

Adopted by City Council on May 6, 2013

AN ORDINANCE
AMENDING AND REORDAINING SECTIONS 34-480, 34-796, 34-1175 AND 34-1200
OF CHAPTER 34 (ZONING) OF THE CODE OF THE CITY
OF CHARLOTTESVILLE, 1990, AS AMENDED, RELATING TO MOBILE FOOD UNITS

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 34-480 (Article IV), Section 34-796 (Article VI), Section 34-1175 (Article IX), and Section 34-1200 (Article X), all in Chapter 34 of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained, as follows:

Sec. 34-480. Use matrix—Commercial districts.

The uses and residential densities allowed within the city's commercial zoning districts are those identified within the matrix following below.

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Use Types	ZONING DISTRICTS					
	B-1	B-2	B-3	M-I	ES	IC
NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL						
Microbrewery		B	B	B		B
<u>Mobile food units</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Movie theaters		B	B			B

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Sec. 34-796. Use matrix—Mixed use corridor districts.

The uses and residential densities allowed within the city's mixed use corridor districts are those identified within the matrix following below.

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Use Types	ZONING DISTRICTS													
	D	DE	DN	WMN	WMS	CH	HS	NCC	HW	WSD	URB	SS	CD	CC
NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL														
Microbrewery	B	B	B	B	B		B		B	B	B	B	B	B
<u>Mobile food units</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Movie theaters, cineplexes	S	S	S	S	S	B	S		B	S	S	S	S	S

Sec. 34-1175. Mobile food unit.

A mobile food unit located on private property authorized by a provisional use permit shall be subject to the following regulations:

- (1) No mobile food unit may be operated on private property without the mobile food unit Owner or his designee having first been issued a provisional use permit pursuant to this section.
- (2) A provisional use permit allows the permittee to operate at up to ten (10) different properties. An applicant may apply for more than one (1) provisional use permit.
- (3) Applicants for a provisional use permit authorizing a mobile food unit to operate on private property must provide:
 - a. A City business license (or a statement from the Commissioner of Revenue that no City business license is required).
 - b. A valid Health Permit from the Virginia Health Department stating that the mobile food unit meets all applicable standards. A valid health permit must be maintained for the duration of the provisional use permit.
 - c. Written permission from the owner(s) of the private properties upon which the permittee will operate.
 - d. A sketch to be approved by the zoning administrator for each property, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the mobile food unit, distance from property lines, garbage receptacles and any other feature associated with the mobile food unit.
- (4) A mobile food unit provisional use permit is valid for one year from the date of issuance.
- (5) A mobile food unit operator shall not:
 - a. Sell anything other than food and non-alcoholic beverages and items incidental to the product and its consumption;
 - b. Set up more than one (1) covered 10x10 table to provide condiments to patrons;
 - c. Play any music that is audible outside of the vehicle;
 - d. Place or utilize any signage that is not permanently affixed to the mobile food unit;
 - e. Fail to provide receptacles and properly dispose of all trash, refuse, compost and garbage that is generated by the use;
 - f. Cause any liquid wastes to be discharged from the mobile food unit;

- g. Locate a mobile food unit within 100 feet of a single family or two-family residential use.
- (6) A provisional use permit may be revoked by the zoning administrator at any time, due to the failure of the permit holder to comply with all requirements of this chapter. 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.

Sec. 34-1200. Definitions.

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Mobile Food Unit means a readily movable wheeled vehicle or a towed vehicle designed and equipped for the preparation, service and/or sale of food.

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