

## ORDINANCE NO. 2009-04

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO THE TOWN OF CAREFREE ZONING ORDINANCE AMENDED THROUGH AUGUST 7, 2007, ARTICLE VIII SIGNS PERMITTED, AND FIXING THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

- Section 1: That certain document known as "The Town of Carefree Zoning Ordinance, amended August 7, 2007" is hereby amended as stated below in Section 4 (the "Amendments"), in order to (1) conserve and promote the public health, safety and general welfare, (2) assist businesses within the Commercial and Garden Office Zoning Districts promote economic viability of their businesses within the Commercial and Garden Office Zoning Districts at the request of many such business owners; and (3) at the same time, improve the visual environment for the citizens of and visitors to the Town of Carefree.
- Section 2: The amended copy shall be shown as "The Town of Carefree Zoning Ordinance, amended August 4, 2009" and is hereby declared to be a public record. Three copies of said amendment are hereby placed and ordered to remain on file in the Office of the Town Clerk.
- Section 3: All ordinances and portions of ordinances in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.
- Section 4: The Amendments are made to Article VIII Signs Permitted of the Town of Carefree Zoning Ordinance, adopted March 2, 2004 and amended through August 4, 2009 as follows (added language is shown in **Bold**, deleted language is shown ~~crossed out~~).

### ARTICLE VIII. SIGNS PERMITTED

#### Section 8.01 Definitions

- (1) Banner: Any short-term sign which displays graphics and/or text regarding an event to be held on a subject property.
- (2) Directional Sign: Any sign that designates a functional aspect of a site such as the entrance or exit from a parking area, a loading area, a fire lane, or any similar feature approved by the Zoning Administrator.

- (3) Ground Sign: Any sign attached to a freestanding wall or other structure separate from a building.
- (4) Identification Sign: Any sign that illustrates the physical address of a building. The sign may also identify the occupant of a residence or the name of a building.
- (5) **Sidewalk Signs: Any temporary sign, which may be an A-frame or sandwich board type sign, placed on the property of a business associated with that business establishment.**
- ~~(5)~~ (6) Sign: Any device for visual communication, including any structure or natural object or part thereof, used for the purpose of bringing the subject to the attention of the public but not including any flag, badge, or insignia of any government or government agency.
- ~~(6)~~ (7) Sign Area: The area contained within the outer limits of the text, emblem, logo, or other display together with the material or color forming the background for the text, emblem, logo, or other display but not including the supporting structure or wall to which it is attached.
- ~~(7)~~ (8) Temporary Sign: Any sign pertaining to the sale, lease, or rental of property or concerning a permitted construction project.
- ~~(8)~~ (9) Wall Sign: Any sign with only one sign surface attached parallel to, but within ten (10) inches of a wall, which is either painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure.

Section 8.02 Signs Permitted in each Zoning District

The table below shows which types of signs are allowed in each zoning district. An "X" means that type of sign is allowed. A blank means that type of sign is not allowed. A number in parentheses ( ) indicates additional conditions, provisions, and/or clarifications that will be found in the correspondingly numbered paragraphs in Section 8.03 of this Article.

Table 8.1: Permitted Signs per Zoning District

SIGNS	RURAL 190	RURAL 70	RURAL 43	R1-35	R1-18	R1-10	R-3	L	GO	C
Identification	X <sub>(1)</sub>									
Directional						X <sub>(2)</sub>				
Temporary	X <sub>(3)</sub>									
Ground	X <sub>(4)</sub>									
Wall							X <sub>(5)</sub>	X <sub>(5)</sub>	X <sub>(5)</sub>	X <sub>(5)</sub>
Banner										X <sub>(6)</sub>
Sidewalk									X <sub>(7)</sub>	X <sub>(7)</sub>

Section 8.03 Additional Requirements and Clarifications

(1)-(5) No changes.

(6) BANNERS shall be exempt from building permit provided the sign complies with all provisions of Article VIII and meets the following provisions:

~~(A)~~ ~~The banner shall not be displayed for more than ten (10) consecutive days.~~

~~(B)~~ **(A)** The banner shall be constructed of vinyl, cloth, or similar material with folded and sewn edges.

~~(C)~~ **(B)** The banner shall not exceed five (5) feet in length for buildings less than 5,000 square feet and fifteen (15) feet in length for buildings 5,000 square feet or larger. No banner shall exceed a width of three (3) feet.

~~(D)~~ **(C)** No more than one (1) banner shall be displayed on a property at any one time. The banner must be displayed on the property where the event is scheduled to take place.

~~(E)~~ **(D)** Banners placed on buildings shall not be located on the roof top or within four (4) feet of the top of a parapet.

~~(F)~~ **(E)** Banners hanging from arcades shall have a minimum clearance of eight (8) feet and shall not obstruct pedestrian circulation.

~~(G)~~ **(F)** Banners staked to the ground shall not exceed a height of three and one half feet (3.5) feet above the adjacent finished grade and shall not obstruct vehicular sight lines near or adjacent to street right-of-ways.

~~(H)~~ **(G)** Banners shall not be illuminated.

**(H)** Effective January 5, 2010, a banner shall not be displayed for more than ten (10) consecutive days.

**(I)** A business shall not have both a sidewalk sign and a banner sign.

**(J)** Prior to January 5, 2010, and prior to the placement of a banner sign, the principal of the business must complete and file the Town permit form and pay a \$5.00 permit fee per calendar month (may be permitted up to a maximum of 3 calendar months),

through January 5, 2010, at which time, each business shall come into conformance with paragraph (H) of this subsection.

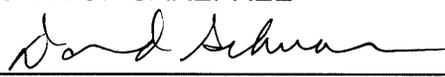
- (7) **SIDEWALK SIGNS** shall be exempt from building permit provided the sign complies with all provisions of Article VIII and meets the following provisions:
- (A) Any sidewalk sign must be placed on the property in which the business is located.
  - (B) Any sidewalk sign shall not obstruct any pedestrian walk way or public right-of-way.
  - (C) Any sidewalk sign shall not exceed 3.5 feet in height by 2.5 feet in width.
  - (D) Only one sidewalk sign may be displayed per business.
  - (E) No sidewalk sign shall be illuminated.
  - (F) No sidewalk sign shall have riders or balloons associated therewith.
  - (G) Effective January 5, 2010, a sidewalk sign shall not be permitted.
  - (H) Prior to January 5, 2010, and prior to the placement of a sidewalk sign, the principal of the business must complete and file the Town permit form and pay a \$5.00 permit fee per calendar month (may be permitted up to a maximum of 3 calendar months) through January 5, 2010, at which time, each business shall come into conformance with paragraph (G) of this subsection.

Section 5: The immediate operation of the provision of this Ordinance is necessary for the immediate preservation of the public peace, health and safety; an emergency is hereby declared to exist; and this ordinance shall be effective immediately and in full force and effect from and after its passage, adoption and approval by the Mayor and the Common Council of the Town of Carefree as required by law.

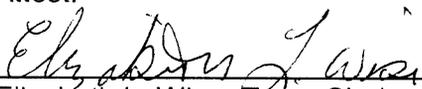
PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, ARIZONA, this 4<sup>th</sup> day of August 2009.

Ayes 5 Noes 0 Abstentions 0 Absent 2

TOWN OF CAREFREE

  
\_\_\_\_\_  
David Schwan, Mayor

Attest:

  
Elizabeth L. Wise, Town Clerk

Approved as to Form:

  
Tom Chenal, Town Attorney