

§ 1-6-5 ACCESSORY STRUCTURES

A. General Standards for Accessory Structures in All Zoning Districts.

1. *Accessory Structures.* An accessory structure is any non-habitable (no bathing facilities or stove/oven) 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 Tables 5-2 and 5-4 (see Vol. II, §§ 1-5-2 and 1-5-4). ~~The information provided below establishes additional requirements and standards that are not identified in the zoning tables.~~
2. *Permit Required.* Permits are required for any accessory structure over 120 square feet in size, with the exception of shade structures that do not exceed 200 square feet in area and 10 feet in height.
3. *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, is permitted in all residential zoning districts. Any such shade structure constructed pursuant to this section shall not require a building permit, but shall be subject to all other provisions of the Apache Junction City Code, Vol. I, Buildings, Article 7-1: Apache Junction Division of Building Safety and Inspection Administrative Code, §7-1-6 (B).
4. *Anchoring.* All accessory structures and shade structures shall be anchored in accordance with Chapter 7 of the Apache Junction City Code, VOL. I, Buildings.
5. *Setbacks.* Accessory structures shall meet all setback requirements and shall not be located within any front yard setback, public right-of-way, alley or off-street parking areas, utility/drainage/roadway easements (inclusive of private or federally patented easements) or in any required landscape setback area. Setbacks for accessory structures can be found in Table 5-2 Residential Bulk Regulations and Table 5-4 Non-Residential Bulk Regulations.
6. *Minimum Distance Requirements.*
 - a. All accessory structures, including shade structures, ~~buildings~~ shall be located a minimum of 6 feet from all existing main structures and proposed accessory structures, regardless of size, unless the Building Official determines that the construction method used would allow for closer spacing ~~from other buildings~~.
 - b. All structures shall be located a minimum of 10 feet from a septic tank.

c. Accessory structures shall be located 15 feet from any non-FEMA wash.

7. *Total Lot Coverage.* The total square footage of all accessory structures shall not exceed a size equal to 15% of the main structures' building envelope or shall not cover more than the lot coverage percent specified for the zoning district, whichever is less.
8. *Utility Connections.* Accessory structures may be served with utilities, such as electrical and plumbing for water, with the appropriate permits. No sanitary plumbing fixtures for bathing or cooking shall be permitted in any accessory structure. ~~Accessory structures may be connected to utilities with the appropriate permits.~~
9. *Emergency Use.* In conjunction with required permits for home repairs, the emergency use of overseas shipping containers shall be permitted on all lots as a result of damaged caused by flood, fire, wind, or termites. The container may remain onsite for no more than 60 calendar days, with the ability to apply for a 30-calendar day extension.
10. *Temporary Moving Containers.* Temporary moving containers (e.g., PODS) shall be allowed in all zoning districts. Containers may remain on the property for no more than 60 calendar days, and do not require a permit.
11. *Prohibited Structures.* Non-painted galvanized metal siding and corrugated fiberglass siding shall be prohibited. An accessory structure of plastic, corrugated metal or fiberglass having a semicircular cross section that curves down to form walls or attached to walls or is open air below four (4) feet above the ground surface shall be prohibited (e.g. Quonset huts).
12. *Conflict with Other Regulations.* If there is a conflict between the standards of this Section and any other requirement of this Ordinance, the standards of the Section shall control.

B. Design and Exterior Finish Requirements.

1. *Color.* Accessory structures in all zoning districts, including overseas shipping 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 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, trees or rocks.

2. *Supplemental Building Materials.* Residential zoning districts, except RS-GR, RS-54, RS-54M, MHP and RVP zoned properties, shall have 100 percent of each exterior wall of a metal building covered with a supplemental building material including, but not limited to, wood, masonry, stucco or brick. Building materials must complement the architectural design and color of the primary residence. The Zoning Administrator shall determine whether the accessory structure's proposed design and exterior façade is compatible and consistent with the main structure.
3. Business and public-institutional zoned property (i.e., B-1, B-2, B-3, B-4, B-5 and PI Districts): For accessory structures other than temporary overseas shipping containers, the design of accessory buildings is subject to the applicable commercial design standards identified in Apache Junction City Code, Design Standards, Vol. II, §§ 1-13-3(A) and 1-13-3(B).
- 4.

C. Residentially Zoned Properties.

1. *Use.* A detached accessory structure, located in a residential zoning district, shall not be used for any business activity other than allowed as part of an approved home-based occupation or for a commercial agriculture use.
 - a. No commercial business activity shall take place within or adjacent to an accessory structure.
 - b. Prohibited commercial business activities include, but are not limited to, vehicle or RV repair, trucking, salvage or scrapping, renting of space for RV and boat storage, or commercial storage of any kind.
2. *Location.* Accessory structures shall be located to the rear or side of the primary residence, except for garages, which may encroach past the front façade of the home. Garages are subject to all setback requirements. Carports are not permitted to encroach past the front façade of the home.
3. *Maximum Size.*
 - a. RS-GR: No Limit.
 - b. RS-54 and RS-54M: 2,000 square feet, but may be increased to 5,000 square feet upon approval of a Conditional Use Permit (CUP).
 - c. Accessory structures in all other residential zoning districts are limited to the habitable floor area of the main building structures first floor and the cumulative square footage of all accessory structures shall not exceed the lot coverage standard of this Section.
4. *Accessory Structures Constructed Prior to Main Building.* An accessory structure, smaller than 360 square feet may be ~~constructed~~ placed upon a lot for up to eight (8) months and prior to the construction of the main home

~~building~~ for the purpose of storing tools, building materials or household goods, provided that a building permit is applied for and issued for the main home at the same time as the temporary use permit is issued for the temporary accessory structure ~~that construction of the main building is commenced within 6 months after completion of the accessory structure~~, and provided that no accessory structure shall 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.

5. *Legally Existing Accessory Structures*. 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 use.
 - c. The accessory structure is in compliance with city building and zoning codes, including setback and design requirements.
 - d. The accessory structure is not being used for dwelling purposes, including sleeping, living, or cooking activities.

6. *Overseas Shipping Containers*.

- i. *Number Allowed*. No more than one overseas shipping container shall be allowed on any residential property with the exception of one additional emergency use container.
- ii. *Size Limit*.
 1. RS-GR, RS-54 and RS-54M zoned properties may have one container not exceeding 320 square feet in size.
 2. All other residential zoning districts, except MHP and RVP zoned properties, may have one container not exceeding 160 square feet in size.
- iii. *Screening Requirements*. If the bottom (6) feet of a permanent container is visible to adjacent properties or a public right-of-way or easement, the property owner shall install xeriscape 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.

D. Business and Public-Institutional Zoned Properties (i.e., B-1, B-2, B-3, B-4, B-5 and P1).

1. *Use.* Accessory structures shall only be used for storage of materials for the primary business, or for the temporary storage of equipment and materials during general construction at the business or institutional building location provided such activity is authorized by a valid 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. The accessory structure(s) shall not be connected to utilities.
2. *Location.* Accessory structures may be permitted in all business, industrial and public/institutional zoning districts, with a legally established commercial, industrial or public/institutional use on the property, and must 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 his or her designee.
3. *Minimum Lot Size.* None.
4. *Maximum Number and Size.* One overseas shipping container, under 320 square feet in size per property. Temporary overseas shipping containers may be permitted for seasonal use, not to exceed 60 days. Up to three (3) seasonal temporary use permits may be issued in a calendar year.
5. *Accessory Structures Constructed Prior to the Main Building.* Accessory structures shall not be constructed or established on a commercial lot until construction of the principal building is completed or the primary use is established.
6. *Overseas Shipping Containers.* If a permanent container 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.
 - a. 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)

OVERSEAS SHIPPING CONTAINER (also known as **CARGO POD, CARGO CONTAINER, 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 an accessory structure.

Other changes to the footnote in table 5-2 and 5-4 may be needed.

- ~~E.—Utility connections. Accessory structures may be connected to utilities with the appropriate permits.~~
- ~~F.—Minimum distance requirement. Accessory buildings shall be located a minimum of 6 feet from other buildings.~~
- ~~G.—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.~~
- ~~H.—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).~~
- ~~I.—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).~~
- ~~J.—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.~~
- ~~K.—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).~~
- ~~L.—Design requirements:
 - ~~7.—RS-GR, MHP and RVP-zoned residential property. There are no design requirements.~~~~

~~8. 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 is subject to the applicable commercial design standards identified in Vol. II, §§ 1-13-3(A) and 1-13-3(B).~~

~~9. Residential property not zoned RS-GR, RS-54, MHP and RV.~~

~~e. 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.~~

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

~~10. RS-54 and RS-54M zoned residential property. The following design requirements shall uniquely apply to property zoned RS-54 and RS-54M:~~

~~g. 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).~~

~~h. Permitted metal sided structures shall be treated with earth tone factory applied paint.~~

~~i. 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.~~

~~M. Modifications:~~

~~11. 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).~~

~~12. 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.~~