

AMENDMENT REDLINE TO THE APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 1: ZONING ORDINANCE, ARTICLE 1-6: § 1-6-19 ACCESSORY DWELLING UNITS

§ 1-6-19 ACCESSORY DWELLING UNITS.

(A) *Purpose and definition.* An accessory dwelling unit is an attached or detached residential dwelling unit that may provide complete independent living facilities for 1 or more persons, and which may include provisions for living, sleeping, eating, cooking, and sanitation on the same parcel where the primary single-family dwelling is situated. An accessory dwelling unit may also be known as a secondary dwelling unit, granny flat, property caretaker's dwelling or guest house. Accessory dwelling units should not be confused with "accessory structures", which are defined and regulated differently in Vol. II, § 1-6-5.

(B) Accessory dwelling units shall comply with the following regulations.

(1) *Permit required.* An administrative use permit ("AUP") shall be required prior to construction and use of an accessory dwelling unit.

(2) *Number allowed.* One accessory dwelling unit is permitted on a residential lot in all single-family detached residential zoning districts. This limitation does not include a personal caretaker's unit, which is separately described and regulated in Vol. II, § 1-6-20.

(3) *Design.*

(a) Accessory dwelling units may be detached, attached, or directly accessible from the primary dwelling unit. An accessory dwelling unit shall be constructed as a conventional (i.e., site-built) structure ~~that compliments and is consistent with or improves upon the main building's design and building materials, as determined by the Director or designee.~~ It is recommended that the design of the building compliments or improves upon the main buildings design.

(b) Property caretakers, however, working as ranch hands for approved commercial horse boarding facilities may use a motor home, travel trailer or 5th wheel RV unit for their accommodation. See Vol. II, § 1-6-7(D)(7).

(4) *Setbacks.* ~~Accessory building setbacks shall comply with the main building's setback requirements, and shall not be located between the main building and the front road right-of-way.~~ An accessory dwelling unit shall comply with the main building's front setback requirements and shall have a minimum setback of 5 feet on the rear and the sides.

~~(5) Use. An accessory dwelling unit may be used to accommodate family, friends, guests, personal caretaker and/or property caretaker.~~

~~(6)~~ (5) *Size.* An accessory dwelling unit shall not be larger than ~~50%~~ 75% of the main building's square footage or 1,000 square feet, whichever is less.

~~(7)~~ (6) *Height*. The maximum height of an accessory dwelling unit shall ~~not exceed 25 feet~~. comply with the main building's maximum height requirements.

~~(8)~~ (7) *Kitchen allowed*. An accessory dwelling unit shall be permitted to have a kitchen.

~~(9)~~ (8) ~~No rentals~~ *Rentals allowed*. An accessory dwelling unit ~~shall not be operated as a separate rental unit; if the entire property is a rental property, the owner or lessee thereof shall not sublet the accessory dwelling unit~~ is permitted to be operated as a separate rental unit for long term housing.

~~(10)~~ (9) *Addressing*. An accessory dwelling unit is not permitted to have a separate address or separate utility services/meters, or sewer/septic system from the main dwelling unit (unless an additional septic tank is allowed by the Pinal County Health Department).

~~(11)~~ (10) *Driveway access*. The main dwelling unit and the accessory dwelling unit shall both use the same driveway for access.

~~(12)~~ (11) *Conditional use permit modification option*. Modifications to the maximum size and height of an accessory dwelling unit may be allowed by approval of a CUP ~~in accordance with Vol. II, § 1-16-12(D)(4)~~.