



CITY OF WIXOM
TEMPORARY EVENT | TEMPORARY LAND USE | MOBILE FOOD VENDOR
APPLICATION

1. Identification

Address
City/State/Zip
Phone ( ) Fax ( )
Applicant Name
Property Owner Name (if other than above)
Signature Date

2. Permit Request

Temporary Event Temporary Land Use\* Mobile Food Vendor\*\*

\*Require Public Hearing and Planning Commission approval - See Wixom Code of Ordinances: Chapter 18.12.180 - Temporary Uses
\*\* Mobile Food Vendor Applications intended for more than 7 consecutive days require approval by the Planning Commission

Description of Requested Use

(Attach Additional Sheets as Necessary)

Beginning Date Ending Date

3. Information Required for Review - Please provide a clear sketch, and a PDF copy, showing:

- a. Written description of the temporary use, including the time, duration, nature of request, and arrangements for removing the use at the termination of the temporary event/land use permit.
b. Clear sketch with property lines, adjacent uses and zoning district(s), as well as existing and proposed buildings and structures
c. Location of any areas for storage of items or display
d. Boundaries of proposed event/temporary land use including parking, fire hydrants and fire lanes
e. Location & size of any proposed signs - a separate sign permit application is required for signs
f. Copy of liability insurance coverage
g. Application Fee (if applicable)
h. For Temporary Land Use applications - Provide twelve (12) copies of application package

Temporary Event Application: Free (Building permit fees for temporary structures still may apply)

Temporary Land Use Application: \$750 + \$50 per acre + \$1,500 escrow; per season

Mobile Food Vendor Application: If less than 7 consecutive days - Free
If more than 7 consecutive days - \$750

For City Use:

Planning Review: Fire Department Review: Police Review:

If Denied, Reason:

Date of Planning Commission Consideration (if applicable)

Signature of Building Official

COPY OF APPROVED APPLICATION SHALL SERVE AS PERMIT

**Wixom Code of Ordinances**  
**Chapter 18.12.180 - Temporary Uses**

The planning commission may grant temporary use approval for projects that do not require the erection of any capital improvement of a structural nature and that last for more than 7 consecutive days, thereby exceeding the duration of a special event, under the following conditions:

- A. The granting of the temporary use shall in no way constitute a change in the uses permitted in the district nor on the property wherein the temporary use is permitted.
- B. Required information. An application must be submitted meeting the sketch plan requirements of Section 18.17.060. The application shall include a written description of the temporary use, and a written explanation as to the time, duration, nature of development requested, and arrangements for removing the use at the termination of the temporary use permit.
- C. Duration. Temporary uses shall be limited to the following:
  - 1. Temporary uses may be approved for a period of up to twelve months, with the granting of one twelve-month extension being permissible by the planning commission, with the exception of Mobile Food Vending as noted in the following section.
  - 2. Mobile Food Vending as a Temporary use shall be permitted up to twelve months with the granting of two twelve-month extensions permitted administratively by the City Building Official if no changes to the sketch plan as required in Section 18.12.180.B are proposed and no violations from any City, County, or State laws or regulations occurred during the preceding year. All applications for administrative renewal shall contain all of the original information provided pursuant to Section 18.12.180.B for review of the Building Official.

Mobile Food Vending as a Temporary use shall not be administratively extended by the Building Official when site plan changes or violations as noted above have been verified by the City during the preceding year. Where extension limits noted above have been exhausted, sketch plan changes are proposed and/or where violations have been verified, an applicant must apply as if the use was a new application meeting all of the application and approval provisions of this Section and Section 18.12.160 Mobile Food Vending.
- D. The temporary use application shall be reviewed by applicable city departments and city consultants to ensure appropriateness and safety.
- E. All land coverage, off-street parking, lighting and other ordinance requirements shall be met. Setback requirements are outlined in Section 18.12.160.E. The planning commission may also impose reasonable conditions on a temporary use that might be required to protect the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the city.
- F. In classifying uses as not requiring capital improvements, the planning commission shall determine that they are either demountable structures related to the permitted use of land or permanent. No temporary use shall install any permanent structures, and shall be limited to demountable structures.
- G. The temporary use shall be in harmony with the general character of the district and meet the intent of the City of Wixom Master Plan.
- H. The Building Official may, after notice to the permit holder, revoke said temporary use permit upon showing that either the conditions of approval have not been met, that the use is having a negative impact on the surrounding properties, or that the use is contrary to original representations by the applicant. The applicant can

appeal this revocation to the Planning Commission via a written notification within 30 days of such notice from the City.

- I. No temporary use permit shall be granted without first giving notice to owners of adjacent property of the time and place of a public hearing to be held as further provided for in this chapter.

### **Section 18.12.160 Mobile Food Vending**

**A. Purpose and Intent.** The purpose and intent of these provisions are to provide a framework under which such businesses operate and to assure the safe and orderly performance of selling on public and private property within the City. It is recognized that mobile food vendors add to the vibrancy and desirability of the City of Wixom

**B. Permit application.** Mobile food vending must follow one of the following application procedures depending on the duration of the event or use.

1. Mobile food vending proposed for 7 consecutive days or less shall be considered a special event and shall apply for a special event permit pursuant to Section 18.12.170 Special Events. A mobile food vender may apply for one special event permit per 14 calendar days but may include multiple single events in a single special event application. The 14 days shall be counted between the last day of a granted special event permit to the first day of a proposed subsequent special event permit. Mobile food vending proposed for 7 days or less may be permitted in any Zoning District of the City and must remain at the same location as indicated on the application.

2. Mobile food vending proposed for over 7 days shall be considered a temporary use and shall apply for a Temporary Use permit pursuant to Section 18.12.180 Temporary Uses. Mobile food vending proposed for over 7 days may be permitted in the City's B-1 Local Business District, B-2 Community Business District, B-3 General Business District, VCA Village Center Area - Core Subarea, M-1 Light Industrial, M-2 General Industrial, IRO Industrial Research Office, FS Freeway Service, OS Office Service, and non-residential PUD districts.

**C. Public Property.** Mobile food vending may occur on City owned or other publicly owned property subject to written verification from the applicable public body authorizing the proposed location. Mobile food vending on public property shall be required to meet all licensing and application and standards of these provisions.

**D. Private Property.** Mobile food vending on private property must provide written authorization from the owner of the property as a part of the required application.

**E. General Requirements.** Any property owner or vendor engaging in mobile food vending shall comply with the following requirements:

1. Location.

- a. For Vendors operating 7 days or less a mobile food vending unit shall not be located within five (5) feet of any property line. If located within a residential district for a special event, the Mobile Food Vending Unit may be placed in the driveway of a single-family home.

- b. For those mobile food vending to be operated longer than 7 days a mobile food vending unit shall not be located within five (5) feet of a side or rear property line and shall be prohibited from the required front yard setback. When the lot in which mobile food vending will be conducted abuts a

residential zone or use, side and rear setbacks shall be increased to twenty (25) feet.

- c. A mobile food vending unit shall not be located within a drive aisle.
- d. A mobile food vending unit shall not obstruct any clear vision triangle area.
- e. A mobile food vending unit or any part of its operation shall not occupy parking spaces required to comply with the minimum parking standards for a use.
- g. No mobile food vending unit shall be parked within twenty (20) feet of a crosswalk or intersection.
- h. The location of a mobile food vending unit or any part of its operation, including tables and chairs, shall not interfere with or obstruct the free passage of pedestrians or vehicles.
- i. If a mobile food vending unit is parked next to a sidewalk or pedestrian pathway, a minimum width of five (5) feet for pedestrian access must be maintained along the sidewalk or pedestrian pathway. The vendor must ensure that any customer queue does not obstruct the five-foot-wide pedestrian access.

## 2. Number of Vendors.

- a. Per parcel. Multiple vendors may be permitted on a single parcel subject to the setback and other provisions of these regulations. Each vendor, as defined, shall apply for a separate permit based on these provisions.
- b. Planning Commission review of total number of vendors. For vendors operating longer than 7 days, no more than five vendors (permits) shall be permitted within the VCA-Core Zoning District at any given time. This limitation reflects the unique residential and commercial density of the VCA-Core District and is intended to reduce impacts to the district including traffic, noise, and overall congestion. This limitation does not apply to approved mobile food vending courts.

## 3. Hours of Operation. A mobile food vending unit may operate between the hours of 7:00 a.m. and 10:00 p.m. in any non-residential district and between the hours of 9:00 a.m. and 9:00 p.m. in any residential district.

## 4. Operations.

- a. A mobile food vendor shall provide appropriate waste receptacles at the site of the unit and shall remove all litter, debris, and other waste attributable to the vendor daily. Chapter 13 Section 24 of the General Code of Ordinances will apply.
- b. A mobile food vendor shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended at or across any street, alley, or sidewalk except with the use of a cord protector in a safe manner. Gasoline stand alone generators are not permitted unless it can be demonstrated that no reasonable means exists to supply the mobile food vending unit with on-site electricity. Gas generators must be operated within the noise standards provided in Section 18.12.130.
- c. A mobile food vending unit shall not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward. Blinking lights may be permitted in the VCA-Core and City parks.
- d. A mobile food vending unit shall not use loud music, amplification devices, or any other audible methods to gain attention that cause a

disruption or safety hazard as determined by the City.

e. A mobile food vendor may have one portable sign that is six (6) square feet, with no dimension greater than three (3) feet (including height with legs), located within five feet of the unit; and under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle safety.

f. A mobile food vending unit shall comply with the city's Noise Ordinance, Sign Ordinance, and all other City ordinances.

g. A mobile food vending unit shall Comply with all applicable federal, state, and county regulations.

h. A mobile food vending unit shall not represent that the granting of a license or permit under this article as an endorsement by the City.

#### 5. Additional Requirements for Mobile Food Courts

a. Hosts of mobile food courts must provide at least one accessible bathroom facility with one hand-washing station for every five mobile food vendors.

b. Tables, chairs, canopies, and/or enclosed seating areas for mobile food court customers are permitted.

c. There must be access to potable water and sewage disposal facilities on-site.

d. To establish a mobile food court, Site Plans shall be submitted, reviewed, and approved or denied in accordance with Article 18.

6. Violations. A mobile food vendor must be operated in accordance with the approved special event or temporary use permit as outlined above in Section 18.12.160. Any use or operation different than that permitted is a violation of this Ordinance and punishable pursuant to Section 18.21.120 Violations and penalties of the Wixom Zoning Ordinance as well as Section 18.12.180.7. Conflicts. Should any conflicts exist between ordinance language and these food truck provisions, these provisions shall apply.

### **Section 18.24.080 - Definitions M-N**

"Mobile food vending" shall mean vending, serving, or offering for sale food and/or beverages from a mobile food vending unit that meets the definition of a food service establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as a tee shirt that bears the name of the organization engaged in mobile food vending. The following associated definitions include:

1. "Mobile food vending unit" shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.

2. "Mobile food court" shall mean a permanent land use subject to site plan approval where two or more mobile food vendors congregate to vend, serve, or offer for sale food and/or beverages to the public.

3. "Vendor" shall mean any individual engaged in mobile food vending business; if more than one individual is operating a single stand, cart, or other means of conveyance, then vendor shall mean all individuals operating such single stand, cart, or other means of conveyance.

4. "Operate" shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food

vending unit is open for business.