

9-2-124 Mobile food facilities. Revised 6/15

(a) **Purpose.** The purpose of this section is to allow mobile food facilities to operate within the City through an expedited permitting process that ensures that such uses are operated in a manner that is safe and secure, and will not create adverse impacts to either the property on which they are located or to the immediate neighborhood.

(b) **Mobile food facility permit required.** Any person must obtain a mobile food facility permit prior to operating a mobile food facility on private property within the City. The approval shall be specific to a location and shall not be transferable to other locations or operators.

Operation of a mobile food facility shall not be permitted on public property under this section.

An application for a permit shall be submitted for approval of a mobile food facility permit not less than fifteen (15) days before the use is intended to begin. The application shall be on a form prescribed for that purpose, and shall include the written consent of the owner of the property on which the use is to be located and, if different, the business owner providing restroom facilities within two hundred (200') feet as prescribed by the California Health and Safety Code [Section 114250.1](#).

(c) **Mobile food facility permit application: Review and approval.**

(1) Once an application has been accepted as complete, the Development Services Director or designee shall take action within fifteen (15) days.

(2) Once an application has been accepted as complete, the Development Services Director or designee shall refer the permit application to City departments and any other agencies deemed appropriate by the Development Services Director.

(3) In considering an application for a permit pursuant to this section, the Development Services Director or designee shall approve the permit only if it makes the following findings and subject to the limitations and conditions of this section:

(i) The proposed location is on an improved property that is entirely paved and shall not interfere with the operation of any approved uses on the site;

(ii) The site is adequate to support the operation of the mobile food facility and the mobile food facility will not adversely affect adjacent structures and uses, or the surrounding neighborhood;

(iii) The proposed use will not adversely affect the circulation and flow of vehicular and pedestrian traffic in the immediate area;

(iv) The proposed use will not create a demand for additional parking which cannot be met safely and efficiently in existing parking areas;

(v) The proposed use will not conflict with the terms or intent of any planned unit development permit or conditional use permit currently in effect on the property;

(vi) The proposed use and location complies with all applicable requirements of the Turlock Municipal Code, the California Building and Fire Codes, and any other applicable local, regional, State or Federal laws or regulations; and

(vii) The proposed use will not otherwise constitute a nuisance or be detrimental to the public welfare of the community.

(d) **Limitations of use by zoning district.** A mobile food facility may be permitted to operate on any property zoned for commercial or industrial uses, except the C-O commercial office district and the DC downtown core, DCT downtown core transition, and OR office residential overlay districts.

(e) **Limitation on number and concentration of mobile food facilities.** On properties of less than one (1) acre in size, no more than one (1) mobile food facility shall be permitted at one (1) time.

(f) **Mobile food facility permit and renewals.** The mobile food facility permit shall expire on December 31st each calendar year. Applications received after October 1st of each calendar year shall be given a renewal date that ends on December 31st of the following year. Each renewal shall be subject to the findings and conditions outlined in this section. There shall be no limit on the number of renewals that may be granted.

(g) **Conditions.** In authorizing an application for a mobile food facility permit, the Development Services Director shall include as conditions of approval the following minimum provisions:

- (1) The use shall be conducted entirely upon private property and not within any public right-of-way;
- (2) The use shall conform to all applicable building, electrical, fire, plumbing, engineering, solid waste, wastewater, water quality, and environmental regulations and laws;
- (3) No permanent structures may be constructed on the site to support the operation of the mobile food facility;
- (4) No signs, balloons, or flags may be displayed on or off the site to promote the mobile food facility except those permanently affixed to the mobile food vehicle/trailer;
- (5) No outdoor music, live or amplified, is permitted;
- (6) Temporary canopies or tents less than one hundred twenty (120) square feet may be erected but must be removed at the end of each business day;
- (7) No more than two (2) small tables seating up to a total of ten (10) people may be permitted and must be removed at the end of each business day;
- (8) Vehicle and temporary canopies or tents shall not be located closer than twenty (20') feet to a building or structure;
- (9) Vehicle and any temporary canopies or tents shall not be located on the same parcel, or closer than one hundred (100') feet from the lot line of an adjacent parcel, on which a flammable, combustible, or liquid petroleum gas dispensing or storage container is located;
- (10) Provisions for fire protection and fire vehicle access shall be made as prescribed by the Fire Marshal;
- (11) The site shall be continuously maintained free of weeds, litter, and debris;

(12) Within three (3) days after ceasing operation of the mobile food facility at any location, the site shall be completely cleaned; all trash, debris, signs, sign supports, and temporary electrical service will be removed;

(13) The mobile food facility operator shall obtain and maintain a valid Turlock business license at all times;

(14) An agreement for the use of properly operating restroom facilities within two hundred (200') feet of the vehicle's location shall be maintained at all times; and

(15) Any additional limitations or conditions as required by the Development Services Director as conditions of approval.

(h) **Fee.** A fee shall be paid by the applicant to cover the costs of processing and administering the mobile food facility permit application. Such fee shall be set by City Council resolution, and may be amended from time to time.

(i) **Suspension or revocation of mobile food facility permit.** Any mobile food facility permit may be suspended or revoked in accordance with the procedures and standards of Article 11 of [Chapter 9-5](#) TMC (Enforcement). The permit shall be automatically suspended and may be revoked when the permit issued by the Stanislaus County Environmental Resources Department is suspended or revoked for any reason.

(j) **Appeal.** The decision of the Development Services Director may be appealed as provided by [Chapter 1-4](#) TMC.

(1208-CS, Amended, 05/28/2015; 1207-CS, Rep&ReEn, 05/28/2015)