Stadium and Event Center Vending

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

In this Client Assistance Memo (CAM) 2508, you are given information regarding the rules and requirements for vending during an event scheduled at the stadiums or event center. For more information on Sidewalk and Plaza Street-Food Vending refer to CAM 2501, for Curb Space Food-Vehicle Zone Vending refer to CAM 2507, for Mobile-Food Vending refer to CAM 2509, or for Temporary Curb Space Vending refer to CAM 2510.

Stadium and Event Center Vending (SMC 15.17.050 and 15.17.080)

A vendor may vend goods, things, services, food, or nonalcoholic beverages of any kind from a temporary display table, tent, vending cart, or food vehicle during event days at the stadiums or event center at a specific site approved by the Seattle Department of Transportation (SDOT). This site may only be within the stadium event vending area (see Map 1: Stadium Event Vending Area).

Use of this site requires a valid Street Use vending permit for that specific location and shall only be permitted for event days. An event day is the 24-hour period starting at midnight before any event scheduled at the stadiums or exhibition event center begins and ending the midnight after the event ends.

Within the Stadium Event Area, there are areas where vending is restricted (see Map 2: Restricted Stadium Event Vending Area). Newspapers and other similar publications may be vended on foot as authorized by SDOT Director's Rule in the restricted areas.

This type of Street Use vending permit may be issued on a monthly basis or for a 6-month season (April-September or October-March). (Street Use permit use codes 19C and 19D.)

All food vehicles shall comply with the Traffic Code, Title 11.

A. Location

To vend during a stadium or exhibition center event, you must find a suitable site that meets all the setback requirements. The location must be approved by the Street Use Division of SDOT. Once approved, the site will become the assigned location for your vending activity.

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

1. **Clear Pedestrian Zone Area.** If the vending site is on or adjacent to a sidewalk, a designated pedestrian zone with a linear-pedestrian-visual corridor is required adjacent to all vending activity. A clear pedestrian zone must be maintained at all times on the sidewalk adjacent to the vending site. The pedestrian zone is measured from the outside

edge of the vending area to the nearest obstruction; for example, a tree pit, parking pay station, bike rack, sign post, or other similar object. If no obstruction exists, the pedestrian zone is measured to the back of the curb. The pedestrian visual corridor is within the pedestrian zone and dictates that the pedestrian zone must be generally straight and with no sharp or jagged turns that impair pedestrian circulation (see Figure 1: Pedestrian Zone/ Pedestrian Visual Corridor).

- A pedestrian zone at least 6 feet wide with a 4-foot-wide pedestrian visual corridor is required.
- All stadium and exhibition event center vending activity, including vending carts, food vehicles, tables, tents, customer queues, accessory units, or signage must be contained within the permitted site use area. If the abutting roadway is closed to vehicular traffic, customer queues may be allowed to occupy the abutting roadway.
- Awnings with a minimum clearance of 8 feet above the sidewalk grade may project over the pedestrian zone.
- Electrical cords or strings of lights may not be strung over or be placed overhead or on the ground surface where the public has access to the public place.

2. **Setbacks.** Setbacks are required from the following elements and must be clearly identified on the required site plan for the Street Use permit application:

   - 15 feet from any driveway, loading zone, or business entrance or exit, unless the applicant provides an access affidavit;
   - A larger setback distance may be required by the Director to provide for pedestrian passage, traffic management, or any other public-use purpose.

B. Application to SDOT

A Street Use vending permit is required to vend in the Stadium Event Area. This type of permit may be issued on a monthly basis or for a 6-month season (April-September or October-March). (Street Use permit use codes 19C and 19D.)

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

- ☐ Signed **Street Use vending permit application**;
- ☐ Three copies of a legible **site plan** including the following:
  - North arrow;
  - Name and location of adjoining street(s) or alley(s);
  - Width of adjacent sidewalk(s);
  - Location of existing improvement (e.g., utility poles, parking pay stations, bus shelters, sign posts, tree pits) detailing distance of each from nearest edge of the proposed vending area;
  - Location of property lines and dimensions of the public place area proposed for vending use, including cart or vehicle, customer queuing area, and accessories;
  - If fencing or other delineating barrier is proposed by the applicant or required by the Director for customer queuing, fencing detail including materials and dimensions;
  - Sidewalk width remaining for pedestrian zone and pedestrian visual corridor;
  - Location and dimensions of any proposed installations in the sidewalk area associated with the vending activity;

  NOTE: Installations such as tables and chairs require a separate Street Use review and permit(s);
  - Location of abutting building exits and entrances; and
  - Location and description of adjacent parks, adjacent streets that are closed to traffic, or adjacent public plazas available for pedestrian travel.
- ☐ **Use description** including the following:
  - Photo of food vehicle including description of the dimensions;
  - Copy of menu approved by the Seattle-King County Department of Health; and
  - License plate number of food vehicle.
- ☐ Copy of **Seattle-King County Department of Public Health Mobile Food Unit permit**, proof of permit exemption, or receipt of pending permit;
- ☐ Copy of **Seattle Business License** or receipt of pending permit;
- ☐ Copy of **Seattle Fire Marshall permit**, if using an open-flame or liquid petroleum gas (LPG) or receipt of pending permit; and

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- ☐ **Field Review Deposit Fee.** If the vending site is a new location, a vending site field review fee deposit is collected for 2 hours of work by the permit reviewer. If review time is less than 2 hours, the remaining balance will be refunded after the permit is issued. If the review time is more than 2 hours, an invoice will be sent for the additional review fees not covered by the field review fee deposit. Field review fee deposits cannot be applied to the permit fee at the time of issuance.

- ☐ If the proposed site is in a driveway, loading zone, or within 15 feet of a business entrance or exit, an **Access Affidavit** from the adjacent property owner is required stating that access is not needed during the event days.

Step 2: Field Review. For new vending locations, an SDOT Street Use inspector will conduct an on-site field review within two weeks of a complete application submittal as described in Step 1. The field review is to verify compliance with all setback and clearance requirements and to determine whether there are other potential conflicts not identified. The inspector may require modifications to the site plan or resubmittal of a new site plan prior to the posting of the public notice of application comment period.

Step 3: Public Notice of Application Comment Period. Once the field review inspections have been approved, SDOT will prepare a public notice form for the applicant for new vending locations. The notice form will include information regarding the proposal including proposed location, comment period dates, as well as provide information on how the public can comment on the pending application and how to request a review or reconsideration of a Street Use permit decision. SDOT will provide the applicant with the notice form to be mailed by the applicant and SDOT may provide the applicant a list of the contacts based on data provided by the King County Tax Assessor. The applicant is responsible for complying with the notice requirements of SMC 15.17.009. The public notice period runs for 10 business days.

The applicant must send all required notices three calendar days before the start of the public notice period by first-class mail to:

- All street-level business entities, public entities, and residences located:
  - Within a 100-foot radius of the vending site, and
  - On the adjacent and opposing block face of the vending site, and
  - On the adjoining block face around the corner if the vending site is located within 10 feet of a corner-curb-radius area.
- The property manager, homeowner's association, or apartment manager of all residential units located above:
  - The adjacent and opposing block face of the proposed vending site, and
  - On the adjoining block face around the corner if the vending site is located within 10 feet of a corner-curb-radius area.

SDOT will also post notice of the pending applications on the SDOT vending webpage at: http://www.seattle.gov/transportation/projects-and-programs/programs/public-space-management-programs/street-vending

Notice of application is not required if a permittee with an existing vending Street Use permit applies to renew the same type of vending Street Use permit for the same vending site.

Step 4: Final Submissions. The applicant must submit the following prior to the end of the public comment period or before permit issuance:

- ☐ $1,000,000 Liability Insurance with the City of Seattle as an additional policy holder. (For more information, see CAM 2102, *Certificate of Liability Insurance*); and

- ☐ Contact list of all the business entities, public entities, residences, property managers, home owner's association, and apartment m anagers that were sent a notice as required in Step 3. This contact list shall be signed by the applicant verifying all entities within the required public notice area were sent the notice by first-class mail within three calendar days before the start of the public notice period; and

- ☐ Copies of Seattle Business License, Seattle-King County Department of Health Mobile Food Unit permit, proof of permit exemption, or Seattle Fire Marshall permit, if receipt was submitted with initial application.

Step 5: Final SDOT Review and Permit Decision. If a public notice of application comment period was required, SDOT will: compile all the comments received, verify that all required documents have been submitted, and verify that the site plan meets the minimum requirements as established in SMC Chapter 15.17.

After the close of the comment period, SDOT will review all comments and documents and make a final decision to approve, approve with additional site-specific conditions, or deny the permit based on the following:

- Proposal meets standards established in SMC Chapter 15.17 and Director's R ule; and

- Requested conditions from public comments are consistent with the allowable Director's conditions .

Request for Review or Reconsideration. A request for review or reconsideration of a vending permit decision may be made to the SDOT Director by filing a written request within ten calendar days of the date of the SDOT decision (SMC 15.04.112). The request must identify the decision for which review or reconsideration is requested, grounds for objecting to the decision based on City standards, and the specific remedy being proposed. The Director will designate a review officer who will make a recommendation to the Director. The Director may, at the Director's discretion, stay implementation of a decision pending review or reconsideration. The Director's decision on review or reconsideration is final.

C. Permit Conditions

1. **Standard Conditions.** All SDOT vending Street Use permits will be conditioned with the following requirements:

- Compliance with all of the SMC Chapter 15.17 Vending standards and Director's Rules ;
- Compliance with the Seattle-King County Department of Public Health requirements and Seattle Fire Department requirements if propane or a combustible fuel is used;
- Obtain and maintain in effect all required permits and business licenses;
- Proper display of a valid Street Use Vending decal while vending in the public place;
- Provide a copy of the Street Use vending permit and approved site plan on-site at all times. This permit must be available for anyone to view if requested;
- Sell only food and beverages that are capable of immediate consumption;
- All vending permit-related encroachments must be removed from the public place when the Street Use permit expires;
- Use of amplification or noise-making devices are not allowed by the vendors and the permittee must comply with Chapter 25.08, Noise Control;
- The vending unit and accessories must not be left unattended in the public place for longer than 30 minutes;
- The vending unit and accessories must be removed from the public place by the end of authorized business hours; and
- Garbage, recycling, and composting receptacles must be supplied by the permittee for the public use and are capable of accommodating all refuse generated by the vending activity. The containers must be maintained and emptied regularly. The adjoining and abutting public place must be free of all refuse of any kind generated from the vending activity.

If the Stadium Event Vending site is along Occidental Avenue South, you may be required to submit an application for Temporary No Parking signs and easels to restrict on-street parking to reserve parking space for your vending site. SDOT does not provide these signs. They may be rented or purchased from local companies. Please search the Internet for "barricades Seattle" or look in the telephone yellow pages under the heading "Barricades". You may find additional information at:

http://www.seattle.gov/transportation/permits-and-services/permits/parking-permits/temporary-no-parking-permits

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

You cannot reserve a parking space by erecting and leaving your vending-related equipment unattended in the permitted site.

2. **Additional Conditions.** In addition to the standard vending permit conditions, the Director may, as deemed appropriate, condition the Stadium Event Vending Street Use permit to address:

- Design and placement of food-vending equipment and umbrellas;
- Hours of operation and dates of use;
- Impacts associated with the vending activity from:
    - Lighting;
    - Noise;
    - Air emissions; or

- Placement of signage, furniture, or equipment;

- Impacts to the abutting business displays, business signage, or intake vents from the proposed vending activity;

- Need for repairs or improvements to the public place in order to accommodate the vending activity; or

- Pedestrian circulation, traffic management, or any public use purpose.

3. **Vending Decal.** A Street Use Vending decal is required to be affixed to any vending unit permitted to operate in the public place. This decal must be prominently displayed at all times and must be viewable by the public while the vending activity is occurring. SDOT will provide this decal to the permittee at the time of permit issuance. The decal will include the following information:

- Vending site reference number;

- SDOT contact phone number and email address to submit comments regarding the vending-related activity or site; and

- SDOT vending website where permit specific information can be accessed by the public.

D. Permit Administration

1. **Site Priority.** If an existing permittee submits a complete application for a renewal of their Street Use vending permit at least 30 calendar days before the expiration of their Street Use vending permit and they have not had two or more Street Use citations upheld by the Hearing Examiner within the last year, they will have priority for the vending site and will not be subject to a lottery.

2. **Lottery.** There may be instances when a lottery for a vending Street Use permit may be necessary to equitably determine the permittee for the site. These include, but are not limited to when:

- SDOT posts an on-line request for applications for a specific location. The lottery will be conducted for all applicants that submit a complete application by the posted due date.

- Multiple complete applications are received for a new vending site before a public notice period has commenced.

- Multiple complete applications are received for an existing vending site at the time of permit expiration and the existing permittee does not submit a complete application for a renewal of their Street Use vending permit at least 30 calendar days before the expiration of their Street Use vending permit.

- Multiple complete applications are received for an existing vending site location at least 30 calendar days before the current Street Use permit expires and if the existing permittee has had two or more Street Use citations upheld by the Hearing Examiner within one year before the expiration of the Street Use permit.

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

The permit fee includes: the issuance fee and a monthly occupation fee. Occupation fees are broken into two seasons:

April to September - high season
October to March - low season

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

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

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

- Promote transportation mobility or public safety; or

- Coordinate with permitted Special Events authorized by SMC Chapter 15.52, or parade permits authorized by SMC Chapter 11.25; or

- Coordinate with any other permitted activity.

4. **Renewal.** All Street Use vending permits have an expiration date and do not automatically renew.

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If you want to continue to vend from the same location, you must submit a new complete application at least 30 calendar days before the current Street Use permit expires.

The vending Street Use permit may be reissued if a timely and complete application is received from an existing permittee.

Failure of the existing permittee to submit a complete application at least 30 calendar days before the expiration of their existing Street Use permit, may subject the vending location to a lottery.

5. **Expiration.** A Street Use permit for vending expires if:

- The business or food vehicle changes ownership;
- The Street Use permit duration expires; or
- Street Use permit fees are not paid as required by SMC subsection 15.04.074.B.

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

E. Permittee Responsibilities

- The permittee must maintain the vending site and the adjoining and abutting public place free of all refuse of any kind generated from the operation of their businesses.
- All materials and supplies used by the permittee must be contained in the permitted vending location; and the permittee shall not store supplies or other materials in the public place.
- The surface of the public place must not be altered and permanent fixtures of any kind must not be installed in the public place unless authorized by a Street Use permit.
- A vending unit must not be secured to any public amenity unless authorized by a Street Use permit. A vending unit must not be unattended in the public place for longer than 30 minutes.
- The permittee must temporarily clear the public place as the Director of Transportation deems necessary to temporarily accommodate access to abutting properties or utilities.
- The permittee is responsible for ensuring that customer queues or vending activity do not encroach into the roadway; or cause pedestrians to divert from the abutting pedestrian zone.
- The permittee must not conduct business in such a way as to: restrict or interfere with the ingress or egress of the abutting property owner or tenant; create or become a nuisance or hazard to public health, safety, or welfare; increase traffic congestion or delay; or constitute an obstruction to adequate access to fire, police, or sanitation vehicles.
- The permittee must immediately remove the vending activity when ordered by the Director of Transportation, the Chief of Police, the Fire Chief, or other City official.

Contact Information

Street Use Division
Annual Permits

(206) 684-5267
PublicSpace@seattle.gov

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

Additional Resources

- Street Use Vending webpage:
http://www.seattle.gov/transportation/projects-and-programs/programs/public-space-management-programs/street-vending

- Office of Economic Development vending web portal:

- Seattle Municipal Code (SMC), Chapter 15.17, Vending:

http://clerk.seattle.gov/~public/toc/15-17.htm

- SMC, Title 11, Traffic Code:

http://clerk.seattle.gov/~public/toc/t11.htm

- SDOT Director's Rule 3-2011

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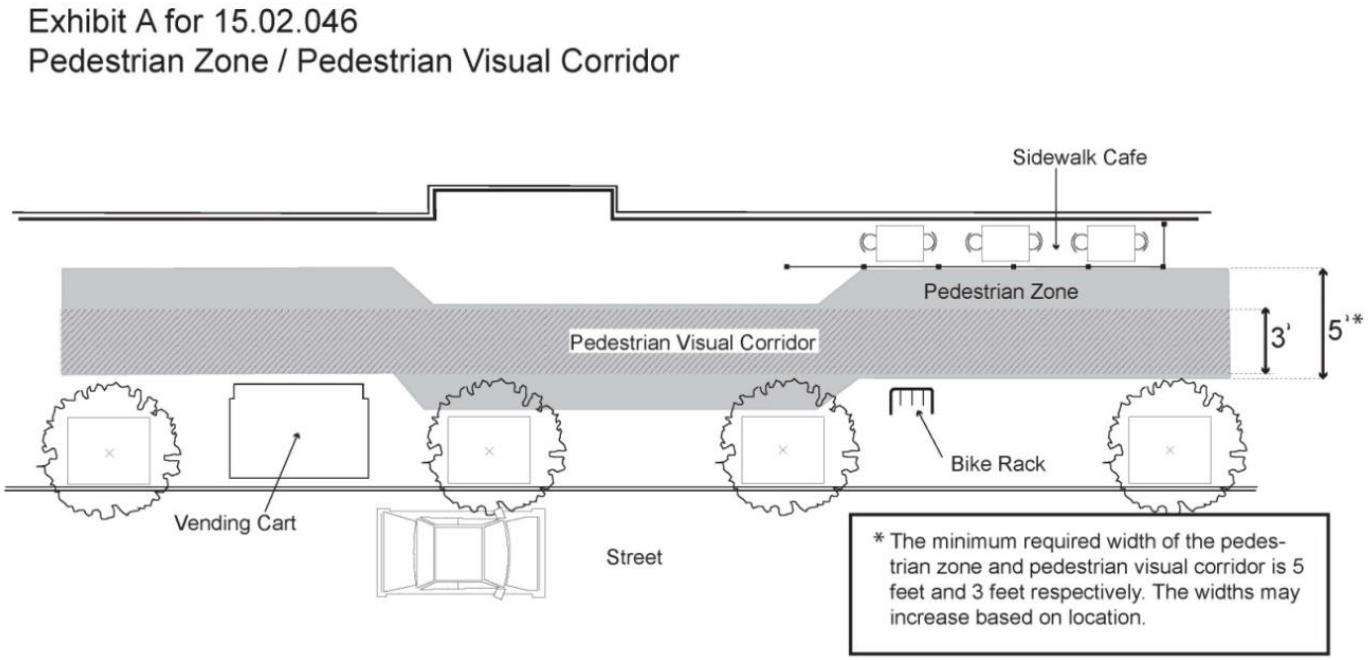
Figure 1: Pedestrian Zone/ Pedestrian Visual Corridor



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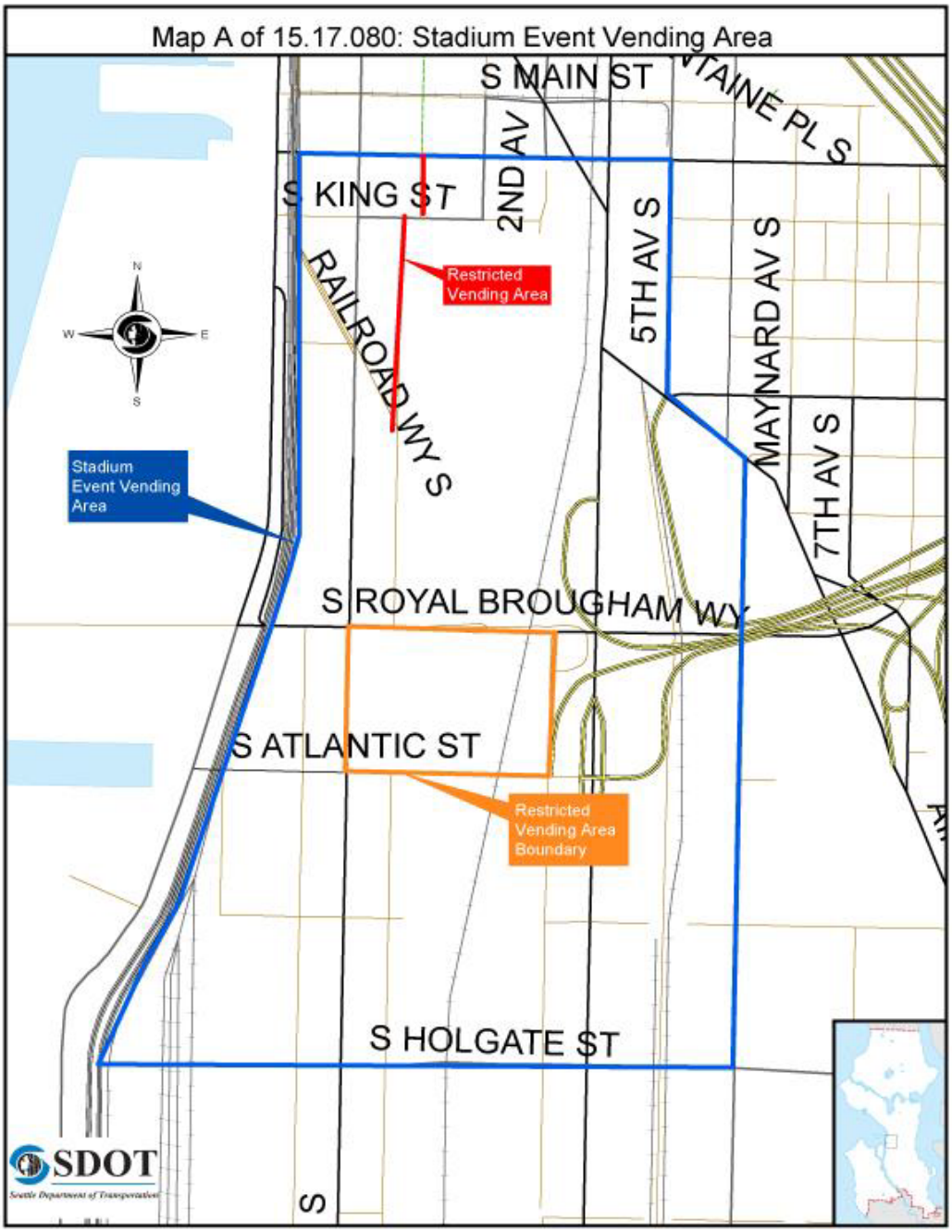
Map 1: Stadium Event Vending Area



Map 2: Restricted Stadium Event Vending Area

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