

NOV 08 2016

Board of Supervisors
James City County, VA

Chapter 24. Zoning

Article II. Special Regulations

Division I. In General

Sec. 24-49. Mobile food vending vehicles (food trucks)

In order to protect the health, safety and welfare of the citizens of James City County and to ensure that the unique aesthetic characteristics of the area are maintained, the following regulations shall apply to the permitting and operation of mobile food vending vehicles ("food trucks") on public and private property within certain zoning districts of the county. These regulations shall not apply to the operation of food trucks operating in conjunction with a special event, for which a special event permit would be required per chapter 14 of James City County Code, or to food trucks operating in conjunction with a privately catered event not serving the general public.

(a) Administration. The operation of food trucks on appropriately zoned properties shall be permitted by administrative permit. Written application for a mobile food vendor permit shall be made to the zoning administrator or his designee. Such application shall be on forms provided by the county and shall be accompanied by the following:


- (1) A copy of a valid health permit from the Virginia Department of Health stating that food truck operation meets all applicable standards. A valid health permit must be maintained for the duration of the permit.*
- (2) Verification of Fire Department inspection and approval.*
- (3) Written documentation of the consent of the owner(s) of the property or properties on which the food truck will be operated.*

Upon review and determination that the proposed food truck operation complies with the standards set forth in this section, the zoning office shall issue a permit. Any permit that is found in violation or not in compliance with this section may be revoked. The administrative permit shall be issued for a period not to exceed one (1) year, at which time the operator may apply to renew their permit. At any time during the one (1) year permit period, the operator may amend an approved permit application to include additional vending locations by submitting written documentation to the zoning administrator of the consent of the owner(s) of the newly proposed property or properties.

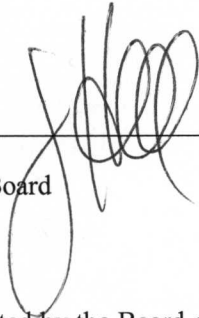
(b) General Operational Requirements. The following standards and conditions shall apply to all food truck operations:

- (1) Parking: food trucks shall not park, with the intent of vending, along public rights-of-way, or in designated handicapped parking spaces. Food trucks shall not obstruct pedestrian or bicycle access or passage, impede traffic or parking lot circulation or create safety or visibility problems for vehicles and pedestrians.*
- (2) Hours of Operation: Food trucks shall operate only during the operational hours of the establishment on the premises.*

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- (2) *Hours of Operation: Food trucks shall operate only during the operational hours of the establishment on the premises.*
- (3) *Permitting: The operator shall display, in a prominent location visible to potential customers, a copy of a valid business license and a copy of a valid health permit.*
- (4) *Setbacks: Food trucks shall be parked at least one hundred (100) feet from any off-site residential dwelling or the main entrance of any existing off-site restaurant establishment.*
- (5) *Signage: Not more than one (a) A-frame signs may be used in conjunction with the food truck operation. Such signs shall not exceed six (6) square feet in area (e.g., each face of the A-frame) and four (4) feet in height, shall be positioned within thirty (30) feet of the food truck and shall not be placed within a public road right-of-way. Signage that is permanently affixed to the food truck shall be permitted; however, flags, banners, flashing signs or other decorative appurtenances, whether attached or detached, shall not be allowed.*
- (6) *Lighting: No lighting shall be displayed on the exterior of the food truck. If a food truck is operating after dark, appropriate lighting may be used to illuminate the menu board and the customer waiting area adjacent to the vehicle. Such lighting shall be provided in accordance with section 24-132 of James City County Code and shall not produce light trespass onto adjacent roadways or properties or into the night sky.*
- (7) *Noise: The volume of any background music played from the food truck shall be limited so as not to be plainly audible beyond the property boundaries of the site where the food truck is located, or at a distance of one hundred (100) feet from the vehicle, whichever is less.*
- (8) *Trash: Operators must provide at least one trash receptacle within ten (10) feet of their food truck.*
- (9) *Liquid Waste: No liquid wastes used in the operation of the food truck or food vending shall be allowed to be discharged from the food truck except into an approved sewerage system as permitted by law.*
- (10) *One (1) station for items such as condiments and paper products and the like, may be set up next to the food truck. Such station may be covered by a roll-out awning extending from the food truck or by a temporary canopy not exceeding ten (10) feet by ten (10) feet in size.*


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:



Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	<input checked="" type="checkbox"/>	___	___
LARSON	<input checked="" type="checkbox"/>	___	___
ONIZUK	<input checked="" type="checkbox"/>	___	___
SADLER	<input checked="" type="checkbox"/>	___	___
HIPPLE	<input checked="" type="checkbox"/>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of November, 2016.