



Planning Commission Regular Meeting

August 04, 2026 at 6:00 PM

Cape Charles Civic Center - 500 Tazewell Avenue

Agenda

- 1. Call to Order**
 - A. Roll Call
 - B. Establish a Quorum
- 2. Invocation and Pledge of Allegiance**
- 3. Consent Agenda**
 - A. Approval of Agenda Format
 - B. Approval of Minutes
- 4. Citizen Comment Period, for any item not subject to an advertised public hearing**
- 5. Unfinished Business**
 - A. Zoning Text Amendment (ZTA) 2026-03
- 6. Report of Officers and Committees**
- 7. Standing Staff Reports**
- 8. Announcements - Next Meetings**
 - A. September 1, 2026
- 9. Adjournment**



PLANNING COMMISSION **Public Hearing & Regular Meeting** **Cape Charles Civic Center** **July 07, 2026**

At 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Public Hearing and Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Bill Ashworth, Alan Clark, Jim Holloway, Ian McDonald, Clayton Newman, and Elizabeth Wright. Also in attendance were Town Manager Rick Keuroglian, Planning and Zoning Deputy Tracy Outten, Planning and Zoning Technician Damion Geist, Town Clerk Libby Hume, and the applicant. There was one additional member of the public in attendance.

A moment of silence was observed, which was followed by the recitation of the Pledge of Allegiance.

CONSENT AGENDA:

Hearing no objections, Chairman Stramm approved the Consent Agenda as presented.

PUBLIC HEARINGS:

- A. *Conditional Use Permit (CUP) 2026-02: Application from the Cape Charles Rosenwald School Restoration Initiative for the review of a comprehensive sign plan as part of a conditional use permit application in the commercial district (C-1), per Cape Charles Town Code Chapter 32, Article V, Section 32-112 (f).*

Chairman Stramm read the public hearing notice.

Mrs. Outten read the staff report. She recommended approval of the CUP sign plan.

There were no public comments to be heard nor any written comments submitted prior to the meeting.

Motion was made by Commissioner Holloway, and seconded by Commissioner McDonald, to close the public hearing at 6:08 p.m. The motion was unanimously approved.

- B. *Zoning Text Amendment (ZTA) 2026-03: Application from the Town of Cape Charles to add new regulations for Mobile Food and/or Beverage Units by amending the Cape Charles Zoning Ordinance by adding Section 32-105 to Article IV (General Regulation Applicable to All Districts).*

Chairman Stramm read the public hearing notice.

Mrs. Outten read the staff report. She recommended approval of the new regulations.

There were no public comments to be heard nor any written comments submitted prior to the meeting.

Motion was made by Commissioner Wright, and seconded by Commissioner Newman, to close the public hearing at 6:17 p.m. The motion was unanimously approved.

CITIZEN COMMENTS:

There were no citizen comments to be heard nor any written comments submitted prior to the meeting.

UNFINISHED BUSINESS:

A. *Update on Comprehensive Plan Deadlines per DEQ's Request*

Discussion and questions were as follows on the Sign Ordinance update: (i) Commissioner Clark stated that a subcommittee met consisting of himself and Town Manager Rick Keuroglan. Mr. Keuroglan stated that they've met with DEQ to discuss timelines and requirements. A review of applicable documents, along with a follow-up meeting with DEQ and another subcommittee meeting, was to occur at a future date.

NEW BUSINESS:

A. *Conditional Use Permit (CUP) 2026-02: Application from the Cape Charles Rosenwald School Restoration Initiative for the review of a comprehensive sign plan as part of a conditional use permit application in the commercial district (C-1), per Cape Charles Town Code Chapter 32, Article V, Section 32-112 (f).*

The discussion and questions were as follows: (i) Commissioner Newman stated his experience in dealing with signage issues in the past and had no issue with the proposed signage as the size and mounting angle would have a minimal visual impact when viewed from outside the property.

Motion was made by Commissioner Holloway, seconded by Commissioner Newman, to recommend that the Town Council approve the application for a Conditional Use Permit (CUP) 2026-02 for the installation of six freestanding interpretive kiosk signs and one freestanding historical marker at the Cape Charles Impact Center. The motion was unanimously approved.

B. *Zoning Text Amendment (ZTA) 2026-03: Application from the Town of Cape Charles to add new regulations for Mobile Food and/or Beverage Units by amending the Cape Charles Zoning Ordinance by adding Section 32-105 to Article IV (General Regulation Applicable to All Districts).*

The discussion and questions were as follows: (i) A concern that the language specific to Bay Avenue would not be appropriate for other locations in town where vendor trucks were sometimes positioned. (ii) A discussion over truck placement on private/town land in the commercial district could be within 150' of a brick-and-mortar food service establishment with permission from the business owner. A concern about businesses being able to veto the placement of food trucks seeking to operate in that proximity. (iii) Special events such as Festive Fridays would be outside the scope of the existing language regarding proximity and hours of operation. (iv) Mr. Keuroglan stated that such instances would require a Special Use Permit and would be at his discretion on the appropriateness of the placement. He added that special events had an overlay that supersedes the standard ordinance language. Any other truck placement would fall under a Conditional Use Permit and would be reviewed on a case-by-case basis by the Town Manager. It was decided to rework the language to address the concerns discussed and bring it back to the next meeting.

REPORT OF OFFICERS AND COMMITTEE

There were no reports from the officers and committees.

STANDING STAFF REPORTS

There was not a staff report.

ANNOUNCEMENTS

- Regular Planning Commission Meeting on Tuesday, August 4, 2026, at the Civic Center.

Motion made by Commissioner Holloway, seconded by Commissioner Clark, to adjourn the Planning Commission Public Hearing and Regular Meeting at 7:06 p.m. The motion was approved by unanimous vote.

Chairman Bill Stramm

Planning and Zoning Technician



Planning Commission Staff Report

Agenda Title: Zoning Text Amendment (ZTA) 2026-03

Agenda Date: August 4, 2026

Prepared by: Damion Geist, Planning and Zoning Technician

Reviewed By: Rick Keuroglian, Town Manager

Date: July 27th, 2026

Type of Application: Zoning Text Amendment

Applicant: Town of Cape Charles

Site Address NA

Tax Map: NA

Zoning: NA

Proposal: Add new regulations for Mobile Food and/or Beverage Units by amending the Cape Charles Zoning Ordinance by adding Section 32-105 to Article IV (General Regulations Applicable to All Districts).

Legal Deadline Requirements October 15th, 2026

Date Application Received: June 1st, 2026

Date Application Deemed Complete: June 1st, 2026

For Planning Commission: October 15th, 2026

For Town Council (Directory, not Mandatory) Can act upon receipt of recommendation from Planning Commission; if PC fails to provide recommendation within the prescribed deadlines, it is deemed a favorable recommendation by the PC. The Town Council's max time frame is 12 months from when referred to the Planning Commission:

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

In response to the growth, town staff identified a need to establish a standardized regulatory framework that clearly defines acceptable types of mobile food units, operating procedures within the Town, and the required approvals for operation.

Since the beginning of 2026, staff from the Finance Department, the Town Manager's Office, and the Planning and Zoning Department have collaborated to assess current conditions, identify regulatory gaps, and clarify the intended role of mobile food vendors in the Town's business and tourism economy.

On April 9, 2026, during the Town Council Work Session, the Town Council reviewed the draft zoning ordinance to modernize and clarify regulations governing mobile food vendors by: (1) defining permitted types of mobile food units, (2) establishing a clear approval process, and (3) setting operational standards and conditions. During the meeting, the Town Council identified specific language changes to the proposed zoning text amendment that they would like to see in the next draft of the ordinance.

At the May 21, 2026, Town Council Regular Meeting and Public Hearing, the Town Council reviewed another draft of the proposed ordinance. The Council adopted Resolution of Intent 20260521, referring Zoning Text Amendment 2026-03 to the Planning Commission to convene and hold the necessary public hearings.

At the July 7, 2026, at the Planning Commission Public Hearing and regular meeting, the draft was reviewed and clarification was provided on a few items.

Comprehensive Plan Review: Staff reviewed the proposed Zoning Text Amendment to Article IV (General Regulations Applicable to All Districts) and determined it aligns with the core principles outlined in the Comprehensive Plan.

The Economy chapter calls for promoting *"a lively economy built around accommodations, food services, health care, social services, retail trade, recreation, public administration, manufacturing, fisheries/maritime activities, and transportation (p.49)"*. The comprehensive plan also calls for *"promoting and expanding business in a business-friendly environment (p.55)"*. This ordinance directly supports these objectives by expanding opportunities in the food service and retail sectors and by creating low-cost pathways for entrepreneurship and small-business development.

Furthermore, the Comprehensive Plan recognizes tourism as a significant component of Cape Charles' economic base, noting that *"the Cape Charles economy is evolving to support growth in other sectors, especially tourism and related sectors as maritime businesses decline nationwide (p.50)"*. To further this objective, the Plan seeks to *"maintain a healthy balance between year-round residents, tourists, and second homeowners in Cape Charles (p.50)"* by collaborating with organizations such as Eastern Shore of Virginia Tourism (ESVA) and

Cape Charles Main Street to promote Cape Charles as a destination and develop events, particularly those centered on outdoor recreation, that attract visitors (p.55).

The ordinance aligns with the goals above by providing flexible food and beverage options for festivals, community events, beachfront activities, and peak tourism periods. Vendors can also enhance the visitor experience by offering an additional dining option and increasing the availability of food and beverages in areas where demand may fluctuate. Finally, by supporting tourism-related activities and visitor-serving businesses, the proposed ordinance advances the Comprehensive Plan's objective to strengthen Cape Charles' tourism economy while continuing to meet the needs of residents and visitors alike.

Finally, the proposed ordinance aligns with the Comprehensive Plan's Community Facilities & Service goals and objectives. The plan encourages the Town to create vibrant community facilities through flexible use and year-round programming (p. 93), and it specifically calls for pursuing opportunities for art, public events, and markets. Mobile Food and Beverage vendors are commonly associated with these activities. They can provide services that enhance the experience of residents and visitors at community events, festivals, markets, and recreational activities.

Zoning Ordinance Requirements: The proposed ordinance sets forth regulations governing the operation of Mobile Food and/or Beverage Vending Units within the Town of Cape Charles. The ordinance aims to permit mobile vending opportunities while ensuring compatibility with surrounding land uses, protecting public health and safety, and maintaining the character of the community.

The proposed regulations establish standards, including but not limited to:

- Permitted zoning districts and locations where mobile food and beverage vending units may operate;
- Required zoning permits and business licenses;
- Minimum parking and circulation standards to prevent interference with vehicular and pedestrian traffic;
- Hours of operation;
- Waste disposal and site maintenance requirements;
- Procedures for enforcement and revocation of permits in the event of noncompliance.

These standards are intended to balance the economic and community benefits of mobile food and beverage vendors with the need to protect adjacent properties and ensure the safe and orderly operation of these businesses.

Staff Review: Staff has found that the proposed ordinance provides a clear regulatory framework for a use not currently addressed in the Town's Zoning Ordinance. As mobile food and beverage vendors continue to grow in popularity and become more closely associated with community events, tourism, and small business opportunities, establishing operational standards will provide clarity for vendors and the Town.

The proposed ordinance balances economic development opportunities with the need to protect public health, safety, and welfare. Mobile food and beverage vendors can contribute to the local economy by creating entrepreneurial opportunities, expanding food and beverage options for residents and visitors, and supporting local events.

Furthermore, the proposed regulations address key considerations, including permitting requirements, location standards, parking and pedestrian considerations, waste disposal, signage requirements, operating hours, and compliance with applicable health and safety regulations.

Based on the proposed operational standards and their demonstrated consistency with the goals and objectives of the Comprehensive Plan, staff finds that the proposed Mobile Food and/or Beverage Vending Unit Ordinance is a reasonable addition to the Town's Zoning Ordinance and would provide a beneficial tool to support economic development, tourism, and community events while protecting the character of Cape Charles and the interests of surrounding property owners.

Since the last meeting, The Virginia Department of Transportation has contacted to the town to review and comment on the Mobile Food and/or Beverage Vending Unit Ordinance in regards to regulations for operation within VDOT's right-of-way. VDOT has not yet provided comments.

Planning Commission Recommendation: I recommend the following motion for the Planning Commission's consideration: ***Motion to recommend to the Town Council that it approve Zoning Text Amendment (ZTA) 2026-03: Application from the Town of Cape Charles to amend the Cape Charles Zoning Ordinance by adding regulations for Mobile Food and/or Beverage Units to new Section 32-105 of Article IV (General Regulations Applicable to All Districts).***

Attachments:

Attachment 1 – Mobile Food and/or Beverage Vending Unit Ordinance (Draft)

Attachment 2 – Zoning Text Amendment Application

Attachment 3 – Comprehensive Plan



Zoning Text Amendment Application

Planning & Zoning Department
412 Tazewell Avenue
Cape Charles, VA 23310
757-331-3259 x30

planner@capecharles.org

Budge Code: MISPL 100-3100-1070

Revised 11/2025	
Taxes	✓ <i>see no</i>
Violations	_____
Fee	_____
Decision	<i>Approved</i> <i>KEK</i>

PART 1. APPLICATION NOTES

1. A pre-application conference with Planning staff is strongly recommended prior to submission of a zoning text amendment.
2. The Zoning Text Amendment application process typically takes about four (4) months.
3. A Zoning Text Application may be submitted by any Cape Charles property owner. It may only be advanced to either the Planning Commission or the Town Council for a public hearing following staff consultation with the Town Manager.
4. Either the Planning Commission or Town Council may submit an application for a zoning text amendment with the Town Manager, Zoning Administrator or Planning Director representing the application on behalf of the Town.
5. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204
6. The applicant will be required to make a presentation to fully explain the request and demonstrate its need. The presentation should show how the proposed change supports and maintains compliance with the goals and objectives of the Comprehensive Plan.
7. The final decision will be made by Town Council, which approves zoning text amendments at their legislative discretion.

PART 2: APPLICANT INFORMATION

Applicant Name: **Town of Cape Charles**

Email address: **rick.keuroglian@capecharles.org**

Phone: **757 331 2979**

If the applicant has property owned by an LLC, LP, or other form of corporation, list all landowners and their contact information.
NA

PART 3: Description of Request

Answer all questions in this section. Attach additional sheets as needed.

Submission Date: **June 1st**

Zoning Ordinance Sections Proposed to be Amended (Sec. # and Title): **32 105, Article IV**

Existing Text: **NA**

Proposed Text: **See Attached**

PART 4: Written Narrative – Provide on a separate sheet(s)

Provide a written narrative that, at a minimum, covers the following information:

- A) Relevant code section(s) to be amended and proposed changes to the Zoning Ordinance.
- B) Whether and the extent to which the proposed amendment is consistent with the comprehensive plan and any other applicable and adopted long range planning documents. Cite the document and page.
- C) Whether the proposed amendment conflicts with any provision of the Zoning Ordinance and any other regulations contained in the City Code or other applicable regulations.
- D) Whether and the extent to which the proposed amendment addresses a demonstrated community need.
- E) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.
- F) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, floodplains, wetlands, and the natural functioning of the environment.

Whether to amend the text of this Ordinance is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment, the Town Council may consider any factor it deems applicable and consistent with the Code of Virginia, including but not limited to the Town’s comprehensive plan, and the public health, safety, and general welfare.

PART 5: Applicant Certification

By signing this application below, I hereby attest to the truth and accuracy of all facts and information presented with this application and any attachments and supplemental information submitted with the application.

Applicant’s signature: Rich J. J. J. Date: 6/8/26
Zoning Administrator’s Signature: Rich J. J. J. Date: 6/8/26

PART 6: To Be Completed by P & Z Department Staff

Date Application Received in Office: <u>June 1st</u>	Application #: ZTA
Planning Commission	Town Council
Date referred:	Date received from Planning Commission:
Action deadline (100 days from receipt): <u>Sept. 9th</u>	Action deadline (max. 365 days from referral to PC):
Public hearing date: <u>July 7th, 2026</u>	Public hearing date:
Decision:	Decision:

Mobile Food and/or Beverage Vending Unit Ordinance (7/7/2026)

Title

This ordinance shall be known and may be cited as the “Town of Cape Charles Mobile Food and/or Beverage Vending Unit Ordinance.”

Jurisdiction

On and after [Date of Adoption], this ordinance shall govern the use of all Mobile Food and/or Beverage Vending Units on all lands lying within the Town of Cape Charles.

Code Administrator

This ordinance shall be administered and enforced by the Zoning Administrator or their appointed designee.

Section 1: Purpose of Intent

The purpose of this section is to promote the health, safety, and general welfare of the citizens of the Town of Cape Charles by requiring that new and existing mobile food or beverage vendors provide residents and customers with a level of cleanliness, quality, and safety. It is also the intent of this section to establish reasonable standards, regulations, and licensing requirements. This ordinance is not intended to cover special events or town-sponsored events. All special events and town-sponsored events must complete the applicable applications and obtain the necessary approvals.

Section 2: Definitions

Concession Cart. A mobile food and/or beverage vending unit that must be moved by non-motorized means, from which a mobile food vendor sells edible goods to the public. A concession cart must maintain its mobility at all times. This does not mean a table or booth.

Concession Trailer. A mobile food and/or beverage vending unit that is pulled by a motorized unit and has no power to move on its own. A concession trailer may remain attached to the towing vehicle during hours of operation, and the power supply must be attached to the concession trailer.

Commissary Location. A established location where food or beverage service providers can prepare and store their food or beverages, as well as a location to store a mobile unit while not in use.

Mobile Food Vendors. A motor vehicle, designed and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

Pushcart. A non-self-propelled vehicle limited to serving commissary-prepared or prepackaged food and non-potentially hazardous food, unless the equipment is commercially designed and approved to handle food preparation and service.

Traveling Vendor. A mobile food and/or beverage vendor that operates without a fixed location within the Town, that routinely moves about to sell their food. Example: Ice Cream Truck.

Vendor. A individual engaged in the business of mobile food or beverage vending; if more than one individual is operating a concession trailer, concession cart, pushcart, or mobile food or beverage vending unit, then the vendor shall mean all individuals operating such concession trailer, concession cart, pushcart, or mobile food or beverage vending unit that is designed to be portable and not permanently attached to the ground.

Section 3: Permit Required

- A. It shall be unlawful for any mobile food and/or beverage vendor to sell, display, or offer for sale any food, beverages, goods, or merchandise within the Town of Cape Charles without first obtaining a mobile food and/or beverage vendor license from the Town of Cape Charles.
- B. Applications for all mobile food and/or beverage vendor licenses shall be made in writing to the Zoning Administrator and shall contain the following information:
 1. A copy of a valid Town of Cape Charles business license. Such business license shall be posted and visible at all times while the business is operating in the Town of Cape Charles.
 2. A copy of a valid Northampton County Department of Health permit. Such permit shall be posted and visible at all times when in operation in the Town of Cape Charles.
 3. The name, mailing address, email address, phone number, and current business address of the applicant; and the name, mailing address, and phone number of the owners of the mobile food and/or beverage vending unit to be used, if other than the applicant.
 4. Information on the mobile food and/or beverage vending unit, such as the year, make, and model of the vehicle, and the vehicle or trailer's license plate number, if applicable.

5. The intended location of the mobile food and/or beverage vending unit, subject to locational limitations set forth by the Town of Cape Charles. ~~If located on private/town property that is appropriately zoned for commercial activity, the applicant must submit a written approval from the property owner; this excludes town-sponsored events.~~ ****All special events and town-sponsored event applicants must fill out the special events application, which includes a section identifying the number of mobile food and beverage vendors, and get approval from the Town Manager.***
 6. Copies of required State Licenses and Approvals
 7. Proof of insurance. Applicant shall provide current registration for the mobile food or beverage vending unit, proof of mobile vehicle inspection, and proof of valid motor vehicle insurance for the mobile food and/or beverage vending unit.
 8. Applicant shall provide a valid driver's license for each person who will drive the mobile food or beverage vending unit, if applicable.
- C. A mobile food and/or beverage vending unit permit shall be valid for 1 calendar year (January 1 – December 31) and must be renewed annually.

Section 4: Performance Standards

A. Location

1. ~~A mobile food and/or beverage vendor may be permitted to operate within one hundred fifty (150') linear feet of an existing brick and mortar food service establishment when the establishment is closed to the public, subject to approval of an administrative Conditional Use Permit by the Town Manager.~~

Mobile food and/or beverage vendors may be located on the non-residential side of Bay Avenue.

2. ~~Mobile food and/or beverage vendors may only be located in valid parking spaces. They will not be situated or located in a way that obstructs the free passage of pedestrians or vehicles, an entrance or exit, or access to a fire hydrant.~~

Mobile food and/or beverage vendors may be located on private/town property that is appropriately zoned for commercial activity, with written approval from the property owner. Operation within one-hundred fifty (150') linear feet of an existing brick-and-mortar food service establishment is subject to approval of an administrative Conditional Use Permit by the Town Manager.

3. ~~Mobile food and/or beverage vendors may only be located on the non-residential side of Bay Avenue.~~

Mobile food and/or beverage vendors may be located on private/town property that is not commercially zoned during special events, subject to approval of an administrative Conditional Use Permit by the Town Manager. ***All special events and town-sponsored event applicants must complete the special events application, which includes a section that identifies the number of mobile food and beverage vendors.***

B. Hours of Operation

1. A mobile food and/or beverage vendor with a generator may only operate between the times of 10:00 am and 8:30 pm, Sunday – Saturday.
2. A mobile food and/or beverage vendor without a generator may only operate between the times of 7:00 am and 8:30 pm, Sunday – Saturday.
3. A mobile food and/or beverage vending unit must be attended by an authorized representative who can operate it at all times. Units may not be set up or left unattended at any location outside approved hours of operation.

C. Signs

1. No more than two (2) A-Frame signs may be used to display or advertise menu items and other information associated with the mobile food and/or beverage 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. A-frame signs shall be positioned within five (5) feet of the vehicle and in such a way that does not block visibility or impede pedestrian or vehicular traffic.
2. Signage associated with the mobile food and/or beverage vending unit, including any permanently affixed signage on the unit, as well as any temporary signs, shall comply with Town Code Chapter 32, Article V (Signs).

3. Signs may only be up during hours of operation and must be removed after closing.
4. No signs are permitted on Town property without permission.

D. Trash and Refuse

1. Operators of mobile food and/or beverage vending units shall provide their own waste receptacles sufficient to collect all trash and refuse generated by their operations. Operators are prohibited from depositing any waste into receptacles owned or maintained by the Town. All waste generated by the operation shall be removed from the site daily by the operator.
2. The mobile food and/or beverage unit vendor shall leave the site clean each day, including picking up all trash and litter within a twenty-five-foot (25') radius of the mobile food and/or beverage vending unit.
3. Any greywater, fats, oils, grease, or hazardous liquids generated in the mobile food or beverage vending operation shall be contained within the mobile food unit and transported off the premises for proper disposal.

E. Service

1. All food and beverage display and sale shall occur exclusively within or immediately adjacent to the mobile food and/or beverage vending unit.
2. The mobile food and/or beverage vendor may not set up tables or chairs for patrons for on-site dining.
3. No outdoor cooking facilities, including but not limited to grills and other heating elements, or outdoor refrigeration or storage units which are not contained in the mobile food and/or beverage vending unit.
4. All materials and supplies, including but not limited to plates, cups, napkins, eating or serving utensils, and condiments, must be stored in the mobile food and/or beverage vending unit.
5. Food and beverage service shall be provided only on the non-driving lane side of the mobile food and/or beverage vending unit.

6. No expanded polystyrene/Styrofoam® containers are to be distributed in accordance with Section [§ 10.1-1424.3](#) of the State of Virginia.

F. Sound

1. Vendors shall not use loud music, horns, amplification devices, “calling out”, or any other audible means of gaining attention that causes a nuisance or safety hazard.
2. Generators used by mobile food or beverage vending unit operators shall not exceed 65 decibels (dB), which is consistent with the level of a normal conversation. Generators shall not be placed on the ground and must be mounted on the unit.
3. ~~Generator noise must be directed towards the beach.~~

G. Lighting

1. Any exterior lighting used by the mobile food and/or beverage vending unit shall be designed and placed in such a manner that it does not result in glare or light spillage onto other properties or interfere with vehicular traffic. Lighting shall be directed downward to minimize light pollution.

H. Utilities

1. No utilities shall be drawn from the public right-of-way
2. Mobile food and/or beverage vending units must be self-contained, able to provide necessary power and running water. Vendors shall not utilize any electricity or other utilities without the prior written authorization of the utility customer(s), and no power cable or similar device shall be extended at or across any street, sidewalk, or path to cause a safety hazard, as determined by the Town of Cape Charles Code Official.
3. All propane tanks utilized in connection with a mobile food and/or beverage vending unit shall be securely mounted to the unit and maintained in accordance with all applicable codes. Propane tanks shall not be placed on the ground adjacent to the unit during operation.

I. Appearance/Maintenance

1. A mobile food and/or beverage vending unit shall be kept in good repair, clean, and sanitary.

2. A mobile food and/or beverage vending unit must be free of leaking fluids. Any leaking equipment must be removed from the location immediately. The burden and cost of remediating any leak is the sole responsibility of the mobile food vendor owner/operator.

The Zoning Administrator may revoke the permit at any time if the permit holder fails to comply with any requirements set forth in this section and to correct such noncompliance within the timeframe specified in a notice of violation. Notice of revocation shall be provided in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the Board of Zoning Appeals.