

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.*

(a) *Administration. When not in conjunction with a special event, for which a special event permit would be required per chapter 14 of James City County Code, 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 their designee. Such application shall be on forms provided by the county and shall accompanied by the following:*

- (1) *A copy of a valid health permit from the Virginia Department of Health stating that the mobile food vending 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 mobile food vending unit will be operated. On property owned by the county, permission shall be obtained from the county administrator or his designee. On property owned by the Williamsburg/James City County School District, permission shall be obtained from the school superintendent or his designee.*
- (4) *A \$20.00 processing fee and a sketch or similar depiction showing the proposed location of any accessory canopies or tables, signage, and the food truck relative to any structures and parking on the subject property. Upon review and determination that the proposed mobile food vending 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.*

(b) *General Operational Requirements. The following standards and conditions shall apply to all mobile food vending vehicle operations:*

- (1) *Parking: Mobile food vending vehicles shall not park, with the intent of vending, along public rights-of-way, or in designated handicapped parking spaces. Mobile food vending*

*vehicles 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: Mobile food vending vehicles 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: Mobile food vending vehicles shall be parked at least 100 feet from any residential dwelling or the main entrance of any existing restaurant establishment.*
- (5) *Signage: Not more than two (2) A-frame signs may be used in conjunction with the food vending 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 vehicle, and shall not be placed within a public road right-of-way. Signage that is permanently affixed to the vehicle 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 spill onto adjacent roadways or properties or into the night sky.*
- (7) *Noise: The volume of any background music played from the vehicle shall be limited so as not to be plainly audible beyond the property boundaries of the site where the vehicle is located, or at a distance of 100 feet from the vehicle, whichever is less.*
- (8) *Trash: Operators must provide at least one trash receptacle within ten (10) feet of their vehicle.*
- (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 vehicle. Such station may be covered by a roll-out awning extending from the vehicle or by a temporary canopy not exceeding 10 feet by 10 feet in size.*