

§ 1-6-8 CARGO CONTAINERS.

(A) *Permit required.* Issuance of an administrative use permit ("AUP")- Cargo Container Permit and payment of a processing fee as set forth in Apache Junction City Code Section § 4-4-3 PLANNING, SUBDIVISION AND ZONING FEES as amended, is required prior to installation and use of a cargo container in the city.

(B) *Residentially zoned properties.* Cargo containers are only allowed on single family residential zoned properties based on lot size and shall comply with the following:

- (1) *Where and when allowed/ Maximum Number.* Utilize Table 1-6-X for Residential Cargo Container Regulations, Maximum number is one (1) permanent container per property.

Zoning District	RS-GR (min lot 1.25 acres)	RS-54 & RS-54M (min lot 1.25 acres)	Nonconforming RS-GR and RS-54 (Under 1.25 acres)	RS-20 & RS-20M	RS-10 & RS-10M	RS-7 & RS-7M	RS-5
Maximum Container Size	8 X 40	8 X 40	8 X 20	8 X 20	8 X 10	8 X 10	8 X 10

*Temporary or emergency use cargo containers shall be permitted on lots with the previous approval of a permanent cargo container. The temporary cargo container shall meet setbacks, be the same size, color, and comply with landscape screening as the permanent cargo container.

(a) *Permanent use.* Cargo containers used for permanent storage shall only be permitted in the RS-GR, RS-54, and RS-54M residential zoning districts with a minimum lot size of 1.25 gross acres. Cargo container(s) shall be located to the side or rear of the principal residential structure, and shall be set back from a neighboring property line in accordance with the zoning district's minimum accessory building setbacks identified in Vol. II, § 1-5-2, Table 5-2.

(b) *Temporary use.* Cargo container(s) used for temporary storage of equipment and materials during general building construction shall be permitted in any residential zoning district provided such activity is authorized by a valid building permit issued to a duly licensed and bonded contractor who has obtained a city business and privilege tax license or a property owner acting as an owner or owner/builder of a single-family residence. The temporary cargo container shall be removed within 12 months of AUP issuance or upon issuance of the certification of completion after final inspection, whichever occurs first.

(c) *Emergency use.* Cargo Containers may be used as an emergency accommodation, for no more than 60 calendar days, in conjunction with required home repairs as a result of damage caused by flood, fire, wind, or termites. Should such repair

period extend beyond 60 calendar days, the homeowner may apply for a 30-calendar day extension.

~~Cargo container(s) used as an emergency accommodation shall be allowed in conjunction with required and properly permitted home repairs as a result of damage caused by flood, fire, wind, or termites. The temporary cargo container shall be removed within 12 months of AUP issuance.~~

(2) *Use restriction.* Cargo containers shall only be used for personal storage purposes, not for business storage or as a home occupation workshop.

~~(3) *Maximum number and size.* One container up to 40 feet in length shall be allowed.~~

(4) *Utility connections.* Cargo containers for permanent storage shall be allowed an electrical connection if properly permitted, of up to one 15 amp circuit and may be issued as part of the Cargo Container Permit.

(5) *Color and landscape screening.*

~~(a) Cargo containers used for permanent storage shall be uniformly painted with an earth tone color and free from surface rust and advertising signage. If the property owner wishes to custom paint the container with a color scheme different than the required uniform earth tone color, the property owner shall first receive approval from the Development Services Director or his/her designee. **EARTH TONE** shall be defined as a color scheme that draws from a color palette of browns, tans, and greens natural to the Sonoran Desert environment. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss or trees, and rocks.~~

Cargo containers shall be uniformly painted with an earth tone color or compliment the color/style of the main structure. It shall be free from surface rust and advertising signage. **EARTH TONE** shall be defined as a color scheme that draws from a color palette of browns, tans, and greens natural to the Sonoran Desert environment. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss or trees, and rocks.

~~(b) If the container is publicly visible to adjacent neighboring properties and/or from the public street, the property owner shall install landscape screening to buffer that visible view, with a minimal initial planting height of 2 feet, and a minimum plant spacing distance of 4 feet. A planting list and guide is available at the Department of Development Services.~~

If the container is publicly visible to adjacent neighboring properties and/or from the public street, the property owner shall install landscape screening to buffer that visible view, with a minimal initial planting height of 4-6 feet, and a minimum plant spacing distance of 2 feet. A planting list and guide is available at the Department of Development Services.

Recommended Cargo Container Screening Plants

Botanical Name	Common Name	*Exposure	Min. Size	Spacir	Irrigation
Acacia notabilis	Notable Acacia	E,S,W	5 gallon	6'	Irrigation Recommended
Bougainvillea	any shrub species	E,S,W	5 gallon	8'	Irrigation Required
Caesalpinia mexicana	Mexican Bird of Paradise	S,W	5 gallon	8'	Irrigation Recommended
Caesalpinia pulcherrima	Red Bird of Paradise	E,S,W	5 gallon	6'	Irrigation Recommended
Cassia artemisioides	Feathery Cassia	E,S,W	5 gallon	6'	Irrigation Recommended
Cassia nemophila	Desert Cassia	E,S,W	5 gallon	6'	Irrigation Recommended
Cassia phyllodenia	Silver Leaf Cassia	E,S,W	5 gallon	6'	Irrigation Recommended
Celtis pallida	Desert Hackberry	N,E,S,W	5 gallon	6'	Irrigation Recommended
Cocculus laurifolius	Laurel Leaf Cocculus	N,E,S,W	5 gallon	5'	Irrigation Required
Cordia parviflora	Little-leaf Cordia	E,S,W	5 gallon	5'	Irrigation Recommended
Dodonaea viscosa	Hop Bush	N,E,S,W	5 gallon	8'	Irrigation Recommended
Forestiera acuminata parvifolia	Desert Olive	E,S,W	5 gallon	7'	Irrigation Recommended
Leucophyllum frutescens	Texas Sage	E,S,W	5 gallon	7'	Irrigation Recommended
Leucophyllum frutescens 'Green Cloud'	Green Cloud Sage	E,S,W	5 gallon	7'	Irrigation Recommended
Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Sage	E,S,W	5 gallon	6'	Irrigation Recommended
Leucophyllum pruinoseum 'Sierra Bouquet'	Sierra Bouquet Sage	E,S,W	5 gallon	6'	Irrigation Recommended
Lycium brevipes	Mexican Wolfberry	E,S,W	5 gallon	8'	Irrigation Recommended
Myrtus communis	Classic Myrtle	E,S,W	5 gallon	6'	Irrigation Required
Opuntia engelmannii	Engelman's Upright Prickly Pear	N,E,S,W	5 gallon	7'	None
Opuntia ficus-indica	India Fig	N,E,S,W	5 gallon	8'	None
Rhus ovata	Sugar Bush	N,E,S,W	5 gallon	8'	Irrigation Recommended
Simmondsia chinensis	Jojoba	N,E,S,W	5 gallon	6'	Irrigation Recommended
Tecoma stans	Yellow Bells	E,S,W	5 gallon	8'	Irrigation Required
Tecomaria capensis	Cape Honeysuckle	N,E,S,W	5 gallon	7'	Irrigation Required
Vauquelinia californica	Arizona Rosewood	E,S,W	5 gallon	7'	Irrigation Recommended
Yucca Gloriosa	Spanish Dagger	E,S,W	5 gallon	6'	Irrigation Recommended

*Exposure: N-North, E-East, S-South, W-West

This is a recommended plant list. If a substitution plant is desired the owner must provide the city with the botanical and common name of the proposed plant along with the mature height and spread of the plant, recommended sun exposure, watering requirements, and cold temperature at which the plant is damaged for consideration of approval.

(6) *Structural screening.* Cargo containers in residential zoning districts, except RS-GR, RS-54 shall have 100% of each exterior wall of the cargo container covered with supplemental building materials including, but not limited to, wood, masonry, stucco or brick that are compatible and consistent with the main dwelling structure which shall be reviewed as part of the issuance of the Cargo Container Permit.

A building permit may be required if the property owner chooses to install structural screening around the container and/or apply building materials to the container, including awnings.

(a) Cargo containers in residential zoning districts, except RS-GR, RS-54 shall have 100% of each exterior wall of the cargo container covered with supplemental building materials including, but not limited to, wood, masonry, stucco or brick that are compatible and consistent with the main dwelling structure.

~~—(6) *Structural screening.* A building permit may be required if the property owner chooses to install structural screening around the container and/or apply building materials to the container, including awnings.~~

(C) *Non-residentially zoned property.* Cargo containers on developed non-residentially zoned properties shall comply with the following:

(1) *Where allowed.* Cargo containers may be permitted in all business, industrial and public/institutional zoning districts. The location shall have a legally established commercial, industrial, or public/institutional use on the property.

(2) *Minimum lot size.* None.

(3) *Maximum number and size.* ~~No restriction.~~ One, 8 x 40 container per property.

(4) *Minimum setbacks and site location.* Minimum side, rear and front setbacks for cargo containers shall be subject to accessory building setback requirements identified in [Vol. II, § 1-5-4, Table 5-4](#).

(a) Cargo containers shall not be located within off-street parking areas, utility/drainage/roadway easements (inclusive of private or federally patented easements), landscape setback, fire lane, or within a location as to compromise emergency, pedestrian, or customer egress and ingress circulation as determined by the Director or designee.

(b) Cargo containers shall be located to the rear or side of the principal building in a manner that minimizes public view from neighboring properties and/or the public street as determined by the Director or designee.

(5) *Use.* Cargo containers shall only be used for storage of materials for the primary business, or for temporary storage of equipment and materials during general construction provided such activity is authorized by a valid building permit issued to a duly licensed and bonded contractor who has obtained a city business and privilege tax license.

(5) They are not connected with utilities.

(6) Permanent cargo containers shall be uniformly painted with an earth tone color as defined in this section and free from surface rust and advertising signage.

(7) *Color and screening.*

If the cargo container is publicly visible to adjacent neighboring properties and/or from the public street, the unit user shall apply for approval from the Department of Development Services to install and maintain a minimum 9-foot high structural masonry screen wall that is compatible with the design and architecture of the principal building.

If the container is publicly visible to adjacent neighboring properties and/or from the public street, the unit user shall install and maintain landscaping that will, within 5 years of planting, effectively screen 100% of the container from public view.

~~—(6) *Utility connections.* Cargo containers for permanent storage shall be allowed an electrical connection if properly permitted.~~

~~—(7) *Color and screening.*~~

~~(a) Cargo containers shall be uniformly painted with an earth tone color and be free from surface rust and advertising signage.~~

~~(b) If the cargo container is publicly visible to adjacent neighboring properties and/or from the public street, the property owner shall apply for a building permit to install and maintain a minimum 8-foot high structural screening that is compatible with the design and architecture of the principal building. Visual examples of acceptable structural screening devices (such as a masonry wall or completely opaque wooden fence) are available at the Department of Development Services.~~

(D) *Exemptions.* The only cargo containers that are completely exempt from the provisions of this Chapter are the 3 containers located at 936 W. Apache Trail, 57 E. 20th Avenue, and 2296 S. Cactus Road(?). These 3 cargo containers were originally exempted by Ordinance 630 and are in the same locations and condition as originally placed. Should they be replaced or removed, they lose their exempt status and all of the provisions of this section shall apply.

1-17 Definitions (to replace current definition)

CARGO CONTAINER, (also known as **CARGO POD, SHIPPING CONTAINER, MOBILE-MINI, STORAGE CONTAINER**). A portable, reusable and prefabricated vessel no larger than 9 feet tall, 10 feet wide, and 40 feet long, without an axle or wheels, which was: 1) originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods, or commodities; and/or 2) designed for or capable of being mounted or moved on a rail car or being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. This definition does not include, and therefore does not allow, a semi- truck trailer in any form (intact, dissected, with or without wheels), railroad car (with or without wheels), mobile or manufactured home, park model, recreational vehicle, or bus, to be used as a **CARGO CONTAINER**.