



**Amherst County Board of Supervisors
County Ordinance No. 2021-0004**

AN ORDINANCE, NO. 2021-0004

Amending §§ 302, 701, 707, 708, and enacting § 924 of Appendix A - Zoning and Subdivisions, of the Code of the County of Amherst, addressing Truck, Food, Trailer or Cart.

Approved as to form and legality by the Amherst County Attorney

**FIRST READING: Board of Supervisors, May 4, 2021
PUBLIC HEARING: Board of Supervisors, May 18, 2021**

THE COUNTY OF AMHERST HEREBY ORDAINS:

I. That Sections 302, 701, 707, 708, and § 924 of the Code of Amherst County, 1987, as amended, are amended, reenacted, and recodified as follows:

302. Specific Definitions

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Truck, Food, trailer or cart. A street vending unit that is self-contained, readily movable and is currently registered with the Virginia Department of Motor Vehicles. Designed and equipped to serve food that is made ready for consumption at the point of sale and is able to be removed each day following the end of business.

701. Public Lands District P-1

701.03 Special exceptions (Public Lands District—P-1 zone)

1. Jail and other detention facilities.
2. Landfill or similar uses.
3. Off-site directional signs compliant with the requirements of Section 907.04.
4. Personal wireless service facilities as provided in Section 919.
5. Food trucks, trailers and or carts as provided in Section 924, provided that the Food Truck (Trailer and/or Cart) leaves the property at the close of business each day.

6. Any other use which the ~~planning director~~ Zoning Administrator determines is consistent with the statement of intent for this district and is of the same general character as special exception uses in this district.

707. General Commercial District B-2

707.02 Permitted uses. Within the General Commercial District B-2, the following uses are permitted.

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78. Food trucks, trailers and or carts as provided in Section 924, provided that the Food Truck (Trailer and/or Cart) does not remain on the property for longer than seventy-two (72) consecutive hours.

79. Any other use which the planning director determines is consistent with the statement of intent for this district and is of the same general character as permitted uses in this district.

708. - Industrial District M-1

708.02. Permitted uses. Within the Industrial District M-1, the following uses are permitted:

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19. Food trucks, trailers and or carts as provided in Section 924, provided that the Food Truck (Trailer and/or Cart) does not remain on the property for longer than seventy-two (72) consecutive hours.

924. – Food Trucks, Trailers or Carts.

924.01. Intent. The special provisions in this section are designed to cover the uniqueness of food truck operations. These provisions shall help maintain a healthy and equitable atmosphere by minimizing the diverse impacts that effect this operation. All mobile vehicles providing retail sales of food (food trucks, food trailers or food carts) shall comply with this section. This section does not apply to “meals on wheels” program vehicles, mobile ice cream trucks or food home delivery services.

924.02. General Requirements. Food trucks, where permitted, must meet all of the following requirements:

1. The applicant must be the owner of the property or have written permission from the owner or legal representative on which the mobile food vehicle business will be located.
2. No mobile food vehicle shall use flashing or moving lights as part of its operation.
3. All equipment required for the mobile food vehicle business shall be contained within, attached to or within ten (10) feet of the food truck, trailer or cart.

4. All requirements in Section 13-55, *Litter receptacles at places frequented by the public*, shall be met.
5. A zoning permit shall be obtained by the vendor prior to operations of any mobile food vehicle and must be renewed if the approved use has elapsed over a year.
6. Each food truck, trailer or cart shall provide a copy of a valid Mobile Food Establishment permit issued by the Virginia Department of Health.
7. Food trucks, trailers or carts who operate in Amherst County are required to obtain a peddler's license.
8. Copies of the zoning permit and all applicable permits shall be kept in the food truck, trailer and/or cart at all times.

924.03. Location and access.

1. Food trucks, trailers or carts shall be located at a minimum distance of twenty-five (25) feet from the edge of any means of ingress or egress, exit or emergency access/exit, emergency call box or fire hydrant.
2. Food trucks, trailers and carts shall not be located in any right-of-way, nor obstruct any easement.
3. Food trucks, trailers and carts shall not occupy any parking spaces required to fulfill the minimum requirements in section 602 of the principal use, unless the principal use's hours of operation do not coexist with those of the food truck business.
4. Food trucks, trailers and carts shall have at a minimum three (3) parking spaces for patron use.

924.04. Exempt Food Trucks, Trailers and Carts. The following food truck, trailer and carts are permitted and exempt from the zoning permit process.

1. Meals on Wheels program vehicles
2. Food home delivery services
3. Single weekend events. i.e. birthdays, holidays, anniversaries, fairs, festivals, parades, etc.
4. Any other use which the ~~planning director~~ Zoning Administrator determines is consistent with the statement of intent for this use and is of the same general character as the other exempt uses in this section.


II. This ordinance is in force and effect upon adoption.

Adopted this 18th day of May 2021.



Jennifer R. Moore, Chair
Amherst County Board of Supervisors

Member	Vote
Jennifer R. Moore, Chair.....	<u>AYE</u>
David W. Pugh, Jr., Vice-Chair.....	<u>AYE</u>
Tom Martin.	<u>AYE</u>
L. J. "Jimmy" Ayers, III	<u>AYE</u>
Claudia D. Tucker	<u>AYE</u>

ATTEST:


Dean C. Rodgers, Clerk
Amherst County Board of Supervisors