



CITY OF SOMERTON
Community Development Department, Planning Division
143 N State Ave.
PO BOX 638
Somerton, AZ 85350
(928) 722-5080
www.somertonaz.gov

ZONING VERIFICATION REVIEW

Name of Business:

New Business Location (Address): Suite #

Note: Only one primary use is allowed in each space, suite, etc.

Type of Business (Describe):

Business is located in: ☐ a single-tenant building/property ☐ a multi-tenant building/center ☐ mobile

Business Sells: ☐ Alcohol ☐ Marijuana ☐ Adult goods/entertainment

Has the building/center been vacant for more than one (1) year? ☐ Yes ☐ No

CHECK HERE IF THIS IS A CHANGE IN OWNERSHIP OF AN EXISTING BUSINESS WITH NO CHANGE IN USE ☐

If so, how long has the use existed at the above location?

Alternate Mailing Address:

PLEASE READ BEFORE CERTIFYING:

- 1) This review is required to obtain a City Business Registration Certificate. This review has a non-refundable fee of \$50. IT IS NOT AN APPROVAL TO OCCUPY A STRUCTURE and does not imply that the site/building complies with City Code requirements, nor does it relieve the business/property owner from any other applicable City requirements or external agency permits.
- 2) A Building Permit or Conditional Use Permit may be required to establish the proposed use. If so, improvements or conditions may be required of the property and must be installed, completed, or met prior to establishing the business.
- 3) A Certificate of Occupancy Update may be required in accordance with the International Building Code. The business owner is not relieve of any requirement of obtaining Building and Safety Permit(s), Fire Permit(s) or any other permit necessary to establish the business operation or use.
- 4) If a Code Enforcement case or violation exists, it must be closed prior to the establishment of any use. It is the responsibility of the Business Representative/Owner to contact the Code Enforcement Division ((928)-722-7369) to identify & resolve any outstanding code enforcement actions.

CERTIFICATION: I hereby certify, under penalty of perjury, that I have read and understand statements 1, 2, 3, & 4 listed above and further certify that the information filled in above is correct. I agree to comply with all applicable State and City laws pertaining to business operations and Building, Fire, and Zoning Code requirements. In addition, I certify that I am the property owner or authorized by the property owner as the business representative to establish the proposed business at the given address. I acknowledge that in the event the business is established prior to meeting any of the requirements identified above, the business will be immediately closed, and all associated costs will be assessed to the business owner.

Please Print Your Name Telephone #

Email Address

Signature: Date:

☐ Property Owner or ☐ Authorized Representative

I hereby certify that I have read and understood the regulations concerning Home Occupations/Mobile Vendor and I agree to comply with them. Further, it is my understanding that failure to comply with the regulations or complaints received from local residents may cause my license to be revoked. ☐ ACCEPT (If Mobile or Home Occupations)

Community Development Staff:

☐ APPROVED ☐ NOT APPROVED

Date



City of Somerton
Community Development Department

143 N. State Ave. • PO Box 638 Somerton, AZ 85350

Phone: (928) 722-5093 • (928) 722-7399

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MOBILE FOOD VENDOR REQUIREMENTS
Somerton Zoning Ordinance 3.1.5.E.4

1. All mobile food vendors and vending locations are subject to the following standards within any zoning district:
 - a. All mobile trucks, carts and/or trailers adhere to all fire, building and any other applicable regulations.
 - b. Mobile food vendors are allowed to operate on private property that is located in permitted zoning districts (MSC, C-1, C-2, L-1, H-1 and IOP).
 - c. Mobile food vendors shall not operate within the public right-of-way.
 - d. Mobile food vendors shall be located and operate at a distance from an existing commercial establishment as required by applicable building, fire, street and sidewalk codes.
 - e. Mobile food vendors and its associated seating, if any, may not occupy any required parking stall for the primary use while the primary use is open to the public. Mobile food vendors and the primary use may share parking spaces when having separate hours of operation. Parking stalls that are overflow or extra according to the regulations in the Zoning Code may be used to park a mobile food unit.
 - f. Mobile food vendors must maintain on the site a minimum of three parking spaces designated for their use.
 - g. Mobile food vendors that are located within 150' of a residential dwelling shall only operate between the hours of 7 a.m. and 10 p.m.
 - h. The noise level of mechanical equipment or outside sound equipment used in association with a mobile food establishment may not exceed 70 decibels when measured at the property line that is across the street from or abutting a residential use.
 - i. Continuous music or repetitive sounds shall not project from the Mobile unit.
 - j. Mobile food vendors shall not sell to vehicular traffic at any location.
 - k. Mobile food vendors shall only be allowed temporary connection to an external electrical source. Permanent or temporary water and wastewater, connections are prohibited.
 - l. A No Smoking sign must be posted next to the order window or area.
 - m. A tagged fire extinguisher shall be kept accessible as directed by the City of Somerton Fire Chief or designee for cater trucks only. When using a stove or any other cooking device, an Ansul system is required.
 - n. The mobile food vendor is responsible for the proper disposal of waste and trash associated with the operation. Mobile food vendors shall keep the area within 15 feet of the location of the unit free from all litter and debris resulting from the operation.

- o. Mobile food vendors shall maintain a clearly-marked trash container near their unit for litter. Use of public trash receptacles for this purpose is prohibited. Vendors shall remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. No liquid waste or grease is to be disposed in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the City's sanitary sewer system.
- p. With the exception of allowable outdoor seating areas for an Outdoor Food Court, all equipment required for the operation shall be contained inside, attached to or within three (3) feet of the mobile food vending unit and all food preparation, storage, and sales/distribution shall be in compliance with all applicable County, State and Federal Health Department sanitary regulations.
- q. A mobile food vending unit shall not become a fixture of the site and shall not be considered an improvement to real property. Exterior storage of refuse, equipment or materials associated with the mobile food vending enterprise is prohibited.
- r. Except as part of an Outdoor Food Court, mobile food vendors and associated outdoor seating shall be removed from all permitted locations during impermissible hours of operation and shall not be stored, parked, or left overnight on any public street or sidewalk.
- s. A mobile food vending unit located on a lot with a primary use shall be considered a use as well if the mobile food vending unit is not moved during impermissible hours of operation or is located within or under any permanent structure. Such use shall comply with all of the regulations for a use in the district. For the purpose of this section, "permanent structure" shall mean a structure that is built or constructed such as an edifice, building, walls, benches, shade structure or any piece of work artificially built up or composed of parts joined together in some definite manner, and permanently attached to the ground.
- t. The property owner and mobile food vendor are responsible for compliance with this code, if at any time evidence is provided that the lot is being used or the vendor is operating other than in compliance with these regulations such as number of food trucks allowed on the lot, or the outdoor seating or hours of operation, the property owner and/or vendor shall be notified/penalized as follows:
 - i. The penalty for violating this ordinance shall be as defined in Section 7.6 of this ordinance.
- u. A mobile food vending unit will be subject to inspection upon permit application through the Community Development Department and the Fire Chief and may be subject to random inspection upon reissuance of the permit.
- v. Neither the Zoning Administrator nor the Board of Adjustment shall have the jurisdiction to grant variances from the provisions of this subsection above.
- w. A mobile food vendor is limited to signs attached to the exterior of the mobile food establishment. Additionally, the signs attached to the exterior of a mobile food establishment shall adhere to the following provisions:
 - i. Signs must be secured and mounted flat against the mobile food establishment;
 - ii. Signs may not project more than six inches from the exterior of the mobile food establishment;
 - iii. Only the name of the vendor or the vending company, the products offered, and the price of the products shall be included on the sign; and
 - iv. Mobile food vendors' signs shall not be internally illuminated or make use of flashing or intermittent lighting, animation, or noisemaking devices. Graphic illustrations shall display only the products being offered.



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HOME OCCUPATION REQUIREMENTS Somerton Zoning Ordinance 3.2.6.E.

1. A home occupation shall be considered a permitted accessory use in all residential zoning districts provided that they are operated and maintained to not interfere with the peace, quiet, and character of the neighborhood, and if it complies with the following regulations:
 - a. All home occupations shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes. A valid City sales tax and/or business license shall be maintained for the home occupation use.
 - b. The home occupation is conducted entirely from within the principal residence or attached garage and shall not change the residential character thereof. However, in the AG or SR zoning district, enclosed detached garages and enclosed accessory buildings and rear yards within the required setback lines may be used for home occupations as long as they do not create a noxious environment for neighboring properties.
 - c. No more than twenty-five (25) percent of the gross floor area of the principal dwelling shall be devoted to the home occupation. Areas devoted to the home occupation use shall maintain a residential character and appearance.
 - d. There shall be no employees of the home occupation other than members of the immediate family residing in the dwelling unit where the home occupation is being operated.
 - e. No business shall be conducted which requires delivery vehicles or other services not customary to a residence. Deliveries and pickups shall not block traffic circulation and shall occur only between 6:00 a.m. and 10:00 p.m. Monday-Saturday.
 - f. There shall be no external evidence of the activity such as unenclosed outdoor storage, displays, noise, dust, odors, fumes, vibration, electrical interference or fluctuation or other nuisances discernible beyond the property lines.
 - g. No signs signifying the business or any commercial product or service are allowed except as provided in Section 4.5 of this Ordinance.
 - h. Customer/patron and shipping/receiving trip generation shall not exceed five (5) trips a day. Exceptions to this shall be allowed for music, art, craft or similar lessons, swim lessons and home day care providers. No truck or van with a payload rating of more than one (1) ton shall be stored on the site. Outside storage of heavy equipment or material shall be prohibited.
 - i. Any parking incidental to the home occupation shall be provided only in the residential driveway with not more than two (2) spaces provided within the front yard setback and shall not create hazards or street congestion.
 - j. Storage of goods and materials necessary for the home occupation shall not include flammable, combustible or explosive materials except where private on-site utility fuel tanks are used for home heating, cooking or other residential type utilities.

The following are examples of uses, which would be acceptable as home occupations provided they comply with the above regulations:

1. Home offices with no client visits to the home permitted.
2. Personal services such as beauty shop, barbershop, seamstress, and catering.
3. Artists, sculptors, composers not selling their artistic product to the public on the premise.
4. Craftwork, such as jewelry making and pottery with no sales permitted on the premise.
5. Fine arts lessons (music, art, crafts, dance), and swim lessons.
6. Telephone answering, message services, word processing and other computer applications.
7. Day Care as specified in Section 3.2.6.E.1.k.vii (maximum of four (4) persons) of this Ordinance.
8. Door to door sales or party sales not on the premise.

A home occupation shall not include, but shall not be limited to , the following uses:

1. Medical, dental, physical or psychotherapy, and real estate offices.
2. Motor vehicle repair, painting, storage, restoration or conversion, engine repair or similar uses.
3. Temporary or permanent motor vehicle display for purposes of sale or lease.
4. Furniture refinishing.
5. Veterinarian office, animal grooming facilities, and animal care, kennels or boarding facilities. Except that in the "AG-20" and "AG-1" Zoning Districts such uses may be permitted by Conditional Use Permit.
6. Machine shop.
7. Retail Sales.
8. Contractor shops or storage yards.
9. Body piercing and/or painting and tattoos.

Complaints by citizens or local residents may be cause for termination of the home occupation use if appropriate measures cannot be undertaken to mitigate the complaint or violations. All complaints or violation of the above conditions shall be registered with, and reviewed by, the Zoning Administrator.