



2012 AICP COMMUNITY PLANNING WORKSHOP

**Green Cart Initiative
Boyle Heights – City of Los Angeles**

Briefing Booklet

The American Institute of Certified Planners (AICP), in coordination with the Los Angeles Local Host Committee prepared this briefing book to prepare participants for the 2012 Community Planning Workshop during the APA National Planning Conference.

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COMMUNITY PLANNING ASSISTANCE BACKGROUND

History

In the early 1990s, the American Planning Association took aim at issues of social equity in planning and development, the APA Executive Board established a “Community Planning Team” initiative in 1995, which resulted in a very successful pro bono effort to assist an economically struggling African American community in North Carolina. The American Institute of Certified Planners continues to develop a pro bono planning program, providing assistance to communities in need. As part of the pro bono services, in 2001 AICP began sponsoring one-day workshops at the APA National Planning Conference. Previous workshops associated with the National Planning Conference have been held in: Boston (2011), New Orleans (2010), Minneapolis (2009), Las Vegas (2008), Philadelphia (2007), San Antonio (2006), Oakland (2005), Washington, D.C. (2004), Denver (2003), and Chicago (2002).

Underlying Purpose and Outcomes

The purpose of the community planning workshop is to address local planning issues that would benefit from a focused one-day effort involving community members, local planning staff, and APA “volunteers” from all over the country. The community planning workshops are designed to assist a community that does not have all of the necessary resources to engage in the community planning process.

It is expected that the workshop will:

- Provide transferable assistance regarding a planning issue of critical importance to the designated community,
- Provide training on techniques for conducting a successful workshop or charrette,
- Serve as a legacy of the national planning conference for the host city and local community,
- Highlight the capabilities of the planning profession,
- Visibly demonstrate planning to the public, and
- Provide training for both the practitioners and the community on public consensus while honing skills in community participation and problem solving.

Beyond Community Assistance Workshops at the National APA Conference

The AICP Commission is committed to the Community Assistance Program (CAP), and the organization hopes that additional resources might be secured to send Planning Assistance Teams to cities and towns struggling with issues of social equity. Like APA's Great Places in America program, CAP has the potential to capture public attention and increase understanding of how planning can inspire communities and spur stakeholders into action. Tomorrow's Great Place could well be the neighborhood hosting today's Planning Assistance Team.

As we work to create a broader and more robust program, it is important that we distinguish our efforts from the pro bono efforts of other organizations. What we bring to the table is different and, in many ways, more valuable. Our program will not be the right fit for every community, but for those that are committed to dealing with issues of social equity, our Planning Assistance Teams can help crystallize their visions and propose methods and means for ultimately achieving them.

Along with AICP, a few of APA's Chapters currently have pro bono planning programs of their own. The Illinois and Washington Chapters both operate thriving pro bono programs that send teams of

planners into communities within their states. Their successes have set a standard that is inspiring other chapters to consider establishing organized pro bono planning programs of their own. Community by community, we are working to diminish inequities in the distribution of public investment; improve the quality of and access to facilities; create more sustainable neighborhoods; improve access to transportation, health care, and social services; create jobs and stronger commercial districts; and enhance safety and environmental quality.

Watch out for opportunities to volunteer in your chapter or in our expanding CAP program. The potential benefits — to you, to our organization, and to CAP communities — are inestimable.

To learn more about the 2012 program and view reports from previous programs, please visit www.planning.org/communityassistance/index.htm.

2012 COMMUNITY PLANNING WORKSHOP – LOS ANGELES: GREEN CARTS IN BOYLE HEIGHTS

Workshop Summary

Many urban neighborhoods throughout the United States suffer from a lack of healthy food choices. The Boyle Heights neighborhood of Los Angeles is no exception. The largely Latino community has access to few affordable healthy food choices. The City of Los Angeles prohibits street vendors and therefore limits one option for providing affordable healthy and easily accessible food choices for its urban neighborhoods such as Boyle Heights.

The 2012 Community Planning Workshop – Green Carts in Boyle Heights – is designed to address this issue head on, with participation from local community leaders and advocates. Key questions to be answered during the day:

- How can Boyle Heights become an example of community stakeholders and City leaders coming together to provide healthy food options for its community
- How can street vendors be incentivized to serve healthy food options?
- How can street vendors be incorporated into existing physical infrastructure? What are ways that their businesses can compliment established brick and mortar businesses?
- What are the obstacles to progress?
- What are the specific and actionable steps to improve the quality and affordability of foods available?

The Green Cart Initiative is an exciting grass roots effort to legalize street vending and find ways to engage vendors in fighting food deserts. Leadership for Urban Renewal Now (LURN) is leading an effort underway to change these conditions and provide opportunities for healthy and affordable food choices within the community. The Workshop is intended to develop practical “on-the-ground” strategies to provide healthy food cart vending options and overcome legislative obstacles while engaging residents in the process.

APA’s Workshop Partner – LURN

“LURN’s mission is to bring people together to design, build and promote sustainable communities that help everyone live their best lives.” LURN is advocating for a municipal policy that incorporates street vendors in the formal economy and engages their efforts in fighting food deserts. The organization is also in the process of launching a design competition that will challenge architects and builders to develop a home for a low-income family for under \$100,000.
<http://www.lurnnetwork.org/>

Framing the Issues

Among the myriad of issues affecting low-income communities, health and economics has taken a front seat in the movement to help the working poor move up the economic ladder. In neighborhoods like Boyle Heights, residents are experiencing extraordinary rates of diabetes, obesity, and heart disease. What's more, sparse green space and few healthy restaurants and grocery stores offer limited options for residents to adopt healthy behaviors. In fact, many of these communities have been given the unfortunate distinction of being "food deserts."

Simultaneously, tensions have been rising around street vendors in some low-income communities. These vendors, operating their micro-businesses illegally, have become a staple in certain neighborhoods of Los Angeles, leveraging their mobile carts and trucks to sell affordable food to the untapped consumer base. Unfortunately, much of the food sold is unhealthy, prepared under questionable standards, and often in direct competition with brick and mortar businesses that have staked their claim to serving the community.

But there is new momentum around these challenges. Regional Institutions and elected officials like the California Endowment, the Mayor's Office, and the Office of the First Lady have committed themselves to addressing the issues of health, and the various factors that influence healthy behaviors. And local elected officials have highlighted the importance of supporting small businesses and empowering people with the resources they need to maintain their families. LURN believes that the "Green Cart Program" can be an important initiative that supports local entrepreneurs and capacity building among street vendors and establishes mobile outlets for healthy food.

LURN's efforts are aimed at legalizing street vending on city public right of ways like sidewalks. Unfortunately, selling on areas such as sidewalks is not permitted in the City of Los Angeles. LURN believes that street vending will not only create jobs in the areas with record unemployment, but it can also be an infrastructure to provide healthy food in food deserts.

If successful, a "Green Cart" Ordinance will not only formalize the role of these micro-entrepreneurs in the local economy, these "green carts" will act as a mobile infrastructure that will offer healthy food alternatives for residents throughout the City.

Workshop Objectives

Street Vending in Los Angeles: What is legal versus what makes for an active vibrant community?

The legal picture - In the City of Los Angeles, street vending is largely illegal and those who do it are referred to as peddlers, someone who is engaged in the business of itinerant peddling, selling, hawking, or vending of any items, according to the City municipal code. The actions of these hawkers and peddlers have caused controversy due to unwanted crowds at schools, excessive noise from unlicensed taco trucks, and littering to name a few of the problems associated with the street based businesses.

In Boyle Heights, illegal vending has occurred near Whittier Boulevard, where police officers in conjunction with county officials cracked down on illegal vending. Many local businesses support the regulation of street vending, because it will limit the unfair advantage of businesses that do not comply with the law. Legal businesses are often required to pay substantial license fees and meet

health and safety requirements. But street vendors largely go unchecked and can operate at an advantage to regulated businesses.

Making vibrant communities - large segments of the population are in favor of the entrepreneurial spirit of street vendors and the service they provide to the community. Vendors temporarily transform the urban landscape by adding a rhythmic activity to the street. Street vendors in Latino Los Angeles add an importance to the streets by bringing services to people and making public areas more active. Cities with legal ordinances have seen crime rates drop because of the increase in pedestrian traffic. Their ephemeral nature bonds people and the place together.

Outcomes: Set forth the outline and critical elements of a comprehensive amendment or new elements to the City of Los Angeles Municipal Code that legalizes street vending.



Photos from <http://www.losentrepreneurs.org/>

BACKGROUND INFORMATION

APA Policy Guide – Community and Regional Food Planning

This Policy Guide (adopted 207) on community and regional food planning presents seven general policies, each divided into several specific policies. For each specific policy, a number of roles planners can play are suggested. The seven general policies are:

1. Support comprehensive food planning process at the community and regional levels;
2. Support strengthening the local and regional economy by promoting local and regional food systems;
3. Support food systems that improve the health of the region's residents;
4. Support food systems that are ecologically sustainable;
5. Support food systems that are equitable and just;
6. Support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities;
7. Support the development of state and federal legislation to facilitate community and regional food planning discussed in general policies #1 through #6.

The Policy Guide in its entirety is included as Appendix D to this Briefing Booklet.

APA PAS Report 554 - A Planners Guide to Community and Regional Food Planning: Transforming Food Environments, Facilitating Healthy Eating (2008)

Chapter 1 of the Report summarizes why food, health, eating, and planning.

Food nourishes us, enriches our celebrations, and sustains life itself. Yet not everyone in the U.S. has access to foods that nourish. Some of us live in neighborhoods where grocery stores carry a greater variety of potato chips than vegetables, while some of us cannot afford vegetables, even when they are available. The quality of food environments in places where people live, work, and play carries significant health consequences. Through community and regional planning that examines food quality and availability systematically, planners can play a significant role in shaping the food environment of communities, and thereby facilitating healthy eating. Drawing lessons from six case studies of communities nationwide, this report outlines strategies that planners can adopt to facilitate healthy eating through community and regional food planning.

APA PAS Report 509 – Street Vending, A Survey of Ideas and Lessons for Planners (2002)

This report outline economic development issues and design and operational issues related to street vending, as well as provides a case study of the City of Atlanta, and concludes with recommendations for planners. The author reminds us “that street vending is an excellent business incubator for entrepreneurs – especially for minority businesspeople and people with developmental disabilities...”

Existing Policy in Los Angeles Municipal Code

City of Los Angeles Municipal Code Chapter IV, Article 2, Section 42.00 (Regulation of Soliciting and Sales in Streets/City of Los Angeles Special Vending District Ordinance (Ordinance No. 169319, Effective 2/18/94) (Appendix L)

Ordinance No. 169319: An ordinance amending Section 42.00 of the Los Angeles Municipal Code with respect to sidewalk vending. Section 1. Subsection (b) of Section 42.00 of the Los Angeles Municipal Code was amended to read:

(b) **Street Sale of Goods Prohibited.** (Amended by Ord. No. 169,319, Eff. 2/18/94.) No person, except as otherwise permitted by this section, shall on any sidewalk or street offer for sale, solicit the sale of, announce by any means the availability of, or have in his or her possession, control or custody, whether upon his or her person or upon some other animate or inanimate object, any goods, wares or merchandise which the public may purchase at any time. This subsection shall not apply to the sale of poppies, badges and labels as defined by Military and Veterans Code Section 1800 on a parkway or sidewalk by persons bearing a valid information card issued pursuant to Article 4 of this chapter authorizing such person to do so.

LURN: Green Cart Program

The purpose of LURN's Green Cart Program is to promote and empower street vendors as valuable micro-entrepreneurs in the City while establishing a permitting system for their activity and a gateway for healthy food delivery in the City's "food deserts." The Green Cart Program's intentions are to:

- Authorize 1,000 permits as part of a pilot phase in certain districts of Los Angeles through a City ordinance.
- Require that participating vendors abide by the appropriate business and food handling laws.
- Incentivize the selling of healthy food in target "Green Cart Districts."
- Encourage entrepreneurship in areas with high unemployment rates.
- Attract patrons from outside of these communities to enjoy a "street vending food culture."
- Establish a "Green Cart Fund" to provide seed capital to budding entrepreneurs who are interested in participating in the program, and to help establish pipelines between local vendors and regional distributors of healthy food.
- Build partnerships with local influencers to employ "eyes on the street" enforcement of vendors who are not participating in the program in certain target areas.
- Evaluate successes of the pilot phase, and plan for a citywide expansion and implementation of the Green Cart Ordinance.

Preliminarily, LURN has chosen Boyle Heights as a first site. This neighborhood, home to over 90,000 residents, has been one of the most marginalized communities in the history of Los Angeles. Despite a tremendous purchasing power, the area is sorely lacking in investment from grocery retailers, and health indicators are among the worst in the City. Boyle Heights also has a thriving street vendor culture, and has served as the setting for the emerging debate about the role of street vendors in the City's business community. The program will attempt to leverage existing systems and legislation wherever possible to develop an initiative that is trailblazing, reform-minded and focused on serving the community.

Street Vending in Boyle Heights – Examining the Challenges and Opportunities

School of Policy, Planning, and Development – University of Southern California

Currently, in Boyle Heights, there is a high concentration of street vendors, which comprise part of the informal economy. The informal economy is composed of "economic activities that operate outside the national and local legislative or regulatory contexts." Immigrants seeking job opportunities as a

means of income contribute to the creation of the informal economy, which is often shaped by cultural and traditional practices from their countries of origin. In Boyle Heights, this is evident since the majority of street vendors are Latino immigrants. Through preliminary research, several advantages and disadvantages of street vending have been identified, which influence the actions of the key stakeholders across the public and private sectors, and the community of Boyle Heights. These advantages and disadvantages include:

Advantages

- Provides affordable products and services
- Provides job opportunities
- Increases foot traffic

Disadvantages

- Risk to public health
- Effect on public safety
- Generates unfair competition

Analysis of Key Findings

The results of the research conducted provided the following key findings:

1. Need to Coordinate Key Resources – our research has found that past efforts to coordinate a program for vendors have failed due to lack of resources such as funding and enforcement. There is a need to provide enforcement to monitor legal vending and prevent competition from illegal vending.
2. Need for Stakeholder Collaboration – our research has found that past efforts had a lack of oversight to address the issue along with a lack of systematic program management. Since stakeholders have a heavy reliance on one another for resources, it is very important to coordinate collaboration among stakeholders to effectively allocate resources.
3. Need for Public and Vendor Education – our research has found the need to educate both the vendors and the public on proper compliance with any proposed initiative or program exists. Once an initiative or program is established, workshops are useful tools to provide information on helpful topics.
4. Need for a Vending Location – our research has found that a vending location is needed in order to mitigate harms that vendors may cause such as pollution and competition with indoor businesses. However, strategic planning for designating vending location and allocating vendors are significant challenges and will need further research to find the right location.
5. Need for Street Vendor Outreach Efforts – our research has found that past programs didn't have sufficient outreach efforts done in order to encourage street vendor participation. Overall, program benefits and incentives may be needed in order to increase vendor participation.

Recommendation

Establish a “Street Vendor Council” as an independent advisory body with a central facilitator to encourage stakeholder collaboration and lead in effectively allocating resources and developing a mutual goal.

Mobile Vending Laws in the 10 Most Populous Cities (Appendix E)

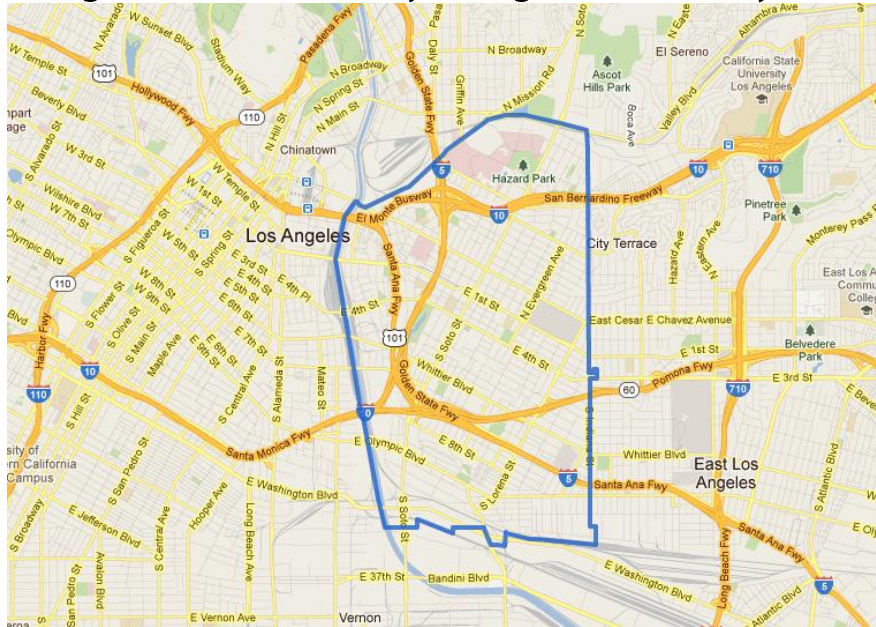
The chart provides a summary by city, which includes Los Angeles, with the following criteria:

- Nutrition Incentives
- Restrictions on Vendor Proximity to Schools
- Restrictions on Duration of Vendor Stops
- Hours When Vendors are Allowed to Operate
- Are Vendors Subject to Inspection
- Are Vendors Required to Operate from a Commissary?
- Other Special Regulations
- Fees for Mobile Vendor Permits or License



Photo from <http://www.losentrepreneurs.org/>

Background about the Boyle Heights Community



Map showing the boundaries of the Boyle Heights neighborhood. Source: Los Angeles Times.

Boyle Heights is a neighborhood of close to 100,000 people located along the eastern border of the City of Los Angeles. It is primarily made up of working class Latino residents; as of 2011, 95 % of the community was Hispanic and Latino. According to the 2000 Census, the most common ancestry of neighborhood residents was Mexican (82%) and over half of the population was foreign born, mostly in Mexico or El Salvador.

In comparison to the rest of the city (as of the 2000 Census), Boyle Heights is more densely populated (roughly 14,000 per square mile), has a large average household size (3.8 people per household), has a low household median income (\$33,235), and has a low proportion of the adult population with four-year degrees (5% of residents who are 25 and older).

Boyle Heights has a rich history dating back to the mid-19th century. The land was originally settled by Andrew A. Boyle, an Irish immigrant who planted vineyards and operated a shoe store there. His son-in-law and former City Mayor, William Henry Workman, subdivided part of the property and gave it its current name. During the late 19th century Boyle Heights became one of the first suburbs of Los Angeles and was a desirable location for middle and upper income whites.

During the early 20th Century Boyle Heights transformed into a diverse community of Japanese, Russian and Mexican immigrants, as well as African Americans; in the late 1920s it became home to the largest Jewish community west of Chicago.

According to sociologist Bruce Phillips, redlining and freeway construction forced much of the Jewish population out of the neighborhood. These factors along with the poor economic conditions and civil strife in Mexico and Central America during the 1970s helped facilitate the transformation of Boyle Heights into the predominantly Hispanic neighborhood that it is today.

Full community housing and demographic profiles are included in Appendix B and C.

Web-based Perspectives on Boyle Heights

Boyle Heights Neighborhood Council

<http://www.boyleheightsnc.com/>

Boyle Heights Historical Society

<http://boyleheightshistoricalsociety.org/page1.php>

Mariachi Plaza

<http://www.mariachiplazalosangeles.com/>

Blog from Good Food Preservation on restaurants in Boyle Heights

<http://www.goodfoodpreservation.com/2012/01/20/my-los-angeles-boyle-heights/>

Article from the LA Times shedding light on the history and transformation of Boyle Heights

<http://articles.latimes.com/2011/dec/09/local/la-me-tobar-20111209>

WORKSHOP SCHEDULE AND DETAILS

Workshop Schedule

- Leave Los Angeles Convention Center via bus to travel to and tour the Boyle Heights Community
- Bus and Walking Tour of Boyle Heights to see up close the community
- Assemble at Meeting Place
 - Frame the Issue
 - Street Vending – currently illegal in the City of Los Angeles – what does the current code allow
 - Neighborhood Conditions – high unemployment
 - Food Dessert – no access to healthy foods
 - Discuss Workshop Objective: Identify the outline and key components of an ordinance that would incorporate street vending into the physical environment of Boyle Heights.
- Work Session #1 (Breakout)
 - How do we legalize street vending?
 - How do we incentives healthy food choices for vendors?
 - Should vendors pay pees (business license, taxes, etc.)?
 - Components for new ordinance or update to existing ordinance
 - Identify next steps to implement Green Cart Program
- Lunch Break – catered –
- Work Session #1 (Continued)
 - Continuation of Morning Work Session
- Reports from Work Session #1
- Work Session #2 (Breakout)
 - Participants to create/sketch/describe ideas to incorporate street vendors into existing built environment in Boyle Heights.
- Group Summation
- Reception at Self-Help Graphics
- Gold Line (Metro) return to Los Angeles Convention Center

Participants

The workshop will include approximately 30 urban planning professionals from across the country, 6-10 workshop committee members, and 10-20 local stakeholders.

Workshop Date and Location

The workshop will take place on Saturday, April 14, 2012. Participants must arrive at the Los Angeles Convention Center no later than 8:15 am, where a bus will be waiting to take the group to Boyle Heights. The workshop will end at 4:30 pm in Boyle Heights where participants will be guided to return on Los Angeles' growing and connected mass transit system via the Gold Line and Red Line and return to the Convention Center by 5:30 pm.

The workshop portion of the day will be held at:

Self Help Graphics and Art, Inc.
1300 East 1st Street
Los Angeles, CA 90033
323.881.6444

Ground Rules

In order for the day to go smoothly and effectively, the following are ground rules for the workshop:

- There are no observers. This is a participation exercise. Everyone is encouraged and welcome to join in and everyone has something to contribute. This is a unique opportunity for planning professionals from around the country to make a measurable difference on the ground in this unique and vibrant Los Angeles neighborhood.
- There are no right or wrong answers as we think about the future of food vending in Los Angeles.
- Respect the opinion of others. Encourage others to participate.
- Commit yourself to a team approach – together we can generate ideas and options and set the community on the path to successful change.
- Think in terms of how to make things happen (measurable and actionable outcomes are key).
- If you came with another member of your neighborhood group or the same organization – consider splitting up into different breakout groups to spread your knowledge, experience and input.

Break-Out Group Sessions

Community representatives – include how long you have lived in the Boyle Heights area, what brings you to the workshop, what you hope to achieve, etc.

Planners – identify where you come from, where you work, what you do in your profession, and why you came to this workshop, etc.

Select both a record keeper and a spokesperson:

The record keeper's job is to accurately capture and record the major points of discussion. The record keeper needs to be a good listener and be able to quickly record key points.

The spokesperson's responsibility will be to report back to the entire group of attendees after reconvening on the outcomes of each break-out group. Local community members are encouraged to take on this role.

Also:

- Take some time to clearly state the issue for discussion.
- If you do not understand anything presented – do ask for clarification.
- Challenge your fellow participants to think outside the box and focus on actionable tasks/outcomes.
- Do not dominate the discussion.
- Think in terms of doable steps in recommending approaches and setting priorities.

Large Group Session(s)

The spokesperson in each break-out group should be ready to report. If they need some help in clearly presenting the findings of the group, do help them along.

Also:

- Listen to the presentation.
- Contribute to the general discussion.
- Ask for clarification as needed. There are no dumb questions.
- Be respectful of others' perspectives.
- Try not to be repetitive, but build on the discussion of others.

Follow-Up and Outcomes

Following the workshop, the AICP Workshop Committee and APA staff will produce a final report that will capture the project background, recommendations, phasing, and implementation strategies. In the past, participants have used the workshop as an opportunity to organize additional work on the project. These efforts will be of particular value in the Boyle Heights example because the purpose of the workshop is exactly that...to move the agenda of healthy food choices through street vending forward in the City of Los Angeles. Some efforts on past AICP Workshops have been:

- Identifying a strong team of speakers to present the workshop recommendations to elected officials and city agencies.
- Identifying a select group of planners to keep in touch with the community for follow-up consultations and advice for implementation.

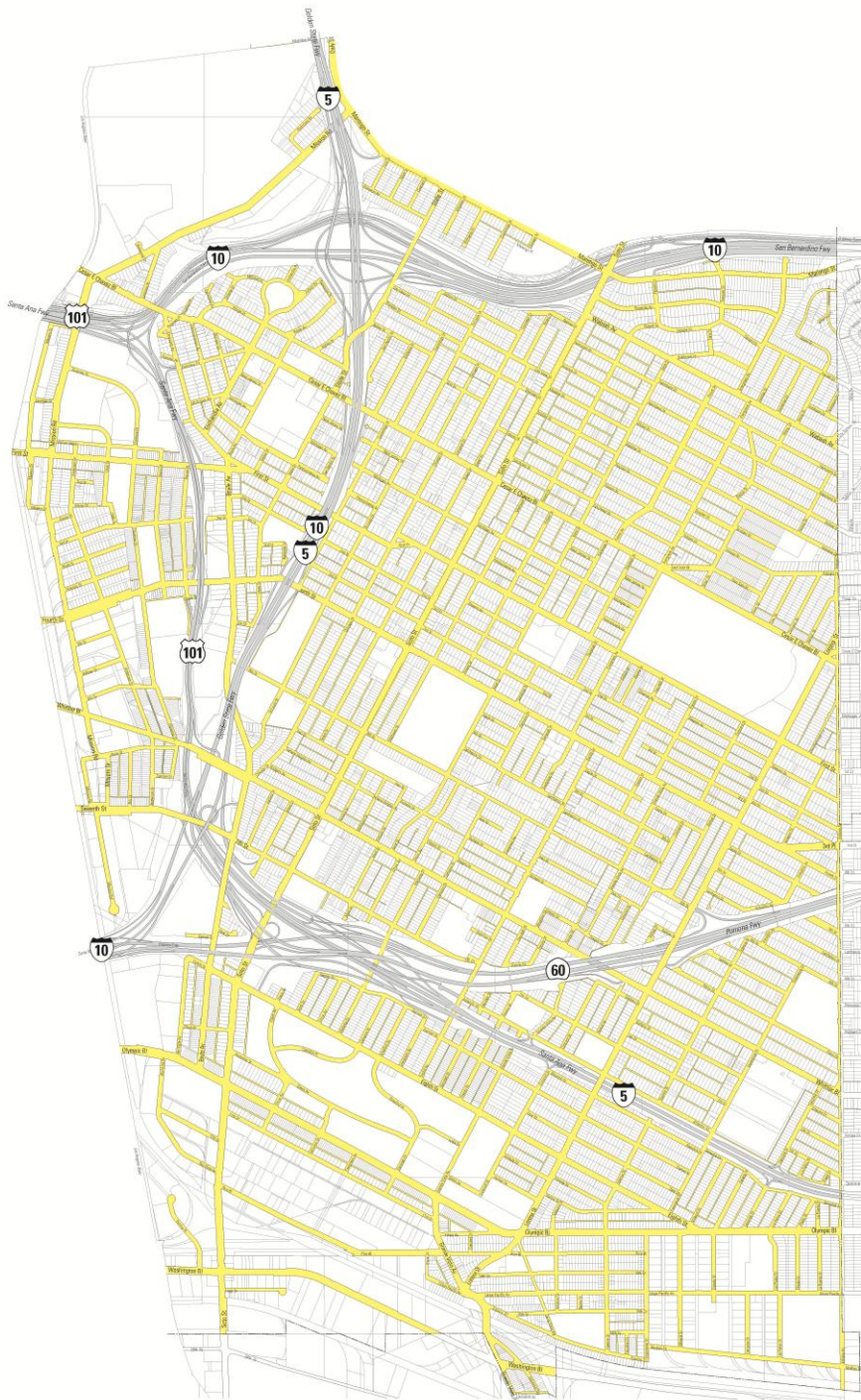
AICP Certification Maintenance (CM) Credit

The 2012 AICP Community Planning Workshop is eligible for 4 CM Credits. The workshop fulfills the following educational objective:

Participants will gain the knowledge and hands on experience and have the practices tools to organize and execute pro-bono/Community Assistance workshops in their own communities.

Participants will also gain knowledge of challenges of healthy urban food choices and street vending, and develop actionable strategies to address these issues in Los Angeles and in their own communities.

APPENDIX A: COMMUNITY MAPS

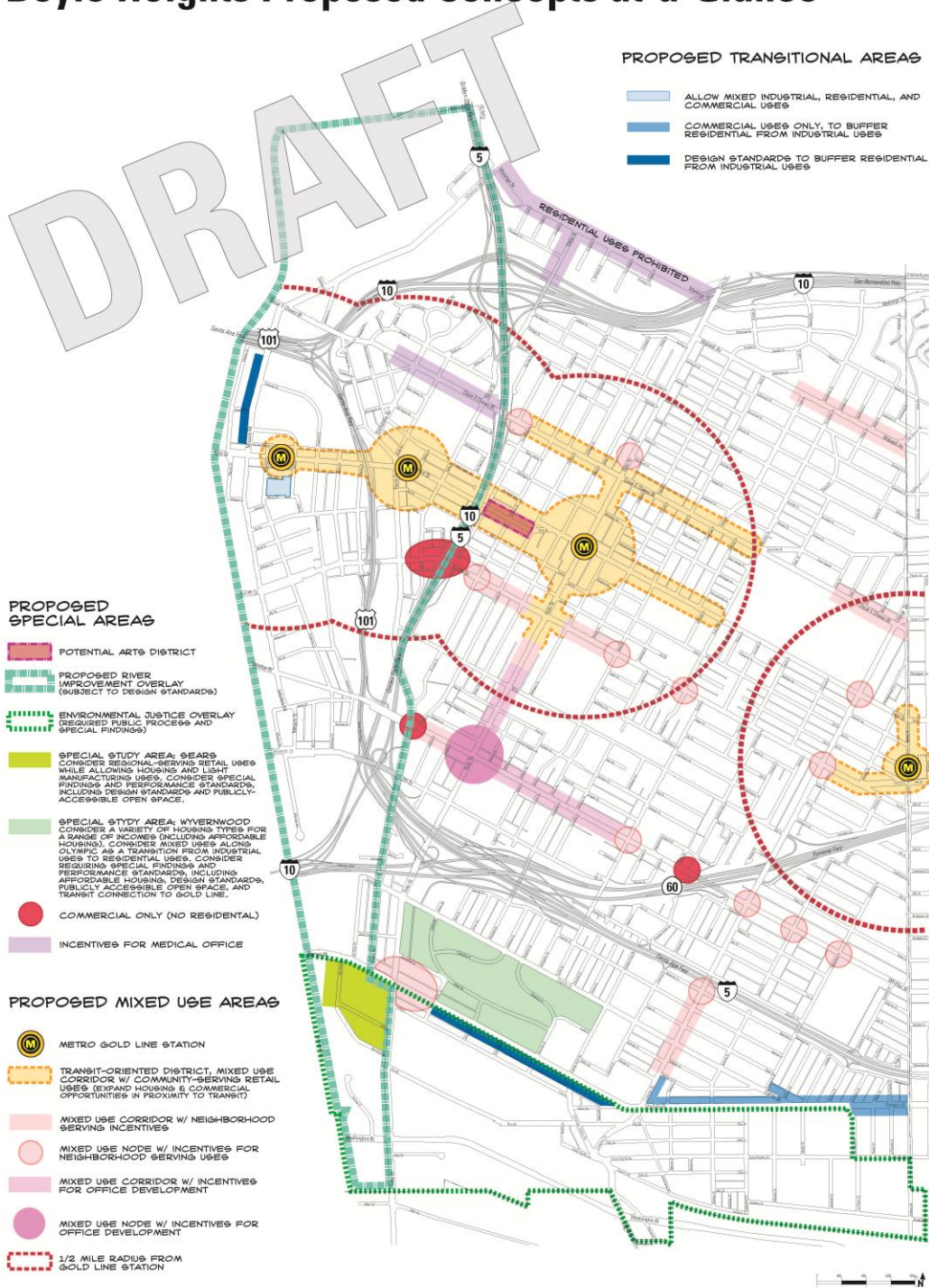


Base Map
Boyle Heights Community Plan Area

Prepared by Los Angeles Department of City Planning • Graphics Services Section • September, 2007



Boyle Heights Proposed Concepts at-a-Glance



Boyle Heights Community Plan Area

Prepared by Los Angeles Department of City Planning • Graphic Services Section • January, 2009

Base Map
Boyle Heights Community Plan
(Case No. CPC-2007-5599-CPU)



Not to scale 

Prepared by Los Angeles Department of City Planning • Graphic Services Section • October 2008

APPENDIX B: COMMUNITY DEMOGRAPHICS PROFILE

CITY of LOS ANGELES CENSUS 2000 STATISTICAL PROFILE

Boyle Heights Community Plan Area

6.67 square mile study area (approx.)

[Population/Housing Statistics...](#)

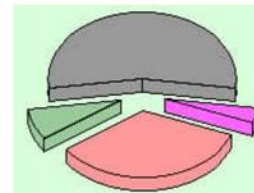
[More Local Statistics...](#)

GENERAL POPULATION INFO ¹

POPULATION	Total	Resident	Group Qtrs	Voting Age	Native-Born	Naturalized	Noncitizen
Population	86,735	84,863	1,872	57,174	40,794	11,110	34,712
Population Share (%)	100.00	97.84	2.16	65.92	47.03	12.81	40.02
Popltn Density (/sqmi)	12,997	12,716	280	8,567	6,113	1,665	5,201

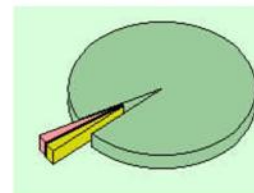
RACE/ETHNICITY: Hispanic or Latino ²

RACIAL IDENTITY	Persons	%Population	Legend
White	30,355	35.00%	<input type="checkbox"/>
Multiracial	3,629	4.18%	<input type="checkbox"/>
Other Races	46,237	53.31%	<input type="checkbox"/>
Nonhispanic and Nonlatino ³	6,513	7.51%	<input type="checkbox"/>



RACE/ETHNICITY: Nonhispanic and Nonlatino ²

RACIAL IDENTITY	Persons	%Population	Legend
Asian	2,116	2.44%	<input type="checkbox"/>
Hispanic or Latino	81,292	93.72%	<input type="checkbox"/>
White	1,891	2.18%	<input type="checkbox"/>
Other Races ³	1,437	1.66%	<input type="checkbox"/>



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Prepared by: Los Angeles Department of City Planning / Demographic Research Unit / February 2012

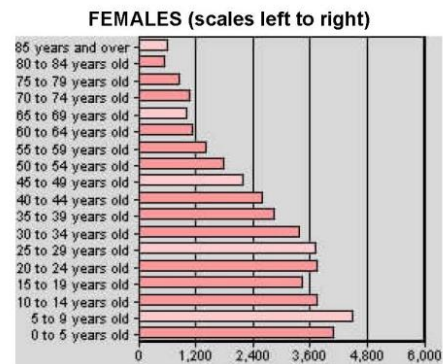
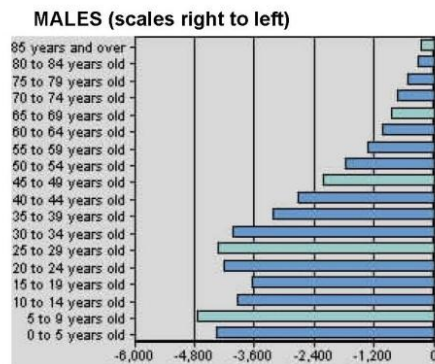


CITY of LOS ANGELES CENSUS 2000 STATISTICAL PROFILE

Boyle Heights Community Plan Area (cont'd)

AGE GROUPS by GENDER ⁴

TOTAL MALES	44,062	50.8%	TOTAL FEMALES	42,673	49.2%
0 to 5 years old	4,350	5.0%	0 to 5 years old	4,091	4.7%
5 to 9 years old	4,723	5.4%	5 to 9 years old	4,491	5.2%
10 to 14 years old	3,933	4.5%	10 to 14 years old	3,758	4.3%
15 to 19 years old	3,639	4.2%	15 to 19 years old	3,431	4.0%
20 to 24 years old	4,188	4.8%	20 to 24 years old	3,761	4.3%
25 to 29 years old	4,314	5.0%	25 to 29 years old	3,715	4.3%
30 to 34 years old	4,016	4.6%	30 to 34 years old	3,365	3.9%
35 to 39 years old	3,216	3.7%	35 to 39 years old	2,859	3.3%
40 to 44 years old	2,709	3.1%	40 to 44 years old	2,598	3.0%
45 to 49 years old	2,220	2.6%	45 to 49 years old	2,181	2.5%
50 to 54 years old	1,771	2.0%	50 to 54 years old	1,785	2.1%
55 to 59 years old	1,330	1.5%	55 to 59 years old	1,403	1.6%
60 to 64 years old	1,018	1.2%	60 to 64 years old	1,135	1.3%
65 to 69 years old	845	1.0%	65 to 69 years old	1,021	1.2%
70 to 74 years old	721	0.8%	70 to 74 years old	1,062	1.2%
75 to 79 years old	528	0.6%	75 to 79 years old	854	1.0%
80 to 84 years old	302	0.3%	80 to 84 years old	540	0.6%
85 years and over	241	0.3%	85 years and over	620	0.7%



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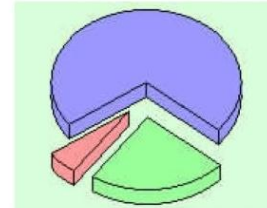


CITY of LOS ANGELES CENSUS 2000 STATISTICAL PROFILE

Boyle Heights Community Plan Area (cont'd)

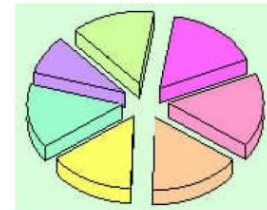
HOUSING by OCCUPANCY ⁵

OCCUPANCY	Dwelling Units	Share of Total	Legend
Vacant Housing Units	1,382	6.08%	<input type="checkbox"/>
Owner Occupied	5,293	23.28%	<input type="checkbox"/>
Renter Occupied	16,067	70.65%	<input type="checkbox"/>
All Occupied Housing Units	21,360	93.92%	
All Dwellings	22,742	100.00%	



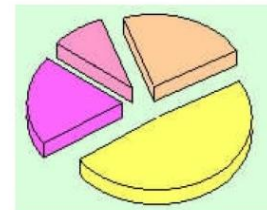
HOUSEHOLDS by SIZE ⁶

HOUSEHOLD TYPE	Dwelling Units	Share of Total	Legend
Single-person Households	3,270	15.31%	<input type="checkbox"/>
Two-person Households	3,523	16.49%	<input type="checkbox"/>
Three-person Households	3,319	15.54%	<input type="checkbox"/>
Four-person Households	3,467	16.23%	<input type="checkbox"/>
Five-person Households	3,007	14.08%	<input type="checkbox"/>
Six-person Households	2,003	9.38%	<input type="checkbox"/>
Seven or More-person Hshlds	2,770	12.97%	<input type="checkbox"/>
All Households	21,360	100.00%	



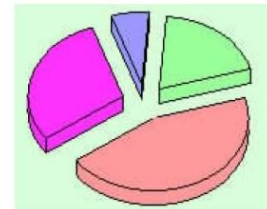
HEADS OF HOUSEHOLD ⁶

HOUSEHOLD HEAD	Household Count	Share of Total	Legend
Married Couple	10,482	49.07%	<input type="checkbox"/>
Single Female w/ Family	4,664	21.84%	<input type="checkbox"/>
Single Male w/ Family	1,935	9.06%	<input type="checkbox"/>
Nonfamily Household	4,280	20.04%	<input type="checkbox"/>
All Households	21,360	100.00%	



FAMILY STRUCTURE ^{6 7}

FAMILY TYPE	Family Count	Share of Total	Legend
Married Couple w/ Children	7,720	45.20%	<input type="checkbox"/>
Single Female w/ Children	3,318	19.42%	<input type="checkbox"/>
Single Male w/ Children	1,098	6.43%	<input type="checkbox"/>
Family w/o children	4,945	28.95%	<input type="checkbox"/>
All Families	17,081	100.00%	



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CITY of LOS ANGELES CENSUS 2000 STATISTICAL PROFILE

Boyle Heights Community Plan Area (cont'd)

AVERAGE HOUSEHOLD SIZE ⁵

HOUSEHOLD TYPES	Persons	Average Size
Families	74,443	4.36
Owner Households	22,474	4.25
Renter Households	62,389	3.88
All Households	84,863	3.73



NOTES:

1. Universe: Total persons. Group quarters population includes persons in student dormitories, military barracks, and institutions.
2. Beginning with the 2000 Census of Population and Housing, persons are allowed to check more than one race category. The selection of categories and the option to choose more than one is strictly a matter of personal choice and personal preference.
The available choices include:
American Indian or Alaskan Native,
Asian,
Black or African American,
Native Hawaiian or other Pacific Islander,
White, and
Other Race.
As in the two previous censuses, persons are further self defined as *HISPANIC OR LATINO* or *NOT HISPANIC NOR LATINO*. It is important to note that these are *ethnic* groupings, distinct from the *racial* groupings listed above.
3. For the purposes of this table, "Other Race" combines the U S Bureau of the Census' "Other Race" category and any race comprising less than 2% of the total population of its geographic statistical area.
4. Universe: Total persons. Extracted by a combination of two census tables--males by age and females by age--with a total of 38 age groupings for each gender.
5. Universe: Total housing units are used to calculate occupancy and vacancy rates.
6. Universe: Occupied housing units.
HOUSEHOLDS reflect the number of occupied units or persons in those units.
A HOUSEHOLD may consist of one person, one or more families, or a group of unrelated persons.
7. For the purposes of this table, "children" are persons 18 years or younger who are related to the head of household.

* All aggregate statistical estimates are subject to round-off error.



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APPENDIX C: HOUSING PROFILE

CITY of LOS ANGELES LOCAL POPULATION and HOUSING PROFILE

Boyle Heights Community Plan Area

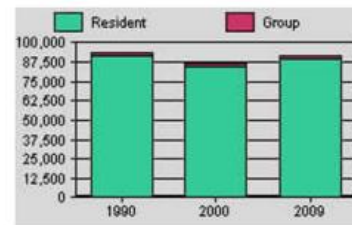
6.674 square mile study area (approx.)

[Latest Census Profile...](#)

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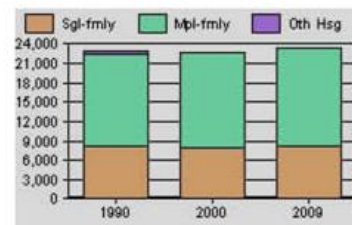
General Population Data

	CENSUS 1990	CENSUS 2000	2009(est.)
TOTAL POPULATION	93,462	86,616	91,481
Annual Growth Rate	n/a	-0.7578%	0.5769%
Population Density (/sqmi)	14,005	12,979	13,708
Resident Population ¹	91,981	84,940	89,280
Residents' Share of Population	98.41%	98.07%	97.59%
Population in Group Quarters ²	1,481	1,676	2,201
Groups' Share of Population	1.59%	1.93%	2.41%



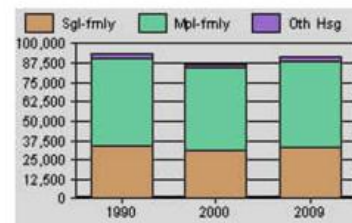
Housing Units

	CENSUS 1990	CENSUS 2000	2009 (est.)
TOTAL HOUSING UNITS	22,832	22,775	23,396
Annual Growth Rate	n/a	-0.025%	0.284%
Housing Density (/sqmi)	3,421	3,413	3,506
Single-family Housing Units ¹	8,216	7,915	8,160
Annual Growth Rate	n/a	-0.372%	0.321%
Multiple-family Housing Units ²	14,199	14,773	15,140
Annual Growth Rate	n/a	0.397%	0.259%
Nonsingle-family Housing Units ³	14,616	14,859	15,236
Annual Growth Rate	n/a	0.165%	0.264%



Housing Occupants (Resident Population) ⁴

	CENSUS 1990	CENSUS 2000	2009 (est.)
TOTAL RESIDENTS	91,981	84,940	89,280
Annual Growth Rate	n/a	-0.793%	0.526%
Residential Population Density	13,783	12,728	13,378
Single-family Unit Occupants ¹	34,276	31,656	33,594
Annual Growth Rate	n/a	-0.792%	0.627%
Multiple-family Unit Occupants ²	55,983	53,039	55,345
Annual Growth Rate	n/a	-0.539%	0.449%
Nonsingle-family Unit Occupants ³	57,704	53,284	55,682
Annual Growth Rate	n/a	-0.794%	0.464%



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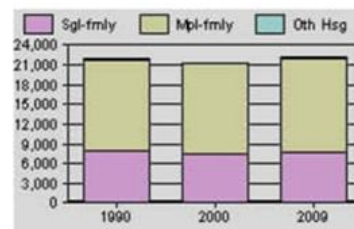


CITY of LOS ANGELES LOCAL STATISTICAL PROFILE

Boyle Heights Community Plan Area (cont'd)

Housing Occupancy ⁶

	CENSUS 1990	CENSUS 2000	2009 (est.)
ALL OCCUPIED UNITS	22,832	22,775	23,396
Vacancy Rate	3.40%	6.12%	5.47%
Occupied Single-family Units	7,957	7,508	7,814
Vacancy Rate	3.26%	5.43%	4.43%
Occupied Multiple-family Units	13,690	13,796	14,211
Vacancy Rate	3.72%	7.08%	6.54%
Occupied Nonsingle-family Units	14,099	13,874	14,303
Vacancy Rate	3.66%	7.11%	6.52%



Notes

1. Resident Population consists of those who live in housing units in the same area covered by Total Population. It is equal to "Total Population in Households".
2. Group Quarters Population includes persons in student dormitories, military barracks, prisons and health care institutions. Group Quarters and Resident Populations sum to Total Population.
3. Single-family Housing Units (SfHUs) only include detached dwellings.
4. Multiple-family Housing Units (MfHUs) include apartment buildings (both for rent and condominiums), duplexes, artist-in-residence lofts, and attached single-family housing units.
5. Nonsingle-family Housing Units (NsHUs) add mobile homes, boats, and other living quarters to MfHUs. Its sum with SfHUs yield all living quarters for residents of the census tract. This value is consistent with the definitions used by the Southern California Association of Governments (SCAG) and the California Department of Finance (DoF).
6. The persons who occupy a housing unit are defined as a HOUSEHOLD. Households may consist of one person, one or more families, or a group of unrelated persons.

* All aggregate statistical estimates are subject to round-off error.

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APPENDIX D: APA POLICY GUIDE ON COMMUNITY & REGIONAL FOOD PLANNING

Introduction

Food is a sustaining and enduring necessity. Yet among the basic essentials for life — air, water, shelter, and food — only food has been absent over the years as a focus of serious professional planning interest. This is a puzzling omission because, as a discipline, planning marks its distinctiveness by being comprehensive in scope and attentive to the temporal dimensions and spatial interconnections among important facets of community life.

Several reasons explain why planners have paid less attention to food issues when compared with long-standing planning topics such as economic development, transportation, the environment, and housing. Among these reasons are:

1. a view that the food system — representing the flow of products from production, through processing, distribution, consumption, and the management of wastes, and associated processes — only indirectly touches on the built environment, a principal focus of planning's interest;
2. a sense that the food system isn't broken, so why fix it; and,
3. a perception that the food system meets neither of two important conditions under which planners act — i.e., dealing with public goods like air and water; and planning for services and facilities in which the private sector is unwilling to invest, such as public transit, sewers, highways, and parks.

Yet, over the last few years, interest in food system issues is clearly on the rise in the planning community. In 2005 at the APA National Planning Conference in San Francisco, a special track of sessions on food planning subjects was held for the first time in APA's history. An unexpectedly high number of 80 planners responded to the call for papers for this track. In 2006, a follow-up track of sessions took place at the San Antonio APA conference. Special journal issues devoted entirely to food planning have included the *Journal of Planning Education and Research* (Summer 2004) and *Progressive Planning* (Winter 2004). Courses on community food planning are being offered for the first time by several graduate planning programs. Another sign of progress was a white paper on food planning prepared in late 2005 and presented to the Delegates Assembly at the 2006 APA conference. Approved subsequently by the APA Legislative and Policy Committee, the white paper became the impetus for preparing this Policy Guide, which provides a vision and suggests ways for planners to become engaged in community and regional food planning. The following are a few converging factors that explain the heightened awareness among planners that the food system is indeed significant:

- Recognition that food system activities take up a significant amount of urban and regional land
- Awareness that planners can play a role to help reduce the rising incidence of hunger on the one hand, and obesity on the other
- Understanding that the food system represents an important part of community and regional economies
- Awareness that the food Americans eat takes a considerable amount of fossil fuel energy to produce, process, transport, and dispose of
- Understanding that farmland in metropolitan areas, and therefore the capacity to produce food for local and regional markets, is being lost at a strong pace
- Understanding that pollution of ground and surface water, caused by the overuse of chemical fertilizers and pesticides in agriculture adversely affects drinking water supplies
- Awareness that access to healthy foods in low-income areas is an increasing problem for which urban agriculture can offer an important solution
- Recognition that many benefits emerge from stronger community and regional food systems

Current planning activities already affect the food system and its links with communities and regions. For example, land use planners may use growth management strategies to preserve farm and ranch land, or recommend commercial districts where restaurants and grocery stores are located, or suggest policies to encourage community gardens and other ways of growing food in communities. Economic development planners may support the revitalization of main streets with traditional mom-and-pop grocery stores, or devise strategies to attract food processing plants to industrial zones. Transportation planners may create transit routes connecting low-income neighborhoods with supermarkets, and environmental planners may

provide guidance to farmers to avoid adverse impacts on lakes and rivers. This policy guide seeks to strengthen connections between traditional planning and the emerging field of community and regional food planning. As such, two overarching goals are offered for planners:

1. Help build stronger, sustainable, and more self-reliant community and regional food systems, and,
2. Suggest ways the industrial food system may interact with communities and regions to enhance benefits such as economic vitality, public health, ecological sustainability, social equity, and cultural diversity.

This Policy Guide on community and regional food planning presents seven general policies, each divided into several specific policies. For each specific policy, a number of roles planners can play are suggested. The seven general policies are:

1. Support comprehensive food planning process at the community and regional levels;
2. Support strengthening the local and regional economy by promoting local and regional food systems;
3. Support food systems that improve the health of the region's residents;
4. Support food systems that are ecologically sustainable;
5. Support food systems that are equitable and just;
6. Support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities;
7. Support the development of state and federal legislation to facilitate community and regional food planning discussed in general policies #1 through #6.

Findings

How planning operates to balance the need for an efficient food system with the goals of economic vitality, public health, ecological sustainability, social equity, and cultural diversity will present a formidable challenge to planners who engage in community and regional food planning, and in planning for various community sectors such as transportation, economic development and the environment. This section covers salient facts and trends about how the food system impacts localities and regions and provides some examples of progress being made by planners.

1. General Effects of the Food System on Local and Regional Areas

Today's industrial food system is a product of significant scientific and institutional advances over the previous centuries, and generally provides an abundant and safe supply of food to most people in the country. It has paralleled developments in mass production and economies of scale in other industries and is characterized by the use of significant amounts of synthetic fertilizers and pesticides, and new shipping technologies. It contributes nearly \$1 trillion to the national economy — or more than 13 percent of the GNP — and employs 17 percent of the labor force (American Farmland Trust, 2003). Food sector jobs represent close to 15 percent of the total workforce of many communities, while retail sales from food outlets such as grocery stores and eating and drinking places can be as much as a fifth of a community's total retail sales (Pothukuchi and Kaufman, 1999).

However, the food system is not without problems for communities and regions. A clear trend in all parts of the food system is greater concentration of ownership, which means that decisions affecting communities are increasingly made by absentee business owners. For example, in 2000, the top five food retailers accounted for 43 percent of sales, up from 24 percent in 1997 (Hendrickson et al., 2001). Mergers of chain supermarkets often result in the closure of stores, thereby reducing residents' access to healthy food, and lowered tax base and employment. Another trend, vertical integration, leads to increased consolidation of different activities such as food production, processing, and distribution under the control of single entities.

Today's food system has also contributed to the increased incidence of obesity and diet-related disease; loss and erosion of diverse culinary traditions represented by First Nations and immigrant cultures; and ecological crises including extinction of species, declining aquifers, and deforestation. Government policies sometimes exacerbate these trends due to the increasing political influence of food industry giants.

While there is little doubt that the industrial food system will remain dominant, more communities and regions are acting to resolve some of these problems by developing alternative, local, and sustainable food systems. This Policy Guide offers suggestions for planners to engage in planning that both strengthens community and regional food systems and encourages the industrial food system to provide multiple benefits to local areas.

Specific trends related to the food system's impacts on localities and regions, and examples of positive actions are described below.

- **Loss of Farmland.** Although agriculture is America's dominant land use, with nearly 1 billion acres of land in agricultural use, farmland in metropolitan areas is disappearing at a rapid pace. "Urban-influenced" counties account for more than half (56 percent) the total U.S. farm production, 63 percent of dairy production, and 86 percent of fruit and vegetable production; yet these counties have annual population growth rates more than twice the national average. This rapid growth threatens our capacity to obtain fresh and local food. (American Farmland Trust, 2002).
- **Aging of Farmers.** One fourth of U.S. farmers and half of farm landlords are at least 65 years old; by comparison, about 3 percent of the U.S. labor force falls in this age group (Gale, 2002). Farmers and landlords aged 65 and over own a combined one-third of farm assets. The aging of farmers reflects the weakening of "family farm" institutions, including intergenerational transfer of farm assets. Consequences with implications for planning include the speeding up of the conversion of agricultural land and the consolidation of agricultural land into larger operations.
- **Protecting Agriculture.** Across the country communities are preparing plans to protect agriculture. A countywide plan in Marin County, California, identifies several policies to overcome challenges facing local agriculture and farmers. These include policies to protect agricultural land from sprawl, protect productive agricultural soils, support sustainable water supplies, and enhance agricultural viability.
- **Farm Bill and Local Areas.** All Titles of the Farm Bill, including nutrition programs, commodity programs, trade, conservation, and rural development, have implications for urban and rural communities and therefore for local planning. For example, as Dallas County, Iowa, urbanizes, its county soil and water conservation district and the Natural Resources Conservation Service of the USDA now work with developers to employ land conservation measures and keep soil on construction sites (USDA Natural Resources Conservation Service, no date).

2. Food System Links with the Economy

- **Globalization of the Food System.** Increasingly, food comes from more distant sources, with serious consequences such as the loss of older local food system infrastructure, and threats to the survival of many U.S. farms. Although the U.S. rightfully prides itself as the breadbasket of the world, in 2006 for the first time, the value of food imported into the U.S. exceeded the value of food exported from the U.S. (USDA Foreign Agricultural Service, 2006). Globalization also leads to greater consumer ignorance about the sources of food. As people know less and less of where their food comes from, how it is produced and with what impacts on communities and the environment, preservation of land and the natural and built resources upon which local agriculture depends becomes more difficult.
- **Rural Decline.** Farms between 50-500 acres and 500-1,000 acres, the largest share of "working farms" and those that fall between local and commodity markets, decreased by about 7 and 11 percent respectively between 1997 and 2002, while those over 2,000 acres have gone up nearly 5 percent. This loss of "the middle" in farming threatens rural communities by making them more economically insecure and changes land stewardship practices handed down over generations. (Kirschenmann et al., no date).
- **Economic Impacts of Local Purchasing.** Robert Waldrop, a 2006 candidate for mayor of Oklahoma City, highlights the under-appreciated economic development possibilities of buying food directly from area farmers. Using USDA data and analyses, he identifies \$2.1 billion in economic activity in Central Oklahoma if Oklahoma County residents bought their eggs, poultry, meat, vegetables, flour, and milk and dairy products directly from farmers in the region.
- **A Local Food Purchasing Policy.** In 2006, the Woodbury County (Iowa) Board of Supervisors adopted a "Local Food Purchase Policy," mandating the purchase of locally grown organic food for department events at which food is served. This action has the potential of providing \$281,000 in annual food purchases to a local farmer-owned cooperative.

3. Food System Links with Health

- **Farm Policy and Health.** Federal farm policy since the 1950s has encouraged the overproduction (and therefore the driving down of prices) of a few commodities such as corn and soybeans, all with serious implications for farmers, rural and urban communities, and the health of consumers. Support for fruits and vegetables, on the other hand, has been low (Nestle, 2002). Low commodity prices have led to the heavy use by the food industry of products such as high fructose corn syrup and hydrogenated vegetable oils, which are linked with obesity and related illnesses. Processed grocery foods, frozen foods and baked goods represented over 40 percent of supermarket sales in 2000, while produce claimed only 9 percent (Schoonover and Muller, 2006).
- **Obesity.** Obesity and associated costs are a significant concern nationwide. While over 60 percent of Americans are overweight or obese, the effects of obesity are not borne equally across race and socio-economic strata, or even states and localities, thereby generating unequal burden. Similarly, many diet

related diseases, such as heart disease, certain cancers, and diabetes are found to be more prevalent among minority populations. In 2000, nearly 16 percent of children and adolescents, ages 6 to 19, were classified as obese (Centers for Disease Control and Prevention, 2002.).

- **Obesity and the Built Environment.** Land use and transportation policies have been implicated in the rise of obesity through both, increased food consumption and reduced physical activity. Research suggests lower rates of obesity and overweight in neighborhoods where supermarkets offering more healthful food choices are present (Morland et al., 2006). This access is not even however: low income and minority areas contain fewer supermarkets on average; these areas also tend to have a higher density of convenience stores offering fewer healthful choices and higher prices, and fast food outlets (Morland et al., 2002). Because these communities experience lower vehicle ownership rates, problems of access are exacerbated.

4. Food System Links with Ecological Systems

- **Energy Consumption in the Food System.** At roughly eight calories of energy to produce one typical food calorie, today's food system is both energy-intensive and inefficient. The average food item travels at least 1500 miles. According to Thomas Starrs (2005), growing, processing and delivering the food consumed by a family of four each year requires more than 930 gallons of gasoline or about the same amount used to fuel the family's cars.
- **Water Issues in Agriculture.** Sedimentation and chemical pollutants resulting from agricultural practices continue to pose serious problems for fisheries, other wildlife, water-based recreation, and household water use. The Dead Zone in the Gulf of Mexico is one of the largest such examples of depletion of oxygen caused largely by farm runoffs. In 2005, it covered nearly 5,000 acres (National Aeronautics and Space Administration, 2004). In addition, U.S. agriculture is an especially prolific consumer of surface and ground water. For example, 38 percent of irrigation water in California and 66 percent in Texas are pumped from ground water (Pimental et al., 1997).
- **Concentrated Animal Feeding Operations (CAFOs).** CAFOs are agricultural facilities that house and feed a large number of animals in a confined area for 45 days or more during any 12 month period. In 2003, CAFOs, a small percentage of the nation's 238,000 feeding operations, produced more than half the 500 million tons of manure, according to the U.S. Environmental Protection Agency (Centers for Disease Control and Prevention, no date). Health threats from such operations include chronic and acute respiratory illnesses, injuries, infections, and nuisances such as flies, and odor (Bowman et al., 2000). CAFOs are also implicated in spreading stronger strains of E. coli bacteria and environmental problems such as ground water contamination. An emerging and promising method to reduce odors and generate renewable energy from livestock manure in CAFOs is anaerobic digestion (Wilkie, 2005).
- **Loss of Biodiversity.** Across the country, native vegetation (forests, prairie, wetlands) which provides wildlife habitat and performs valuable ecosystem services such as flood control has been depleted or seriously threatened. In Illinois, for example, over 90 percent of all natural wetlands have been lost, the majority to agricultural production. According to noted ecologist Gary Nabhan, the U.S. has lost over 60 percent of all the heirloom crop varieties that were here at the time of Columbus's arrival to the New World; the other 40 percent remains below the radar of the food industry (Mangan, 2006).
- **Fisheries.** In fisheries across North America, the needs of consumers and the long-term sustainability of fishery populations have fallen out of balance due to over-fishing or habitat loss or degradation. Fish populations of haddock, Atlantic cod, red snapper, Pacific herring, Pacific halibut, salmon, and king crab have seen significant declines (American Fisheries Society, no date).
- **Food system wastes.** Wastes at each point of the food system use up local landfill capacity, or if incinerated, increase air pollution. One study showed that nearly 30 percent of all solid wastes are related to food consumption, with half of that being food packaging (University of Wisconsin Department of Urban and Regional Planning, 1997). Natural organic wastes may be a valuable input for agriculture if they can be separated from the waste stream. Such wastes can be fed to hogs, composted and reapplied to the land, or converted into renewable energy through anaerobic digesters.

5. Food System and Social Equity

- **Hunger and food insecurity.** Hunger and food insecurity are prevalent in the United States. The U.S. Department of Agriculture's Economic Research Service (2006) reports that in 2005, 11 percent of all U.S. households were "food insecure" because of a lack of sufficient food. Black (22.4 percent) and Hispanic (17.9 percent) households experienced food insecurity at far higher rates than the national average.
- **Emergency food assistance.** In 2003-04, requests for emergency food assistance increased by about 14 percent in the 27 cities surveyed by the U.S. Conference of Mayors (2004). About 20 percent of the demand for food went unmet. Fifty-six percent of those requesting assistance represented families with children; 34 percent of adults requesting assistance were employed.

- **Food Stamps.** In 2003, 21.2 million individuals participated in the Food Stamp Program; however, this represented only 60 percent of people eligible to receive Food Stamp benefits. The average monthly food stamp benefit was \$83.77 per person (Food Research and Action Center, no date).
- **Supermarket initiative.** Research documents lower availability of grocery supermarkets in low-income areas. In Rochester, NY, planners worked with neighborhood groups to bring a Tops Supermarket to the Upper Falls area, a neighborhood that had long gone without a grocery store. As a result of their negotiations, Tops agreed to renovate three other stores in the city, thereby increasing access to a variety of affordable and healthful food choices (Pothukuchi, 2005).
- **Vacant urban land for growing food.** Inner cities have significant amounts of vacant land that, when used for vegetable gardening by low-income residents, produce multiple health, social, and economic benefits. For example, Detroit has over 60,000 publicly owned vacant parcels, and a vibrant urban agriculture movement that can make productive use of this land, if made available by public agencies that control it (Kaufman and Bailkey, 2000). The Diggable City, a Portland State University graduate planning workshop project prepared for the City of Portland, Oregon, produced a land inventory containing specific sites of publicly owned properties to assess opportunities to expand community gardens and other forms of urban agriculture. This project has educated the community on the significance of urban land as a resource for food production and food security in the inner city (Portland State University, 2005).
- **Immigrants as food sector workers.** The food system's least desirable jobs are worked by immigrants in vegetable harvests, industrial slaughterhouses, and food processing plants. According to the U.S. Farm Bureau, immigrant labor may add up to \$9 billion to the nation's \$200 billion annual agricultural output (Keller, 2006). It is estimated that of the more than 4 million agricultural workers in the U.S., at least two-thirds are immigrants, 80 percent of whom are from Mexico. Because many are undocumented, they typically receive below-minimum wages, experience substandard living conditions, and make up a large portion of the food insecure.

6. Native/Ethnic Food Cultures

- **Food issues faced by Native American communities.** Native American communities are hit particularly hard by the loss of or threats to ecologies, habitats, and native food ways that included subsistence agriculture, hunting, fishing, and gathering. As Native Americans were pushed into the dominant food system, the incidence of diet-related disease rose rapidly. Diabetes-related mortality among American Indians is over twice that of the general U.S. population (231 percent). In addition, nearly one-fourth of Native American households are food insecure because of inadequate resources with which to meet daily food needs, with one out of 12 individuals so food insecure as to be classified as hungry (Bell-Sheetter 2004).
- **Native Food Planning.** The Oneida Community Integrated Food Systems, established in 1994, started with a task force to address concerns related to poverty and health on the Oneida reservation. Through their assessment of food-related needs and assets, they developed actions to support goals related to increasing employment for Native Americans; educating community members about healthy foods and diets; and producing meats, fruits, and vegetables for both, food security and increased profits.
- **Ethnic Cuisines.** Although Mexican, Italian, and Cantonese-Chinese cuisines are the most sought after dining-out ethnic choices, newer cuisines are gaining a foothold. According to an "Ethnic Cuisines" survey by the National Restaurant Association, Hunan, Mandarin and Szechwan variations of Chinese cuisines, German, French, Greek, Cajun/Creole, Japanese (including sushi), Asian Indian, Soul Food, Scandinavian, Caribbean and Spanish cuisines have been tried by more than 70 percent of the diners. Between 1981 and 1996, consumer awareness of Asian Indian cuisine jumped 74 percent (National Restaurant Association, 2000).
- **Locally Sourced Ethnic Foods.** Ethnic foods are part of the \$25 billion specialty food industry, whose sales jumped 16 percent between 2002 and 2004. Farmers across the country are finding profit in this trend. For example, some Pennsylvania and Maryland farmers are growing n'goyo and gboma — West African vegetables — Thai eggplants, Jamaican Callalou, and Halal lamb products desired by Muslim residents (Paley, 2005).

7. Comprehensive Food Planning and Policy

- **Food Policy Councils.** Over 35 local and state food policy councils have been established in North America in the past 10 years. Broadly representative of groups in the local and regional food system, and affiliated with either city, county, or state governments, these institutions work to strengthen local and regional food systems, among other goals.
- **Community-based Food Projects.** USDA's Community Food Projects Competitive Grants Program, now in its 10th year, is an important source of funding for food projects that serve low income communities. Currently authorized at the level of \$5 million a year, the program has been expanded to encourage more comprehensive food planning. A Farm to Cafeteria legislation was recently enacted but no money was appropriated to implement it. Programs related to the Farmers Market Nutrition Program

(Farmers Market WIC) and the Senior Farmers Market Nutrition Program are also important to local communities.

General and Specific Policies

The American Planning Association, its chapters and divisions, and planners in general can use their professional knowledge, skills, and relationships to develop community and regional food planning, and advocate for state and federal policies to support it.

The seven general policies below, accompanied by specific policies and planner roles, suggest concrete ways in which food issues may be woven into current planning activities, and more systematic, comprehensive community and regional food planning may be undertaken.

This Policy Guide links to several Policy Guides previously adopted by the APA, among them sustainability, smart growth, energy, water resources management, solid and hazardous waste management, housing, and farmland preservation. In some of these Policy Guides, elements of the food system are specifically recognized. In others, even though not mentioned, they have a place.

Some common planning themes thread through all policies and are therefore not identified separately under each general policy (unless they are especially crucial):

1. The importance of community participation in all aspects of planning;
2. The usefulness to all general policies of common planning activities in research, plan-making, plan-implementation, conflict resolution, and consensus building;
3. Recognition that all planning occurs in a political context and that political support may be garnered more easily for some issues than others;
4. The existence of tensions between and among general policies, which will require dialogue among stakeholders in particular communities and regions to resolve.

General Policy #1

The American Planning Association, its Chapters and Divisions, and planners support a comprehensive food planning process at the community and regional levels.

Specific Policy #1A. Planners support the creation of local and regional food planning mechanisms that integrate major local planning functions (such as land use, economic development, transportation, environment, parks and recreation, public safety, health and human services, and agricultural preservation).

Reason to support

Multiple and complex links exist among food system activities and between food and planning activities such as land use, transportation, and economic development planning. Community concerns about health, economic development, ecological sustainability, social equity, and cultural diversity are also intricately linked to food system issues and to each other. Achieving community-food objectives will require collaborations between groups representing diverse interests such as anti-hunger, nutrition, farming, and environmental issues; span separate government agencies; and include multiple levels of government in dialogues.

Planners could play the following roles:

1. Advocate for, and build support in communities and regions for a more comprehensive approach to food planning, such as through local and/or regional food policy councils or coalitions.
2. Undertake periodic assessments of community/regional food issues, including broad community participation, and develop recommendations for actions.
3. Integrate recommendations emerging from community and regional food planning into comprehensive plans and supporting ordinances, strategic plans, economic development plans, environmental plans, neighborhood or area plans, and plans for specific agencies such as transportation and parks and recreation.
4. Assist nonprofit agencies and public-private-nonprofit partnerships engaged in anti-hunger, nutrition, and agriculture activities by sharing data for planning, implementing, and evaluating programs.

Specific Policy #1B. Planners support the development of plans for building local food reserves and related activities to prepare for emergencies.

Reason to support

Because of the important roles planners play in recommending proposals for the future of their communities, they have the skills and knowledge to also contribute to planning for emergencies and crises — natural or man-made. Due to recent concerns of homeland security and natural disasters such as Hurricane Katrina,

and potential threats associated with bioterrorism, climate change, disruptions in transportation systems, and pandemics such as the avian flu, communities around the country are undertaking emergency preparedness plans to protect the health of community residents, meet basic needs, and prepare for post-emergency operations. Maintaining food security at household, community, and regional levels during the crisis and recovering food systems in a sustainable manner soon thereafter are central goals of such preparedness.

Planners could play the following roles:

1. Assist in assessing the community and region's potential food needs during emergencies of different kinds (such as a major earthquake, hurricane, terrorist attack, or the spread of contagious disease) and the capacity of current food sources and distribution systems in the community and region.
2. Partner with appropriate public agency and private stakeholder groups to develop appropriate plans to build sufficient local and regional food reserves for emergencies, including related communications, logistics, and transportation infrastructure, and to restore food system integrity and operation after the emergency.
3. Coordinate with other agencies in the implementation of public outreach and education campaigns to inform the community about food related emergency preparedness.

General Policy #2

The American Planning Association, its Chapters and Divisions, and planners support strengthening the local and regional economy by promoting community and regional food systems.

Specific Policy #2A. Planners support integrating food system elements into urban, rural, and regional economic development plans.

Reason to support

The food sector is a significant, yet under-appreciated part of local and regional economies. The lack of awareness of the economic significance of the food sector is partly due to the sector's fragmentation and the absence of an overall food planning agency or food department in government. Incorporating food issues into economic development analyses and plans assures that the important economic contributions that the food sector makes to communities and regions are preserved and enhanced.

Planners could play the following roles:

1. Support preparation of area-wide economic development plans that incorporate food production, processing, wholesale, retail, and waste management activities as well as consideration of the impacts these activities have on the local and regional economy in terms of jobs, tax and sales revenues, and multiplier effects.
2. Support efforts to raise public awareness of the importance of the food sector to the local and regional economy.

Specific Policy #2B. Planners support developing land use planning policies, economic development programs, land taxation, and development regulations to enhance the viability of agriculture in the region (as identified in the APA Agricultural Land Preservation Policy Guide).

Reason to support

In an era of globalization of agricultural commodities, economic viability at the local and regional levels is enhanced by promoting agriculture and food processing for local consumption. In addition to economic viability, planners can help achieve other benefits by taking a comprehensive view of the multiple functions served by rural landscapes adjacent to suburban and urban population centers. They can promote profitable agricultural enterprise farms that preserve resources for future generations while providing significant public goods in the form of beautiful working landscapes, ecological stewardship, and greater awareness and appreciation of the area's agriculture among the general population.

Planners could play the following roles:

1. Conduct assessments of prime agricultural lands that will be affected by current and projected development trends.
2. Analyze factors that support or constrain the viability of agriculture in the region such as high property taxes, access to markets, high cost of capital, and land use regulations that restrict farmers' ability to earn additional income through agri-tourism or farm stands. Special attention in this category may be given to "agriculture of the middle," i.e. farms that fall in between local and commodity markets.
3. Develop or modify policies, regulations, and other tools such as agricultural land preservation zoning, purchase of development rights, transfer of development rights, and partnerships with land trusts, to protect prime agricultural land.

4. Partner with organizations that promote better understanding of farm life for urban dwellers to reduce the urban/rural divide.

Specific Policy #2C. Planners support developing appropriate land use, economic development, transportation and comprehensive planning policies and regulations to promote local and regional markets for foods produced in the region.

Reason to support

Planners can help open up more area-wide markets for farmers in the region. Expanding markets for local farmers and processors would not only help them survive economically and preserve unique regional agricultural and food traditions, but also reduce the pressures on some farmers to sell their land for urban development engendered by sprawl. Efforts to combat sprawl would benefit significantly from initiatives to enhance local markets for locally produced and processed foods.

Planners could play the following roles:

1. Develop land use and transportation plans, modify development regulations, and help prepare economic incentive programs to provide accessible and well-served sites and other development assistance for year round public markets, farmers' markets, small-scale processing facilities, and distribution centers for foods produced in the region.
2. Prepare comprehensive and neighborhood plans that recognize community gardens and other forms of urban agriculture, farm/garden stands, and farmers' markets as desirable civic uses in neighborhoods, and provide sufficient space, infrastructure, and inter-modal transportation access for such uses. Ensure that zoning barriers to these activities are addressed or removed.
3. Through plans, state and federal agricultural policies and funding, and development regulations, support food production for local consumption, direct marketing by farmers, agri-food tourism, and niche marketing of specialized agricultural products such as wines, cheeses, and cherries.
4. Assemble and implement business enhancement and related incentives to help public institutions such as schools, hospitals, colleges, and government agencies, and private food outlets such as grocery stores and restaurants source foods produced in the region.

Specific Policy #2D. Planners support developing food system inventories, economic and market analyses, and evaluation techniques to better understand the economic impact and future potential of local and regional agriculture, food processing, food wholesaling, food retailing and food waste management activities.

Reason to support

More accurate metrics are needed to guide community and regional food-related economic development planning in a comprehensive manner, and in a way that considers direct and indirect impacts. The censuses of agriculture and retail and wholesale trades, national surveys, and many forms of local food assessments are used to understand the relationships between the food system and the other sectors of the economy. Differing data-gathering conventions in these categories can make it difficult to measure relationships accurately. Planners can help to bring different data together and provide comprehensive analyses at community and regional levels on a variety of indicators needed to inform food-related economic development planning.

Planners could play the following roles:

1. Support studies that consider the impact on the area-wide economy of locally oriented food production and distribution activities such as farmer's markets, food co-operatives, community supported agriculture farms, local food processing facilities, community gardens, public markets, niche farming enterprises, and other locally sourced food businesses.
2. Undertake studies assessing trends in farm consolidation, including underlying factors, to inform plans to support "agriculture of the middle."
3. Contribute to the preparation of regional food resource guides that identify organizations and businesses that are involved in local and regional food production, processing, and retailing, the better to educate the public and build links between local producers and local consumers.

Specific Policy #2E. Planners support initiatives in marketing, technical, and business development assistance for small-scale and women and minority-owned farm, food-processing and food retail enterprises.

Reason to support

A vibrant local economy supports a range of enterprises run by a diverse group of owners and managers. New and transitioning small-scale farm and food enterprises can benefit from programs that provide production training, build marketing connections, teach business and financial planning, and provide other business services. Community organizations exist in many areas to provide these training and assistance programs.

Planners could play the following roles:

1. Collaborate with agricultural and related agencies and other organizations that provide training, technical assistance, and capital to small-scale businesses and businesses owned by women and minorities engaged in farming, food processing, and food retailing operations.
2. Assist efforts to help regional farmers diversify their products, and produce and market organic and other high-value products desired by consumers.
3. Support the development of community kitchens and related infrastructure, food business incubator facilities, and entrepreneurial urban agriculture projects.

General Policy #3

The American Planning Association, its Chapters and Divisions, and planners support food systems that improve the health of the region's residents.

Specific Policy #3A. Planners support and help develop policies, plans, and regulations in land use, transportation, economic development, and urban design so as to increase access to food sources that offer affordable and culturally appropriate healthful foods, especially for low income households in urban and rural areas.

Reason to support

Research suggests that households' proximity to supermarkets is correlated with positive dietary health. Planning can facilitate the availability of and convenient access to retail grocery outlets. Besides grocery stores, mom-and-pop corner stores, farmers markets, farm stands, ethnic markets, and community vegetable gardens can offer access to healthful foods at low-cost to low-income and ethnic and racial minority households. On the other hand, it should be recognized that sometimes planning decisions can have unintended negative impacts on the development, operation, or use of neighborhood-oriented grocery stores and other food sources that offer healthy, affordable foods; such decisions should be avoided. Planners could play the following roles:

1. Encourage mixed-use neighborhood design and redevelopment to include small and mid-size grocery stores (e.g., 3,000 to 20,000 square feet), seasonal farmers markets, community-based and government nutrition programs, and open space and related infrastructure for community vegetable gardens to allow residents to grow their own food.
2. Develop area plans and design schemes in ways that encourage safe and convenient pedestrian, bike, transit connections between neighborhoods and the food sources described above.
3. Support transit programs that improve connections between low-mobility neighborhoods on the one hand, and supermarkets, community gardens, food assistance programs such as food pantries and soup kitchens, and health and social service providers on the other, with a view to reducing travel time and enhancing safe and convenient use.
4. On publicly owned lands, such as schoolyards, parks and greenways, and tax-foreclosed properties, support the development of vegetable gardens, edible landscaping, and related infrastructure, and the formation of partnerships with community-based nonprofits serving low-income residents for garden related programs.

Specific Policy #3B. Planners develop and support policies, plans, and regulations in land use, transportation, economic development, and urban design to encourage the availability of healthy types of foods associated with reduced risk of or occurrence of obesity and poor nutrition leading to diet-related diseases like diabetes and heart disease (especially in and near schools and other predominantly youth-centered environments.)

Reason to support

Low-income, particularly African American and Hispanic, neighborhoods often have a higher density of convenience stores selling junk food, liquor stores, and fast food outlets relative to full service grocery stores that offer a variety of healthy products. This is correlated with higher rates of diet-related disease and mortality in these communities. Youth in disadvantaged neighborhoods are especially vulnerable to the disproportionate availability of such foods.

Planners could play the following roles

1. Assess and map the availability of fast food restaurants in low income neighborhoods relative to the availability of grocery stores offering healthier food options.
2. Explore the feasibility of zoning changes to limit the development of fast food outlets within a specified radius of schools (say, one-half mile) and other youth-centered facilities such as the local YMCA and YWCA and boys and girls clubs.
3. Explore the possible use of sign controls to prevent billboards that market low nutrient/high calorie foods fast foods and other negative food marketing within a specified radius of schools and other youth-centered facilities.

Specific Policy #3C. Planners support, through appropriate land use and zoning, transportation, urban design, and research tools, community-based organizations that develop demand for healthful foods, especially in low-income communities.

Reason to support

Activities to promote healthy diets have to address both the supply and demand side of healthy eating. Although supplying healthful foods tends to require greater attention to physical infrastructure and logistics of food product flows, supply and household demand are also closely linked. In neighborhoods lacking healthful options, households often adapt by depending more heavily on fast food outlets and convenience stores located there. Although planners may have few direct roles to play in increasing household demand for better quality foods, their activities in land use, transportation, and community assessment make them important partners to nutrition and health education groups. Planners could play the following roles:

1. Undertake neighborhood studies related to the siting of health and social service facilities (that may offer food stamps and other nutrition programs) near retail grocery outlets offering nutritious foods.
2. Support the development of temporary farm stands, urban agriculture projects, and community vegetable gardens on school, park, and community center sites, and near public agency offices and nonprofit providers offering health, human and social services.
3. Promote the provision of community gardens, urban agriculture projects, and community kitchens in multifamily and low-income housing projects.
4. Assist programs that encourage youth to consume healthy foods that they are involved in producing, such as through edible schoolyards, after school gardening and snack programs, and food preparation classes.
5. Assemble and implement business-enhancement incentives to encourage partnerships between convenience stores and neighborhood-based nonprofits that encourage stores to offer healthful foods on the one hand, and educate the community to adopt healthy diets, on the other.

Specific Policy #3D. Planners support, through land use decisions, environmental monitoring, ecological mitigation, and policies related to working conditions of farm and food workers, food safety practices that ensure consumer health.

Reason to support

Recent food contamination scares related to spinach and peanut butter have revealed the possible pathways between land use patterns, agricultural operations, sanitary living and working conditions for farm workers, and food safety practices within processing plants, markets, and stores on the one hand and food safety outcomes and related human health on the other. For example, runoffs from concentrated animal operations have been found to taint spinach with strains of E coli bacteria that proved deadly when raw spinach was consumed. Similarly, the use of sub-clinical doses of antibiotics to speed up animal growth has implications for human health in the form of more powerful and antibiotic-resistant bacteria. Finally, the quality of environments and working conditions for farm and food workers, and specifically, the availability of sanitary facilities near farms, are also an important factor for food safety. A further example relates to the high speed of meat processing conveyer belts that creates a higher risk of injury to workers and of fecal material entering the meat, both of which pose significant implications for food safety. Planners could play the following roles:

1. Support land use decisions, environmental monitoring, and ecological mitigation that prevents potential contamination of agriculture and food products through water runoffs from animal operations, provides sanitary living and working conditions for farm and food workers, and otherwise promotes food safety. In supporting these decisions, additional barriers and costs that potentially may be imposed on especially small and limited resource farmers and ranchers may need to be considered and addressed.
2. Support agricultural and food practices that affirmatively and proactively address worker health and safety in ways that also advance food safety.
3. Assess the possible food safety implications of older buildings housing food markets, grocery stores, and food processing operations, with a view to supporting goals related to food safety and business viability, and consider providing incentives to businesses to enhance food safety.

General Policy #4

The American Planning Association, its Chapters and Divisions, and planners support food systems that are ecologically sustainable.

Specific Policy #4A. Planners support the creation of community and regional food systems linking production, processing, distribution, consumption, and waste management to facilitate, to the extent possible, reliance on a region's resources to meet local food needs.

Reason to support

A core principle of sustainability involves meeting basic human needs, such as food, shelter, and water, via renewable sources as spatially proximate to their consumption as possible. Communities that rely on distant food sources are rendered vulnerable to the vagaries of market decisions, transportation infrastructure, and energy prices over which they have little control. Additional benefits to greater regional self-reliance in food include cutbacks in emissions of greenhouse gases from transporting food products; protection of local agriculture; and a greater likelihood that residents' greater connection to their region as a source of sustenance will lead them to care more about the region's resources, protect them, and balance appropriately the priorities for development versus conservation of regional agriculture. Planners could play the following roles:

1. Encourage conservation of regional agricultural land, open space, and wilderness resources for agriculture and food systems (as identified in the APA Agricultural Land Preservation Policy Guide).
2. Support the creation of marketing networks to bring together farmers, processors, and purchasers of locally grown and produced foods.
3. Support, as relevant with the use of planning tools, the integration in food production and distribution of sustainability principles and practices, which promote clean air, water, healthy soils, and healthy habitats and ecosystems.
4. Provide incentives and special zoning provisions to integrate locally supported agriculture (e.g., community gardens, urban agriculture, small farms) into existing settlements and new areas of residential development.

Specific Policy #4B. Planners support food system activities that minimize energy use and waste, and encourage the use of local and renewable energy resources.

Reason to support

The historic low cost of fossil fuel has led to the development of highly inefficient agriculture and food system practices. As petroleum prices rise, the costs to consumers increase, critically affecting low-income households' efforts to be food-secure. Excessive dependence on a fossil-fuel based economy also has significant implications for homeland security; on the other hand, promoting local and renewable energy resources can enhance security as well as the regional economy. Planners could play the following roles:

1. Develop regional plans and policies that strengthen markets for the region's food producers so as to reduce long-distance transportation of agricultural products and processed foods.
2. Assist in conducting energy audits to assess amounts and sources of energy used in the region for the production, distribution, and consumption of food. This inventory can identify existing uses of local and sustainable energy resources as well as the potential for expansion in this area.
3. Support as relevant with planning tools, efforts to assess the capacity of regional agriculture for meeting potential energy demands versus regional food needs.
4. Assess the impact of food waste disposal on area landfills and explore possibilities related to recycling food wastes through composting and bio-fuel development.

Specific Policy #4C. Planners support efforts to assess and mitigate the negative environmental and ecological effects caused by and affecting food system activities.

Reason to support

Conventional agriculture, fisheries, and other food system activities create considerable amounts of air and water pollution, loss of topsoil, and extinction of species including those central to the cultural traditions of many ethnic groups and Native Americans. Water pollution from other sources such as mining operations and industrial discharge into waterways, etc., can also affect food systems, through, for example, increased mercury concentrations in fish, fish kills, and loss of habitat. Planners involved in environmental assessment and mitigation activities could look more closely at how food system activities create or are affected by negative environmental impacts. These environmental impacts can also have human health implications, which need special attention. Fisheries play an especially important role in subsistence and commercial food systems and need special consideration to balance human needs with the long term sustainability of the fisheries. Fisheries, like most food-ecosystem linkages described in this policy guide, need greater development in future food planning policy. Planners could play the following roles:

1. In collaboration with other professionals, explore pathways through which the food system impacts the region's natural environment, fisheries and other wildlife habitats, and ecology, and the impacts of pollution on food systems. This analysis can inform plans to sustain ecologies including those upon which our food system depends, and to minimize harm to them.

2. Assist in assessing the sources of lake and river pollution and eutrophication, and considering ways to reduce such pollution.
3. Assist in assessing solid waste streams at different points of the community's food system (production, wholesale, retail, consumer, etc.) and considering ways to reduce, reuse, and recycle wastes.
4. Support efforts to reduce and mitigate negative air quality impacts in food system activities, including those contributed by farm activities and the long-distance transportation of food from farm to fork.
5. Support strategies to increase the adoption of water and soil conservation practices in agriculture.

General Policy #5

The American Planning Association, its Chapters and Divisions, and planners support food systems that are socially equitable and just.

Specific Policy #5A. Planners employ land use, transportation, and other planning tools to increase spatial access to programs and facilities that help reduce hunger and food insecurity for residents in impoverished urban and rural communities.

Reason to support

Hunger and food insecurity affect impoverished households in urban and rural communities across the country. Land use, transportation and other policies planners recommend, and regulations they implement, could inadvertently increase the incidence of hunger and food insecurity in low-income neighborhoods. However, planners are also uniquely positioned to help improve low-income people's access to programs and facilities that enhance food security.

Planners could play the following roles:

1. Provide data and mapping support to community and regional food assessments, including the incidence of food insecurity and location of diverse food assets.
2. Develop plans and redevelopment proposals for food insecure areas with sites and incentives for community gardens, entrepreneurial urban agriculture projects, farmers markets, neighborhood grocery stores, and food assistance programs.
3. Investigate the use of appropriate brownfield sites in low-income areas for food production.
4. Develop transportation, community development, and other plans and policies to provide convenient and safe access for low-income households to grocery stores, community gardens, and food assistance providers.
5. Encourage business district revitalization efforts to include support for convenience store sales of fresh foods.

Specific Policy #5B. In partnership with community-based organizations, planners support the creation of programs to enhance food-related economic opportunities for low-income residents.

Reason to support

Food-related enterprises are among the most common type of small business development and a way for many households to supplement income and achieve economic stability. In the past decade, community-based food projects have sprung up in some low-income urban and rural areas to provide economic opportunities for residents there. Among these are urban agriculture projects on vacant lots where some of the produce grown is sold at farmers markets and to restaurants; food business incubation in community kitchens to create value-added products like salsa and salad dressing; and assistance with opening food kiosks and catering operations. Planners can assist these efforts through land use, zoning, facility location, and support of related community development activities.

Planners could play the following roles:

1. Develop area-wide and neighborhood plans with appropriate sites for facilities (such as community kitchens) and spaces (such as for entrepreneurial community gardens) that support food-related entrepreneurial development for low-income households.
2. Assemble in partnership with other public agencies and community-based organizations, economic development programs and incentives for food-related enterprise development, job creation, and workforce development.

Specific Policy #5C. Planners encourage and support food production on the grounds of public agencies and institutions while providing employment to low income workers and distributing products to cafeterias and area food assistance sites.

Reason to support

Public institutions such as universities, schools, hospitals, and correctional facilities have public missions and often collaborate and coordinate with local public agencies related to land, infrastructure, and utility issues. They are generally located on large sites with vacant land suitable for growing food, and spend money on landscaping, grounds keeping and management. Some of this money can be put to productive use in

growing food for their on-site cafeterias while also providing healthy food and employment related benefits for lower-income residents.

Planners could play the following roles:

1. Develop assessments of land on institutional properties suitable for cultivation and support food production activities on these sites.
2. Explore ways in which these institutions can be linked with community-based organizations in producing food on their sites to provide job opportunities and healthy food for school cafeterias and low-income residents — e.g., programs such as "plant-a-row" that add fresh produce to food assistance provided by Second Harvest Food Banks.
3. Provide site planning, design, and other relevant assistance to these institutions to facilitate food production and distribution.

Specific Policy #5D. Planners support resolving issues of rural poverty through land use, transportation, economic development planning and appropriate regulatory measures.

Reason to support

Many farm and food sector jobs in rural areas are characterized by poor working conditions, high rates of occupational hazards, rapid turnover, and low rates of union representation. Migrant farm workers and immigrant employees of slaughterhouse and meat packing facilities located in rural communities are most subject to these difficulties. In addition, the increasing number of farm closures can cause farmers to slip into poverty. Planners can recommend policies in land use, transportation, economic development, and social services to improve the quality of life of impoverished rural households.

Planners could play the following roles:

1. Assist the region's farm and food worker organizations in rural food and community assessment and improvement efforts.
2. Undertake assessments of possible links between farm and food workers' work conditions and planning-related decisions (e.g., distance between housing, schools, and work sites, and availability of transportation options).
3. Prepare comprehensive and rural community plans to address the spatial, social and economic needs of low-income rural residents.
4. Explore the development community policies for "fair trade" purchasing by public agencies to ensure that public expenditures in food procurement are fair and equitable to producers and communities in other countries.

General Policy #6

The American Planning Association, its Chapters and Divisions, and planners support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities.

Specific Policy #6A. Planners support community food assessment and planning to preserve and strengthen traditional native and ethnic food cultures (e.g., fisheries in Louisiana and Alaska and desert foodscapes in New Mexico and Arizona).

Reason to support

Native American and other ethnic minority communities contribute to the nation's diversity of local food traditions which are important to the identity and economic vitality of a region, and the nutritional health of its residents. Unfortunately, recent Native American history has included forced relocations of tribes and dependence on non-native foods (including lard, refined flour, and sugar) leading to a disconnection with traditional food sources and an erosion of traditional food practices that are at the heart of native community life and rituals. The health implications of this history are significant: diabetes and diet-related illnesses are at epidemic proportions in many Native American communities. To a smaller extent, these patterns of dietary health and cultural loss are also familiar in many immigrant communities.

Planners could play the following roles:

1. Assist and support locally based efforts by Native American and other ethnic minority communities, to identify and document community and ecological assets and cultural traditions that are tied to food production, preparation, and consumption (e.g. salmon runs, wild rice and nut-gathering, agricultural fairs, and ethnic and cultural festivals).
2. Support locally based efforts to identify challenges and needs faced by members of Native American and ethnic minority groups in consuming healthful diets.
3. Support locally based efforts to prepare action plans to build on existing assets and cultural traditions that nourish Native and ethnic minority food cultures and to mitigate challenges to them.

4. Assist efforts to develop ongoing community participation mechanisms in food assessments and related planning in First Nations and in communities with a significant Native American or other minority ethnic cultures.

Specific Policy #6B. With the participation and collaboration of communities to be served, planners support the development of plans to preserve and restore the natural environment and biodiversity in the region, to revitalize traditional and ethnic food systems that depend on the regional ecology.

Reason to support

In many cases, local food systems and diets have been lost or impacted due to environmental degradation, habitat destruction or development (e.g. the Onondaga Lake whitefish, Chesapeake Bay blue crab).

Restoration of indigenous and traditional food systems has been shown by research to be linked to improved health of residents and benefits to the local economy. Healthy food systems are important for all regions and must be supported in order to ensure food safety and security, sustainable development, public health and nutrition, and sound environmental management.

Planners could play the following roles:

1. Support efforts by and within Native American and other ethnic minority communities to identify and document indigenous and ethnic food systems that have been degraded or are threatened.
2. Support local efforts to restore or protect native, indigenous, or ethnic food systems.
3. Consider the impact of proposed changes in land-use and other plans on the ability of Native American and ethnic minority communities to sustain food production systems and support the coordination of planning efforts to enhance such systems in the future.

Specific Policy #6C. Planners support integrating traditional food systems and related cultural issues into community and regional planning efforts — including comprehensive and economic development plans — and other governance activities.

Reason to support

Diverse local and traditional food practices contribute to a sense of place and help achieve economic, environmental, and health goals of communities. Efforts to integrate traditional methods of food production (such as farming in Amish communities, Navajo shepherding, food gathering, and fisheries) into a multi-functional working landscape require sensitivity to a spectrum of traditions of distinct cultural groups.

Additionally, they require effective communication and collaboration across groups in the region and dispute resolution mechanisms. To the extent possible, land use and economic development policies should support the right of farmers, hunters, and food gatherers to practice their occupation in accordance with their religious and cultural norms.

Planners could play the following roles:

1. Support planning that builds on and celebrates the diverse cultural, agricultural, and dietary traditions present in the region.
2. Work with tribal governments and state agencies to address land and resource management issues so as to strengthen Native American food systems including farming, hunting, gathering and fishing and nutritious diets.
3. Work collaboratively to establish mechanisms in the region to minimize and resolve conflicts between tribal governments, other local governments, and state and federal agencies and among different minority groups in communities, so as to facilitate Native and other ethnic minority communities' efforts to sustain their food systems.

General Policy #7

The American Planning Association, its Chapters and Divisions, and planners support the development of state and federal legislation that facilitates community and regional food planning, including addressing existing barriers.

Specific Policy #7A. APA, its Chapters and Divisions support developing and advocating for programs in the federal Farm Bill to facilitate community and regional food planning discussed in General Policies #1 through #6.

Reason to support

All titles of the Farm Bill affect local areas and therefore what planners can accomplish by engaging in community and regional food planning. For example, the continued availability of food stamps and farmers market nutrition program benefits is important for impoverished households as well as to the vitality of grocery stores and farmers markets. Similarly, rural development programs can help develop value-added food enterprises, renewable energy systems, land use management, and air and water quality enhancement. The Farm Bill also includes many provisions that favor, intentionally or not, larger agribusinesses over smaller farm operations in the distribution of subsidies, design of regulations, and other

requirements that impose greater burden on the latter. To achieve the goals of community and regional food planning, many of these provisions will need to be re-oriented. In the end, federal (and state) support is indispensable to communities and regions' ability to plan for food under normal and emergent circumstances and further the goals of food planning identified in this Policy Guide. APA, its Chapters, and Divisions could play the following roles:

1. Analyze how different titles of the Farm Bill affect communities and regions, pose barriers to achieving goals of community and regional food planning, and in particular, how they may affect planners' ability to implement actions recommended in General Policies #1 through #6.
2. In collaboration with other organizations advocating for policies relevant for economic development, public health, sustainable agriculture and food systems, and social justice, develop and advocate for proposals in the Farm Bill to facilitate actions described under General Policies #1 through #6.
3. Develop and disseminate timely action-guides and alerts for APA and chapter membership to build support for the legislative platform advocated by APA.

Specific Policy #7B. APA, its Chapters and Divisions support the development and advocacy of policies and programs outside of the federal Farm Bill to further General Policies #1 through #6.

Reason to support

The food system is complex and intricately linked with other systems such as health, energy, education, economy, environmental protection, and housing. Although the Farm Bill might be a first, seemingly intuitive target of policy advocacy efforts to further objectives suggested in this Policy Guide, effective community and regional food planning may also need to be supported through other federal legislation. For example, programs in the next Transportation Bill could conceivably support small farmers' needs to bring product to markets, increase transit access of urban and rural households to grocery supermarkets, and renewable and sustainable biofuel development. Legislation related to the functions administered by the Departments of Education or Health and Social Services might help supply more fresh foods from local farms in all schools, or support the development of farmers markets in public health and social service institutions. As an advocate of good planning at the national level, APA can help to direct attention to areas of federal legislation that could support and foster community and regional food planning.

APA, its Chapters, and Divisions could play the following roles:

1. For each general policy statement in this guide, identify and research significant upcoming federal legislative opportunities, rule-making, or appropriations activities that affect that policy, and planners' ability to implement suggested actions under that policy. For example, programs in the Transportation Bill could be targeted as applying to General Policy #2 (economic vitality), #3 (health) or #5 (social equity).
2. In collaboration with other organizations, develop and advocate for proposals related to legislation, appropriations, or rule-making, to further actions described under policy statements #1 through #6.
3. Develop and disseminate timely action-guides and alerts for APA membership to build support for the proposals advocated by APA.

Specific Policy 7C. APA Chapters support the development and advocacy of state policies and programs to further General Policies #1 through #6.

Reason to support

These reasons are similar to those stated in Specific Policies #7A and #7B, but within the arena of state legislation. State policies, regulations, and programs can provide important resources or pose significant constraints to achieve objectives sought under this Policy Guide. Additionally, states have arguably a greater ability than federal agencies to design and implement policies that support community and regional food planning, such as those that discourage the conversion of productive farmland, ease regulatory burdens on small and moderate farms, and encourage the development of regional food infrastructure.

APA Chapters could play the following roles:

1. Roles similar to those in Specific Policies #7A and #7B as indicated above, but at the state level
2. Chapters could document related activities to enable the broader APA membership to draw lessons from their successes and challenges, and to inform federal policy advocacy.

Specific Policy #7D. APA Chapters support the development of and participation in state food policy councils that provide a comprehensive and systematic focus on statewide food issues and needed actions.

Reason to support

Comprehensive and systematic food planning at the state level could provide a significant impetus to General Policy #1 and others in this Policy Guide. In ways that are currently nonexistent except for a handful of states such as Connecticut, Iowa, California, and Michigan, state food policy councils provide a way for stakeholders in public, for-profit, and nonprofit sectors to come together to discuss community and

regional food concerns, share information, and recommend policies and actions to achieve goals identified in this Policy Guide.

APA Chapters could play the following roles:

1. Conduct research on existing state food policy councils and assess the feasibility of a state food policy council if currently non-existent, including its structure, decision processes, constituents, and relationship to government agencies and legislative bodies.
2. Provide maps, information, and analysis on particular planning issues linking food system and local areas to food policy councils.
3. Develop policy and programmatic recommendations related to those proposed in this Policy Guide for the consideration of and action by state food policy councils to consider.

Specific Policy #7E. APA Chapters and Divisions support the development of federal policies related to international trade, humanitarian aid, development assistance, and other categories of international involvement in ways that promote sustainable and self-reliant solutions to hunger and food insecurity experienced in other countries.

Reason to support

Across the world, populations in impoverished countries continue to experience hunger and food insecurity at high rates. Half of the global population — nearly 3 billion people — lives on less than two dollars a day, an important indicator of poverty. In an increasingly interdependent world, it is not only incumbent upon wealthier countries to act responsibly to end hunger and food insecurity across the globe, it is also important to redress the adverse impacts of agriculture trade policies on the ability of poor urban and rural households to subsist. Most of the world's farmers are small-scale farmers; they also tend to have inadequate or precarious access to food themselves. Yet foreign aid for agriculture and rural development has continued to decline over the last three decades. Solutions to hunger and poverty in impoverished countries need to include investments in agriculture, education, health, and essential public goods.

APA Chapters and Divisions could play the following roles:

- Support U.S. international policies related to trade, humanitarian assistance, economic and social development, and conflict resolution affecting impoverished countries, in ways that sustainably increase local capacity for food security and food self-reliance.
- Support U.S. policies and programs for international development that encourage investments in local agriculture, education, health, and essential public goods such as roads, clean water, and electricity.
- Support multi-national non-governmental organizations that increase community capacity in sustainable agriculture and food systems in poor countries, increase food security across the globe while promoting social justice and ecological sustainability, and create learning exchanges between grassroots groups in more and less industrialized parts of the world.
- Support U.S. humanitarian food aid in ways that minimize adverse impacts to agricultural markets in surrounding regions, and especially prevent dumping of excess U.S. agricultural product in these regions.

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Mobile Vending Laws in the 10 Most Populous U.S. Cities

City	Nutrition Incentives	Restrictions on Vendor Proximity to Schools	Restriction on Duration of Vendor Stops	Hours When Vendors are Allowed to Operate	Are Vendors Subject to Inspection?	Are Vendors Required to Operate from a Commissary?	Other Special Regulations	Fees for Mobile Vendor Permits or License
Chicago	Vendors selling only fruits and vegetables are separately classified as "peddlers" and pay a reduced permit fee. ¹	No regulation.	No regulation.	7 a.m. to 5 p.m. for peddlers of fruits and vegetables. ² Otherwise, there is no restriction on hours.	Yes. Vendors must pass inspection before license will be issued. ³	Vendors must operate from a commissary or other licensed fixed food service establishment. ⁴	n/a	\$165 payable every two years for "peddlers" of fruits and vegetables, ⁵ otherwise \$275, payable every two years. ⁶
Dallas	No nutrition-based incentives.	No regulation.	Vendors may not stop longer than one hour in one place per day, or operate for a total of three hours in one location within a 24-hour period. ⁷	No regulation.	Yes. ⁸	Yes. Vendors are required to operate from a commissary. ²	Vendors must provide a monthly itinerary indicating where they intend to operate. ⁹ Vendors also must be able to provide proof of liability insurance. ¹¹	\$100 for most vendors, but \$465 for a mobile food preparation vehicle such as a "hot truck." ¹²
Houston	No nutrition-based incentives.	No regulation.	No regulation.	Vendors may designate a site for 24-hour use. ¹³	Yes. Vendors must pass inspection before receiving a permit to operate. Thereafter vendors may be subject to inspection without notice. ¹⁴	Yes. Vendors are required to operate from a commissary, and commissaries are required to keep servicing records for each mobile vendor. ¹⁵	Vendors in the downtown theater/entertainment district must obtain permission from any abutting fee owner for use of the site. ¹⁶ At least one person who has obtained a safe food handling certification from the Houston Health Department must be on duty at all times. Certification requires one to take a food management class at a cost of \$45. ¹⁷	\$200 for a permit, ¹⁸ \$310 for a "mediation" to be placed on the vending vehicle plus a \$200 electronic monitoring systems fee and a \$50 pre-opening inspections fee for "unrestricted mobile food units." ¹⁹


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NATIONAL POLICY & LEGAL ANALYSIS NETWORK
TO PREVENT CHILDHOOD OBESITY

Mobile Vending Laws in the 10 Most Populous U.S. Cities

2

City	Nutrition Incentives	Restrictions on Vendor Proximity to Schools	Restriction on Duration of Vendor Stops	Hours When Vendors are Allowed to Operate	Are Vendors Subject to Inspection?	Are Vendors Required to Operate from a Commissary?	Other Special Regulations	Fees for Mobile Vendor Permits or License
Los Angeles	n/a	n/a	n/a	n/a	n/a	n/a	In the City of Los Angeles, mobile vending is currently illegal. To operate legally, a vendor must follow the complex process of establishing a "special sidewalk vending district" and at present, no such district exists in Los Angeles. ²⁰	n/a
New York	"Green Carts" legislation amended New York law to set aside 1,000 permits to vendors selling whole fruit and vegetables in underserved communities. ²¹ Green cart vendors also have preference on the city's permit waiting list. ²²	No regulation.	No regulation.	Varies by location. ²³	Yes. Vendors are not allowed to operate until they have passed inspection. ²⁴	Yes. All vendors must operate from a commissary, depot, or other licensed facility. ²⁵	New York City's Green Cart Initiative includes a public education campaign. For example, the City published an "Eat Street Smart" brochure to accompany each green cart, discussing the importance of eating fruits and vegetables and ways to do so. ²⁶	Permits are valid for two years. ²⁷ Permits cost \$50 for vendors of pre-packaged food or fresh fruits and vegetables, ²⁸ and \$100 for vendors selling food processed or prepared on the mobile vending vehicle. ²⁹
Philadelphia	No nutrition-based incentives.	No regulation.	No regulation.	7 a.m. to 12 a.m. ³⁰	Yes. Vendors must submit to an official inspection. ³¹ Vendors also must perform one self-inspection every three months. ³²	Yes. ³³	n/a	\$125 annually for vendors on foot; otherwise \$300 annually for all other vehicles. ³⁴
Phoenix	No nutrition-based incentives.	Vendors located on private property may not operate within 300 feet of any school between 6 a.m. and 5 p.m., ³⁵ or within 600 feet of any school, or between 7 a.m. and 4:30 p.m., when located on public property. ³⁶	Vendors may not stop for more than one hour within an eight-hour period on any public street or alley, ³⁷	6 a.m. to 2 a.m. on private property, ³⁸ the later of 7 p.m. or sunset and before sunrise on public property. ³⁹	Yes. Vendors must be inspected at least every six months under the Arizona Food Code. ⁴⁰	Yes. Vendors must report daily to a commissary. ⁴¹	Vendors may not operate on any street abutting a public park within 150 feet of a lawfully established park concession. ⁴²	\$250 first-time license application fee and \$30 per year for a vendor license thereafter. ⁴³ There is also a onetime fee for criminal investigation fingerprints. ⁴⁴
San Antonio	Vendors selling whole fruits or vegetables, fresh fish, or shrimp do not have to operate from a commissary. ⁴⁵	Vendors may not sell within 300 feet of any school one hour before, one hour after, and during school hours. ⁴⁶	No regulation.	7 a.m. to 30 minutes after sunset in residential areas. 7 a.m. to 10 p.m. in June, July, and August. ⁴⁷	Yes. Vendors are subject to routine unannounced inspections. ⁴⁸	Yes. Vendors must operate from a commissary, unless they sell food that exempts them from this provision. ⁴⁹	Vendors may not sell within 300 feet of any food establishment unless the vendor obtains written notarized permission from the owner. ⁵⁰	\$48 to \$350 annually depending on the type of vehicle used and the type of food sold. ⁵¹

 NATIONAL POLICY & LEGAL ANALYSIS NETWORK TO PREVENT CHILDHOOD OBESITY		Mobile Vending Laws in the 10 Most Populous U.S. Cities						3
City	Nutrition Incentives	Restrictions on Vendor Proximity to Schools	Restriction on Duration of Vendor Stops	Hours When Vendors are Allowed to Operate	Are Vendors Subject to Inspection?	Are Vendors Required to Operate from a Commissary?	Other Special Regulations	Fees for Mobile Vendor Permits or License
San Diego	Vendors may sell farm produce from the farm property without paying a permit fee. ⁶²	Yes. Vendors may not operate within 500 feet of any public school between 7 a.m. and 4 p.m. on regular school days. ⁶³	Restrictions on duration of time vendors are allowed to stop varies by location. ⁶⁴	9 a.m. to 8 p.m. ⁶⁵	Yes. ⁶⁶	Yes. ⁶⁷	Generally, mobile vending units propelled by hand, handcart, pushcart, bicycle cart or by "muscular power either human or animal" cannot be used to sell perishable food. ⁶⁸	\$164 to \$427 annually depending on the type of vehicle used and the type of food sold. ⁶⁹
San Jose	No nutrition-based incentives.	Vendors may not operate within 500 feet of any school property. ⁷⁰	Except for "approved location" (stationary) vendors may not stop in one place for longer than 15 minutes in a two-hour period. ⁷¹	10 a.m. to 7 p.m. or sunset; vendors at construction or industrial sites are exempt from this regulation. ⁷² Approved location vendors may operate from 6 a.m. until 7 p.m. or sunset. ⁷³	Yes. ⁷⁴	Yes. Vendors must operate from a commissary or other approved facility. ⁷⁵	Stationary vendors operating from a designated "approved location" must have liability insurance. ⁷⁶	\$418 for an "approved location" permit, but \$149 for all other vendors, plus \$45 for an ID card. ⁷⁷

- ¹ Chicago, IL, Code §§ 4-244-020, 4-5-010(66) (2008).
- ² *Id.* § 4-244-120 (2008).
- ³ *Id.* § 4-8-030(b).
- ⁴ IL Admin. Code tit. 77, § 750.1550 (2009).
- ⁵ Chicago, IL, Code § 4-5-010(66).
- ⁶ *Id.* § 4-5-010(31).
- ⁷ Dallas, TX Code § 17-8.2(h)(2)(F)(v) (2008).
- ⁸ *Id.* § 17-8.2(c)(1)(B).
- ⁹ *Id.* § 17-8.2(g)(1).
- ¹⁰ *Id.* § 17-8.2(h)(2)(B).
- ¹¹ City of Dallas, Requirements for Mobile Food Vendors. Available at: www.dallascityhall.com/pdf/ehs/MobileFoodVendorRequirements.pdf.
- ¹² *Id.*
- ¹³ Houston, TX Code, art. XI, div. 2, § 40-263(2) (2008).
- ¹⁴ *Id.* § 40-269(b); *see also* City of Houston, Mobile Food Service Units, § VIII. Available at: www.houston.tx.gov/health/Food/MOBILEREQ.html.
- ¹⁵ Houston, TX Code art. II, div. 1, § 20-22(e)(1), (4) (2009).
- ¹⁶ *Id.* art. X, div. 2, § 40-263(3).
- ¹⁷ Mobile Food Service Units, *supra* note 14, at § XIV.
- ¹⁸ Houston, TX Code, art. II, div. 1, § 20-38(b)(1)(2009).
- ¹⁹ *Id.* § 20-38(b)(2) & (5)(2009)
- ²⁰ City of Los Angeles, Community Development Department, Sidewalk Vending Program. Available at: www.lacity.org/cdd/bus_side.html.
- ²¹ New York City, N.Y., Code § 17-307(b)(4) (2008).
- ²² *Id.* § 17-307(b)(4)(e).
- ²³ *Id.* § 17-315 (l).
- ²⁴ New York City, N.Y., Tit. 24, Health Code § 89.5(a) (2008).
- ²⁵ *Id.* § 89.05(a)(2).
- ²⁶ New York City Department of Health and Mental Hygiene, *Eat Street Smart*, 2008. Available at: www.nyc.gov/html/doh/downloads/pdf/cdp/greencarts-brochure-online.pdf.
- ²⁷ New York City, N.Y., Code § 17-307(e) (2008).
- ²⁸ *Id.* § 17-308(c)(1).
- ²⁹ *Id.* § 17-308(c)(2).
- ³⁰ Philadelphia, PA Code § 9-205(8)(i) (2009).
- ³¹ Philadelphia, PA Health Code § 6-301(3)(a) (2009).
- ³² *Id.* § 6-301(8)(b).
- ³³ Philadelphia Dept. of Pub. Health, *Food Safety for Mobile Food Vendors: Preparing and Servicing Safe Food from Mobile Food Vending Units in Philadelphia*. Available at: www.fsis.usda.gov/OPPE/ISLgrs/Retail/FY01/Philadelphia/VendorBrochure.pdf.
- ³⁴ Philadelphia, PA Code § 9-203(3)(b) (2009).
- ³⁵ Phoenix, AZ Code art. XIV, § 10-166(B)(3) (2009).
- ³⁶ *Id.* art. II, § 31-24(2).
- ³⁷ *Id.* § 31-24(1).
- ³⁸ *Id.* art. XIV, § 10-166(B)(2).
- ³⁹ *Id.* § 31-24.1(c).
- ⁴⁰ Ariz. Food Code § 8-401.10 (2000). Available at: www.azdhs.gov/phs/oeht/rs/pdf/tc2000.pdf.
- ⁴¹ Maricopa County Envtl. Health Code ch. VIII, § 3, regulation (5)(e) (2007).
- ⁴² Phoenix, AZ Code art. II, § 31-24(5).
- ⁴³ *Id.* art. XIV, § 10-162(A) to (B).
- ⁴⁴ *Id.* § 10-162(F).
- ⁴⁵ San Antonio, TX Code art. IV, § 13-64(2) (2009). This exception also applies to prepackaged novelty ice cream, individual portion size non perishable foods, and snow cones or shaved ice.
- ⁴⁶ *Id.* § 13-63(9).
- ⁴⁷ *Id.* § 13-63(12).
- ⁴⁸ *Id.* § 13-62(j).
- ⁴⁹ *Id.* § 13-64(2).
- ⁵⁰ *Id.* § 13-63(a)(10).
- ⁵¹ *Id.* § 13-62(d).
- ⁵² San Diego, Cal. Code § 42.0126.
- ⁵³ *Id.* at § 54.0122(g).
- ⁵⁴ County of San Diego, Dept. of Envtl. Health, Construction and Operational Guide for Mobile Food Facilities and Mobile Support Units. Available at: www.sdcountry.ca.gov/deh/food/pdf/publications_plancheckmff.pdf.
- ⁵⁵ San Diego, Cal. Code § 33.1410.
- ⁵⁶ *Id.* at § 42.0103.
- ⁵⁷ *Id.* at § 42.0130 & 42.0161(m).
- ⁵⁸ *Id.* at § 42.0101.2.
- ⁵⁹ San Diego County Code § 86.104 & 65.106(a)(7)-(9).
- ⁶⁰ San Jose, Cal. Code § 6.54.240 (2).
- ⁶¹ *Id.* at § 6.54.240(1).
- ⁶² *Id.* at § 6.54.205.
- ⁶³ *Id.* at § 6.54.260(R).
- ⁶⁴ Cal. Health & Safety Code §§ 113715 & 113725 (West 2009).
- ⁶⁵ *Id.* § 114295 (West 2009).
- ⁶⁶ San Jose, Cal Code § 6.54.270.
- ⁶⁷ San Jose, Cal Resolution No. 74981 (2009).

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The National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN) is a project of Public Health Law & Policy (PHLP). PHLP is a nonprofit organization that provides legal information on matters relating to public health. The legal information provided in this document does not constitute legal advice or legal representation. For legal advice, readers should consult a lawyer in their state.

APPENDIX F: LURN & USC REPORT SUMMARY



Street Vending in Boyle Heights: Opportunities and Challenges

May 2010

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INTRODUCTION

Street vending in the city of Los Angeles has been a highly contested issue for over a decade.¹ According to a recent estimate in the *Los Angeles Times*, at least 15,000 street vendors operate throughout Los Angeles County.² Under the current law, street vending activities are illegal throughout the city of Los Angeles with very few exceptions. Despite past efforts by a variety of stakeholders to amend the policy, many challenges still exist regarding unauthorized street vending, particularly in the East Los Angeles community of Boyle Heights, which is the focus of this project.



This study was conducted on behalf of the Los Angeles Renewal Network (LURN). "LURN is a multi-disciplinary coalition of professionals committed to revitalizing the city's most under-represented communities. LURN recognizes the thousands of Los Angeles area homes living in poorly invested neighborhoods and innovatively seeks to build partnerships as one of their many approaches to serve the existing community residents and business owners." — www.lurnnetwork.org

Currently, in Boyle Heights, there is a high concentration of street vendors, which comprise part of the informal economy. The informal economy is composed of "economic activities that...operate outside the national and local legislative or regulatory contexts."³ Immigrants seeking job opportunities as a means of income contribute to the creation of the informal economy, which is often shaped by cultural and traditional practices from their countries of origin.⁴ In Boyle Heights, this is evident since the majority of street vendors are Latino immigrants.

Through preliminary research, several advantages and disadvantages of street vending have been identified, which influence the actions of the key stakeholders across the public and private sectors, and the community of Boyle Heights. These advantages and disadvantages include:

Advantages

- Provides affordable products and services
- Provides job opportunities
- Increases foot traffic

Disadvantages

- Risk to public health
- Effect on public safety
- Generates unfair-competition

STREET VENDING POLICY

Section 42: Los Angeles City Municipal Code

- ❖ City law forbids street vending across Los Angeles
- ❖ Special Vending Ordinance of 1994 authorizes creation of vending districts

Under Section 42.00 of the Los Angeles City Municipal Code, street vending is prohibited within city limits and can result in a fine up to \$1,000 and the seizure of all merchandise, including the cart.⁵ In 1994, the Los Angeles City Council passed the Special Sidewalk Vending

District Ordinance, which authorized the establishment of eight special legal vending districts.⁶ In 1999, under the ordinance, two pilot programs were launched, which created two legal vending districts in MacArthur Park and San Pedro.⁷ However, since these two vending districts failed, there is no legal vending in the city of Los Angeles.

In order to guide this study, the following research questions were developed:

- ❖ What are the impacts of street vending activities in Boyle Heights?
- ❖ What are the roles, relationships, and perspectives of the key stakeholders involved?
- ❖ How do the past and current city regulations and initiatives address these impacts in Boyle Heights?
- ❖ What adaptations, if any, can be made under current political feasibility to address the issue of street vending in Boyle Heights?

METHODOLOGY

The research was carried out over the course of three phases using a multi-methodological approach. The first stage was the baseline research which included a literature review on journal articles which focused on the participatory processes among stakeholders. This stage also included document research on news articles, like the *Los Angeles Times*, and social media tools like Twitter, that provided updated information on the current issue of street vending in Los Angeles. Also included in this stage was a case study review of both local and international case studies that helped gain a better understanding of the types of approaches to street vending that could be adaptable to the community of Boyle Heights.

The second stage of research included interviews conducted with stakeholders at various levels of government. Interviews were also conducted with community stakeholders such as the president of the Boyle Heights Neighborhood Council and representatives

from community organizations who are also seeking to address street vending in Boyle Heights. To better understand the community and its key characteristics, a windshield survey was conducted which included public observations and written documentation of Boyle Heights. Also included in this stage of research was a stakeholder analysis which was used to better understand stakeholder involvement, interest, and influence in the issue of street vending in Boyle Heights.

The last stage of research involved analyzing the data collected from the interviews and surveys. This was done by coding the information that was obtained to identify key trends and findings. Overall, these approaches were useful in better understanding the issue of vending in Boyle Heights and helped inform the final analysis which led to our final recommendations.

Through the multi-methodological approach, this report aims to validate key assertions and further identify analytical findings, which will assist in formulating recommendations to effectively address the issue of street vending in Boyle Heights

Stages



ANALYSIS OF KEY FINDINGS

The results of the research conducted provided the following key findings:

1. **Need to Coordinate Key Resources** – our research has found that past efforts to coordinate a program for vendors have failed due to lack of resources such as funding and enforcement. There is a need to provide enforcement to monitor legal vending and prevent competition from illegal vending.
2. **Need for Stakeholder Collaboration** – our research has found that past efforts had a lack of oversight to address the issue along with a lack of systematic program management. Since stakeholders have a heavy reliance on one another for resources, it is very important to coordinate collaboration among stakeholders to effectively allocate resources.
3. **Need for Public and Vendor Education** – our research has found the need to educate both the vendors and the public on proper compliance with any proposed initiative or program exists. Once an initiative or program is established, workshops are useful tools to provide information on helpful topics such as how to

4. **Need for a Vending Location** – our research has found that a vending location is needed in order to mitigate harms that vendors may cause such as pollution and competition with indoor businesses. However, strategic planning for designating vending location and allocating vendors are significant challenges and will need further research to find the right location.

5. **Need for Street Vendor Outreach Efforts** – our research has found that past programs didn't have sufficient outreach efforts done in order to encourage street vendor participation. Overall, program benefits and incentives may be needed in order to increase vendor participation

In order for any type of program that addresses street vending to be successful, these key findings need to be considered. Several of these findings have been lacking in previous programs and initiatives which has led to their failure.

RECOMMENDATIONS

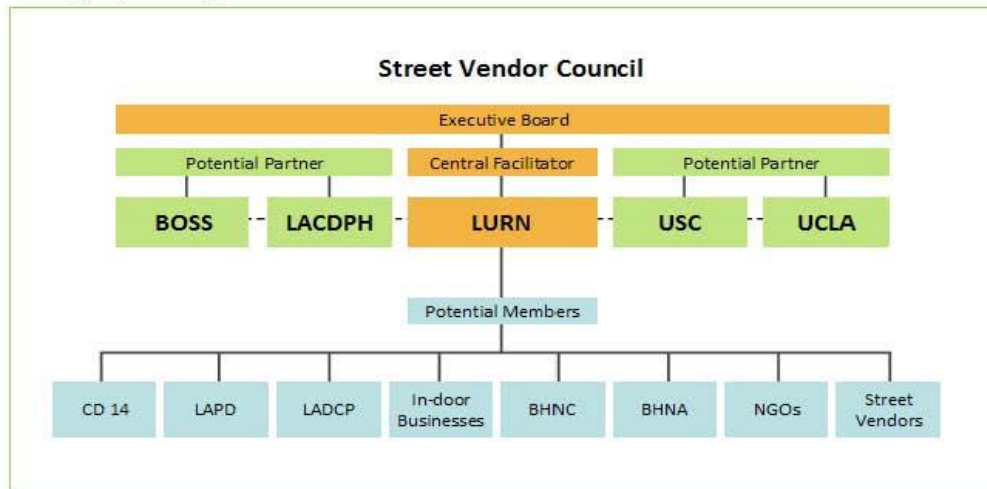
Based on our analytical findings we recommend the following:

Establish a 'Street Vendor Council' as an independent advisory body with a central facilitator to encourage stakeholder collaboration and lead in effectively allocating resources and developing a mutual goal

Among various analytical findings that were identified, this report found that one of the key challenges in improving the situation of street vending in Boyle Heights is in lack of communication and the complexity of interests, roles, and relationships among multiple stakeholders, which have delayed and limited success in past attempts to address the issue. Therefore, in order to encourage smooth flow of communication and to bridge the gaps that exist among the multiple perspectives, an independent advisory council should be established to provide an environment where the stakeholders can come together and see eye to eye on the issue to work towards achieving a mutual goal. In addition, a successful creation and administration of the Street Vendor Council in Boyle Heights may serve as model for other communities, which may face similar challenges.

The Street Vendor Council will consist of an executive board and a wide-range of council members comprised of key stakeholders from across the public and private sectors, and from the community. To maximize the effectiveness of the Council, it is important that the Council consists of a central facilitator with a neutral perspective to oversee various issues with the potential agenda and settles disputes among multiple stakeholders that may arise. This report believes that LURN is an appropriate candidate for the position of central facilitator as a member of the executive board since the organization is comprised of professionals and experts from diverse fields with a wide-range of networking resources and experience in serving the community. Another advantage is the fact that the organization is capable of holding a neutral stance in the debate of street vending unlike other stakeholders who have been long engaged in the issue with a fixed perspective.

Following is a potential organizational structure of the Street Vendor Council.



Finally, to successfully establish the Street Vendor Council, this report recommends the following implementation steps be taken by LURN.

- ❖ Contacting and building partnerships with key stakeholders to encourage member participation and acquire valuable input
- ❖ Research and gather information required to organize and conduct meetings
- ❖ Register to become a formal entity in the community
- ❖ Identify meeting location
- ❖ Launch community campaign to gain public support

The issue of street vending is a complex problem, which needs a holistic approach when considering a solution that will address various concerns of stakeholders involved. This report recognizes the uniqueness of the issue and has provided a feasible recommendation based on comprehensive research, which approaches the problem in all areas identified through an in-depth analysis. This recommendation has been tailored for the community of Boyle Heights as well as for our client, LURN. Furthermore, the proposed implementation steps for our client to establish the Council have been informed by our research. Overall, the goal of this recommendation is to fully address the issue of street vending in Boyle Heights from the perspective of multiple stakeholders, which will be sustainable long-term.

¹ Kettles, Gregg W. (June 1, 2004). Regulating Vending in the Sidewalk Commons (June 01, 2004).

Temple Law Review, Vol. 77, No. 1. Retrieved 10/12/2009 from:

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=897498

² Reston, Maeve. (November 17, 2008). Boyle Heights food vendors try to survive as city crackdown intensifies. Los Angeles Times Retrieved 10/12/2009 from:

http://www.latimes.com/news/local/la-me-outthere17-2009nov17_0_4708278.story

³ Brown, A. (2008). Contested Space: Street Trading, Public Space, and Livelihoods in Developing Cities. UK: Intermediate Technology Publications

⁴ Sassen, S. (Jun., 1994). The Informal Economy: Between New Developments and Old Regulations. *The Yale Law Journal*, Vol. 103, No. 8, Symposium: The Informal Economy pp. 2289-2304

⁵ Street Vending in L.A. A Graphical Guide to Local Politics and Organization. Harvard University Graduate School of Design. Retrieved 10/18/09 from www.ciutatocasional.net/.../poster%20INDICARE%20DATA_9%20nov%202005.pdf

⁶ Liu, Ya-Ting. (2001). A Right to Vend: New Policy Framework for Fostering Street Based Entrepreneurs in New York City.

⁷ Cross, John Christopher and Morales, Alfonso. 2007. Street Entrepreneurs: people, place and politics in local and global perspective. Retrieved 11/20/2009 from <http://books.google.com/books?isbn=0415770289...>

APPENDIX G: CITY OF LOS ANGELES MUNICIPAL CODE, ARTICLE 2, SECTION 42.00

ORDINANCE NO. 169319

An ordinance amending Section 42.00 of the
Los Angeles Municipal Code with respect to sidewalk vending.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. Subsection (b) of Section 42.00 of the
Los Angeles Municipal Code is hereby amended to read:

(b) Street Sale of Goods Prohibited.

No person, except as otherwise permitted by this
Section, shall on any sidewalk or street offer for sale,
solicit the sale of, announce by any means the
availability of, or have in his or her possession,
control or custody, whether upon his or her person or
upon some other animate or inanimate object, any goods,
wares or merchandise which the public may purchase at
any time. This Subsection shall not apply to the sale
of poppies, badges and labels as defined by Military and
Veterans Code Section 1800 on a parkway or sidewalk by
persons bearing a valid information card issued pursuant
to
Article 4 of this Chapter authorizing such person to do so.

Sec. 2. Subdivision (1) of Subsection (c) of
Section 42.00 of the Los Angeles Municipal Code is hereby
amended to read:

(1) No person, except as otherwise permitted by
this Section, shall on any street offer for sale,
solicit the employment of, or announce by any means the
availability of, any goods, wares, merchandise, services
or facilities, or solicit patrons for or advertise any
show, exhibition, entertainment, tour, excursion, sight-
seeing trip, or real estate viewing or inspection trip.

Sec. 3. Section 42.00 of the Los Angeles
Municipal Code is hereby amended by adding Subsection (m)
thereto, said Subsection to read:

**(m) Establishment and Regulation of Special Sidewalk
Vending Districts.**

(1) The Board of Public Works, hereinafter
referred to as "Board," is authorized to form special
sidewalk vending districts for the purpose of permitting
vending of goods, wares and merchandise and announcing
the availability thereof within such districts, and to
promulgate rules and regulations with respect to the
formation of such districts. The term "district"
whenever used in this Subdivision shall mean "special
sidewalk vending district." No more than eight

districts shall be approved by the Board during the first two years following the effective date of this ordinance. Each district shall have a designated police liaison appointed by the Chief of Police. Before any proposed vending districts are established, the City Council shall adopt a humane and comprehensive enforcement policy regarding sidewalk vending both inside and outside the proposed districts.

(2) A petition may be filed with the Board by any person or persons, hereinafter referred to as "applicant," interested in the formation of a special sidewalk vending district, subject to the following conditions and requirements:

(A) The applicant shall pay a non-refundable application fee to establish a district. Such fee shall be determined and adopted in the same manner as is provided in Section 12.37-I, 1 of the Los Angeles Municipal Code for establishing fees.

(B) The petition shall contain the name or names of the applicant(s) and names and signatures together with residence or business addresses within the district of persons endorsing the formation of the district. The endorsing list must consist of the owners or those in possession, such as tenants or lessees, of at least 20 percent of the businesses and 20 percent of the residents in each block or portion thereof to be included in the district.

(C) The petition shall set forth:

1. The proposed boundaries of the district, which shall only be in commercially zoned areas of the City;

2. The location and number of vending sites sought to be approved;

3. Any rules or regulations deemed necessary or desirable by the petitioners to organize vending activity within the district; and

4. The purpose for establishing the district.

(D) The petition shall be accompanied by a list provided by the Board of Public Works of the names and addresses of all property owners, businesses and residents within the district and within a 500-foot radius of the boundaries of the district, together with a cash deposit sufficient

to cover the costs of preparing such a list and of mailing and publishing notifications as provided below.

(E) The district shall not be limited to any particular size and the proposed density of vending sites may vary from area-to-area within the district.

(3) Upon receipt of said petition, the Board of Public Works shall notify the Council member or Council members in whose district or districts the special sidewalk vending district is proposed to be located, at which time the Council member or Council members shall appoint a Community Advisory Committee. The Community Advisory Committee must contain a Street Use Inspector, a Police Officer and the Sidewalk Vending Administrator. The committee shall have balanced representation of proponents of the district, fixed businesses, and residents within or adjacent to the proposed districts, as well as a representative of the Council office or offices. The committee will make recommendations on boundaries of the district, density and location of vendors, goods sold, design of carts and hours of operation. There shall be a limit of 90 days between filing this petition and a final decision by the Board of Public Works.

(4) Upon review of the petition by the Sidewalk Vending Administrator pursuant to Section 22.361 of the Los Angeles Administrative Code, the Board shall set the matter for public hearing. Notice of the time, place and purpose of the public hearing shall be given to each applicant by mailing a written notice of the hearing not less than 30 days prior to the date of such hearing. The Board shall at the same time mail such notice to all property owners, businesses and residents within the proposed district and within a 500-foot radius of the boundaries of the district. The Board shall further cause there to be published a notice of such public hearing in a newspaper of general circulation in the area wherein the sidewalk vending district is proposed to be established. The notice shall be published in both English and in any other language spoken as their primary language by a substantial number of the persons residing in the proposed district. The notice shall be published as provided for in Section 6064 of the Government Code of the State of California, and shall state the purpose of the proposed district, the boundaries thereof and the date, time and place of the public hearing.

(5) Any interested person may appear at such hearing and comment with respect to the proposed vending district. Comments may also be submitted in writing

prior to the date of such hearing. The Board shall also consider recommendations of merchant associations, chambers of commerce, the Los Angeles Police Department and various other affected City departments.

(6) The Board shall refer the matter to the Council member or Council members in whose district or districts the special vending district is proposed to be located for review and recommendation, together with a summary of comments made at the hearing. Based upon the foregoing comments, recommendations of the Community Advisory Committee and Council member recommendations, the Board may make a finding that the public welfare would be served by the establishment of such a district. In so doing, the Board may for good cause alter the proposed district boundaries and the number, location and density of proposed vending sites. The Board shall transmit to the City Council its finding and the reasons therefor together with its recommendation that the district be established in the manner proposed in the petition or as modified by the Board. The City Council may approve, modify or disapprove the recommendation of the Board. The district shall be established upon approval, or approval as modified, of the Board's recommendation. For good cause, after due consideration of all comments and recommendations presented, the Board may make a finding that the public welfare would not be served by the establishment of the district. The Board's finding may be based on factors such as incompatibility of vending pushcarts with area architectural style, conflict with the area's specific plan, the presence of pushcarts as an impediment to the use of on-street parking locations in areas where an unusually heavy demand for such parking exists, or the presence of zoning restrictions prohibiting such vending activities on private property in the area. The Board shall transmit to the City Council its finding and the reasons therefor together with its recommendation that the district not be established. The City Council may approve or disapprove the recommendation of the Board. If disapproved, such disapproval shall establish the district and the Board shall be so informed, provided, however, that either the City Council, or the Board with approval of the Council, may modify district boundaries and number, location and density of proposed vending sites, as set forth in the petition.

(7) Upon petition of an interested party, a special district may be disestablished, or areas withdrawn therefrom, for good cause. Each such petition shall contain the signatures of at least 20 percent of the owners or persons in possession, such as tenants or lessees, of businesses in each block or portion thereof of the district or part thereof proposed to be withdrawn, and at least 20 percent of the residents of

each such block or portion thereof. Each such petition shall comply with the requirements of Section 42.00(m)(2)(D). The Board shall hold a hearing into the matter preceded by notice as provided for in Subdivision (4) above. In the event the Board makes a finding that the public welfare would be served by disestablishment of the district or by withdrawal of an area, the Board shall transmit to the City Council its finding and the reasons therefor, together with its recommendation that district be disestablished or an area be withdrawn therefrom. The City Council may approve or disapprove the Board's recommendation. Approval disestablishes the district or withdraws the subject area therefrom.

(8) The Board shall review all rules and regulations proposed by petitioners, the Community Advisory Committee of the particular vending district, and any other interested parties provided that the Community Advisory Committee has had an opportunity to review them and shall adopt all such rules and regulations for the district unless good cause exists for non-adoption. In addition, the Board, for good cause, may adopt such other rules and regulations for the district as would promote the public health, welfare and safety. Rules and regulations, when adopted, shall be binding upon all affected persons within the district.

(9) No permit shall be issued, however, until a contract has been executed between the City and any organization selected to manage the special sidewalk vending district, referred to hereinafter as "management organization," as provided for in Los Angeles Administrative Code Section 22.361.

(10) The Board shall determine the allocation of vending permits within the district, whether by lottery or otherwise, in a manner consistent with public health, safety and welfare. However the Board may by contract delegate that function to any organization selected to manage the district subject to the supervision of the Sidewalk Vending Administrator and approval by the Board as to method of allocation to assure that vending permits are allocated in a fair and impartial manner.

(11) Any person desiring to be issued a permit for sidewalk vending within a district may make application on forms provided by the Board. The application shall set forth the following information:

(A) The name, address and telephone number of the applicant;

(B) The exact location at which the vending is proposed to be conducted;

(C) A complete list of what is proposed to be sold;

(D) The hours per day and days per week during which sidewalk vending will be conducted; and

(E) Any other information required by the Board.

(12) No permit or renewal permit shall be issued unless the applicant has complied with all of the following requirements:

(A) If any food or drink item is proposed to be sold, the applicant has obtained approval from the County Department of Health Services to engage in the vending of the item in the manner proposed;

(B) All other necessary City, County and State licenses and permits have been obtained, including a Business Tax Registration Certificate from the Tax and Permit Division of the Office of the City Clerk;

(C) The applicant has filed with the Board a policy of public liability and property damage insurance, in a form satisfactory to the Board and to the City Attorney, in which the City is named as a co-insured with the applicant. The policy of insurance shall so insure the City and its officers and employees against all claims arising out of or in connection with the issuance of the permit or the operation of the permittee. The policy of insurance shall be in an amount and type as determined by the Board in consultation with the City Administrative Officer, subject to reasonable availability. The Board, in consultation with the City Administrative Officer, may waive the requirement of insurance if none is reasonably available. In lieu of individual policies of insurance, the Board may cause to be secured a general or blanket policy of insurance covering all applicants and thereafter determine the pro rata cost to each applicant, which shall be collected before approval of the application. Any policy of insurance shall contain a statement by the insurance carrier that thirty (30) days' notice will be given to the City Attorney before any cancellation of coverage. Insurance shall be maintained throughout the permit period. The Board may for good cause increase the amount of required insurance.

(D) The applicant shows proof of ownership, lease or rental of a pushcart constructed for the purpose of vending goods, wares or merchandise according to the requirements and specifications of the Board.

(E) Approval in writing has been obtained from the owner, tenant or person in lawful possession or control of the property abutting upon the street immediately adjacent to the location where the vending is proposed to be conducted. Such approval may be secured by the management organization.

(F) The applicant has provided the City with two passport size photos of the applicant.

(G) The applicant has presented adequate identification of himself or herself. Adequate identification shall include, but not be limited to, a California driver's license or a California Department of Motor Vehicles identification card.

(H) The applicant is old enough under State law to engage in the vending activity.

(I) The applicant has submitted to fingerprinting, in connection with which applicant shall pay a fingerprint process fee. Such fee shall be determined and adopted in the same manner as is provided in Section 12.37-I, 1 of the Los Angeles Municipal Code for establishing fees.

(13) No permit shall be issued to any applicant who has been convicted of any crime relating to fraudulent business practices, the receipt or sale of stolen property or the illegal sale of any controlled substance under the provisions of the California Controlled Substances Act within five (5) years prior to the date of application for permit.

(14) The applicant may designate up to two co-applicants who are authorized by the applicant to vend at the location for which the applicant's permit is issued in his or her temporary absence due to circumstances such as illness, injury or vacation. However, there must be provided the name, address and phone number of each co-applicant and two passport size photos of each co-applicant must be submitted. Each co-applicant must present adequate identification of himself or herself in the same manner as required for the applicant, and must be old enough under State law to engage in vending activity. Each co-applicant shall submit to fingerprinting and shall be subject to provisions of Subdivision 12 with respect to approval as

a co-applicant and the provisions of Subdivision (22) with respect to operating requirements. Those approved shall be designated co-permittees and shall pay an application fee for the issuance of a co-permit. Such fee shall be determined and adopted in the same manner as is provided in Section 12.37-I, 1 of the Los Angeles Municipal Code for establishing fees.

(15) A permit shall be issued only to a natural person and only for the days or hours of the day indicated on the application as days and hours of operation. Such permit shall not be transferrable to any other person and shall be valid only for the location for which it is issued.

(16) Only one permit shall be issued to each permittee.

(17) A non-refundable annual permit fee shall be paid before issuance of any permit provided, however, that the applicant may elect to pay said fee in semi-annual installments. Such election shall be stated in writing and installments shall be paid as directed by the Board. If such election is made, a payment of one-half the annual permit fee shall be required before issuance of a permit. Permits shall be valid for one year from the date of issuance. If any installment fee is not paid on or before the date provided by the Board for payment, the Board shall send a letter to the permittee advising that such fee is due within 30 days of the date of such letter or the permit shall terminate. If the fee is not paid within the 30-day period, the permit shall terminate and the former permittee shall cease from vending. The permit may be reinstated upon payment of the fee. At the time of making any payment as provided for above, the applicant or permittee shall pay a supplemental fee which is a pro-rated amount determined by the Board as sufficient to cover the cost to the City of entering into a contract for management of the district. Supplemental fees collected shall be placed in a special fund established for such purpose. In addition fees will be charged for the following:

Replacement of existing permit in the event of loss, name change or change of company;

Replacement of existing permit decal; and

Replacement of any vending identification badge.

Fees herein shall be determined and adopted in the same manner as provided in Section 12.37-I, 1 of the Los Angeles Municipal Code for establishing fees.

(18) In the event an application for permit is denied, the applicant shall be so notified, which notification shall also state the reason for denial and that the applicant has 45 days to request reconsideration by the Board of its denial.

(19) Any permit issued shall be subject to the right of the Board to rescind issuance thereof in response to a request for reconsideration by the Board of its action in issuing the permit.

(20) Either the applicant or any other person affected by the issuance of a vending permit may request reconsideration by the Board of its decision to grant or deny an application for permit. Such request must be in writing and must be received by the Board within the 45 days from the date of issuance of the permit or notification of denial. Upon receipt of such request the Board shall set a hearing date no less than 30 days from the date of the receipt of the request. The Board shall notify the requestor and, if the requestor is not the applicant, the applicant, of the hearing date. The Board shall rescind issuance of the permit if at the hearing it is demonstrated to the satisfaction of the Board that the issuance thereof was contrary to the provisions of this Subdivision or to the rules and regulations of the Board. The Board may issue a permit if it is shown to the satisfaction of the Board that it was in error in denying the permit.

(21) The permittee may amend his or her application with respect to the goods, wares and merchandise proposed to be sold and the hours during which vending is to occur by written notification thereof to and approval by the Board, and the owner, tenant, or person in lawful control of the property immediately adjacent to the vending site.

(22) Operating Requirements.

(A) Vending shall be conducted only from pushcarts constructed for that purpose according to the requirements and specifications of the Board. Such pushcarts shall have a length of no greater than six feet and a width of no greater than 3 feet, 6 inches, and shall be no more than 6 feet, 6 inches in Height, including roof or awning. A decal so certifying shall be attached to each pushcart approved for use.

(B) All of the permittee's advertising must be attached to the pushcart and shall advertise only the goods, wares or merchandise being sold. Advertising signs shall not extend beyond the overall width or height of the pushcart.

(C) The permittee shall not conduct any portion of its vending business outside the boundaries of its vending location as described in the permit.

(D) One small, compact stool or chair may be utilized by the permittee. The stool or chair shall be placed within four feet of the pushcart and shall not block the safe passage of pedestrians. No advertising shall be placed on the stool or chair. Other than the pushcart and stool or chair, no other items or object of any kind shall be placed on the public sidewalk or parkway.

(E) No vending shall be conducted on the roadway portion of any street.

(F) The permittee shall provide a trash receptacle for the use of customers and shall pick up and dispose of any trash or litter left by customers before leaving the vending location. Full receptacles shall be immediately emptied by the permittee.

(G) The City vending permit shall be visibly displayed at all times while the permittee is engaged in vending activity.

(H) The permittee shall wear a Board issued vendor identification badge at all times while engaged in vending.

(I) Pushcarts shall be positioned no less than 18 inches from the curb.

(J) No permittee shall knowingly allow, permit or authorize another person to vend from permittee's pushcart or at permittee's assigned location, other than designated co-permittees of that particular vendor.

(K) No pushcart shall be chained or fastened to any pole, sign, tree or other object in the public way.

(23) The Board may promulgate rules and regulations not inconsistent with the provisions of this Subsection which it deems necessary to the proper exercise of its jurisdiction.

(24) Revocation, Suspension or Non-renewal.

(A) After notice and hearing in accordance with Section 22.02 of the Municipal Code, the Board may revoke or suspend any permit issued pursuant to

this Subsection or decline to renew any such permit, if the permittee has:

1. Knowingly made any false, misleading or fraudulent statement of material fact in its application for a permit;

2. Been convicted of any criminal act in connection with the operation of the permitted activity, or any of the crimes set forth in Subdivision (13) of this Subsection;

3. Violated any of the operating requirements set forth in Subdivision (22) of this Subsection;

4. Violated any rule or regulation promulgated by the Board with respect to this Subdivision;

5. Failed to comply with any order by the department to cease and desist from any violation; or

6. In any other way endangered the public health, safety or welfare in the conducting of its sidewalk vending activities.

(B) A permittee who has had his or her permit revoked or whose application for renewal has been declined shall not be eligible to apply for another permit under this Subdivision until 12 months after the date of revocation or renewal declination.

(25) Enforcement and Penalties.

(A) Within each district the provisions of this Subsection (m) shall be enforced by the Street Use Inspection Division of the Bureau of Street Maintenance of the Department of Public Works.

(B) The Department may issue an order to immediately cease and desist from any violation of this Subsection (m) or any rule or regulation of the Board.

(C) It shall be a violation of law to fail to comply with any of the provisions of Subdivision (22) of this Subsection (m). The first, second and third violations of Subdivision (22) of Subsection (m) shall each be infractions. The commission of a fourth violation of any of the provisions of Subdivision (22) of Subsection (m) within a two-year period after the commission of the first violation shall be a misdemeanor.

(D) It shall be illegal for any person to display any imitation or facsimile of a vending permit, vendor identification badge or decal which has not been issued by the department.

Sec. 4. This ordinance shall cease to be operative two years from its effective date, unless the City Council, by ordinance, extends its operative date or eliminates any limitation on its operation.

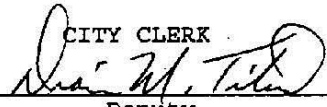
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Sec. 5. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

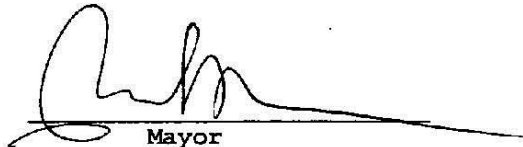
I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles DEC 17 1993 and was passed at its meeting of JAN 04 1994

JAN 12 1994

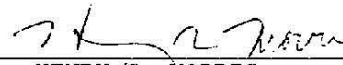
Approved _____

By 
CITY CLERK
Deputy

Approved as to Form and Legality


Mayor

DEC 16 1993
James K. Hahn, City Attorney

By 
HENRY G. MORRIS
Deputy City Attorney

File No. 90-2591

APPENDIX H: SAMPLE ORDINANCE AND PERMITS: NEW BRUNSWICK, NEW JERSEY CHAPTER 5.68, PEDDLERS AND MOBILE FOOD VENDORS

Chapter 5.68 - PEDDLERS AND MOBILE FOOD VENDORS

Sections:

[5.68.010 - Definitions.](#)
[5.68.020 - License required.](#)
[5.68.030 - Licensing procedure.](#)
[5.68.040 - Issuance, display and expiration of license.](#)
[5.68.050 - Fees.](#)
[5.68.060 - Operation near permanent food establishments prohibited—Exceptions.](#)
[5.68.070 - Time restrictions.](#)
[5.68.071 - Manner restrictions.](#)
[5.68.080 - Duty of police to enforce.](#)
[5.68.090 - Waste tank.](#)
[5.68.100 - Refuse container.](#)
[5.68.110 - Use of streets.](#)
[5.68.120 - Sale of newspapers.](#)

5.68.010 - Definitions.

"Peddler" means any individual, firm, corporation or voluntary organization which exposes any item for sale, takes orders for future sale or delivers items resulting from sales within the city, whether or not such items are offered for sale by someone from a motorized vehicle (stationary or nonstationary). The sale of any item by any individual traveling on foot or from a nonmotorized vehicle is prohibited with the exception of the sale of newspapers as provided for in Chapter 5.60.

The following is a list of items which if offered for sale is included in the definition of peddler, but this list is not deemed exclusive of all other items: meats, fish, vegetables, fruits, food, ice cream, fruit ices, garden farm products, flowers and plants.

"Peddler" includes the words "huckster," "hawker" and "vendor."

"Mobile food vendor" means any individual, firm, corporation or voluntary organization who or which offers for sale prepared food from a motorized vehicle at a fixed location. An individual, firm or voluntary organization who or which offers for sale prepared food from a motorized vehicle at a location other than a fixed location is deemed to be a peddler and is subject to the requirements and regulations governing peddlers in this chapter.

(Prior code § 7-7.1)

5.68.020 - License required.

A. It is unlawful for any person, firm, corporation, partnership or voluntary association to engage in the business of a "peddler" or "mobile food vendor" as defined herein,

without obtaining the proper permit(s) and license(s) from the office of the city clerk. Such permit(s) and license(s) are posted in a conspicuous place in the mobile unit.

B. This section is not construed to include:

1. The delivery of milk, eggs, bread, newspapers or such other necessary and perishable articles of food or merchandise of the type commonly delivered on a house to house basis at the intervals of less than one week;
2. Federal census takers and polls or surveys taken pursuant to federal, state or local laws are not prohibited by this chapter;
3. Any veteran who holds a special license issued pursuant to N.J.S.A. 45:24-9 is exempt from application for a license but is required to comply with all other applicable sections of this chapter.

(Prior code § 7-7.2)

5.68.030 - Licensing procedure.

A. Any person desiring a license under this chapter shall obtain a peddler's license or its equivalent from the city clerk, and thereafter apply in writing to the city clerk on forms supplied by it giving:

1. Permanent home address;
2. Name and address of firm represented;
3. Whether or not the applicant has been convicted of a crime or misdemeanor or violation of any municipal ordinance and the nature of the offense, if any, for which convicted;
4. If the applicant is an employee or representative of any person, the application from the firm authorizing the applicant to act as its representative;
5. The applicant must comply with the provisions of N.J.S.A. 39:4-128.3 et seq. to the extent applicable to the licensed activity;

B. It is further stated that any license previously granted by the city is renewed automatically upon the filing of an application in accordance with this chapter and payment of the prescribed fee on or before March 1 of each and every year, provided a satisfactory health inspection has been obtained.

(Prior code § 7-7.3)

5.68.040 - Issuance, display and expiration of license.

A. Upon the filing of the application with the city clerk an investigation is made concerning the facts set forth. Upon the approval of the application and upon payment of the prescribed fee to the clerk, the license is issued.

B. The license does not authorize any person, except the designated person named in the license to engage in the business thereunder, and is not transferable from the person to whom issued to any other person.

C. Upon the issuance of such license, the city clerk shall furnish the licensee with a plate, badge or other evidence bearing a number corresponding to the number of the license and the year in which it was granted. The plate, badge, or other evidence is displayed at all times in a conspicuous part of the vehicle used by the licensee, if any, in the conducting of his or her business, and if no vehicle is used, is carried by him or her and exhibited on demand of any of the citizens of the city or members of the police department.

D. Such license is good only for the year in which it is issued and expires at midnight, March 1 of each year. Any licensee applying for or obtaining a license after the first day of January in any year pays the license fee for the full year.

(Prior code § 7-7.4)

5.68.050 - Fees.

The license fee to be imposed under this chapter for each year beginning with the first day of each year is two hundred dollars (\$200.00) for each wagon, automobile or other vehicle of any kind in which the products are carried or from which they are sold.

(Prior code § 7-7.5)

5.68.060 - Operation near permanent food establishments prohibited—Exceptions.

Mobile food vendors shall not operate within one thousand (1,000) feet of any permanent retail food establishment, provided that mobile food vendors renting space at flea markets and special functions approved by resolution of the city council will not be governed by this requirement.

(Prior code § 7-7.6)

5.68.070 - Time restrictions.

No person shall sell, offer for sale, hawk or peddle in the city before five a.m. or after nine p.m. during the months from October through April and before six a.m. or after ten p.m. during the months from May through September, provided that persons or entities holding a mobile food vendor license issued pursuant to this chapter and who operate exclusively on the lot provided by Rutgers, the State University for that purpose at the corner of Hamilton Street and College Avenue, may remain open until two a.m. on Sundays, Mondays, Tuesdays and Wednesdays and until three a.m. on Thursdays, Fridays and Saturdays.

(Ord. No. O-041001, § 1, 5-5-10; Ord. O-110404 § 1, 2004: Ord. O-060102 § 1, 2001: prior code § 7-7.7)

5.68.071 - Manner restrictions.

No person who sells, offers for sale, hawks or peddles in the city of New Brunswick, inclusive of the peddling of ice cream, fruit ices and/or frozen desserts, shall allow and/or permit the sounding of any musical and/or alerting device to play when the peddler or mobile food vendor is stationary. Any violation of this section subjects the violator to a penalty of not less than two hundred fifty dollars (\$250.00) nor more than one thousand two hundred fifty dollars (\$1,250.00).

(Ord. O-110404 § 2, 2004)

5.68.080 - Duty of police to enforce.

It shall be the duty of any officer of the city to require any person seen engaging in the business of peddling or mobile food vending and who is not known by the officer to be duly licensed to produce his or her license and to enforce the provisions of this chapter against any person found to be violating this chapter.

(Prior code § 7-7.8)

5.68.090 - Waste tank.

A suitable waste tank with an adequate method of gauging the contents and having a capacity at least equal to the capacity of the water supply tank is provided and tilted toward a drain cock. It must be emptied and flushed into a sanitary sewer or septic system as often as necessary in a sanitary manner in order to maintain sanitary conditions.

(Prior code § 7-7.9)

5.68.100 - Refuse container.

A refuse container with a cover must be available for deposit of papers and other solid wastes by customers and operators and must be so constructed and designed and placed so that it can be readily used, cleared and kept clean and located where it will not create a nuisance.

(Prior code § 7-7.10)

5.68.110 - Use of streets.

A. Peddler Regulations. No peddler shall:

1. Use a cart the dimensions of which exceed two feet in width, four feet in length and four feet in height including wheel height, while operating on any sidewalk or street;
2. Use a vehicle as herein described which (a) exceeds ninety-six (96) inches in width, thirty-five (35) feet in length and thirteen (13) feet six inches in height, or (b) is an articulated vehicle;

3. Station, place, set up or maintain his or her person, cart or vehicle on any sidewalk or street if to do so would place him or her closer than thirty (30) feet to any other peddler who is selling on the sidewalk or same side of the street.
4. Station, place, set up or maintain his or her person, cart or vehicle on the sidewalk or allow it or themselves to remain there except at the curbline (curb for vehicles) for the purpose of selling goods therefrom;
5. Station, place, set up or maintain his or her person, cart or vehicle or allow it to remain at the same location on any sidewalk or street for more than thirty (30) minutes unless a sale is transacted or a potential customer is actually stopped at the cart or vehicle surveying the peddler's wares. After each sale or survey by a potential customer, the thirty (30) minute period begins anew. At the expiration of the thirty (30) minute period, the peddler must move his cart or vehicle at least thirty (30) feet. The peddler may not return to any location from which he or she has moved in accordance with the requirements of this section or to any place within thirty (30) feet of the location for two hours and shall not thereafter return until at least two hours have elapsed. In any event, peddler shall not be permitted to remain on any city block for longer than two hours;
6. Station, place, set up or maintain his or her person, cart or vehicle or allow it to remain on any sidewalk or street in such a way as would (a) substantially restrict, obstruct, interfere with or impede a pedestrian's right-of-way, or (b) substantially restrict, obstruct, interfere with or impede the ingress or egress from the abutting property, or (c) create or become a nuisance, or (d) increase traffic congestion, cause, create or constitute a traffic delay or hazards, or (e) cause, create or constitute a danger to life, health or property, or (f) leave any location without first picking up, removing and disposing of any trash or refuse remaining from sales made by him or her;
7. Use any cart which fully loaded with merchandise cannot be easily moved and maintained under control by the licensee, his or her employee or attendants;
8. Use, set up, attach, place or permit the use of any table, crate, carton, rack, device or structure of any kind to increase the selling or display capacity of his or her cart or vehicle;
9. Leave any cart or vehicle unattended at any time or store, place or lease the same overnight on any sidewalk or public way of the city;
10. Station, place, set up or maintain his or her person, cart or vehicle or his or her goods, wares or merchandise, or allow it to remain on any sidewalk for sale or display or be sold if to do so would place the seller or his or her goods, wares or merchandise closer than ten (10) feet from intersecting streets or sidewalks;
11. Station, place, set up or maintain his or her person, cart or vehicle or allow it to remain on any sidewalk if to do so would reduce the unobstructed pedestrian right-of-way to less than six feet. The engineering department may from time to time by regulation change the width of pedestrian right-of-way space required, as

circumstances require;

12. Engage in the business of peddling within ten (10) feet of any location where the curb has been depressed to facilitate pedestrian or vehicle movement;

13. Engage in the business of selling at any location without giving a written receipt to each customer or engage in the business of selling at any location without maintaining on his or her person or on the cart or vehicle receipts showing the sales made during the preceding week. The receipts show clearly the seller's name, business address, license number, a description of the merchandise sold, and the purchase price and are sequentially numbered;

14. Engage in the business of peddling on any sidewalk or along any street within fifteen (15) feet of any fire hydrant, crosswalk or driveway;

15. Station, place, set up or maintain his or her person, cart or vehicle at any location between the curblane and an entrance way to any building, store, theater, library, school, museum, movie house, sports arena or other place of public assembly. For purposes of this chapter "entrance way" includes a door providing ingress and egress to such places and any recessed area in the vicinity of the door;

16. Place a vehicle or cart or conduct a general peddling business at a location in the street where stopping, standing or parking is prohibited, or being a time period when stopping, standing or parking is restricted;

17. Violate any traffic parking law, ordinance or regulation, or operation in such a manner as to restrict the continued maintenance of a clear passageway for vehicles;

18. Engage in the business of peddling on private property without having obtained the permission of the owner and any necessary zoning permit;

19. Engage in the business of peddling on city owned property without having obtained the approval of the city council in the form of a written resolution and any necessary zoning permit;

20. The public thoroughfares specified in Schedule "A" are not utilized by a peddler, as the use would create pedestrian and/or vehicular traffic safety problems;

21. For the purposes of sentencing, each violation of each section is considered a separate offense.

B. Mobile Food Vendor Regulations.

1. No mobile food vendor is permitted to park upon a public thoroughfare;

2. The public thoroughfares specified in Schedule "B" are permitted to be utilized by a mobile food vendor upon receipt of the appropriate permit provided such use is limited to the location and number of vehicles specified;

3. The special parking permits obtained from the New Brunswick Parking Authority are not transferable from person to person or location to location. It is the obligation of the prospective permittee to ensure that a permit is available at a particular location either at the time of sale/transfer of a business or upon initial application; the applicant's name is maintained on a waiting list to be utilized by the parking authority, and as soon as a place becomes available the individual at the top of the list is given the opportunity to be issued the permit. It is the responsibility of any individual seeking to have their name maintained on a waiting list to ensure that they have supplied current and accurate information;

4. The New Brunswick Parking Authority shall determine the fee to be paid for the special parking permits.

SCHEDULE A

No peddler is authorized to utilize the following streets in the operation of his, her or its business.

Name of Street	Location
Albany Street (Route 27	Entire Length
Bayard Street	Neilson Street to Joyce Kilmer Avenue
Church Street	Neilson Street to Jelin Street
Clifton Avenue	Entire Length
College Avenue	Entire Length
Commercial Avenue	Route 18 to Suydam Street
Easton Avenue	Entire Length
French Street (Route 27	Entire Length
George Street	Landing Lane to Remsen Avenue and Commercial Avenue to Route 18
Georges Road	Entire Length
Hamilton Street	Johnson Drive to Easton Avenue
Livingston Avenue	George Street to Welton Street
Memorial Parkway	
(Route 18	Entire Length
Neilson Street	Albany Street to Morris Street
Nichol Avenue	George Street to Suydam Street
Paterson Street	Neilson Street to Joyce Kilmer Avenue
Ryders Lane	Entire Length
Sanford Street	Livingston Avenue to Georges Road
Somerset Street	George Street to Scott Street and French Street to How Lane
Union Street	Entire Length
U.S. Highway No. 1	Entire Length

SCHEDULE B

[Reserved]

(Prior code § 7-7.11)

5.68.120 - Sale of newspapers.

A. The sale of newspapers by any individual travelling on foot is permitted from the hours of six a.m. until twelve p.m. only in the downtown development district (DD) of the city. The activity may only be conducted on sidewalk areas and in a manner so as not to impede or obstruct the flow of pedestrian or vehicular traffic nor the means of ingress and egress to any building, store, theater, library, school, local, county or state buildings or offices or any other place of public assembly.

B. Any person desiring to engage in the sale of newspapers as provided for herein must obtain a license and comply with Section 5.68.020 through 5.68.040 of this chapter.

C. The license fee to be imposed under this section for the first year beginning with the first day of each year is twenty-five dollars (\$25.00) per applicant with an annual renewal fee of fifteen dollars (\$15.00) per year thereafter.

(Prior code § 7-7.12)