



MOBILE FOOD VENDING IN PD8 COMMUTER LOTS CHAPTER 765 OF THE 2016 ACTS OF ASSEMBLY

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Chapter 765

- Chapter 765 requires Commonwealth Transportation Board to allow mobile food vending in Planning District 8 (NoVA) Commuter Lots
 - Vendor must have
 - Permit from Department of Health
 - Permission from local government
 - VDOT to develop guidelines consistent with Board's regulations
 - Parking Lots and Environs (24 VAC 30-100)
 - Land Use Permit Regulations (24 VAC 30-151)
 - Guidelines shall allow for
 - Issuance of land use permits
 - Criteria to preserve the safety, operation, and function of lots
 - Address other issues related to permit issuance
 - Regulatory actions exempt from Administrative Process Act



Factors to Consider

- VDOT owns or operates 27 commuter lots in NoVA
- FHWA prohibits vending on Interstate Right of Way
 - 2.5 lots considered Interstate R/W
- FHWA requires market rate fees for fringe lots
 - 7 lots considered “fringe”
 - Market rate
 - Based upon average square-foot “lease” rates: ~ \$200 per year
 - Similar permits
 - Fairfax County Park Authority: \$150 permit + \$150/month
 - City of Richmond: \$225 annual fee
- Most lots have limited space available for safe vending



Comments

- VDOT solicited comments in 2016
 - Through Regulatory Town Hall and notice submitted to *The Virginia Register*
 - From Fairfax, Loudoun, and Prince William County governments
 - From DC/Maryland/Virginia Mobile Food Truck Association
 - From Potomac-Rappahannock Transportation Commission
 - From interested parties assembled by bill sponsor
 - Mobile food vendors
 - VA StrEats (mobile food event coordinators)
- Summary of comments
 - Preserve operation of lots
 - Limit number of vendors in each lot
 - Have shortest possible term for permits
 - Interest for food-van type vending

Recommendations

- Changes to Land Use Permit Regulations (24VAC30-151)
 - Adjust permit fee schedule (\$200 per commuter lot food permit)
 - Link to Rules and Regulations for the Administration of Parking Lots and Environs
- Changes to Rules and Regulations for the Administration of Parking Lots and Environs (2VAC30-100)
 - Prohibit vending in lots that
 - Are part of the Interstate
 - Have occupancy rate of 98% or greater (unless vendor does not use parking)
 - Locality requests no vending
 - Vending requirements
 - One vendor per lot on weekdays
 - Vendor must have Health Dept and locality approval
 - Vendor prohibited from posting advertisements in lot

Recommendations (cont'd)

- Vendor must follow permit conditions
- Vending to pedestrians only (not directly to vehicles)
- Vending to not interfere with operation of the lot
- Land use permit conditions to cover
 - Location of vending unit
 - Disposal of litter
 - Vending times (hours of operation)
 - Insurance
 - Surety
- Board approval of regulatory changes is required