

STAFF EVALUATION

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Case No.: Zoning Ordinance Amendment, ZOA23-00002

Planning Commission Date: May 18, 2023 **City Council Date:** May 24, 2023

General Information

<i>Description of Proposal</i>	This amendment, if approved, would add the definitions of "food trucks" and "food truck operator" to the Zoning Ordinance.
<i>Relevant Existing Zoning Definitions</i>	None. However, the City Code contains the definition of mobile vendor: "Mobile vendors. The sale or exchange of any item, including, but not limited to, any and all goods, wares, flowers, prepared or unprepared food or any other product, by any person from any temporary structure, including, but not limited to, any table or stand, or from any motor vehicle, trailer, cart, dray, wagon, pushcart or any hand or pedal-propelled vehicle." (City Code Section 2-312)
<i>Current Regulations</i>	The current zoning ordinance is interpreted to allow the operation of food trucks in limited areas within the city. Food trucks are allowed in zoning districts which permit both retail sales and outdoor sales. They are also allowed as an accessory use in conjunction with hospitals, religious facilities, public or private schools, structures which house a government function, community centers, or private or fraternal clubs/lodges.

Analysis

This amendment, if approved, would add the definitions of "food trucks" and "food truck operator" to the Zoning Ordinance. In 2022, City Council directed staff to bring forward amendments which would streamline and improve food trucks' ability to operate in Hampton. This amendment in conjunction with six related amendments is staff's effort to achieve that directive.

Currently, within the City Code, there is a definition of "mobile vendor" which would include food trucks, trailers, carts, and other mobile methods of selling food. The proposed definition within the Zoning Ordinance would capture all forms of mobile food vendors, to include food trucks which operate out of a trailer or cart. The term "food truck" is recommended to capture all of these forms of operation as it is the more colloquially understood term. Food truck operator is defined as the individual or entity required to obtain a food truck permit within Chapter 15 of city code.

If the set of seven zoning ordinance amendments are granted, "food truck host sites" would become a use within the Use Table, enabling operation of food trucks at various locations on property throughout Hampton. These proposed amendments focus on how food trucks may operate on properties throughout the city, and not within the right-of-way. Additional standards proposed would define where on the property and how the food trucks would be allowed to operate. There are also City Code amendments proposed for City Council consideration which would streamline the permitting and licensing process for food trucks by eliminating the peddler's permit and clarifying that food trucks are allowed as part of neighborhood special events.

Staff recommends approval of ZOA 23-00002.