

ORDINANCE NO. 1546

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 1-17: § 1-17-1 DEFINITIONS, RECREATIONAL VEHICLE; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, on September 5, 2023, the city council approved a text amendment to modify the parking regulations of the Apache Junction City Code ("A.J.C.C."), Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-7: Parking, Loading and Circulation Regulations, for the allowable number of recreational vehicles on single-family residential lots with at least one gross acre and added recreational vehicle types; and

WHEREAS, the planning and zoning commission met on January 23, 2024, to discuss the proposed amendments; and

WHEREAS, on February 27, 2024, the planning and zoning commission unanimously recommended approval of a new definition of "Recreational Vehicle" to the city council; and

WHEREAS, pursuant to A.R.S. § 9-462.01(J), the city council finds there is no negative impact this new definition will have on the cost to construct housing for sale or rent.

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 1-17: § 1-17-1 Definitions, RECREATIONAL VEHICLE, be amended as follows:

RECREATIONAL VEHICLE. A vehicle or unit shall be described as one (1) or more of the following:

(1) MOTOR HOME. Designed to provide temporary living quarters for recreational, camping or travel use, and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle. This includes:

(a) CLASS A. Vehicles built on a motorhome specific chassis by a recreational vehicle manufacturer, including a motorized toy hauler.

(b) CLASS B. Vans converted for recreational vehicle use by a recreational vehicle manufacturer.

(c) CLASS C. Vehicles built on a van or truck chassis with the original van or truck front intact by a recreational vehicle manufacturer.

(d) CAMPER VAN. Cargo or passenger van converted into a recreational vehicle by a professional or do-it-yourself ("DIY").

(2) PARK MODEL. Built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three-hundred and twenty (320) square feet and not more than four hundred (400) square feet when it is set up.

(3) TRAVEL TRAILER. A trailer mounted on wheels and designed to connect to a hitch, designed to provide temporary living quarters for recreational, camping or travel use. This includes:

(a) CONVENTIONAL TRAVEL TRAILER. A trailer designed to be drawn by a motor vehicle and is constructed so that no part of its weight rests on the towing vehicle.

(b) FIFTH-WHEEL TRAVEL TRAILER. A trailer designed to connect to a hitch so that some part of its weight and that of its load rests on or is carried by another vehicle.

(c) HYBRID TRAILER. A trailer with expandable ends, pop-out beds, designed to be drawn by a motor vehicle and is constructed so that no part of its weight rests on the towing vehicle.

(d) POP-UP OR TENT CAMPER. A trailer that folds down small for storage and towing, designed to be drawn by a motor vehicle and is constructed so that no part of its weight rests on the towing vehicle

(e) TEARDROP CAMPER. A trailer shaped as a teardrop, designed to be drawn by a motor vehicle and is constructed so that no part of its weight rests on the towing vehicle

(f) NON-MOTORIZED TOY HAULER. A trailer, meant to carry "toys" from motorcycles, ATVs, golf-carts, etc., designed to be drawn by a motor vehicle and is constructed so that either no part of its weight rests on the towing vehicle or some part of its weight and that of its load rests on or is carried by another vehicle.

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 1-16: Administration, § 1-16-16 Violations, Penalties and Enforcement.

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