



Legislation Text

File #: 23-0133, **Version:** 1

Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 1 Entitled "General Provisions" To Add New Regulations Applicable To Many Or All Zoning Districts Regarding Limitations On The Parking And Storing Of Food Trucks

Background Statement:

This amendment, if approved, would add a new section to the general provisions of the Zoning Ordinance which would describe how food trucks may be parked and stored within the City. 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.

The amendment would clarify that food trucks are not allowed to be parked or stored at a one-family, two-family, or duplex home. In commercial and industrial parking lots, food trucks may be parked if they meet the proposed additional standards which includes the parking of the food truck does not reduce minimum required parking for other uses on the property, the parking is located in the rear or in a screened area, and the parking does not last longer than 72 hours.

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. These proposed amendments focus on how food trucks may operate on properties, and not within the right-of-way.

Recommendations:

Staff Recommendation:

Approve

Planning Commission Recommendation:

Pending

WHEREAS, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED by the City Council of the City of Hampton, Virginia that Section 1-36 of Chapter 1 of the Zoning Ordinance of the City of Hampton, Virginia be added to read as follows:

...

Sec. 1-36. - Limitations on the parking and storing of food trucks not in operation.

(1) This section shall apply to food trucks only when parked or stored and not in operation.

- (2) Food trucks may not be parked or stored on a lot containing a one-family, two-family, or duplex residence as a primary use.
- (3) Food trucks may be parked on a lot not containing a one-family, two-family, or duplex residence as a primary use only in compliance with the following restrictions:
 - (a) Food trucks may only be parked in parking lots in conjunction with commercial or industrial uses or within an approved vehicle storage establishment;
 - (b) Except when parked or stored at approved vehicle storage establishments, any such food truck parking area must be either: (i) in the rear of the property or (ii) within a screened area so that the food truck is not visible from public rights-of-way or adjacent properties;
 - (c) Food trucks must be maintained in street-ready condition with all applicable licensing and registration displayed, per city code Chapter 24;
 - (d) No vehicle repair, which is not otherwise allowed pursuant to the zoning ordinance, shall be permitted;
 - (e) No individual food truck may be parked on the property more than 72 consecutive hours except when parked or stored at an approved vehicle storage establishment;
 - (f) The food truck must be parked on an improved surface parking lot;
 - (g) Food trucks shall not block any drive aisles, fire lanes, parking spaces, crosswalks, or other similar means of vehicle and pedestrian traffic circulation on the site as determined by the Zoning Administrator; and
 - (h) Parking of the food truck must not reduce the number of available required off-street parking spaces for the property below the minimum required by chapter 11.