

EXHIBIT "A"

ORDINANCE NO. 2011-01

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO THE TOWN OF CAREFREE ZONING ORDINANCE AMENDED THROUGH NOVEMBER 3, 2010, ARTICLE VIII. SIGNS PERMITTED; PROVIDING FOR REPEAL OF CERTAIN PROVISIONS OF THE TOWN OF CAREFREE ZONING ORDINANCE; PROVIDING FOR SEPARABILITY; ADOPTION AND APPROVAL BY THE MAYOR AND COMMON COUNCIL OF THE TOWN AS REQUIRED BY LAW AND DIRECTING THE TOWN CLERK OF THE TOWN OF CAREFREE TO INCORPORATE THIS AMENDMENT INTO THE TOWN OF CAREFREE ZONING ORDINANCE.

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 through November 3, 2010" 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 document shall be shown as "The Town of Carefree Zoning Ordinance, amended through March 1, 2011" and is hereby declared to be a public record. Three (3) copies of said amended Zoning Ordinance 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in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.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 November 3, 2010 as follows (added language is shown in **Bold**, deleted language is shown ~~crossed out~~).

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Article VIII. SIGNS PERMITTED

Section 8.01 Definitions

- (1) BANNER, HORIZONTAL: A temporary horizontal sign composed of flexible material.
- (2) BANNER, PROJECTING VERTICAL: A temporary vertical sign composed of flexible material, attached to two brackets that are affixed perpendicular to an exterior wall or column of a building.
- (3) BLADE SIGN: A permanent sign composed of rigid material that hangs from a bracket or arcade. ATTACHED blade signs hang from a bracket permanently affixed to an exterior wall or column of a building. FREESTANDING blade signs hang from a bracket permanently affixed to a post that is separate from a building. ARCADE blade signs hang from an awning truss that is part of and/or attached to a building.
- (4) DIRECTIONAL SIGN: A permanent 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.
- (5) GROUND SIGN: A permanent sign **displaying only the name of a multi-tenant complex, residential subdivision, or multi-family complex, and/or the respective address and that is placed along a street frontage as regulated in Article VIII. A ground sign is attached to one or two sides of a freestanding wall or other structure separate from a building.**
- (6) IDENTIFICATION SIGN: A permanent sign that displays the physical address of a building. The sign may also identify the occupant of a residence or the name of a building.
- (7) MENU BOARD SIGN: A permanent sign displaying the menu of a restaurant.
- (8) MONUMENT SIGN: A permanent sign that displays the name of a multi-tenant complex, no more than five (5) tenants within the subject complex, and the physical address of the complex. A monument sign is placed along a street frontage as regulated in Article VIII and is attached to one or two sides of a freestanding wall or other structure separate from a building.
- (9) ~~(8)~~ OUTDOOR MERCHANDISE: Items associated with a business use that are temporarily displayed outside the subject tenant space.

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- (10) ~~(9)~~ PERMANENT SIGN: A sign displayed for an unrestricted period of time.
- (11) ~~(10)~~ REAL ESTATE SIGN: A temporary sign pertaining to the sale, lease, or rental of property or a real estate "open house" event or displaying information pertaining to the general contractor or architect of a permitted construction project.
- (12) ~~(11)~~ SIDEWALK SIGN: A temporary sign, placed on the property of a business to which it is associated, including but not limited to an A-frame or sandwich board sign.
- (13) ~~(12)~~ SIGN AREA: Unless otherwise specified in Article VIII, 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.
- (14) ~~(13)~~ TEMPORARY SIGN: Any sign displayed for a restricted period of time.
- (15) ~~(14)~~ TENANT DIRECTORY SIGN: A permanent sign listing various tenants in a multi-tenant complex **that is located internal to the associated property.**
- (16) ~~(15)~~ WALL SIGN: A permanent sign with only one sign surface that is attached parallel to an outside wall of a building. A wall sign may be painted on the wall surface or be of separate construction extending no more than ten (10) inches from the wall surface.

Section 8.02 Signs Permitted in each Zoning District

The following table (*Table 8.1*) 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.

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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
PERMANENT SIGNS										
BLADE								X ₍₁₎	X ₍₁₎	X ₍₁₎
DIRECTIONAL							X ₍₂₎	X ₍₂₎	X ₍₂₎	(2)
GROUND	X ₍₃₎	X ₍₃₎	X ₍₃₎	X ₍₃₎						
IDENTIFICATION	X ₍₄₎	X ₍₄₎	X ₍₄₎	X ₍₄₎						
MENU BOARD								X ₍₅₎	X ₍₅₎	X ₍₅₎
MONUMENT									X₍₆₎	X₍₆₎
TENANT DIRECTORY									X ₍₆₎₍₇₎	X ₍₆₎₍₇₎
WALL								X ₍₇₎₍₈₎	X ₍₇₎₍₈₎	X ₍₇₎₍₈₎
TEMPORARY SIGNS										
BANNER, HORIZONTAL									X ₍₈₎₍₉₎	X ₍₈₎₍₉₎
BANNER, PROJECTING VERTICAL								X ₍₉₎ (10)	X ₍₉₎ (10)	X ₍₉₎ (10)
OUTDOOR MERCHANDISE								X ₍₁₀₎ (11)	X ₍₁₀₎ (11)	X ₍₁₀₎ (11)
REAL ESTATE	X ₍₁₁₎₍₁₂₎	X ₍₁₁₎ (12)	X ₍₁₁₎ (12)	X ₍₁₁₎ (12)	X ₍₁₁₎ (12)					
SIDEWALK									X ₍₁₂₎ (13)	X ₍₁₂₎ (13)

Section 8.03 Additional Requirements and Clarifications

- (1) BLADE SIGNS – No change.
- (2) DIRECTIONAL SIGNS – No change.
- (3) GROUND SIGNS, whether new or modified, shall require a building permit, comply with all provisions of Article VIII, and meet the following standards:
 - (A) **A ground sign is only permitted on the property of the associated multi-tenant complex, residential subdivision, or multi-family complex.**

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- (B) ~~(F)~~ A ground sign may include the name of a multi-tenant complex, residential subdivision or multi-family complex but shall not display the name and/or address of individuals within the respective uses. The physical address of a multi-tenant complex or multi-family complex may be placed on the sign. (See Figure ~~8-4~~ 8.2, ~~above~~)

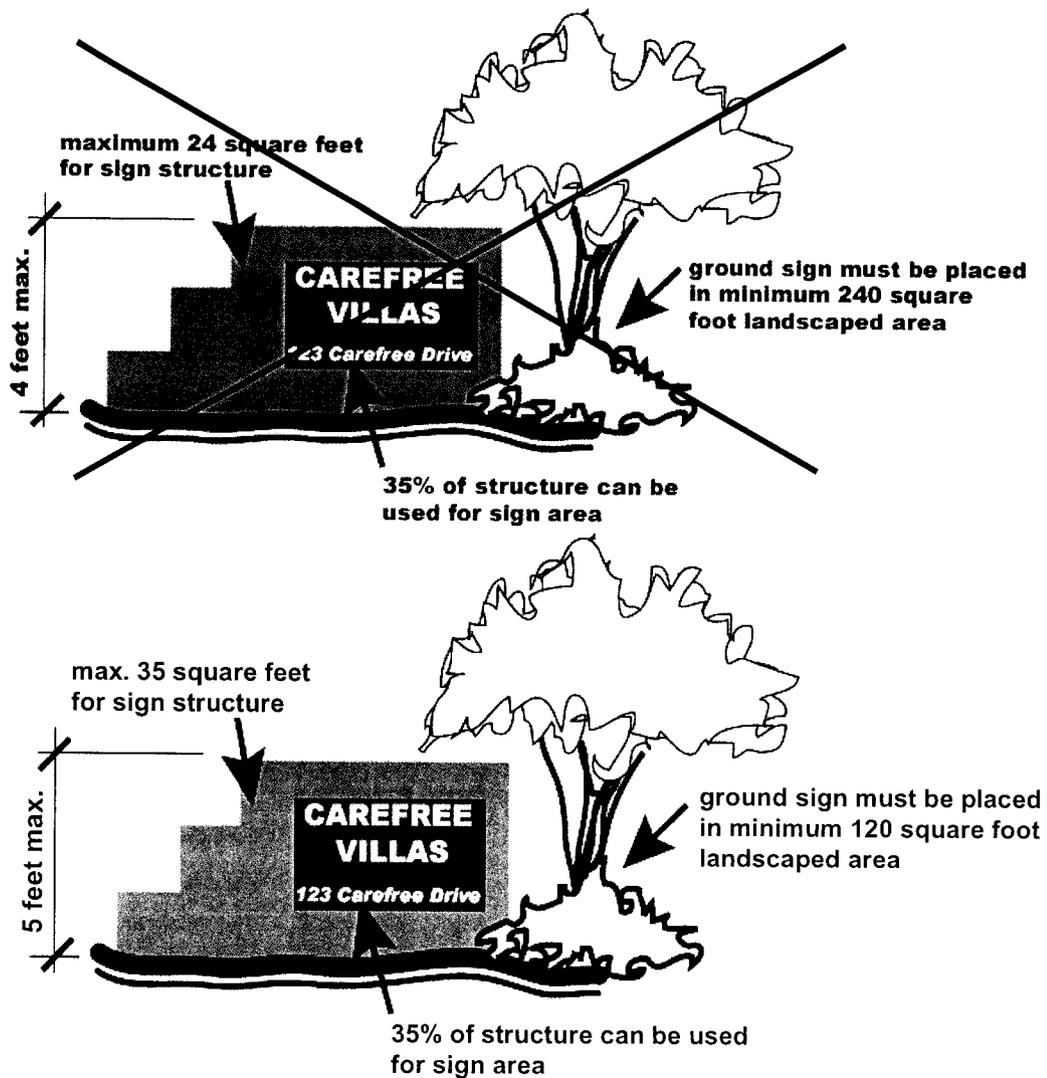


Figure ~~8-4~~ 8.2: Example of ground sign.

- (C) All ground signs shall be located within a landscaped area no smaller than ~~240~~ 120 square feet.
- (D) No ground sign shall be allowed on the property of a multi-tenant complex that is displaying a monument sign. Before any building permit is issued for a ground sign, any existing monument sign shall be removed.

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(E) ~~(A)~~ The maximum allowed number of ground signs shall be:

- 1) For a multi-tenant complex, one (1) ground sign for each abutting arterial or collector street. (See Figure ~~8-2~~ 8.3 for examples.)

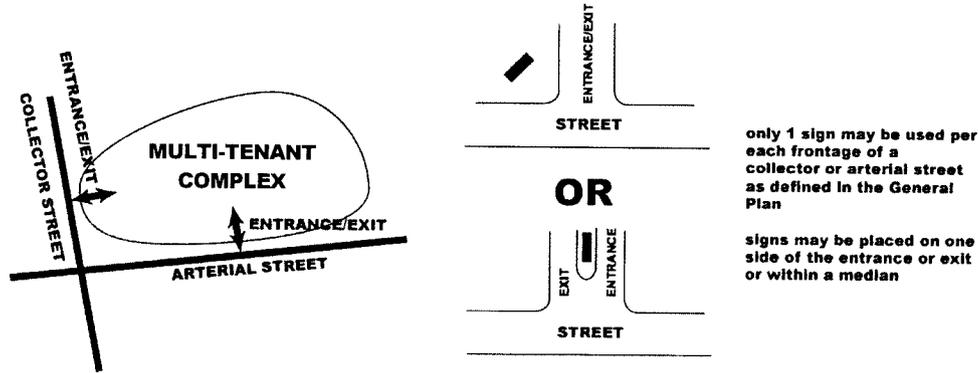


Figure ~~8-2~~ 8.3: Location of ground signs for a multi-tenant complex.

- 2) No ground sign shall be allowed for a multi-tenant complex that has a wall sign for the overall complex.
- 3) For a residential subdivision where entrances are located on an arterial or collector roadway as defined in the General Plan, two (2) ground signs shall be allowed. If two signs are placed at one entrance, no ground sign shall be allowed at another entrance. (See Figure ~~8-3~~ 8.4 for examples.)

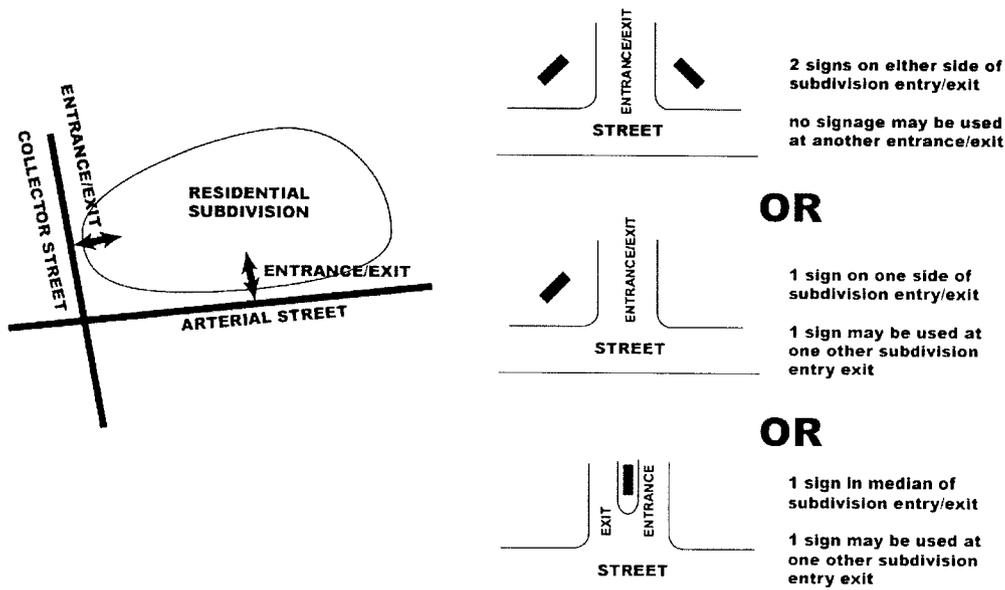


Figure ~~8-3~~ 8.4: Location of ground signs for residential subdivisions.

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- (F) ~~(B)~~ All ground signs shall be located:
- 1) Within fifty (50) feet of the driveway accessing the use or complex it serves.
 - 2) Within ten (10) feet of the right-of-way line of the arterial or collector roadway on which it is located.
 - 3) **No closer than thirty (30) feet from any onsite ground sign and/or tenant directory sign and fifteen (15) feet from any offsite ground sign and/or tenant directory sign.**
 - 4) **So as not to obstruct vehicular circulation, vehicular sight lines, and/or pedestrian circulation.**
 - 5) ~~3)~~ The ground sign must conform to all other standards for ground signs as stated in Article VIII.
- (G) ~~(D)~~ The maximum allowed area for a ground sign structure shall not exceed ~~twenty-four (24)~~ **thirty-five (35)** square feet, with a maximum height of ~~four (4)~~ **five (5)** feet from finished grade directly below the sign.
- (H) ~~(E)~~ The sign area (text, logo, and symbols) for a ground sign shall not exceed thirty-five (35) percent of the overall dimensions of the sign structure.
- (I) ~~(G)~~ A ground sign may be illuminated by one of the following methods:
- 1) External light directed onto the sign, provided the light source is shielded and does not shine beyond the sign area it is intended to illuminate.
 - 2) Reverse pan channel text with halo lighting consisting of concealed lighting elements.
- (4) IDENTIFICATION SIGNS – No change.
- (5) MENU BOARD SIGNS – No change.
- (6) **MONUMENT SIGNS, whether new or modified, shall require a building permit, comply with all provisions of Article VIII, and meet the following standards (Ord. #2011-01):**

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- (A) A monument sign is only permitted on the property of a multi-tenant complex. It shall display the name of the multi-tenant complex, no more than five (5) of tenants within the subject complex, and the physical address of the complex. (See Figure 8.5, below.)

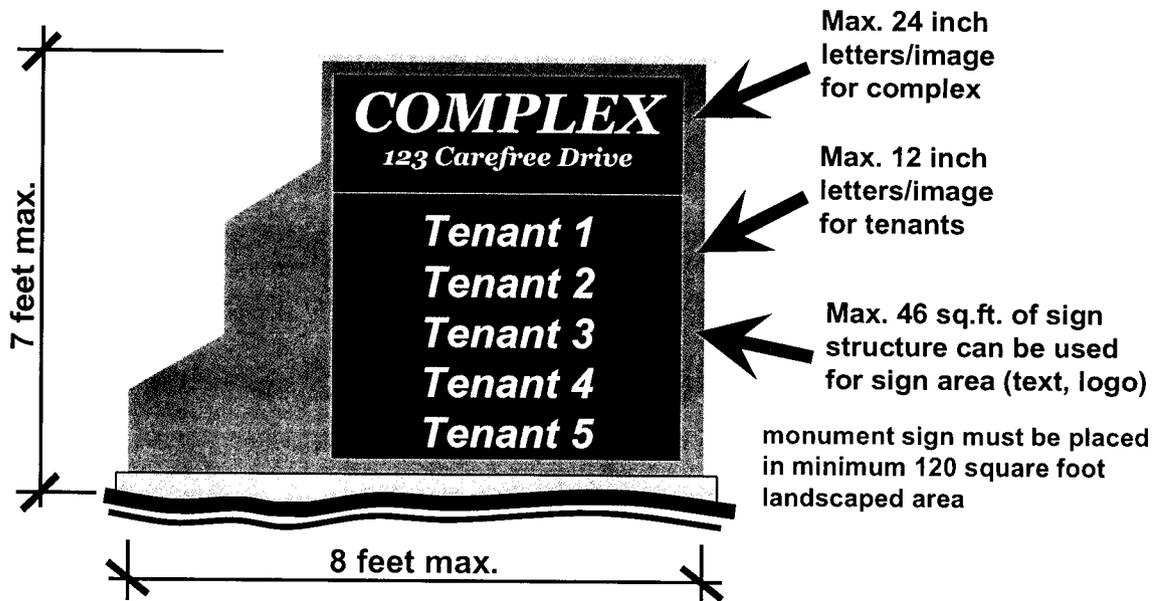


Figure 8.5: Example of a monument sign.

- (B) All monument signs shall be located within a landscaped area no smaller than 120 square feet.
- (C) No monument sign is allowed on the property of a multi-tenant complex displaying a ground sign and/or existing monument sign. Prior to a building permit being issued for a monument sign, any existing ground sign and/or monument sign shall be permanently removed.
- (D) The maximum allowed number of monument signs shall be:
- 1) One (1) monument sign for each abutting arterial, and/or collector street, and/or any minor collector or local street that is internal to the Town Center.
 - 2) No monument sign is allowed on a minor collector street or local street abutting a residential zoning district. (See Figure 8.6 for examples.)

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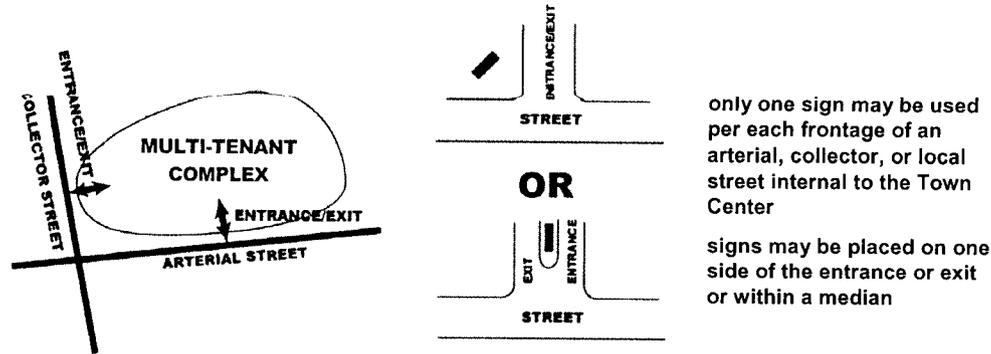


Figure 8.6: Location of monument signs for a multi-tenant complex.

- (E) Unless otherwise approved by the Zoning Administrator, all monument signs shall be located:
- 1) Within fifty (50) feet of the driveway accessing the complex it serves.
 - 2) Within twenty (20) feet of the right-of-way boundary line of the arterial or collector roadway on which it is located.
 - 3) No closer than seventy-five (75) feet from any other onsite monument sign and/or thirty (30) feet from any other offsite monument sign.
 - 4) So as not to obstruct vehicular circulation, vehicular sight lines, and/or pedestrian circulation.
 - 5) In conformance with all other standards for monument signs as stated in Article VIII.
- (F) The size of a monument sign structure shall be a maximum area of fifty-six (56) square feet, a maximum height of seven (7) feet from finished grade directly below the sign, and a maximum width of eight (8) feet.
- (G) The total sign area (text, logo, and symbols) shall be a maximum of forty-six (46) square feet.
- (H) To encourage artistic design that contributes to the unique quality and characteristics of Carefree, the Zoning Administrator may approve a maximum three- (3) foot projection along the top and/or two (2) sides of the monument sign structure that does not exceed 25% of the respective length of the top or sides of the monument sign.

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- (I) The maximum height of the letters or images on a monument sign shall be limited to the following:
 - 1) Those identifying the name and/or logo of a multi-tenant complex shall be no more than twenty-four (24) inches in height.
 - 2) Those identifying the name and/or logo for each tenant and/or the physical address of the complex shall be no more than twelve (12) inches in height.
- (J) Two-sided monument signs shall display identical signage on both sides of the sign structure.
- (K) A monument sign may be illuminated by one of the following methods:
 - 1) Routed opaque sign panel with pushed through text and/or symbols, all consisting of completely opaque faces and translucent sides with halo lighting and concealed lighting elements.
 - 2) Reverse pan channel text with halo lighting consisting of concealed lighting elements.
- (7) ~~(6)~~ TENANT DIRECTORY SIGNS shall require a building permit, comply with all provisions of Article VIII, and meet the following standards:
 - (A) Tenant directory signs are only allowed on the subject property of a multi-tenant complex, **oriented toward internal traffic within the property/development**, and are subject to the following:
 - 1) If the subject property is less than two (2) acres in size:
 - a) Only one (1) tenant directory sign is allowed.
 - b) It shall be located no further than fifteen (15) feet from the

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- 2) Shall not obstruct any sidewalk or vehicular passage.
 - 3) The maximum height shall be seven (7) feet measured from the top of the freestanding tenant directory sign and ~~or the~~ post supporting it to finished grade directly below.
- (8) ~~(7)~~ WALL SIGNS, whether new or modified, shall require a building permit, comply with all provisions of Article VIII, and meet the following standards:
- (A) to (D) – No change.
 - (E) Multi-tenant complexes that do not have a ground sign **or a monument sign** are allowed one (1) wall sign subject to the following:
 - 1) The wall sign shall only identify the multi-tenant complex. It may include the name or address, but shall not display the name and/or address of individual tenants.
 - 2) The maximum allowed size of the wall sign shall be an area of twenty-four (24) square feet, no more than four (4) feet high and six (6) feet wide.
 - 3) The maximum allowed height of the individual letters or symbols on the wall sign shall be ~~sixteen (16)~~ **twenty-four (24)** inches.
 - (F) to (J) – No change.

Existing sections ~~(8)~~ through ~~(12)~~ shall be renumbered accordingly **(9)** through **(13)**.

Sections 8.04 through Section 8.06 – No change.

Section 8.07 Nonconforming Signs

- (1) This section provides for the regulation of legal nonconforming signs. These regulations are designed to protect the rights of legally existing nonconforming signs but not promote expansion or enlargement of the signs.
- (2) A legal nonconforming sign under this Ordinance is any sign lawfully erected under County zoning regulations at the effective date of incorporation, annexation, or under previous zoning regulations in effect at the time of adoption of this Ordinance or any amendment thereof, **unless otherwise specified in Article VIII.**
- (3) to (5) No change.

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Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the amendments of this Ordinance 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.

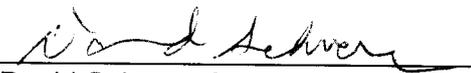
Section 6. This Ordinance and stated amendments shall become effective and in full force and effect thirty (30) days from and after the date of its adoption.

Section 7. The Town Clerk of the Town of Carefree shall incorporate the Amendment set forth herein in to the Zoning Ordinance of the Town of Carefree, Arizona.

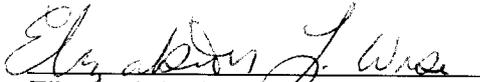
PASSED AND ADOPTED by the Common Council of the Town of Carefree, Arizona this 1st day of March, 2011.

Ayes 7 Noes 0 Abstentions 0 Absent 0

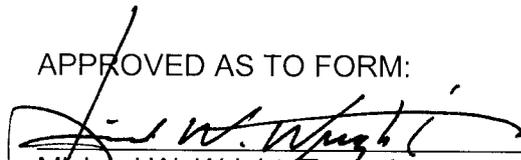
TOWN OF CAREFREE, an
Arizona Municipal Corporation


David Schwan, Mayor

ATTEST:


Elizabeth L. Wise, Town Clerk

APPROVED AS TO FORM:


Michael W. Wright, Town Attorney