
- **Use description** including the following:
 - The anticipated periods of use during the year;
 - The proposed hours of daily use;
 - Photo of food vehicle including description of the dimensions;
 - Copy of menu approved by the Seattle-King County Department of Health; and
 - License plate number of food vehicle.
- Copy of **Seattle-King County Department of Public Health Mobile Food Unit permit**, proof of permit exemption;
- Copy of **Seattle Business License**;
- Copy of **Seattle Fire Marshall permit**, if using an open-flame or liquid petroleum gas (LPG); and
- \$1,000,000 Liability Insurance with the City of Seattle as an additional policy holder. (For more

information, see CAM 2102, *Certificate of Liability Insurance*); and

- If the proposed site is within the Pike Place Market Historic District (see Map 2: Pike Place Market Historic District), a **Certificate of Approval** from the Historic Commission.

Step 2: SDOT Review and Permit Decision. SDOT will verify that all required documents have been submitted, verify that the site plan meets the minimum requirements as established in SMC Chapter 15.17, and verify if any additional Street Use permits are required.

SDOT will review all documents and make a final decision to approve, approve with additional site-specific conditions, or deny the permit based on the standards established in SMC Chapter 15.17 and Director's Rule

You may be required to submit an application for Temporary No Parking signs and easels to restrict on-street parking to reserve parking space for your food vehicle. SDOT does not provide these signs. They may be rented or purchased from local companies. Please search the Internet for "barricades Seattle" or look in the telephone yellow pages under the heading "Barricades". You may find additional information at

<http://www.seattle.gov/transportation/parking/tempnoparking.htm>

The signs should be placed and marked and the online Notification of Temporary No Parking Zone should be filled out and submitted 72 hours prior to the beginning of the desired restriction and enforcement. This gives those who may have previously been legally parked (every on-street parking space in Seattle is subject to a 72-hour parking limit, even if there are no other posted restriction) in the zone ample opportunity to move their vehicles prior to the start date for the zone.

Request for Review or Reconsideration. 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). The request must identify the decision for which review or reconsideration is requested, grounds for objecting to the decision based on City standards, and the specific remedy being proposed. The Director will designate a review officer who will make a recommendation to the Director. The Director may, at the Director's discretion, stay implementation of a decision pending review or reconsideration. The Director's decision on review or reconsideration is final.

C. Permit Conditions

1. **Standard Conditions.** All SDOT vending Street Use permits will be conditioned with the following requirements:
 - Compliance with all of the SMC Chapter 15.17 Vending standards and Director's Rules ;
 - Compliance with the Seattle-King County Department of Public Health requirements and Seattle Fire Department requirements if propane or a combustible fuel is used;
 - Obtain and maintain in effect all required permits and business licenses;
 - Proper display of a valid Street Use permit while vending in the public place. This permit must be prominently displayed at all times and must be viewable by the public while the vending activity is occurring;
 - Sell only food and beverages that are capable of immediate consumption;
 - All vending permit-related encroachments must be removed from the public place when the Street Use permit expires;
 - Use of amplification or noise-making devices are not allowed by the food truck vendors and the permittee must comply with Chapter 25.08, Noise Control;
 - The food vehicle may not be left unattended in the public place for longer than 30 minutes;
 - The food vehicle must be removed from the public place by the end of authorized business hours; and
 - Garbage, recycling, and composting receptacles must be supplied by the permittee for the public use and are capable of accommodating all refuse generated by the vending activity. The containers must be maintained and emptied regularly. The adjoining and abutting public place must be free of all refuse of any kind generated from the vending activity.
2. **Additional Conditions.** In addition to the standard vending permit conditions, the Director may, as deemed appropriate, condition the Food-Vehicle Zone Street Use permit to address:

- Design and placement of food-vending equipment and umbrellas;
- Hours of operation and dates of use;
- Impacts associated with the vending activity from:
 - o Lighting;
 - o Noise;
 - o Air emissions; or
 - o Placement of signage, furniture, or equipment;
- Impacts to the abutting business displays, business signage, or intake vents from the proposed vending activity;
- Need for repairs or improvements to the public place in order to accommodate the vending activity; or
- Pedestrian circulation, traffic management, or any public use purpose.

D. Permit Administration

1. **Issuance and Modification.** After the SDOT review determination that an application is approved or approved with conditions, the applicant can obtain their Street Use vending permit at the Street Use permit counter. The applicant must pay all required fees and sign the permit.

The permit fee includes an issuance fee and an inspection fee. Please see our current fee schedule on our website.

All vending Street Use permits authorized by SMC Chapter 15.17 are of a temporary nature, vest no permanent rights, and are revocable as provided for in SMC Section 15.04.070.

The Director may modify the conditions of a vending Street Use permit, including permitted hours or days of operation, after providing the permittee with written notice 10 calendar days before modifying the Street Use permit. A copy of the modified Street Use permit will be mailed by first-class mail to the permittee at the address listed on the Street Use permit. The permittee may request a Director's review of the decision to modify the conditions of the Street Use permit as provided for in SMC Section 15.04.112.

The Director of Transportation may suspend any vending Street Use permit to:

- Promote transportation mobility or public safety; or

- Coordinate with permitted Special Events authorized by SMC Chapter 15.52, or parade permits authorized by SMC Chapter 11.25; or
 - Coordinate with any other permitted activity.
- 2. Expiration.** A Street Use permit for vending expires if:
- The business or food vehicle changes ownership;
 - The Street Use permit duration expires; or
 - Street Use permit fees are not paid as required by SMC subsection 15.04.074.B.

All vehicles, objects, or other Street Use permit-related encroachments must be removed from the public place when the Street Use permit expires. A Street Use permit to vend is not transferrable or assignable.

E. Permittee Responsibilities

- The permittee must maintain the vending site and the adjoining and abutting public place free of all refuse of any kind generated from the operation of their businesses.
- All materials and supplies used by the permittee must be contained in the food vehicle; and the permittee must not store supplies or other materials in the public place.
- The surface of the public place must not be altered and permanent fixtures of any kind may not be installed in the public place unless authorized by a Street Use permit.
- A food vehicle may not be secured to any public amenity unless authorized by a Street Use permit. A food vehicle may not be unattended in the public place for longer than 30 minutes.
- The permittee must temporarily clear the public place as the Director of Transportation deems necessary to temporarily accommodate access to abutting properties or utilities.
- The permittee is responsible for ensuring that customer queues or vending activity do not encroach into the roadway; or cause pedestrians to divert from the abutting pedestrian zone.
- The permittee must not conduct business in such a way as to: restrict or interfere with the ingress or

egress of the abutting property owner or tenant; create or become a nuisance or hazard to public health, safety, or welfare; increase traffic congestion or delay; or constitute an obstruction to adequate access to fire, police, or sanitation vehicles.

- The permittee must immediately remove the vending activity when ordered by the Director of Transportation, the Chief of Police, the Fire Chief, or other City official.

Contact Information

Street Use Division
Annual Permits

(206) 684-5267

AnnualPermits@Seattle.gov

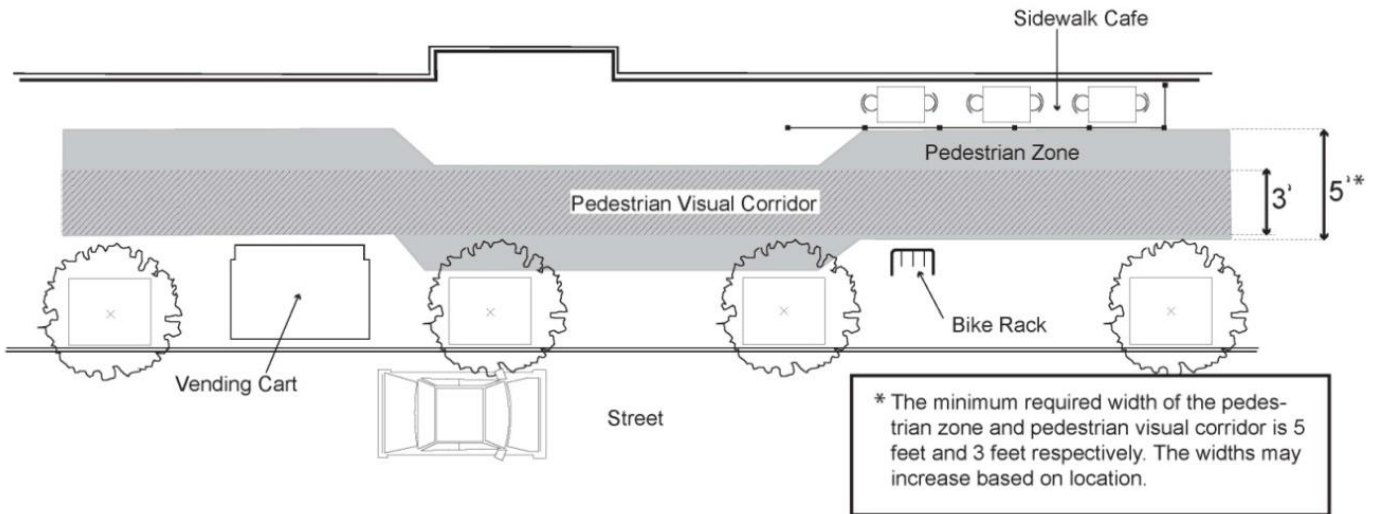
Seattle Municipal Tower, 23rd Floor
700 5th Avenue
P.O. Box 34996
Seattle, Washington 98124-4996

Additional Resources

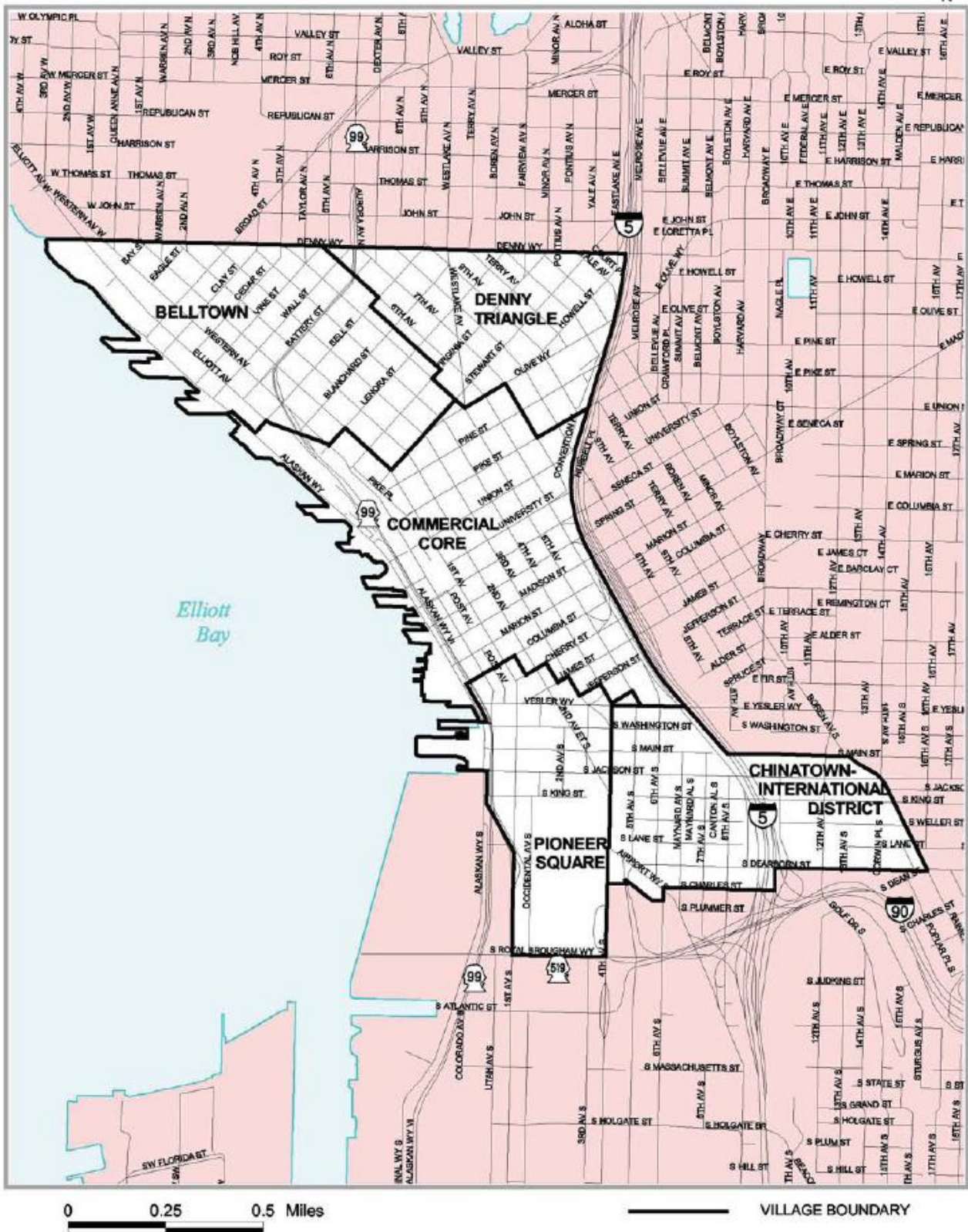
- Street Use Vending webpage:
http://www.seattle.gov/transportation/stuse_vend.htm
- Office of Economic Development vending web portal:
- Seattle Municipal Code (SMC), Chapter 15.17, Vending:
<http://clerk.seattle.gov/~public/toc/15-17.htm>
- SMC, Title 11, Traffic Code:
<http://clerk.seattle.gov/~public/toc/t11.htm>
- SDOT Director's Rule C -2011
- The City of Seattle zoning map:
<http://www.seattle.gov/dclu/Research/gis/webplots/smallzonemap.pdf>
- Temporary No Parking Zones
<http://www.seattle.gov/transportation/parking/tempnoparking.htm>

Figure 1: Pedestrian Zone/ Pedestrian Visual Corridor

Exhibit A for 15.02.046
Pedestrian Zone / Pedestrian Visual Corridor



Map 1: Downtown Urban Center



LEGAL DISCLAIMER: This Client Assistance Memo (CAM) should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this CAM.

Map 2: Pike Place Market Historic District

