

#### § 1-6-5 ACCESSORY STRUCTURES.

(A) *Zoning standards.* Dimensional standards including setbacks, height, maximum number to include lot coverage and size for accessory structures are set forth in [Tables 5-2](#) and [5-4](#) (see [Vol. II, §§ 1-5-2](#) and [1-5-4](#)). An accessory structure is any structure, including a cargo container as defined herein, greater than 120 square feet in size. The information provided below establishes additional requirements and standards that are not identified in the zoning tables.

**(B) *Accessory structures constructed prior to main building.***

(1) An accessory structure may be constructed upon a lot prior to the construction of the main building for the purpose of storing tools, building materials or household goods, provided that a building permit for construction of the main building is applied for and issued within 6 months of approval of the permit for the accessory structure. At no time shall an accessory structure be used for dwelling purposes, including sleeping, living, or cooking activities. See [Vol. II, § 1-5-1, Table 5-1](#) for temporary living quarters regulations during construction.

(2) Legally existing accessory structures may be permitted to remain without the establishment of a main building at the time of subdivision/land split/zoning approval subject to the following:

(a) The accessory structure is locked and made safe with all openings being boarded up prior to the establishment of the main use.

(b) The accessory structure is not used for storage or any other purpose prior to the securing of a permit for the establishment of the main building use.

(c) The accessory structure is in compliance with city building and zoning codes.

(d) The accessory structure is not being used for dwelling purposes, including sleeping, living, or cooking activities.

(C) *Utility connections.* Accessory structures under 320 square feet in size may be served by no more than two 20 amp circuits connected to utilities with the appropriate permits. Accessory structures greater than 320 square feet may be served with electrical and plumbing fixtures for water with appropriate permits. No sanitary plumbing fixtures shall be permitted in any accessory structure.

(D) *Minimum distance requirement.* Accessory buildings shall be located a minimum of 6 feet from all existing and proposed other accessory structures, regardless of size, unless the Building Official determines that the construction method used would allow for closer spacing, and buildings and shall be located a minimum of 10 feet from a septic tank.

~~(E) *MHP (manufactured home park) or RVP (recreational vehicle park).* One accessory structure less than or equal to 120 square feet may be located within the side~~

or rear setback area. Additional accessory structures shall be subject to the setback requirements set forth in [Vol. II, § 1-5-2, Table 5-2](#).

(E) *Shade Structures*. An unenclosed (open air with no sides) shade structure not exceeding 200 square feet in area and not exceeding 10 feet in height to the midpoint of the roof, not **closer than 6 feet to other** structures is permitted in all residential zoning districts. The structure cannot be served by more than two 20 amp circuits, installed per code, and cannot have any plumbing except a mist system or a waterline, protected by an approved back flow prevention device serving a hose-connected outlet and installed in compliance with Chapter 7 of the Apache Junction City Code. The shade structure must be constructed in compliance with manufacturer's instructions applicable to the shade kit, or per a design approved by the City of Apache Junction Division of Building Safety and Inspection. Any such shade structure constructed pursuant to this section shall not require a building permit.

~~—(F) *Setback requirement*. Minimum setbacks for accessory structures are identified in [Tables 5-2](#) and [5-4](#) (see [Vol. II, §§ 1-5-2](#) and [1-5-4](#)).~~

~~—(G) *Height requirement*. Maximum heights for accessory structures are identified in [Tables 5-2](#) and [5-4](#) (see [Vol. II, §§ 1-5-2](#) and [1-5-4](#)).~~

~~—(H) *Lot coverage requirement*. Maximum lot coverage is identified in [Tables 5-2](#) and [5-4](#) (see [Vol. II, §§ 1-5-2](#) and [1-5-4](#)). Lot coverage is the ratio of the total footprint area of all structures on a lot to the lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and covered porches, shall be added together in order to calculate lot coverage.~~

~~—(I) *Size requirement*. Maximum size of individual accessory structures is identified in [Tables 5-2](#) and [5-4](#) (see [Vol. II, §§ 1-5-2](#) and [1-5-4](#)).~~

(JF) *Design requirements*.

- (1) If the accessory structure is visible to adjacent properties from any vantagepoint, a public right-of-way or easement, the property owner shall install landscape screening to buffer that visible view, with a minimal initial planting height of 4 feet, and a minimum plant spacing distance of 2 feet.

Recommended Accessory Structure 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 pruinose '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	Engelmann'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	Jobba	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

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.

(G) *Anchoring*. All accessory structures and shade structures shall be anchored in accordance with Chapter 7 of the Apache Junction City Code.

(H) Accessory structures shall meet all setback requirements and shall not be located within any public right-of-way, alley, on off-street parking areas, utility/drainage/roadway easements (inclusive of private or federally patented easements), or in any landscape setback.

(4) *RS-GR, MHP and RVP zoned residential property*. There are no design requirements. Accessory structures 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 any advertising signage, including, but not limited to corporate names or trademarks on overseas shipping containers. **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.

(3J) *Residential property not zoned RS-GR, RS-54, MHP and RV.*

(a) Residential zoning districts, except RS-GR, RS-54, MHP and RVP zoned property, shall have at least 75% of each exterior wall of a metal building 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. An accessory structure of corrugated metal or fiberglass having a semicircular cross section that curves down to form walls or attach to walls shall be prohibited (e.g. quonset hut), unless the user covers the structure as noted above and maintains such treatment when using such structure.

(b) The Zoning Administrator shall determine whether the accessory structure's proposed design and exterior façade is compatible and consistent with the main structure.

(c) Temporary or emergency use of accessory structures shall be permitted on lots with the previous approval of a permanent accessory structures. Accessory structures may be used as an emergency use, 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.

(d) *Maximum Number and Size.* The maximum number of accessory structures shall be two (2) for residential lots less than 10,000 square feet, three (3) for residential lots between 10,000 and 20,000 square feet and no more than four (4) for all lots greater than 20,000 square feet. The maximum size of a prefabricated structure or overseas shipping container is 320 square feet (8' X 40'). However, notwithstanding the preceding sentence, no more than one overseas shipping container of any size shall be allowed on any residential lot.

(4K) *RS-54 and RS-54M zoned residential property.* The following design requirements shall uniquely apply to property zoned RS-54 and RS-54M:

(a) Non-painted galvanized metal siding and corrugated fiberglass siding shall be prohibited. An accessory structure of corrugated metal or fiberglass having a semicircular cross section that curves down to form walls or attach to walls shall be prohibited (e.g. quonset huts), unless the user covers the structure and maintains such treatment when using such structure as noted in (L) (a) noted above.

(b) Permitted metal sided structures shall be treated with earth tone factory applied paint or shall be uniformly painted with an earth tone color to compliment the color/style of the main structure. It shall be free from surface rust and any advertising signage including, but not limited to corporate names or trademarks on overseas shipping containers.. **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..

(c) Accessory structures shall comply with a 30' front setback, 20' side setback, 20' interior side setback, and 20' rear setback and shall not be located within any public right-of-way, alley, on off-street parking areas, utility/drainage/roadway easements (inclusive of private or federally patented easements), or in any landscape setback.

~~—(c) Accessory structures with metal siding proposed to be located within the RS-54 and RS-54M zoning districts shall comply with the following unique setback limitations:~~

~~———1. Metal sidewalls up to 12 feet in height shall be allowed if the front, side and rear setbacks are at least 30 feet.~~

~~———2. Metal sidewalls up to 10 feet in height shall be allowed if the side and rear setbacks are at least 20 feet, and the front setback is at least 30 feet.~~

~~———3. Metal sidewalls up to 8 feet in height shall be allowed if the side and rear setbacks are at least 10 feet, and the front setback is at least 30 feet.~~

~~—(K) Modifications.~~

~~——(1) Conditional use permit. In all zoning districts, size, height, design and setback requirements for accessory structures may be modified by CUP approval in accordance with [Vol. II, § 1-16-12\(D\)\(4\)](#).~~

~~——(2) Neighborhood petition. In the RS-54 and RS-54M districts, metal sidewall height may be increased to 15 feet with a minimum 10 foot side and/or rear setback; and/or building height may be increased to 25 feet; and/or maximum accessory structure size may be increased to 5,000 square feet if 100% of the property owners of adjacent properties and 50% of the property owners of those properties within 80 feet of the adjacent properties agree with the proposed increase(s) through a neighborhood petition that is drafted, signed and acknowledged in accordance with Development Services Department standards. **ADJACENT PROPERTIES** shall be defined as property adjoining the subject property and/or property directly across the street, private road or road easement from the subject property.~~

(2M) Business and public-institutional zoned property (i.e., B-1, B-2, B-3, B-4, B-5 and PI Districts): The design of accessory buildings structures is subject to the applicable commercial design standards identified in [Vol. II, §§ 1-13-3\(A\)](#) and [1-13-3\(B\)](#) and shall comply with the following:

(a) *Where allowed.* Accessory structures 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.

(b) *Minimum lot size.* None.

(c) *Maximum number and size.* One accessory structure between 120 square feet and 320 square feet per property. Larger accessory structures shall be subject to the applicable commercial design standards identified in [Vol. II, §§ 1-13-3\(A\)](#) and [1-13-3\(B\)](#)

(d) *Minimum setbacks and site location.*

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

(2) Accessory structures 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.

(e) *Use.* Accessory structures shall only be used for storage of materials for the primary business, or for temporary storage of equipment and materials during general construction at the business or institutional building location 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. If used for temporary storage during general construction, the accessory structure shall be removed within 30 calendar days from the date of issuance of the certificate of occupancy.

(1) The accessory structures shall not be connected with utilities.

(2) Permanent accessory structures shall be uniformly painted with an earth tone color as defined in this section and free from surface rust and and/or advertising signage including but not limited to corporate name or trademarks on overseas shipping containers.

(f) *Color and screening.*

(1) If the accessory structure is visible to adjacent properties from side or rear yards, , a public right-of-way or easement a minimum 8-foot high structural masonry screen wall that is compatible with the design and architecture of the principal building is required and shall be designed and constructed in accordance with Chapter 7 of the Apache Junction City Code.. This requirement shall not apply to accessory structures that are of masonry construction. In lieu of an 8 foot high structural screen wall, the owner may install and maintain landscaping that will, within 5 years of planting, effectively screen 100% of the accessory structure from public view.

1-17 Definitions (to replace current definition)

**CARGO CONTAINER**, (also known as **CARGO POD, SHIPPING CONTAINER, MOBILE-MINI, STORAGE CONTAINER**). An accessory structure which is portable, reusable and prefabricated vessel no larger than 9 feet tall, 8 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**.