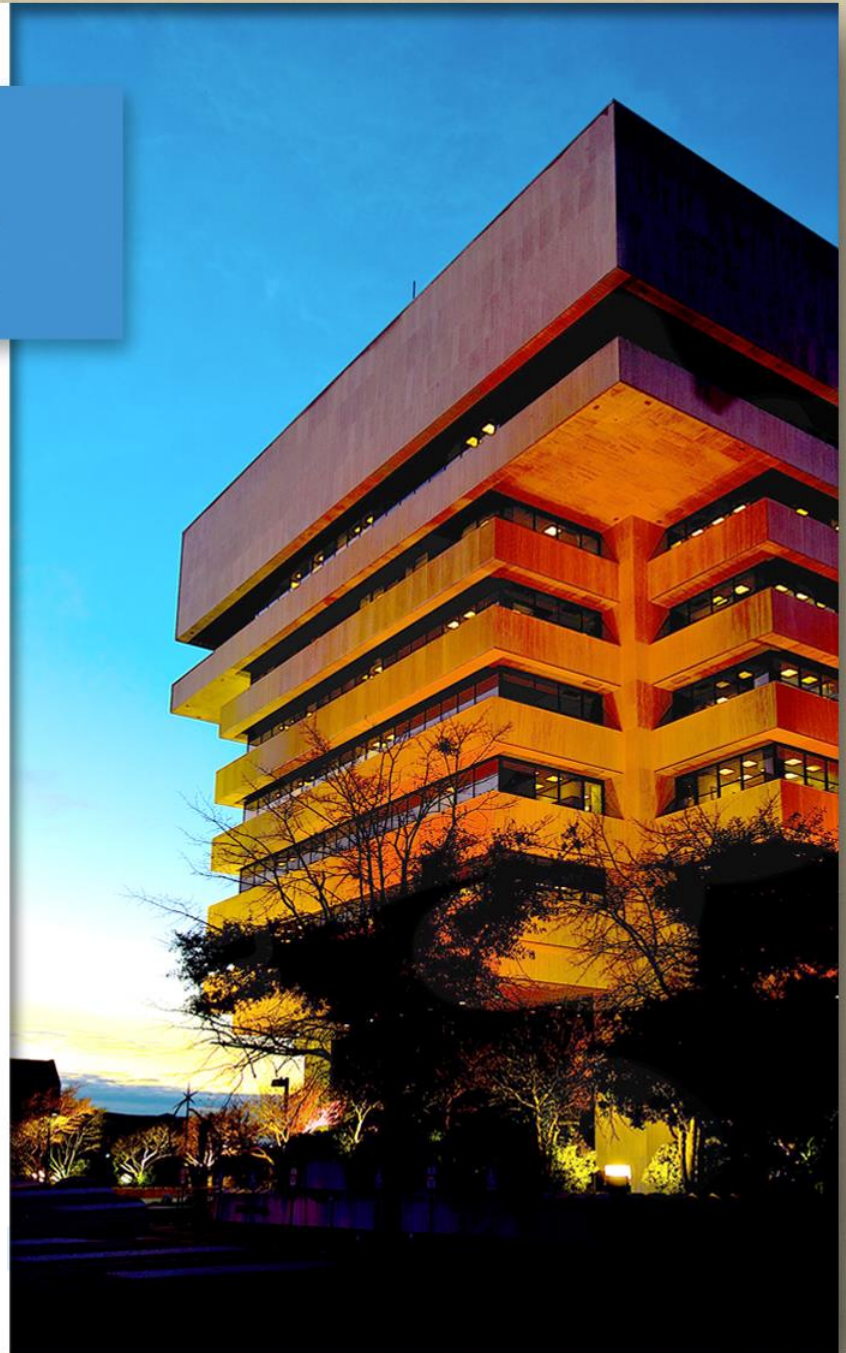


HAMPTON VA

Joint Zoning Ordinance & City Code Amendments No. 23-0133- No. 23-0139 & No. 23-0154- No. 23-0156

***Z.O. Chapters 1, 2, 3, 6, 7, 8, & 9
for Food Truck Host Sites &
C.C. Chapters 2, 15, & 34***

**City Council
May 24, 2023**



Zoning Ordinance Amendments

To amend Chapters 1, 2, 3, 6, 7, 8 and 9 to create the new use “Food Truck Host Sites”, and define where and how food trucks may operate or park on properties within all zoning districts

City Code Amendments

To amend Chapters 2, 15, and 34 to clarify how food trucks and food truck operators are permitted

Current Regulatory Framework

- Multiple codes and ordinances overlap to regulate food trucks
 - Mobile Unit Permit – Health Department
 - Peddler's License – Commissioner of Revenue
 - Peddler's Permit – Commissioner of Revenue
 - Fire inspection – Hampton Fire Division
 - Zoning Ordinance – Community Development Department

Previous Outreach

Meetings & Survey

- Coliseum Central Business Improvement District
- Downtown Hampton Business Improvement District
- Partnership For A New Phoebus
- 757 Food Truckers United

Survey Responses

- Langley Research and Development Park
- Copeland Industrial Park
- Hampton Roads Center Parks

Proposed Framework

- Presented to City Council in September 2022 as staff recommendation
- Focus on streamlining process
 - “Live” updating on food truck location
 - Avoid long permitting delays
 - Avoid unnecessary costs and barriers
- Maintain safe conditions for citizens and businesses
 - Not pursue food trucks on streets at this time
- Ensure enforcement capabilities

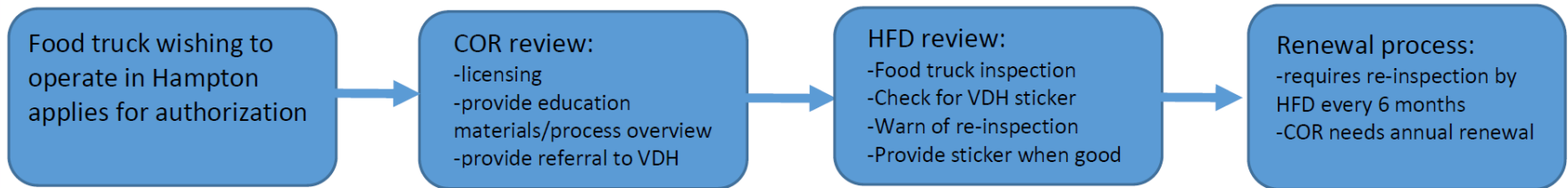
Proposed Framework

Our proposed framework addresses 4 main processes:

1. How food trucks are allowed within Hampton (City Code)
2. How properties are allowed to host food trucks (Zoning Ordinance)
3. Rapid notification for approved food trucks to pick approved sites (City Code)
4. Enforcement methods (Both)

Food Truck Pre-Approval

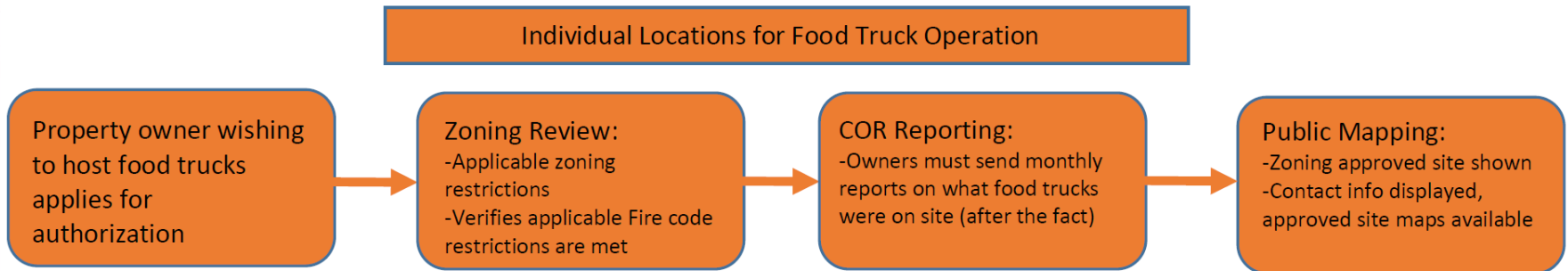
Individual Food Truck Authorization/Licensing/Inspection



- Roughly 2 week for license and inspection, separate from VDH (they have separate timeline)
- Existing food trucks likely to be quicker

Site Pre-Approval

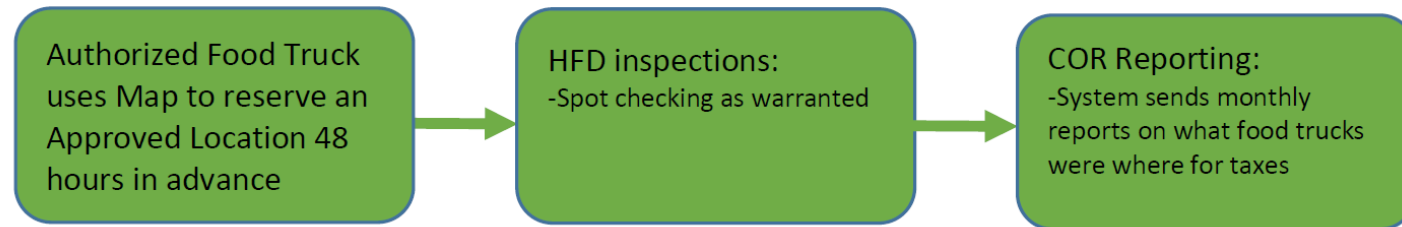
Individual Locations for Food Truck Operation



- One time review and approval, no expiration unless revoked or change to site
- 1-2 week processing time, established locations will be quicker
- Allowed in all zoning districts except in single family and multi-family

Site Reservation

Reservation of Approved Locations by Authorized Food Trucks



- Map of approved sites with contact information

Enforcement

Enforcement

Zoning Enforcement:

- Owners failing to be approved or manage food trucks on site appropriately or provide COR required info

HFD Enforcement:

- Operating unsafely per Fire Code

HPD Enforcement:

- Food truck operating in ROW or not having sticker
- Other safety issues

COR Enforcement:

- Food truck failing to provide taxes

NOTE: SPECIAL EVENTS HANDLED SEPARATELY

Proposed City Code

- Chapter 2:
 - Allow food trucks as part of “Neighborhood-scale special events”
- Chapter 15:
 - Establish new food truck permit and enforcement process
- Chapter 34:
 - Remove food trucks from mobile vendors, clarify language regarding food trucks allowed to operate in street (“ice cream truck provision”)

Proposed Zoning Ordinance

- Chapter 1:

- Establishes where food trucks may park when not in operation
- Clarifies that no vehicle repair or parking longer than 72 hours is permitted by this provision
- At homes, not allowed
- In commercial and industrial parking lots, only in rear or screened parking areas
- In approved vehicle storage establishments, as permitted by that use

Proposed Zoning Ordinance

- Chapter 2:
 - Establishes definition of “food trucks” which includes mobile food vendors that are actual vehicles but also trailers and carts



Proposed Zoning Ordinance

- Chapter 3:

- Require a Zoning Administrator Permit to establish a “Food Truck Host Site” in all zoning districts
- Some of the additional standards include:
 - In residential districts, only certain uses can establish a food truck host site. Elsewhere, in conjunction with any use is acceptable
 - Approval of a plan showing location of food trucks
 - Food trucks must be on improved surface, not block access or navigation, but may be in parking spaces if sufficient parking available for other uses
 - Within 100 feet of residential zoning, operation limited to 7 am to 10 pm (Noise Ordinance times), outside of that, limited to 5 am to 2 am (same as restaurants without alcohol license)
 - Food trucks must be setback from the relevant property line if adjacent to residential zoning, the same as a building
 - 10-foot separation around food trucks for Fire safety
 - No live entertainment associated with the food trucks
 - Temporary outdoor seating associated with the food trucks permitted

Proposed Zoning Ordinance

Hours
restricted to
5 am – 2 am,
or hours of
business

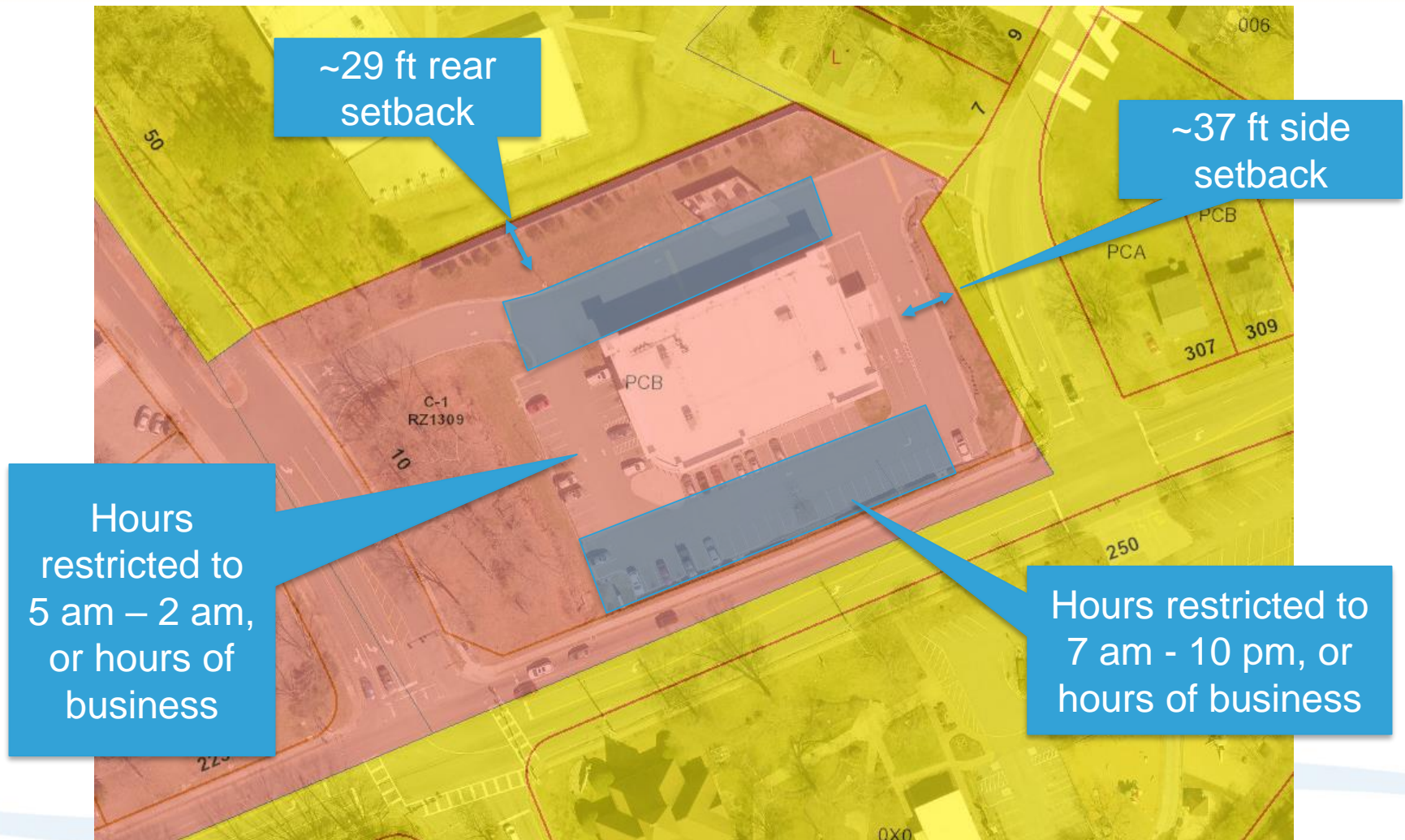
~91 ft side
setback

Hours
restricted to 7
am - 10 pm,
or hours of
business

15 ft rear
setback



Proposed Zoning Ordinance



Proposed Zoning Ordinance

- Chapter 6:
 - Add food truck host sites as an exemption from the requirement that uses be wholly within an enclosed building within the Neighborhood Commercial district C-1
- Chapter 7:
 - Exemption for the Limited Manufacturing district M-1
- Chapter 8:
 - Exemption for the Langley Flight Approach district LFA-3, the Hampton Roads Center district HRC-1, the Downtown districts DT-1 and DT-2, and the Langley Business Park district LBP
- Chapter 9:
 - Exemption for the Coliseum Central Overlay district O-CC

Recommendation

Staff and Planning Commission recommend **approval** of Items No. 23-0133, No. 23-0134, No. 23-0135, No. 23-0136, No. 23-0137, No. 23-0138, and No. 23-0139

Staff recommends **approval** of Items No. 23-0154, No. 23-0155, and No. 23-0156