

ZONING TEXT AMENDMENT NO. ZT-2019-0001

CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Article II, Definitions, Section 45-201, Definition of Certain Words and Terms, to add the definition of food truck vendor to the zoning ordinance.

As food truck vendors have become more popular, opportunities for new chefs to utilize this type of business model has increased. The food vendors of the past have been replaced with those serving gourmet food to customers competing with restaurants during busy lunch times. Many food truck vendors create a social media presence as a way to build a following with the intent of moving to a permanent location.

Currently food truck vendors can operate in the city either within the public rights-of-way as defined in City Code Chapter 38, Streets and Sidewalks, or on private property as part of a special event. Given the changes in the industry and the popularity of food truck vendors, the city is seeking to allow the use on private property and define the use in the zoning ordinance.

The proposed amendment provides a definition of food truck vendors as a vendor who sells food and non-alcoholic beverages from a motor vehicle or trailer licensed to be operated by the Virginia Department of Motor Vehicles.

On March 20, 2019, the Regulations Committee reviewed and recommends approval of the above referenced amendment.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to City Council adoption of Zoning Ordinance text amendment ZT-2019-0001.

APPENDIX

A-1 ARTICLE II, DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS.

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS, BY ADDING THE DEFINITION OF FOOD TRUCK VENDOR.

WHEREAS, Section 45-201 of the Code of the City of Newport News, Virginia, contains the definition of certain words and terms used in the Zoning Ordinance of the City of Newport News, Virginia; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment to Section 45-201 which would add the definition of food truck vendor; and

WHEREAS, the Council of the City of Newport News, after public notice and hearing as required by law, desires to approve the addition of the definition of food truck vendor in Section 45-201.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article II., Definitions, Section 45-201, Definition of certain words and terms, be, and the same hereby is, amended and reordained by adding the definition of the term food truck vendor, as follows:

Food truck vendor. Any vendor who sells food and non-alcoholic beverages from a motor vehicle or a trailer licensed to be operated on the highway by the Virginia Department of Motor Vehicles, other than a vendor operating exclusively as an ice cream vendor as that term is defined in Section 17-99 of the city code.

2. That the rest and remainder of Section 45-201 shall not be affected by this amendment, shall remain effective as adopted, shall be deemed incorporated into this ordinance by reference as if fully set forth herein, and shall be deemed reordained hereby.