

# STAFF EVALUATION

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**Case No.:** Zoning Ordinance Amendment, ZOA23-00006  
**Planning Commission Date:** May 18, 2023     **City Council Date:** May 24, 2023

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## General Information

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*Description of Proposal*     This amendment, if approved, would permit food truck host sites to operate within the Langley Flight Approach Hampton Roads Center District, LFA-3, the Hampton Roads Center South, HRC-1, the Downtown Business, DT-1, the Downtown Waterfront, DT-2, and the Langley Business Park, LBP, zoning districts while not wholly within an enclosed building.

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*Relevant Existing Zoning Definitions*     None. However, the City Code contains a 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)

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*Current Regulations*     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.

Food trucks which are trailers rather than vehicles are not allowed to be parked at a single-family home if the home is being used as the home base of operation for the food truck for licensing purposes.

Food trucks which are vehicles are only allowed to be parked at a single-family home if the vehicle meets the size restrictions contained within the commercial vehicle parking in a residential district provisions. The typical box truck-type food truck does not meet these size restrictions.

Food trucks are not allowed to be parked or stored at other properties unless they are there only temporarily or the property is an approved vehicle storage site.

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## Analysis

This amendment, if approved, would allow food truck host sites to be a permitted use within the Langley Flight Approach Hampton Roads Center District, LFA-3, the Hampton Roads Center South, HRC-1, the Downtown Business, DT-1, the Downtown Waterfront, DT-2, and the Langley Business Park, LBP, zoning districts by not requiring the use to be within a wholly enclosed building. In 2022, City Council directed staff to bring forward

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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.

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. Additionally, there would be provisions describing where food trucks may be stored or parked when not in operation within the city. 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 23-00006.***