

SOHO
BROADWAY
INITIATIVE

Sidewalk Vending Initial
Conditions Report

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Executive Summary

Each day, thousands of visitors walk along the sidewalks of SoHo's Broadway to work, shop, or visit with friends and family. To anyone walking along SoHo's Broadway, the sidewalks are bursting with activity. Pedestrians, bicyclists, delivery people, street vendors, and other individuals competing to use this limited space. Unfortunately, some of these uses are not allowed and cause Broadway to become overcrowded and unsafe to pedestrians.

The Initiative was formed to curb illegal sidewalk use along SoHo's Broadway in order to relieve sidewalk congestion and improve pedestrian safety and flow along Broadway.

To further this cause, the Initiative has examined sidewalk vending along Broadway, including general vendors, food cart vendors, food truck vendors, and other vendors who flock to Broadway to capitalize on the high volume of foot traffic found here. In particular, the Initiative focused on the location based rules that apply to sidewalk vendors to determine if sidewalk vendors along Broadway are complying with rules that are intended to keep pedestrians safe in cases of emergency and during their daily travels through the City.

On any given day, SoHo's Broadway can have upwards of 100 vendors in the district, with most vendors trying to locate on Broadway between Broome and Houston. Not surprising to many long time community members, most sidewalk vendors consistently locate in illegal locations, creating sidewalk congestion and compromising pedestrian safety.

The purpose of this Report is to document existing conditions so that the Initiative can work with members of the sidewalk vending community to voluntarily locate in legal locations and work with the Initiative's partners in City government (Council Member Chin, Community Board 2, NYPD, DOHMH, DSNY, etc.) to address these conditions. By having legal vendors in legal locations, the Initiative hopes to relieve sidewalk congestion and improve the pedestrian experience along SoHo's Broadway.

Overview of Vending

- Vending has been prominent on the streets of New York City for over 100 years. As long as vending has been popular, the City has worked hard to regulate it.
 - 1934: Mayor LaGuardia banished vendors from the streets and sidewalks to dedicated market spaces
 - 1984: Mayor Koch severely limited vending in Midtown Manhattan.
 - 1995: Mayor Giuliani created the Street Vendor Review Panel which closed hundreds of prime vending spots for business and which has not been active since 2001.
- Still, with these restrictions, the Street Vendor Project estimates that there are well over 10,000 vendors in the City. These vendors sell food, merchandise, printed materials, and art from carts, trucks, and tables.
- Vendors flock to the SoHo Broadway corridor for its vast crowds of tourists on foot visiting the City.

Overview of Vending

It is illegal to vend on a New York City sidewalk without the required license or permit.

- General Vending
 - Licenses are issued by Department of Consumer Affairs
 - There is a cap of 853 General Vendor Licenses issued
 - Current waiting list to apply for one
 - Licenses not required to sell print material as per the First Amendment, but they still must follow other rules, including location based rules
- Food Vending
 - A Food Handling license is required for anyone to work on a food cart or truck
 - Issued by the Department of Health and Mental Hygiene
 - No cap on number of food handler licenses issued and there is no waiting list
 - A unique Mobile Food Vending Unit Permit is required to be affixed to each food vending cart or truck
 - Issued by the Department of Health and Mental Hygiene
 - There is a cap of approximately 3000 food vending permits
 - Current waiting list to apply for one
 - Food Trucks
 - Must be in a legal, non-metered parking spot
 - District is metered 9am-10pm Monday-Saturday
 - Can legally vend from metered spots on Sunday
- Veterans have preference in NYC vending
 - No waiting list for food or general vending permits
 - Can vend on restricted streets and are subject to special rules

Location Based Vending Rules

Vendors must also follow location based rules that restrict the location of vendors. They are designed to allow egress or access to services in an emergency.

1. No vending less than 10 feet from a crosswalk
2. No vending less than 20 feet from a building entrance
3. No vending less than 10 feet from a subway entrance
4. No general vending less than 15 feet from a fire hydrant
5. No vending in a bus stop
6. No general vending on top of subway grates
7. No vending more than 18 inches from the curb
8. No food truck vending in a metered parking spot, crosswalk, or no standing zone
9. No vending without a permit (food cart or truck) or license (general)
10. No vending on a sidewalk less than 12 feet wide

Study Methodology

To visualize the legal vending space on SoHo's Broadway and its relation to the actual vendors, we created an online map of every location based restriction and surveyed the locations of current vendors in the district.

Legal Vending Zone Map: The map was created with an on-the-ground paper survey of every foot of sidewalk space in the district

- Crosswalks, mailboxes, subway entrances, doorways, bike racks, sidewalk grates, hydrants, light-posts, parking meters, etc. were all mapped to the inch
- These specifications were then fed into the online mapping software which created zones on the map around these sidewalk structures that visualize the location-based vending rules applicable to each type of structure
- The location of sidewalk vendors that were inventoried over several days were plotted as points on the map and compared with the Initiative's identified legal vending zones

Violators: If a vendor was mapped in a location that is not permitted according to the location-based rules, then the vendor is a violator.

- Our map differentiates between the different rules that apply to the different types of vendors
- It important to note that the City has discretion in applying these location based rules. A vendor that is mapped as a violator may be a "close call" and determined to be legal by the City in its sole discretion. For example, a vendor may be located 19 feet from a building entrance and the City may in its discretion determine the vendor is legally located.

District Snapshot

- This table shows the scale of the vendor community in our District.
- Saturdays and Sundays have more vendors in total
- Both weekends and weekdays have similar ratios of illegally placed vendors

	Sunday, June 14th	Tuesday, July 21st	Saturday, August 22nd	Total
Number of General Vendors	38	17	43	98
Number of General Vendor Violators	34	14	35	83
% Violators	89%	82%	81%	85%
Number of Food Vendors	27	30	39	96
Number of Food Vendor Violator	20	23	25	68
% Violators	74%	77%	64%	71%
Total Vendors	65	47	82	194
Total Vendor Violators	54	37	60	151
Total % Violators	83%	79%	73%	78%

Block-by-Block Snapshot: General Vending

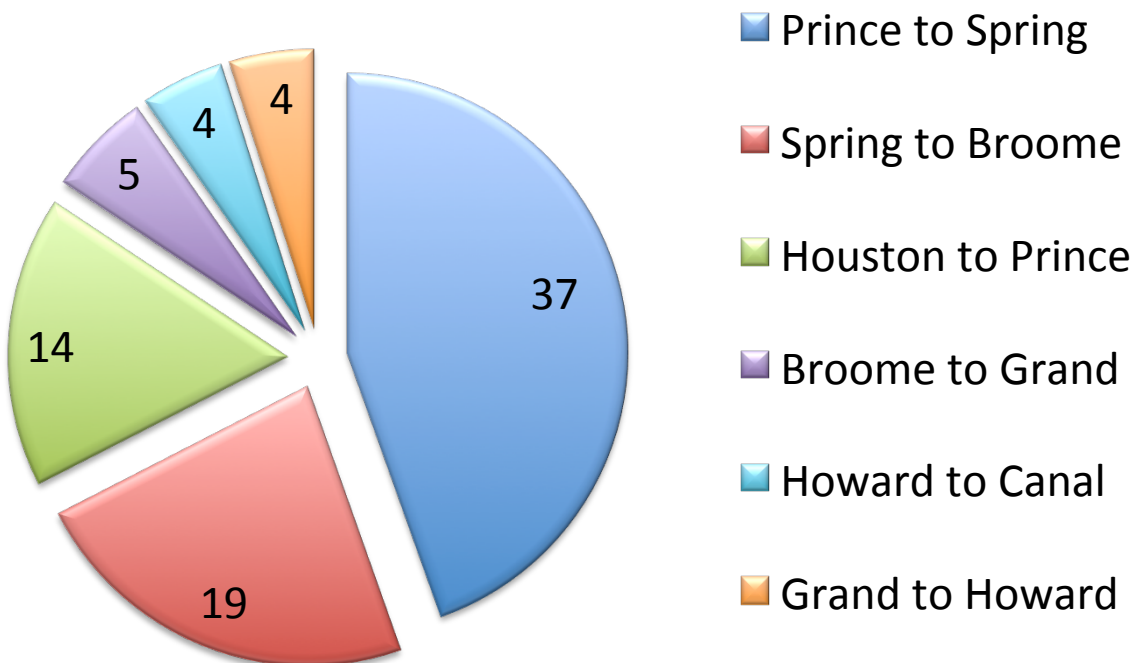
- Houston to Broome Streets have the most general vendors and the most illegally placed general vendors.
- The rest of the district represents has significantly fewer General Vendors.

Block	Total	% Violators	Total	% Violators	Total	% Violators	Total	% Violators
	Sunday 6/14		Tuesday 7/21		Saturday 8/22			
Prince to Spring	16	94%	5	100%	19	89%	40	93%
Spring to Broome	12	83%	7	57%	9	55%	28	68%
Houston to Prince	7	100%	1	100%	5	100%	13	100%
Broome to Grand	2	50%	1	100%	4	75%	7	71%
Howard to Canal	0	0	1	100%	4	75%	5	80%
Grand to Howard	1	100%	1	100%	2	100%	4	100%

General Vending

- Our research shows that the bulk of the illegally placed general vending happens from Houston Street to Broome Street on Broadway
- Broome to Canal (3 blocks) have as many illegally located vendors as can be found on the one block of Houston to Prince.

Total Number of Illegally Located Vendors During Initial Conditions Data Collection Period



Block-by-Block Snapshot: Food Carts

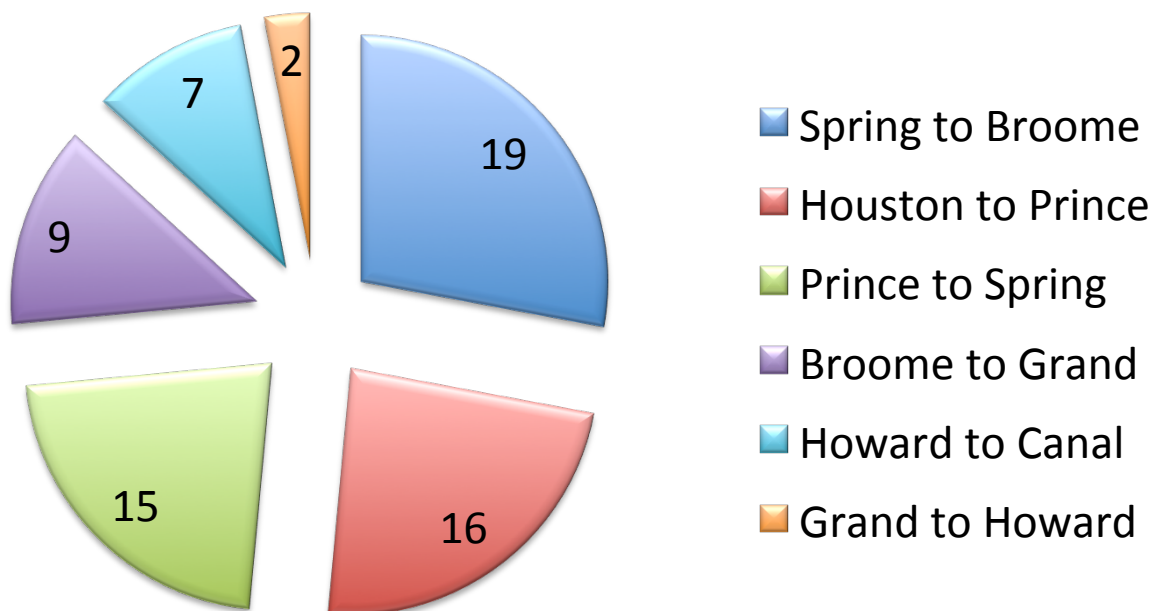
- Houston to Broome Streets have the most food carts and the most illegally located food carts.
- The remainder of the district, from Broome south to Canal, has significantly fewer food carts.

Block	Total	% Violators	Total	% Violators	Total	% Violators	Total	% Violators
	Sunday 6/14		Tuesday 7/21		Saturday 8/22			
Spring to Broome	7	86%	8	88%	7	86%	22	95%
Prince to Spring	6	67%	8	63%	6	100%	20	75%
Houston to Prince	6	100%	6	83%	8	63%	20	80%
Broome to Grand	2	50%	4	75%	5	100%	11	82%
Howard to Canal	2	100%	4	75%	3	67%	9	78%
Grand to Howard	1	50%	0	0	1	100%	2	100%

Food Carts

- The blocks Houston to Prince, Prince to Spring, and Spring to Broome represent a similar magnitude of illegally placed food cart vendors.

Total Number of Illegally Located Vendors During Initial Conditions Data Collection Period



Block-by-Block Snapshot: Food Trucks

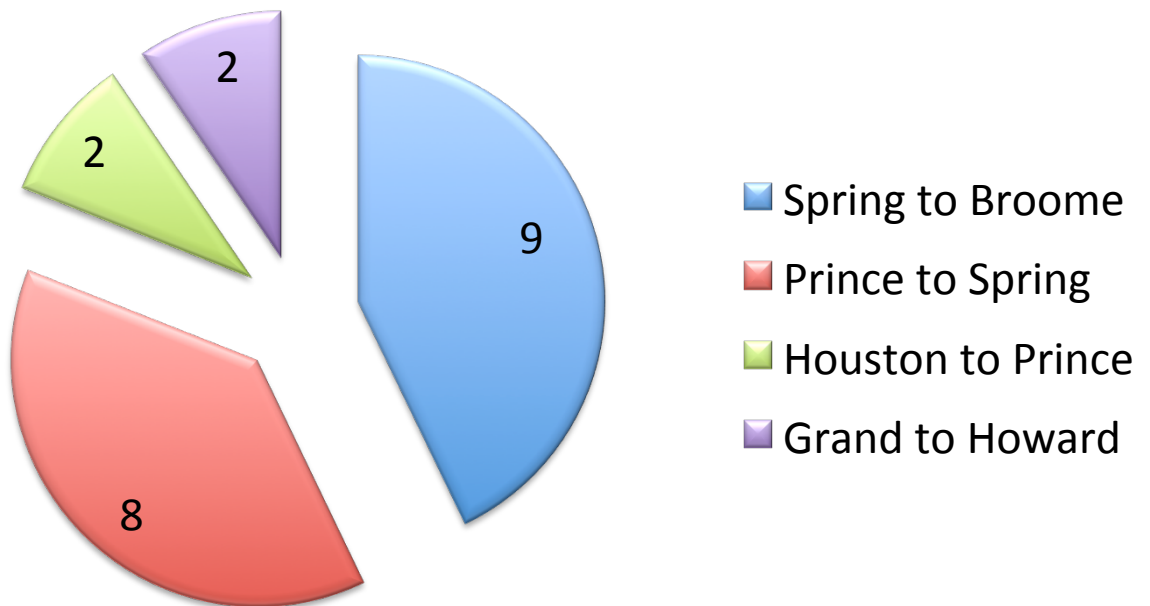
- All the food trucks in the District are illegal except on Sundays when parking meter rules are not in effect.
- Spring to Broome has the most food trucks during our initial conditions period.
- We have already seen a decline in the number of food trucks over the summer.

Block	Sunday 6/14	Saturday 6/20	Sunday 8/23	Saturday 8/29	Total by block
Houston to Prince	1	-	-	1	2
Prince to Spring	2	3	2	1	8
Spring to Broome	4	3	1	1	9
Broome to Grand	-	-	-	-	0
Grand to Howard	-	-	1	1	2
Howard to Canal	-	-	-	-	0
Total by day	7	6	4	4	21

Food Trucks

- The vast majority of food trucks are on Broadway north of Broome Street.

Total Number of Illegally Located Food Trucks During Initial Conditions Data Collection Period



Illegal Vending Activity: Trucks

- Commercial activity from a parked vehicle (except for permitted food truck) is illegal unless operating with a permit from the Street Activity Permit Office (SAPO)
- Examples:
 - Trucks that sell merchandise out the window like sporting event tickets.
 - Clothing stores have also been built inside trucks, so customers climb in the truck from the back on the street into a pop-up store.
 - Trucks also offer paid services from the street like accounting and tax help or smart phone repair.

Questionable Vending Activity: Free Samples

- SoHo Broadway's high foot traffic is the perfect place for companies to set up marketing initiatives for their products.
- Some examples of this activity include giving out free samples from a truck, from a kiosk in front of a truck, or from a person with a bag of samples.
- These marketing efforts create significant sidewalk disturbances that further congest an already crowded sidewalk impacting pedestrian safety and pedestrian flow. They also potentially take away space from legal vendors.

Conclusion

Sidewalk vending from an illegal location is a significant problem in our District that mostly occurs from Houston to Broome on Broadway. Approximately 78% of the total vendors surveyed during our initial conditions period were in illegal locations.

- Initiative's Goal: Legal Vendors in Legal Locations
- Why?
 - Reduce Sidewalk Congestion
 - Improve Pedestrian Safety
 - Creates a level playing field for vendors operating legally in the District
- Next Steps: The Initiative will use this Report to engage with the Vendors about what the rules are and encourage voluntary efforts for vendors to move into legal locations. The Initiative will also engage with our partners in City government to evaluate enforcement priorities that could address sidewalk vending in illegal locations.

Examples of Violations

No vending within 10 feet from a crosswalk



- The ten feet starts at the crosswalk striping or the property line, whichever is farthest

Examples of Violations

No vending within 20 feet of a building entrance



- Measured from the midpoint of the entranceway

Examples of Violations

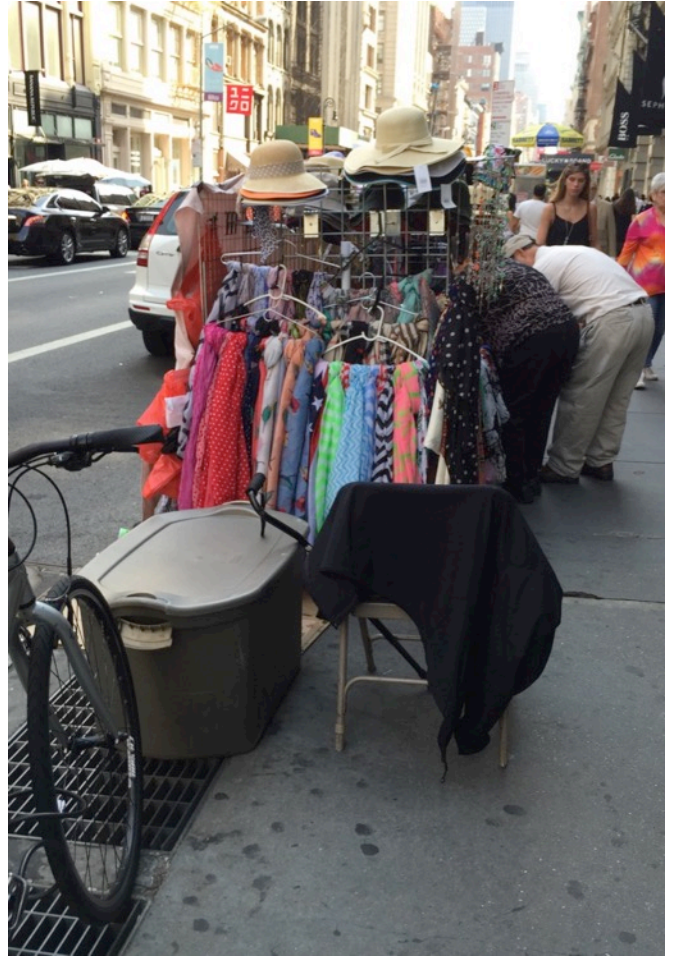
No general vending within 15 feet of a hydrant



- Applies to General Vendors only

Examples of Violations

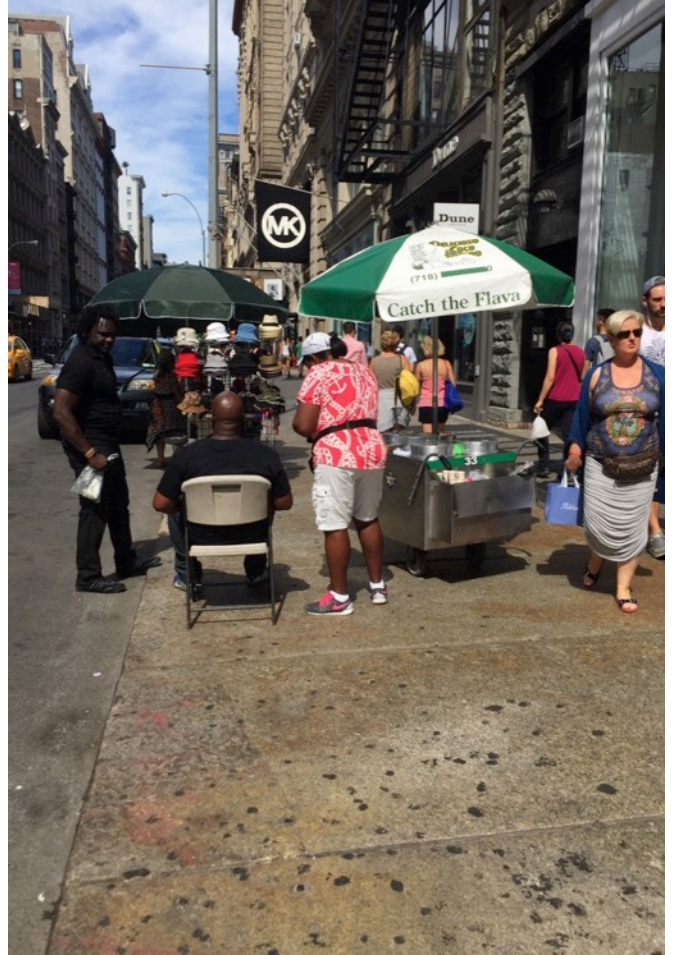
No general vending on subway grates



- No General Vending on sidewalk subway grates

Examples of Violations

No vending off the curb



- No vending more than 18 inches from the curb

Examples of Violations

No food trucks vending in a crosswalk



- Food Trucks cannot park in a crosswalk

Examples of Violations

No food truck vending in a metered spot



- Food trucks cannot park in a metered spot

Examples of Violations

No vending without a permit



- Not using a permitted mobile cart or truck

Questionable Vending Activity



- Selling merchandise or services inside or outside the truck from a parking spot on the street is illegal without a SAPO permit

Questionable Vending Activity



- Giving away free samples from a truck parked in a parking spot on the street. Is this vending?