

ORDINANCE NO. 1553

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 1: ZONING ORDINANCE, BY REPEALING AND REPLACING A TERM UNDER ARTICLE 1-6: § 1-6-5 ACCESSORY STRUCTURES; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, on August 6, 2024, the city council gave a direction to staff to review and consider updates to § 1-6-5 Accessory Structures to remove the restriction of bathing facilities for accessory structures; and

WHEREAS, on September 10, 2024, the planning and zoning commission met to discuss the proposed amendment and voted 5 to 2 to recommended approval to the city council to allow showers in accessory structures;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

That the existing Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: § 1-6-5 Accessory Structures, be amended as follows:

(A)(1) Accessory structures. An ACCESSORY STRUCTURE is any non-habitable (no sleeping, living, or cooking activities) structure that is greater than 120 square feet in size, and detached from the principal structure, and includes overseas shipping containers as defined herein. Dimensional standards for accessory structures are set forth in Article 1-5 of this code, Tables 5-2 and 5-4 (see Vol. II, §§ 1-5-2 and 1-5-4).

(A)(8) Utility connections. Accessory structures may be served with utilities, such as electrical and plumbing for water, with the appropriate permits. No fixtures for cooking shall be permitted in any accessory structure.

SECTION II REPEALING ANY CONFLICTING PROVISIONS

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the codes adopted herein by reference are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance or any part of the codes or regulations adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION IV PROVIDING FOR PENALTIES

Unless noted otherwise, any violation of any provisions adopted herein, shall be punishable as a class 1 misdemeanor consistent with Apache Junction City Code, Volume II, Chapter 1: Zoning Ordinance, Article 1-6: Supplemental Regulations, § 1-6-5 Accessory Structures.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION THIS ____ DAY OF _____, 2024.

SIGNED AND ATTESTED TO THIS ____ DAY OF _____, 2024.

WALTER "CHIP" WILSON
Mayor

ATTEST:

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney