

	Agenda Title:	Agenda Date:
	PROPOSED Mobile Food and Beverage Vending Unit Ordinance	April 9, 2026
<p style="text-align: center;">Town of Cape Charles</p>	Subject/Proposal/Request:	
	Proposed Zoning Text Amendment (ZTA) re: Mobile Food and Beverage Vending Unit Zoning Ordinance	
	Attachments:	For Council:
	1) 2026 Food Truck Requirements Handout a) Town Code Section 18-83 2) Mobile Food and Beverage Vending Unit Ordinance – Draft 2026-03-17	Action: X Information:
Staff Contact(s):	Reviewed by:	
Katie Nunez, Director of Planning & Zoning Administrator	Rick Keuroglan, Town Manager	

Background:

Over the past four years, the Town has experienced a noticeable increase in the number of mobile food vendors operating within the community. These vendors are most commonly located at the beach along Bay Avenue during the summer season, as well as at various events and festivals held throughout the year.

In response to this growth, staff identified the need to establish a standardized regulatory framework to clearly define acceptable types of mobile food units, operating procedures within the Town, and the approvals required for operation. Over the past four months, staff from the Finance Office, Town Manager’s Office, and the Planning & Zoning Department have collaborated to evaluate existing conditions, identify regulatory gaps, and clarify the intended role of mobile food vendors within the Town’s business and tourism economy. This effort also considered the importance of ensuring compatibility with adjacent residential areas.

Item Specifics:

The current oversight of mobile food trucks is found in 2 areas of the Town Code:

- 1) Chapter 18 (Licenses, Taxation and Miscellaneous Regulations), Section 18-83 (c):
 This section defines a “peddler” as any person who travels from place to place selling or offering goods, wares, or merchandise, or who does not maintain regular business hours at a fixed location and conducts sales elsewhere.

Mobile food units—including food carts, open trailers, enclosed trailers, and food vehicles—are classified under this definition. The section outlines permitted locations,

requires approval from the health department, and mandates that such operations be licensed and taxed annually at a rate established by the Town.

Additionally, this section incorporates state law provisions related to food producers and seafood harvesters (commonly referred to as the “Farm Stand” concept), requiring licensure but exempting these operators from local licensing fees.

2) Chapter 26-9 (Streets, Sidewalks, and Other Public Places):

This section regulates the operation of vendors within public rights-of-way. It limits food and flower sales from vehicles to no more than 15 minutes in any one block, unless the vendor is located more than 150 feet from a licensed business selling similar goods. It also prohibits vending from vehicles within the designated business district.

Recommendation:

Staff has developed a draft zoning ordinance for Town Council’s consideration. The draft is intended to modernize and clarify regulations governing mobile food vendors by:

- Defining permitted types of mobile food units (vehicles, carts, trailers)
- Establishing a consistent approval process
- Setting clear operational standards and conditions

The purpose of this discussion is to review the draft ordinance with Town Council to confirm that it adequately addresses concerns raised over time regarding mobile food vendors and to solicit feedback on its overall approach.

Staff also seeks guidance on whether these regulations are more appropriately incorporated into the Zoning Ordinance or adopted as a standalone Town ordinance.

Pending Council’s direction and refinement of the proposed regulations, staff will evaluate and update the Town’s fee schedule for mobile food vendors to ensure alignment with the new framework.

Finally, this effort has highlighted broader questions related to the regulation of other peddlers and itinerant merchants. Staff anticipates addressing these issues as a subsequent phase of this review.