

ORDINANCE #16-15A with Amendments

**AN ORDINANCE TO AMEND CHAPTER 21, ZONING,
OF THE WILLIAMSBURG CODE BY ADDING ARTICLE IV,
SECTION 21-622, FOOD TRUCKS
(PCR #16-009)**

WHEREAS, it is being proposed to add the B-4 Culinary Arts District to the Williamsburg Zoning Ordinance; and

WHEREAS, one of the proposed permitted uses is food trucks; and

WHEREAS, additional supplemental regulations are needed to regulate food truck operations.

NOW, THEREFORE, BE IT ORDAINED that the Williamsburg Code, Chapter 21, Zoning, Article IV, Supplemental District Regulations is hereby amended by the addition of Section 21-622, Food Trucks, to read as follows:

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

Sec. 21-622. Food Trucks

When not in conjunction with a special event regulated by Chapter 9, Article II. Special Events, the operation of food trucks when permitted by a specific zoning district shall be permitted by an administrative permit approved by the zoning administrator subject to the following provisions:

- (a) The applicant shall provide the following to the zoning administrator:
 - (1) A copy of a valid Williamsburg business license. Such business license shall be posted in the vehicle at all times.
 - (2) A copy of a valid health permit from the Virginia Department of Health stating that the food truck meets all applicable standards. A valid health permit must be maintained for the duration of the permit.
 - (3) A copy of an approved inspection from the Williamsburg Fire Department stating that the food truck meets the requirements of the Virginia Statewide Fire Prevention Code and all applicable standards. The food truck must be reinspected on an annual basis.
 - (4) Applicant shall provide a valid driver's license for each person who will drive the food truck.
 - (5) Applicant shall provide current registration for the food truck, proof of current motor vehicle inspection, and proof of valid motor vehicle insurance for the food truck.

- (b) The administrative permit shall be issued for a period not to exceed one year but may be renewed upon written request by the operator.
- (c) The following standards and conditions shall apply to all food truck operations:
 - (1) The operator must have written documentation of the consent of the owner(s) of the property or properties on which the food truck will be operated;
 - (2) Unless otherwise approved, food trucks shall operate only on developed and occupied property and only during the hours when the business establishment on the premises is open for business;
 - (3) The Zoning Administrator may approve food trucks remaining on-site for multi-day events or late closings on a case-by-case basis. Unless otherwise approved, food trucks shall be removed from any site when the on-premises establishment closes for the day. Prior to leaving the site, the food truck operator shall pick up, remove, and dispose of all trash or refuse within at least 25 feet of the vehicle that consists of materials originally dispensed from the vehicle, including any packages or containers or parts thereof used with or for dispensing the menu items sold from the vehicle.
 - (4) 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 100 feet from the food truck, whichever is less;
 - (5) Any lighting attached to the exterior of the food truck or used to illuminate the menu boards or the customer waiting areas adjacent to the food truck shall be provided with fixtures that do not produce light spill onto adjacent properties or into the night sky;
 - (6) Receptacles, either those already available on a site or temporary/portable ones provided by the food truck operator, shall be positioned conveniently for disposal of all trash, refuse, compost, and garbage generated by the use;
 - (7) Any greywater, fats, oils, grease, or hazardous liquids generated in the mobile food vending operation shall be contained within the food truck and transported off the property for proper disposal. No hazardous materials or liquids shall be released into any sewer, storm drain, ditch, drainage canal, creek, stream, river, lake or tidal water or on the ground, sidewalk, street, highway, or into the atmosphere;
 - (8) Food trucks shall be parked at least 100 feet from any residential dwelling;
 - (9) 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. Such vehicles may be parked in an

existing parking lot provided that any required parking spaces are not obstructed and made unavailable;

- (10) Food trucks shall not be parked in or operated from a public street right-of-way;
- (11) Not more than two A-frame signs may be used to display and advertise menu items and other information associated with the food truck operation. Such signs shall not exceed six square feet in area and four feet in height, shall be positioned within 30 feet of the food truck, and shall not be placed within a public street right-of-way. Signage that is permanently affixed to the food truck shall be permitted; however, the Zoning Administrator may approve flags, banners, or other decorative appurtenances, whether attached or detached on a case-by-case basis.


(d) The zoning administrator may revoke the permit at any time for failure of the permit holder to comply with the requirements of this section and to correct such noncompliance within the timeframe specified in a notice of violation. Notice of revocation shall be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the board of zoning appeals.

Secs. 21-623—21-700. Reserved.

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: November 10, 2016

Attest:


Gerry S. Walton, City Council Clerk


Paul T. Felling, Mayor