



News from

## Interim Mayor Todd Gloria

City of San Diego

### NEWS RELEASE

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## **Interim Mayor Clarifies Proposals for Food Truck Rules and Medical Marijuana Dispensary Regulations**

*SAN DIEGO (February 13, 2014)* – Interim Mayor Todd Gloria today provided updates on proposed regulations for food trucks and medical marijuana dispensaries at his weekly media briefing.

**“When I came into office, one of the first decisions I made to clean up City Hall was to direct staff to apply our rules and regulations fairly and consistently,”** said Interim Mayor Gloria.

Out of that direction, it was clear that a need existed for some clearer rules of the road for medical marijuana dispensaries and food trucks.

“Food trucks help add character to San Diego’s neighborhoods, and creating sensible and fair rules will help ensure their impacts are only positive. The regulations being proposed were developed with extensive input from food truck operators, customers, neighbors, and restaurants, and I hope they will be approved by the City Council when we consider them on March 3,” said the Interim Mayor.

The proposed food truck ordinance provides that private property owners who host food trucks must apply for an over-the-counter permit from our Development Services Department.

- Food truck operators are not required to get permits.
- No permits would be required for property owners in industrial areas where the food truck is providing a private catering service, or at schools, hospitals, religious facilities, or construction sites.

In residential areas, there is a proposed limit on hours of operation in order to reduce the potential for late night noise impacts on residents. The proposed hours of limitation within 500 feet of a dwelling unit are from 6:00 a.m.-10:00 p.m. Sunday through Thursday and 6:00 a.m.-11:00 p.m. on Fridays and Saturdays. Interim Mayor Gloria emphasized this doesn’t mean food trucks could not operate within 500 feet of a residence; it only puts very sensible time limitations on those operations.

The Interim Mayor also clarified some misconceptions circulated online and in a couple of news reports and on some websites.

- Misconception: The proposal would limit food trucks from parking within 500 feet of restaurants.
- Correction: There is no 500 foot separation distance that would be required from restaurants, nor is there any other limitation in the ordinance that would require a specific separation distance between mobile food trucks and restaurants.

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- Misconception: The proposal would ban food trucks in Gaslamp, Little Italy, and portions of Pacific Beach, Mission Beach, Ocean Beach, La Jolla, and around San Diego's universities.
- Correction: There is no ban of mobile food trucks included in the proposed ordinance. Instead, the City has identified appropriate zones and locations to allow mobile food trucks by right; and locations where food trucks need minimal staff review in order to limit the time, place, and manner of operations to minimize potential conflicts between pedestrians and vehicles.

All limitations are intended to protect public health and safety. The Gaslamp Quarter and Little Italy are special character locations with significant historic cultural resources and extremely high levels of pedestrian and vehicular activity where food trucks would be allowed only as part of special events in order to allow for appropriate planning and consideration to minimize potential for impacts. In locations mapped as high parking demand with limited on-street parking availability, food trucks would be limited to operating on private property in order to help preserve the much needed on-street parking.

- Misconception: The proposed ordinance is anti-competitive and discriminatory and enforces rules on food trucks that do not apply to other businesses in adjacent areas.
- Correction: The intent of the ordinance is a fair approach to protect public health, safety and welfare while providing for mobile food truck operations on private property and in the public right-of-way. No permit or limitations would apply to food truck operations in industrial zones, on the property of schools, universities, hospitals, or religious facilities, service to construction sites, or private catering.

Commercial properties are locations with high levels of vehicle and pedestrian traffic, where minimal staff review of proposed development is desirable to minimize potential for conflicts. The proposed mobile food truck permit review in commercial zones is similar to the level of permit review required for any other change out of commercial tenants on a private property.

The proposal is less stringent on food truck operators than other businesses by allowing for a single permit to cover all prospective food truck operations on a given property with no limit on the number of food truck operators per permit.

Interim Mayor Gloria also discussed proposed regulations for medical marijuana dispensaries. The City Council is expected to consider the regulations on February 25.

The main components to the ordinance are that:

- Cooperatives must be separated from public parks, churches, child care centers, playgrounds, residential care facilities, schools and other cooperatives by 1,000 feet
- Cooperatives must apply for a Conditional Use Permit with a five year expiration
- No onsite medical professionals are allowed
- The ordinance includes a 100 foot buffer from residential zones.

The Interim Mayor also dispelled the reports meant to alarm people about the number of dispensaries or collectives that this ordinance would bring to neighborhoods. This ordinance sets the framework for sites that fall outside of the restrictions listed above, but that doesn't mean that dispensaries would actually occupy all of those locations.

**“Just like with food trucks, I am confident that by providing clear and fair rules of the road, San Diego will be far better off,”** said Interim Mayor Gloria.