



# Opportunity Lost

## How Chicago's food truck proximity ban hinders economic opportunity and stifles consumer choice

By J. Justin Wilson and Robert Frommer

The city of Chicago has repeatedly said that it wants to encourage a thriving food truck industry, one that will “creat[e] jobs and support[] a vibrant food culture across the city.” But the city’s actions speak far louder than its words. For 25 years, the city has throttled its food truck industry by prohibiting food trucks from operating within 200 feet of any first-floor brick-and-mortar business that prepares and sells food to the public. This “proximity” ban—which exists solely to limit competition and consumer choice—applies whether trucks are operating on public or private property.

The effect of this one restriction is massive.

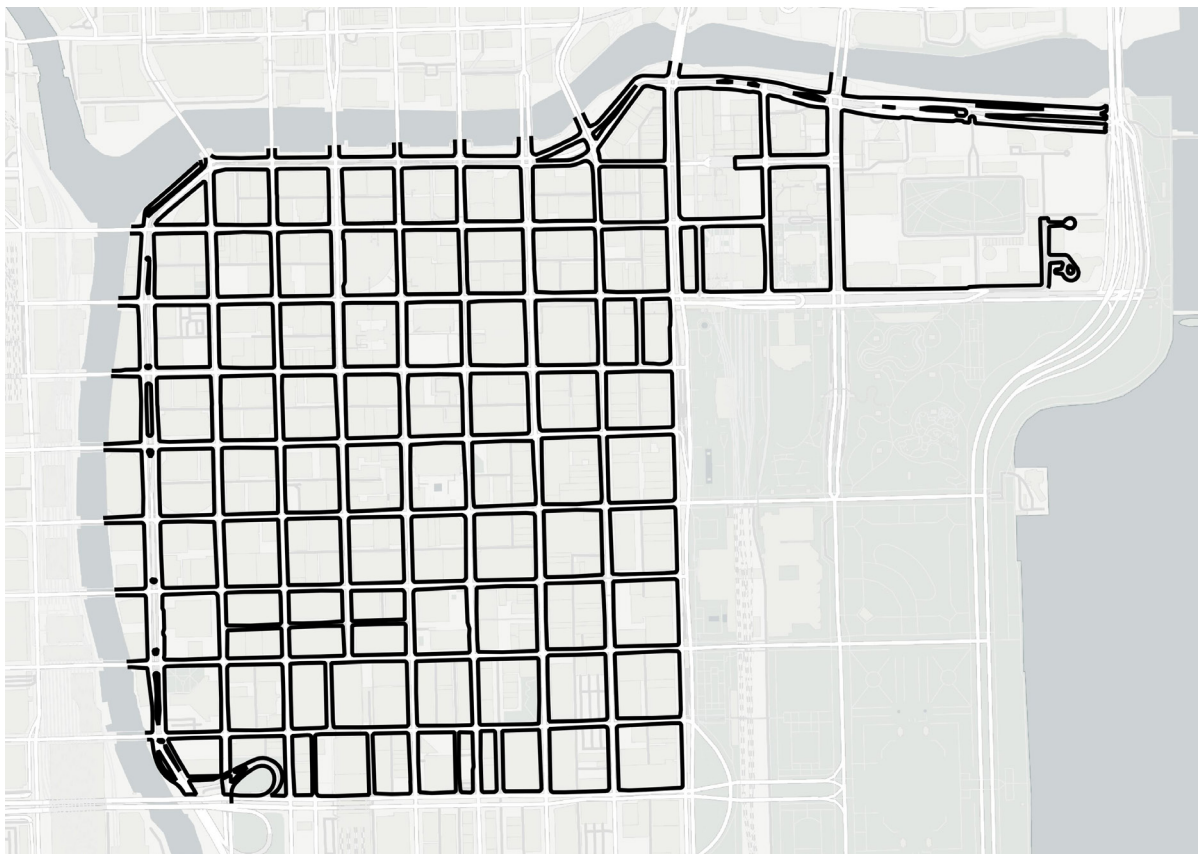
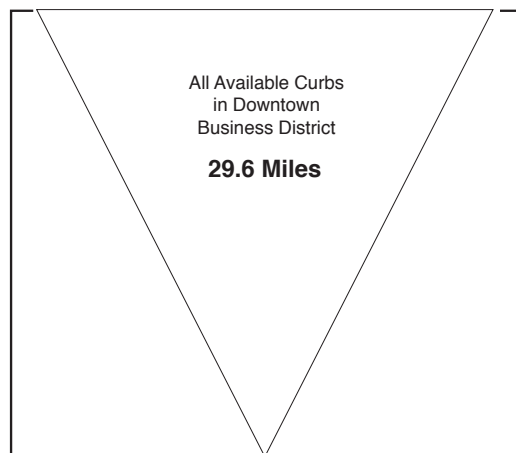
In response to a lawsuit challenging the 200-foot rule, the city admitted that in the downtown area known as the Loop alone, there are almost 600 restaurants, coffeeshops, and convenience stores that each has its own 200-foot buffer. Taken together, these overlapping circles blanket the Loop, making it illegal to operate a food truck virtually anywhere downtown. In fact, the amount of space eliminated by the city’s 200-foot proximity ban dwarfs other parking restrictions that actually address legitimate health-and-safety issues,

such as parking at a bus stop, within 20 feet of a crosswalk, or in a bike lane.

The fines that the city imposes for violations of the 200-foot rule further demonstrate the city’s warped priorities. In Chicago, the fine for parking at a bus stop is \$100, while the fine for parking within 20 feet of a crosswalk is \$60. But these fines pale in comparison to the \$1,000-\$2,000 fine a food truck can receive for parking too close to a brick-and-mortar restaurant. The city’s scheme therefore perversely incentivizes food trucks to break laws that protect the public’s health-and-safety concerns instead of a law that protects only a competitor’s bottom line.

Based on geographic data provided by the city, this map represents the curbs available in Chicago’s downtown business district known as the Loop. During the course of litigation, the city indicated it was focused on the North Loop, which is the subject of this analysis. The following analysis demonstrates how various parking restrictions, including the 200-foot rule, reduce the amount of legal parking space for food trucks downtown.

The North Loop contains 29.6 miles of sidewalk curb that is physically available for parking. But various parking restrictions reduce how much of that space is available to food trucks. This report takes a step-by-step analysis of those restrictions. It first shows that three common parking restrictions—prohibitions on parking near crosswalks or blocking bus stops or bike lanes—reduce available curbs to 20.4 miles. But the 200-foot proximity rule further eliminates 16.8 of the remaining 20.4 miles. When other parking restrictions and the city’s food truck stands are factored in, just three-quarters of a mile of curb space remains available for Chicago’s food trucks. This figure belies the city’s claim that it wants this fledgling industry to thrive.

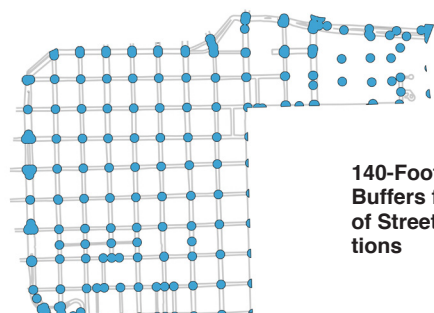
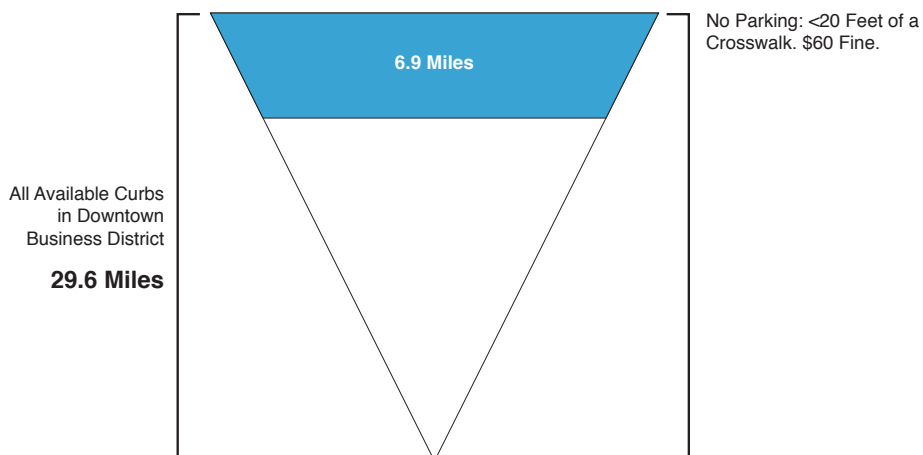


Curbs in Chicago's North Loop Business District

## No Parking in Intersections or Near Crosswalks

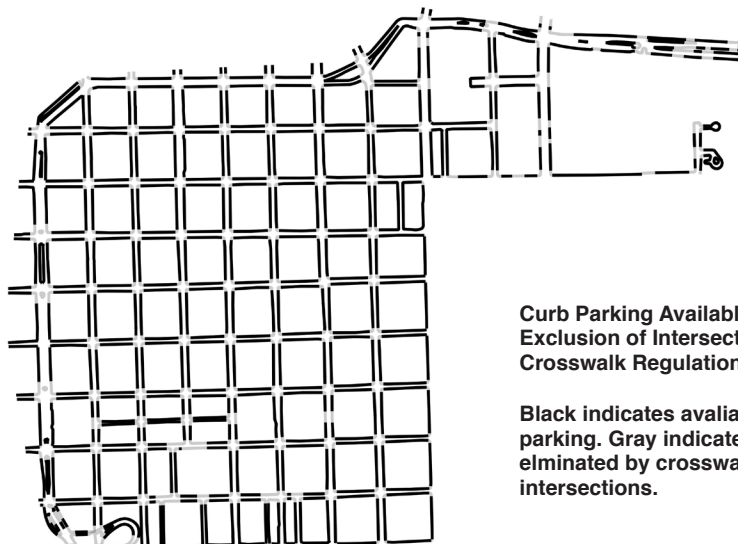
The city of Chicago prohibits vehicles from parking within a certain distance of intersections. Section 9-64-100(f) of the city code makes it illegal to park within 20 feet of a crosswalk where official signs are posted, and Section 9-64-100(g) prohibits parking within 30 feet of an official traffic signal or stop sign.

Data Source: The city of Chicago's Data Portal provides geographic data on street center lines (<https://data.cityofchicago.org/Transportation/Street-Center-Lines/6imu-meau>). Using those data, we established intersection centers, and then extended those to encompass a diameter of 140 feet to approximate the city's prohibition of parking within 20 feet of a crosswalk and 30 feet of a traffic signal or stop sign. This analysis assumes that all major intersections in the North Loop have crosswalks.



140-Foot No Parking Buffers from Center of Street Intersections

## Remaining Parking



Curb Parking Available After Exclusion of Intersection and Crosswalk Regulations.

Black indicates available parking. Gray indicates parking eliminated by crosswalks and intersections.

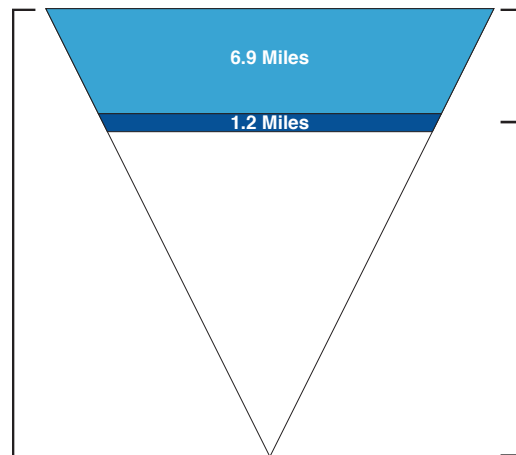
## No Parking in Designated Bus Stops

The city also makes it illegal for vehicles to park in a designated bus stop. Section 9-64-140 of the code makes it unlawful to stand or park a car or food truck in a bus stop.

Data Source: The city of Chicago's Data Portal provides geographic data on bus stop locations, including the coordinates of the geographic center of the stop, as well as the direction of travel of the bus lane ([https://data.cityofchicago.org/Transportation/CTA-Bus-Stops-Shapefile/pxug-u72f?category=Transportation&view\\_name=CTA-Bus-Stops-Shapefile](https://data.cityofchicago.org/Transportation/CTA-Bus-Stops-Shapefile/pxug-u72f?category=Transportation&view_name=CTA-Bus-Stops-Shapefile)). Using those data, we excluded curbs within 100 feet of the bus stop. Some bus stops may be longer—thus eliminating additional curb space. Bus stop locations were verified using Google Street View.

All Available Curbs  
in Downtown  
Business District

**29.6 Miles**



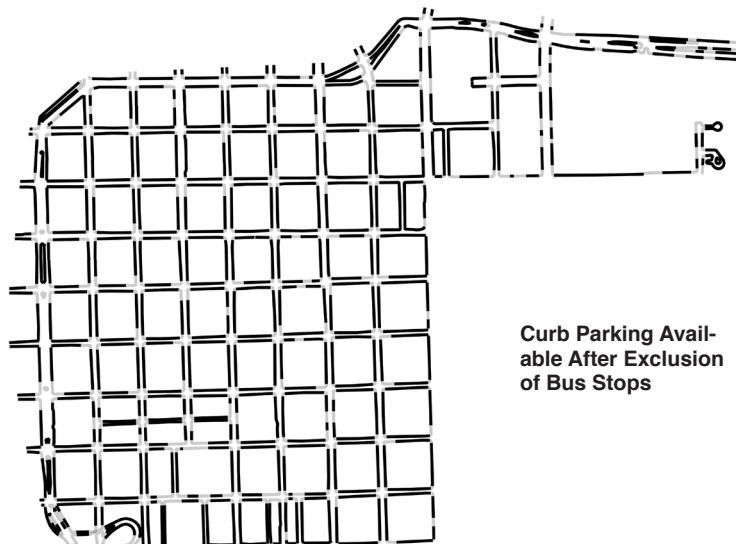
No Parking: <20 Feet of a  
Crosswalk. \$60 Fine.

No Parking: Bus Stop  
\$100 Fine.



**Location of Bus  
Stops in North Loop**

## Remaining Parking

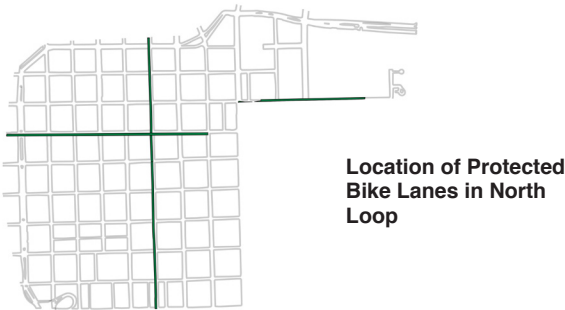
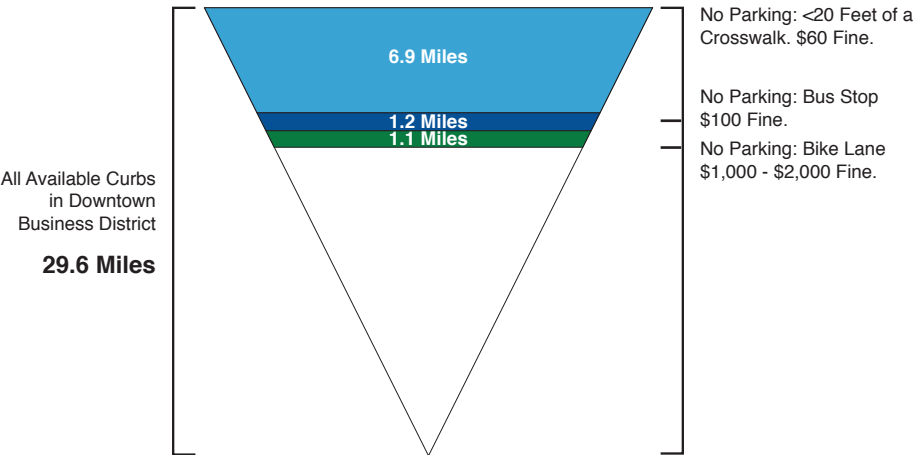


**Curb Parking Avail-  
able After Exclusion  
of Bus Stops**

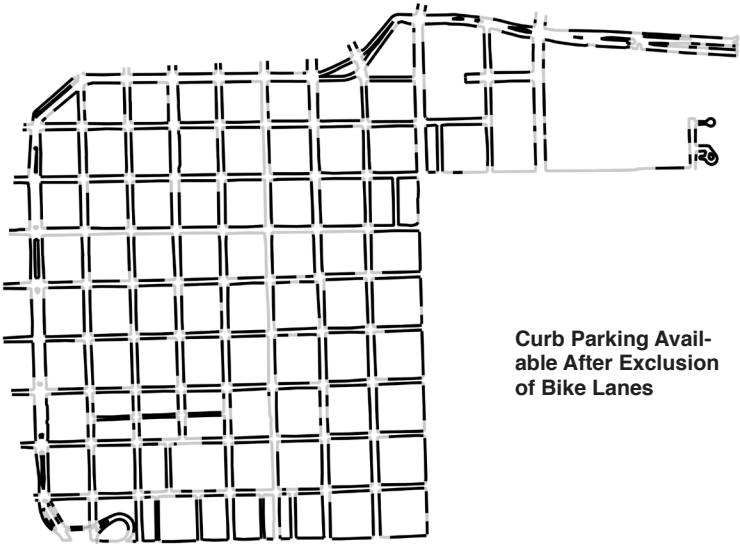
# No Parking near Protected Bike Lanes

The city prohibits food trucks from parking adjacent to a protected bike lane.

Data Source: The city of Chicago's Data Portal provides geographic data on the location of bike lanes in Chicago (<https://data.cityofchicago.org/Transportation/Bike-Routes/3w5d-sru8>). Using those data, we excluded all curbs located on the direction of travel of a protected bike lane. Bike lane locations were verified using Google Street View.



## Remaining Parking





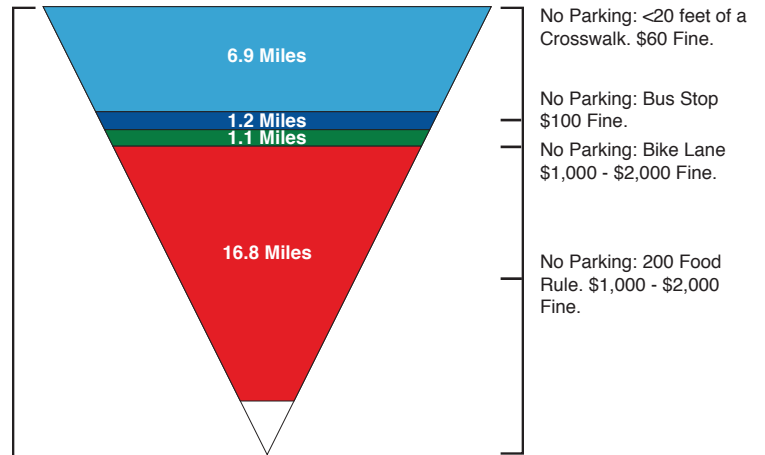
## No Parking Within 200 Feet of a Ground-Level Food Business

Lastly, Section 7-38-115(f) of the city code makes it illegal for food trucks to operate within 200 feet of the front door of any ground-level business that prepares and sells food to the public.

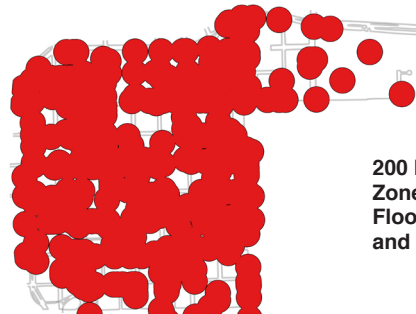
Data Source: During the course of litigation, the city provided data on the geographic location of ground-level businesses that prepare and sell food to the public. This file was produced by the city in 2014 and may not accurately reflect the current location of restaurants. Using these data, we created a unified buffer zone of 200 feet around each restaurant.

All Available Curbs  
in Downtown  
Business District

**29.6 Miles**

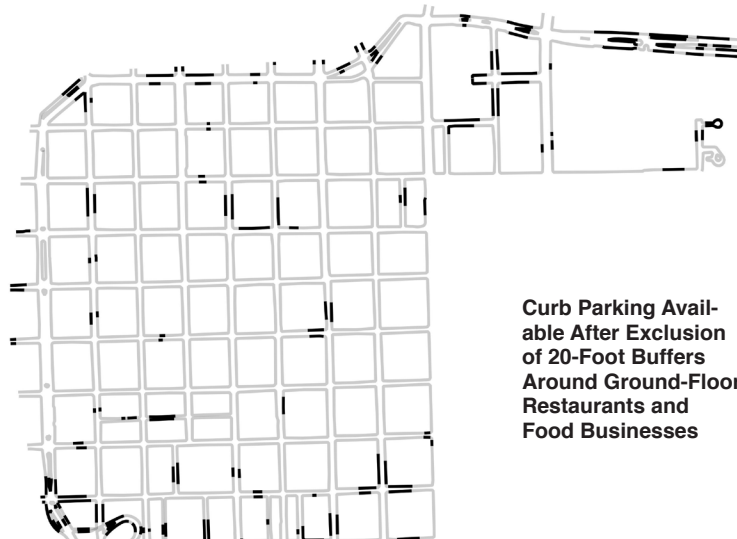


**Restaurant and Food  
Business Locations  
from 2014 data dis-  
closure.**



**200 Foot No Parking  
Zone around Ground-  
Floor Restaurants  
and Food Businesses**

## Remaining Parking

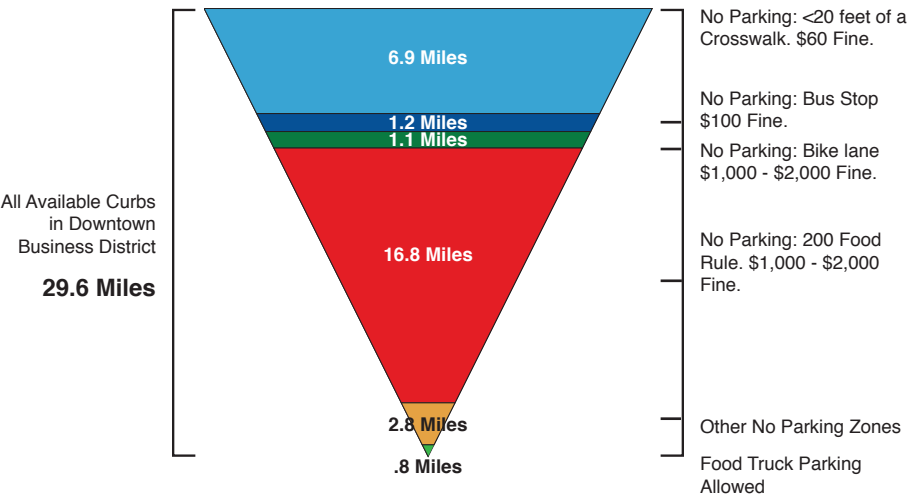


**Curb Parking Avail-  
able After Exclusion  
of 20-Foot Buffers  
Around Ground-Floor  
Restaurants and  
Food Businesses**

# Other No Parking Regulations

Chicago has a number of other parking restrictions, such as rules that prohibit parking near a fire hydrant or in front of a building's entrance or a parking lot curb cut. Chicago would not provide any geographic data on its other no parking zones.

Using Google Street View, we manually reviewed and removed any remaining curbs within no parking zones.

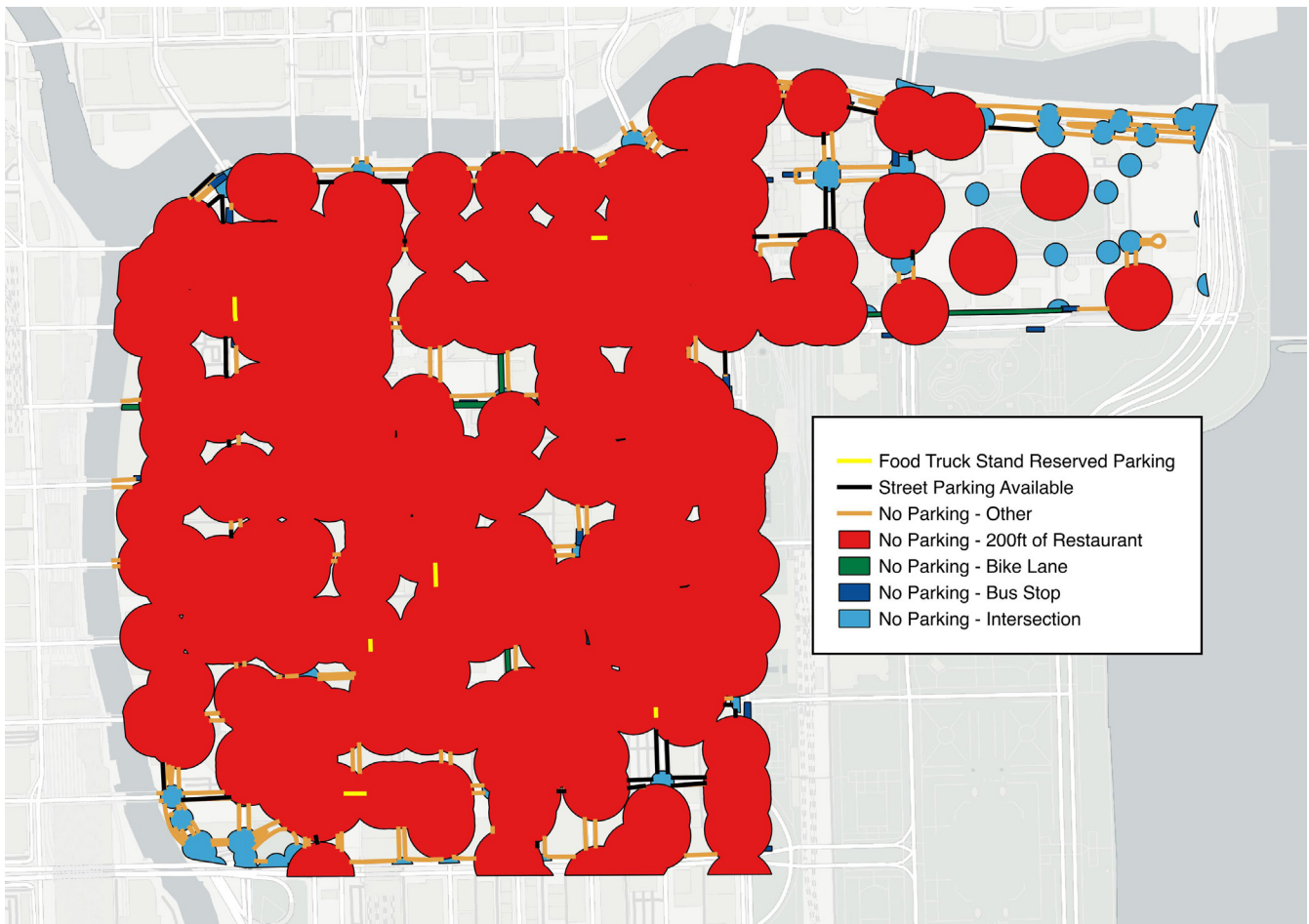


Parking Not Allowed Within Areas Otherwise Permitted.

## Remaining Parking



## Unified Result



### Food Truck Stands

The seven stands, displayed in yellow in the figure above, located in the business district add an additional 0.12 miles of available parking. But the regulations governing food truck stands also prohibit parking anywhere else on a block face that has a food truck stand. As a result, the presence of food truck stands eliminates 0.08 miles of parking, for a net addition of just 0.04 miles (211 feet) of additional parking in the North Loop district.

### Conclusion

As the map and associated graphic make clear, Chicago's 200-foot proximity ban makes it virtually impossible for food trucks to operate in commercial areas like the Loop. The city's ban not only throttles this fledgling industry, but it also limits the food options for hungry Chicagoans.

Unfortunately, Chicago isn't the only city that is suppressing both entrepreneurial opportunity and consumer choice. Across the nation, hundreds of cities and towns have enacted similar proximity restrictions on behalf of restaurateurs who'd rather legislate away the competition rather than stepping up their game. Such laws are wrong, they are unconstitutional, and they need to come to an end.