

# ZONING TEXT AMENDMENT NO. ZT-2019-0002

## CITY OF NEWPORT NEWS

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### BACKGROUND

The request is to amend Article IV., Summary of Uses by District, Section 45-402, to stipulate in which districts food truck vendors will be allowed to operate on private property.

The city currently allows food truck vendors to operate in specific areas within the city rights-of-way or on private property associated with a special event. In both of these instances, specific criteria are required to ensure that the operation will not create nuisances.

With the rise in popularity of food truck vendors, the city proposes to allow the use on private property within certain zoning districts. Balancing where they would be allowed without creating issues for current on-site uses is an important consideration. The purpose of this amendment is to establish in which districts the use will be allowed. The use will be allowed in non-exclusive residential districts where the impacts of the congregation of people and noise would be minimized.

The amendment recommends that food truck vendors are permitted to operate by-right in the following districts: R9 Mixed Use, P1 Park, O1 Office, O2 Office Park, O3 Office, Research and Development, C1 Retail Commercial, C2 General Commercial, C3 Regional Business, C4 Oyster Point Business, C5 Oyster Point Business/Manufacturing, M1 Light Industrial, and M2 Heavy Industrial.

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-2019-0002.**

**APPENDIX**

**A-1 ARTICLE IV. SUMMARY OF USES BY DISTRICT, SECTION 45-402**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING PERMITTED USES “J” RETAIL SERVICES.

WHEREAS, Section 45-402 of the Code of the City of Newport News, Virginia, contains a comprehensive listing of uses permitted by the Zoning Ordinance of the City of Newport News, Virginia, in a “matrix” format; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment, identified as ZT-20019-0003, to Section 45-402, Summary of Uses by District, which would add use “J.54 Food Truck Vendors on Private Property” to allow such use in the R9 Mixed Use; P1 Park; O1 Office; O2 Office Park; O3 Office, Research and Development; C1 Retail Commercial; C2 General Commercial; C3 Regional Business; C4 Oyster Point Business; C5 Oyster Point Business/Manufacturing; M1 Light Industrial; and M2 Heavy Industrial districts by right; and

WHEREAS, the Council of the City of Newport News, after public notice and hearing as required by law, desires to amend Section 45-402, by adding use “J.54 Food Truck Vendors on Private Property” to allow such use in the R9 Mixed Use; P1 Park; O1 Office; O2 Office Park; O3 Office, Research and Development; C1 Retail Commercial; C2 General Commercial; C3 Regional Business; C4 Oyster Point Business; C5 Oyster Point Business/Manufacturing; M1 Light Industrial; and M2 Heavy Industrial districts by right.

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 IV., Summary of Uses by District, Section 45-402, Summary of Uses by District, be, and the same hereby is, amended and reordained by adding use “J.54 Food Truck Vendors on Private Property” to allow such use in the R9 Mixed Use; P1 Park; O1 Office; O2 Office Park; O3 Office, Research and Development; C1 Retail Commercial; C2 General Commercial; C3 Regional Business; C4 Oyster Point Business; C5 Oyster Point Business/Manufacturing; M1 Light Industrial; and M2 Heavy Industrial districts by right.

2. The rest and remainder of Section 45-402 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.