



Mission Statement

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
CITY COUNCIL AGENDA REPORT**

Meeting Date: August 13, 2024  
Department: Development Services  
Submitted By: Alicia Giudice, Director of Development Services  
Prepared By: Alicia Giudice, Director of Development Services  
Agenda Title: **Informational Report on Guidelines for Permitting of Mobile Food Vendors on Private Property within the City. CEQA Status: This informational report is not a project under CEQA pursuant to CEQA Guidelines Section 15378 (b)(5).**

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**RECOMMENDED ACTION:**

The Development Services Department recommends that the Council accept the report

**BACKGROUND:**

The operations of mobile food vendors on public and private property are formally governed by various sections of Rohnert Park Municipal Code (RPMC), and less formally, by guidance previously provided by the City Council.

RPMC section 10.40.120 establishes the regulations governing operation of mobile food vendors on public streets. Pursuant to this section of RPMC, mobile food vendors may stop their vehicles on City street for no more than 10 minutes at a time unless otherwise allowed by the City.

With respect to private property, the City’s zoning regulations in RPMC Title 17 do not explicitly establish regulations for mobile food vendors. However, the City has previously allowed properly-licensed mobile food vendors to operate as uses ancillary to the primary use of a site, or in conjunction with seasonal events or sales in commercial, industrial or mixed use districts.

In 2020, staff presented options for the Council to consider with regard to the City’s regulations and permitting practices for mobile food vendors. At that meeting, Councilmembers acknowledged the opportunity for food trucks to activate unused spaces and expressed an interest in seeing the creation of parameters within which these types of uses would operate. The Council ultimately provided guidance to staff to allow food trucks as an ancillary use to breweries and to allow them with other similar beverage production businesses that lacked commercial kitchens and directed staff to explore criteria to allow these facilities elsewhere within the City on private property. Since that time, Staff has used the Administrative Review process to allow these uses categorized as outdoor cafés at 3 locations and these food trucks have had positive results that include the activation of a spaces and opportunities for local business to operate within the City.

**ANALYSIS**

As mentioned above, staff have used the Administrative Review process to allow mobile food vendors to operate within the City. As part of that review process, staff evaluate the application for compliance with the City’s municipal code and include conditions of approval that mobile food vendors would

need to comply with. Staff have used these initial projects to create Guidelines for Permitting of Mobile Food Vendors on private property. These Guidelines are included here as Attachment 1.

In summary the guidelines encompass the following components:

- **Development standards and design criteria** including minimum setbacks for structures consistent with the RPMC; minimum separation between structures; minimum distance to existing restaurant store fronts; bicycle and automobile parking standards, along with a requirement for parking lots to be paved with an all-weather surface such as asphaltic concrete; minimum requirements for trees and parking lot landscaping; standards for pedestrian pathways paved with semi-permeable materials; and standards for installation and maintenance of any outdoor furniture, fencing, lighting, signage and refuse storage.
- **Operational requirements** including a requirement that sanitation facilities to be available to employees and patrons of the food vendor; management of litter on-site; compliance with noise regulations of RPMC chapter 9.44; constraints on vending outside the boundaries of the site; and compliance with Fire Safety requirements, Operational requirements would also limit hours of operation of food park vendors to 7:00 a.m. through 10:00 p.m., daily.
- **Compliance with Building and Fire Code Requirement.** Each mobile food vendor would be required to comply with all applicable building and fire code requirements

Mobile food vendors would require an Administrative Permit issued by the Director of Development Services, in accordance with RPMC section 17.06.130. In addition to the operational standards and design criteria summarized above, the Director of Development Services retains the authority to impose other requirements and conditions necessary to minimize public nuisances and maintain public health, safety and aesthetic value of the site and City, consistent with the purpose and intent of the City's zoning regulations (RPMC section 17.02.020).

Additionally, mobile food vendors are required to obtain and maintain a City business license pursuant to RPMC section 5.04.030 and are required to obtain necessary permits from Sonoma County Health.

#### **ENVIRONMENTAL ANALYSIS:**

This informational report is not a project under CEQA pursuant to CEQA Guidelines Section 15378 (b)(5) as it outlines administrative activities of the City.

#### **STRATEGIC PLAN AND COUNCIL GOALS/PRIORITIES ALIGNMENT:**

Establishment of Guidelines for Permitting of Mobile Food Vendors/Food Park on private property is consistent with the Council Goal 2) Community Quality of Life because it will help streamline the review of these facilities provided opportunity to activate underutilized sites.

According to the U.S. Chamber of Commerce Foundation, mobile food vendors have increased in population and popularity over the past 15 years, as mobile facilities provide a more affordable path for chefs and cooks to start businesses in the food industry, compared to storefront locations. As the City observed at the start of the COVID-19 pandemic, mobile food vendors, and particularly food trucks, provided an innovative means for beverage manufacturers to partner with the mobile businesses to create a mutual benefit in operations while also creating a unique customer experience.

#### **FISCAL IMPACT/FUNDING SOURCE:**

Staff anticipates minor fiscal impacts to the General Fund, associated with costs to administer the permitting process. However, this cost would be offset by payment of application fees by mobile food

vendors requesting City approval to operate these facilities on private property. There would also be a small increase in commercial tax revenue from mobile food vendors obtaining business licenses to operate and sales tax associated with the food service operation.

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**Department Head Approval Date:**

**Finance Approval Date:**

**City Attorney Approval Date:**

**City Manager Approval Date: 08/04/2024**

**Attachments:**

1. Guidelines for Permitting of Mobile Food Vendors on Private Property

## CITY OF ROHNERT PARK

### GUIDELINES FOR PERMITTING OF MOBILE FOOD VENDORS ON PRIVATE PROPERTY

These guidelines shall be used in the processing of permits for mobile food vendors on private property in order to provide a standardized and consistent review process. The guidelines below consist of standards established in the City of Rohnert Park Municipal Code and include additional requirements that will serve as standard conditions of approval for these types of facilities.

A mobile food vendor, defined as a mobile structure from which food or food products are sold or offered for sale, may be located on private property where outdoor café's are listed as permitted with Administrative Permit (A) and in compliance with the development standards, design criteria, and operational requirements identified below.

#### APPLICATION SUBMITTAL REQUIREMENTS

Administrative review by the Director of Development Services is required. Applications shall include the following:

- [Administrative Permit Application](#)
- A copy of written approval of the property owner.
- Site Plan/Landscape plan that shows landscaping, location of outdoor seating, parking and driveway access, food vendor equipment, bathrooms, and garbage.
- Elevation drawings and three-dimensional graphics to adequately show fencing, signage, and other design elements.
- Elevation drawings of any accessory structure
- Confirmation that all prefabricated structures have the appropriate listing for the type of use.
- Project Narrative describing proposed operation and compliance with the requirements for mobile food vendor use.

#### DEVELOPMENT STANDARDS AND DESIGN CRITERIA

The mobile food vendor shall comply with the following standards and criteria:

- 1) *Types of Structures Allowed.* Mobile/prefabricated structures must be approved for commercial use by Housing and Community Development and must have an HCD insignia prior to locating on property. No food may be sold from a vehicle used as a dwelling or recreational vehicle. Tables and chairs shall meet the requirements shown below.

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- 2) *Setbacks.* Setbacks shall comply with the setback requirements of the applicable zoning district as outlined in Chapter 17 of the Rohnert Park Municipal code.
  
- 3) *Separation Between Structures.* The minimum separation between structures shall be as follows:
  - A) Ten feet between each mobile food structure and ten feet from any building located on site.
  
- 4) *Separation from other businesses.* Mobile food vendor facilities shall be located at least 200 feet from another food vendor or other food service business. Separation requirements shall be between the food vendor facilities and not from property lines.
  
- 5) *Parking* shall comply with Chapter 17.16 of the Rohnert Park Municipal Code and shall include the following:
  - A) Parking lot surface shall be paved with concrete, asphalt, or other all-weather material.
  
  - B) *Parking Spaces.* Parking shall meet the minimum parking requirements established by 17.16 of the Rohnert Park Municipal Code. At least one bicycle parking space shall be required for every fifteen off-street vehicle parking spaces required, but no less than two spaces shall be provided.
  
  - C) A reduction in the total parking space requirement may be allowed for the following:
    - i) Shared parking arrangements with adjacent parcel. A 10% reduction in parking may be allowed when users share a common parking area and parking demand occurs over different time periods.
    - ii) Bicycle Parking as an alternative. A 25% reduction in parking may be allowed if bicycle parking is provided at a ratio of 1.5 parking spaces for each 1 vehicle parking space.
  
- 6) *Landscaping.* Site landscaping shall meet the following requirements:
  - A) Parking lot trees shall be provided at a minimum ratio of one tree for every four parking spaces.
  
  - B) No more than six consecutive parking spaces should be allowed in any row of parking without a tree well or tree well finger from a landscape strip.
  
  - C) The end of each row of parking stalls shall be separated from driveways by a landscaped planter with a preferred width of five feet.
  
  - D) Additional trees. Landscaping shall be installed within any outdoor seating area.
  
- 7) *Walking surface.* Any **new** walking surfaces and ground surface in the outdoor eating areas shall be semi permeable material such as pavers or decomposed granite.
  
- 8) *Outdoor Seating.* Any outdoor tables and chairs shall be of high quality durable material such as wood or metal and shall be able to withstand heavy winds (see examples below). Outdoor furniture shall be permanently installed on pavement or concrete or other hard surface. Tables and Chairs shall be maintained in a clean manner and painted as needed.

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- 9) *Fence height.* Fence height shall comply with the following:
- A) Front yard and street side yard. Front and street side yard fencing shall be no taller than 3 feet in height unless a taller fence height is required by the Director.
  - B) Rear and Interior Side yard. Side yard fencing shall be no taller than six (6) feet in height.
  - C) All fences shall maintain a minimum three-foot clearance from any fire hydrant
  - D) Fencing along the street front and side yards shall be open fencing to provide visibility to the property and may include the following:

Example 1. Wood and Wire fence; heavy gauge



Example 2. Wrought



- 10) *Lighting.* Lighting shall consist of low profile downfacing bollard type lighting. See examples



- 11) *Signage.* One freestanding sign is allowed for each food vendor location. Freestanding signs shall not exceed a height of 8 feet and shall not exceed an area of .25 square feet per

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each linear feet of property line adjoining a street. Signs must comply with RMPC section 17.27.070

## **OPERATIONAL CONDITIONS.**

Mobile food vendor operators shall comply with the following conditions:

*Hours of operation.* Hours of operation shall be between 7:00 AM and 10:00 PM daily. The site shall be secured and non-stationary equipment removed by 10:00 PM.

*Bathroom facilities.* Bathroom facilities shall be located either on-site or within 350 feet of the site. An agreement for the use of properly operating restroom facilities within 350 feet of the mobile food vendor location shall be maintained at all times.

*No Public Right-of-Way.* The use shall be conducted entirely upon private property and not within any public right-of-way.

*Fire Safety.* Applicant shall comply with all fire safety requirements as determined by the City of Rohnert Park Fire Marshal.

*Building Permits.* Applicant must comply with applicable building code requirements as determined by the Chief Building Official.

*Litter Removal.* The food vendor area and surrounding property within twenty-five-foot radius of the vending location shall be maintained free of litter caused by food vendors at all times. Food vendors shall not discharge any liquid (e.g., water, grease, oil, etc.) onto or into city streets, storm drains, catch basins, or sewer facilities.

*Noise.* The food vendors shall abide by noise limits established by 9.44 of the Rohnert Park Municipal Code. Live entertainment may be allowed with prior Planning Commission approval. No amplified music or loudspeakers shall be permitted.

*Additional Conditions and Requirements.* Additional requirements and conditions may be required at the discretion of the Director.

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