



## Legislation Text

---

**File #:** 18-0233, **Version:** 1

---

Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia by Amending Chapter 9, Article III Entitled "O-CC District - Coliseum Central Overlay" By Amending Section 9-23 Pertaining To Modifications To Permitted Uses

**Background Statement:**

Mobile food vendors are only permitted to operate in areas that are zoned for retail sales and where outdoor sales are permitted. Current permitted retail sales, services, and office uses in the Coliseum Central Overlay District are required to be conducted within an enclosed building. Under the existing zoning ordinance, mobile food vendors are not permitted to conduct outdoor sales in the Coliseum Central Overlay District as an accessory use to a hospital primary use.

The Sentara Hampton Careplex has requested that the City permit mobile food vendors to operate at the medical campus to satisfy demand for late night dining options for third shift workers. This is a unique use because hospitals are open at all hours and have a high number of employees who are scheduled to work after midnight. Allowing mobile food vendors to operate at Sentara would ensure that workers have access to food once the onsite dining facility closes after dinner and beyond the normal operating hours for many of the surrounding restaurants. The Coliseum Central Business Improvement District (CCBID) has been briefed on the proposed amendment and supports the change to allow mobile vendors as an accessory use to a hospital.

If approved, this amendment would allow mobile food vendors to conduct outdoor sales in the Coliseum Central Overlay as an accessory use to a hospital primary use.

This Zoning Ordinance Amendment is proposed in conjunction with City Code Amendment 18-0233, which would align the City Code regulations pertaining to peddlers permits and licenses (required for mobile vendors) with this zoning change.

**Recommendations:**

Staff Recommendation:

Approve

Planning Commission Recommendation:

Approve

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

**BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 9 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

**CHAPTER 9 - OVERLAY DISTRICTS**

.....

**ARTICLE III. - O-CC DISTRICT- COLISEUM CENTRAL OVERLAY**

.....

**Sec. 9-23. - Modifications to Permitted Uses**

.....

(2) Permitted retail sales, services, and office uses shall be conducted wholly within an enclosed building except for:

- (a) Car wash, self-service or automated;
- (b) Gas station;
- (c) Motorcycle sales;
- (d) Outdoor dining;
- (e) Parking lots;
- (f) Vehicle sales, new;
- (g) Vehicle storage;
- (h) Those uses authorized by a Special Event Permit issued pursuant to the Hampton City Code;
- (i) Seasonal sales authorized by Section 34-7 of the City Code;
- (j) Permanent outdoor sales, displays, and storage, which shall be permitted only within a physically defined area that is shown on the site plan, and all physical improvements defining that area must be constructed of materials comparable to the primary building(s) on the site; and
- (k) Mobile food vendors that are an accessory use to a hospital primary use.

.....