

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO ARTICLE I AND ARTICLE VI OF THE TOWN OF CAREFREE ZONING ORDINANCE 10<sup>TH</sup> PUBLICATION; PROVIDING FOR REPEAL OF CERTAIN PROVISIONS OF THE TOWN OF CAREFREE ZONING ORDINANCE; PROVIDING FOR SEPARABILITY; AND DECLARING THAT THE IMMEDIATE OPERATION OF THE PROVISION OF THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY, THAT AN EMERGENCY EXISTS, AND THAT THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY AND IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, 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: The Mayor and Common Council deem it necessary, in order to conserve, promote, and protect the public health, safety and welfare, to amend that certain document known as the Town of Carefree Zoning Ordinance.

Section 2: 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in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.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 3: The Amendments are made to Article I, Section 1.02 of the Town of Carefree Zoning Ordinance and Article VI, Sections 6.01 and 6.02, Amended as follows (additions are shown in underline, and deleted language is ~~crossed-out~~):

Section 1.02            Definitions

(16) BUILDING, HEIGHT: The vertical distance of a building or structure measured from the structure's design grade, at any individual point within the building footprint, to the highest point of a roof or parapet.

(25) DESIGN GRADE: The lowest finished floor grade of an existing or proposed building or structure.

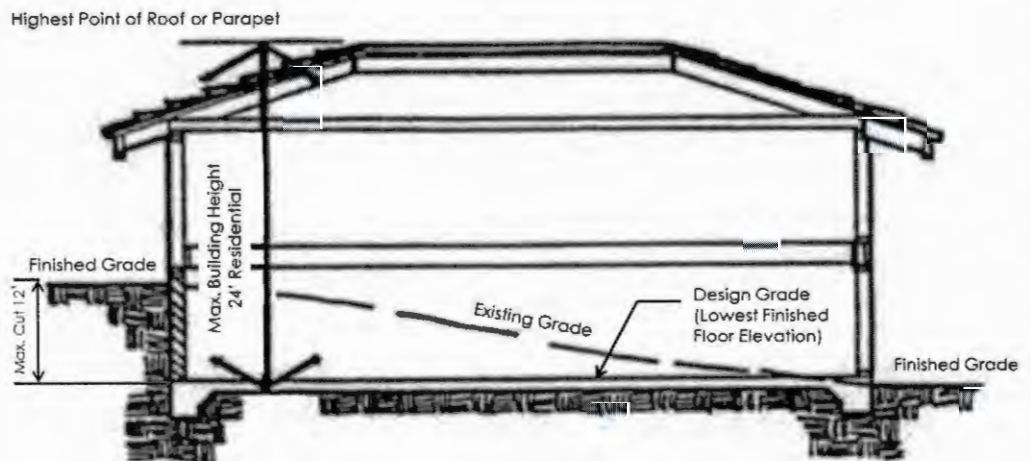
Section 6.01 Intensity Schedule and Development Standards

Table 6.1: Intensity Schedule per Zoning District.

DEVELOPMENT STANDARDS										
	Rural-190	Rural-70	Rural-43	R1-35	R1-18	R1-10	R-3	L	GO	C
Maximum Height - Feet	24 (1)	24 (1)	24 (1)	24 (1)	24 (1)	24 (1)	24 (1)	24 <sup>(4)</sup> 30 <sup>(2)</sup>	24 <sup>(4)</sup> 30 <sup>(2)</sup>	24 <sup>(4)</sup> 30 <sup>(2)</sup>
Minimum Front Yard - Feet	60 <sup>(2)-(5)</sup> (3) (6)	60 <sup>(2)-(5)</sup> (3) (6)	40 <sup>(2)-(5)</sup> (3) (6)	40 <sup>(2)-(5)</sup> (3) (6)	30 <sup>(2)-(5)</sup> (3) (6)	20 <sup>(2)-(5)</sup> (3) (6)	25 <sup>(2)-(5)</sup> (3) (6)	25 <sup>(2)-(5)</sup> (3) (6)	40 <sup>(5)(6)</sup>	10 <sup>(2)-(5)</sup> (3) (6)
Minimum Side Yard - Feet	30 <sup>(5)(6)</sup>	30 <sup>(5)(6)</sup>	30 <sup>(5)(6)</sup>	20 <sup>(5)(6)</sup>	10 <sup>(5)(6)</sup>	7 <sup>(5)(6)</sup>	10 <sup>(5)(6)</sup>	10 <sup>(5)(6)</sup>	20 <sup>(5)(6)</sup>	0 <sup>(3)-(5)</sup> (4) (6)
Minimum Rear Yard - Feet	60 <sup>(5)(6)</sup>	60 <sup>(5)(6)</sup>	40 <sup>(5)(6)</sup>	40 <sup>(5)(6)</sup>	30 <sup>(5)(6)</sup>	25 <sup>(5)(6)</sup>	25 <sup>(5)(6)</sup>	25 <sup>(5)(6)</sup>	40 <sup>(5)(6)</sup>	0 <sup>(4) (5)</sup> (5)(6)
Minimum Lot Area - Square Feet	190,000	70,000	43,560	35,000	18,000	10,000	43,560	43,560	35,000	6,000
Minimum Lot Width - Feet	300	230	145	145	120	80	145	145	145	60
Minimum Lot Area Per Dwelling Unit - Square Feet	190,000	70,000	43,560	35,000	18,000	10,000	6,000	N/A	N/A	N/A
Maximum Lot Coverage - % (area under roof)	6% <sup>(7)(8)</sup>	13% (7)(8)	17% (7)(8)	20% (7)(8)	25% (7)(8)	30% (7)(8)	50% (7)(8)	60% (7)(8)	25% (7)(8)	60% (7)(8)
Maximum Disturbed Lot Area - %	18% <sup>(6)(7)</sup>	39% <sup>(6)</sup> (7)	51% <sup>(6)</sup> (7)	60% <sup>(6)</sup> (7)	75%	100%	100%	100%	75%	100%

Section 6.02 Additional Requirements and Clarifications

- (1) Building Height and Massing, Residential Zoning District or Use:
  - (A) No part of any principal structure may rise more than twenty-four (24) feet above natural and finished its design grade directly below.



- (B) No wall of any principal structure shall exceed a height of more than twenty (20) feet without a significant physical, architectural, or visual break. Such physical break shall be a minimum of four (4) feet in width.
- i. Massing: All residential buildings or structures greater than two thousand (2,000) gross square feet shall be composed of at least 3 visual building masses of differing heights or planes.
- (C) ~~The cumulative height shall not exceed thirty (30) feet measured from lowest natural grade under the structure (principal building, accessory structure, retaining wall) to the highest parapet or roof ridge. Accessory structures more than fifty (50) feet from the principal structure shall be measured separately. For buildings that have sloped site conditions the Development Review Board may approve a maximum cumulative height exceeding thirty (30) feet.~~
- (D) No part of any accessory structure shall rise more than sixteen (16) feet above design ~~natural and finished~~ grade directly below.
- (D)(E) No part of any accessory airplane hangar structure shall rise more than twenty (20) feet above design ~~natural~~ grade directly below.
- (E)(F) ~~The cumulative height of any accessory structure including detached garages and guest houses shall not exceed eighteen (18) feet measured from the lowest natural grade under the structure to the highest parapet or roof ridge.~~
- (G) This section shall not apply to amateur radio transmission towers in excess of twenty-five (25) feet for which Conditional Use Permits have been issued.
- (F)(H) A chimney shall rise no more than three (3) feet above the highest parapet or roof ridge.
- (G)(I) In the R-3, ~~GO~~, and Commercial zoning districts roof screen walls up to four (4) feet in height will not be included in the height ~~or cumulative height~~ calculations only if they are located a minimum of fifteen (15) feet away from the edge of the roof or building parapet.
- (H)(J) Buildings, structures, or any portion thereof, exceeding a height of twenty (20) feet above natural grade shall not be erected or structurally altered within five hundred (500) feet of the projected center line of an airport runway or landing strip for a distance of one thousand (1,000) feet from the end of the runway. Beyond a distance of one thousand (1,000) feet from the end of the runway or landing strip, buildings, structures, or any portion thereof shall not be erected to exceed a height that would interfere with the takeoff or landing of a

plane with a glide angle of one (1) foot vertical for every forty (40) feet horizontal. Such glide angle is computed as beginning at a point on the extended center line of the runway two hundred (200) feet beyond and at the same elevation as the end of the runway pavement.

- (l)(K) Barriers to clear unobstructed vision at corners of intersections shall be limited to a maximum height of two (2) feet above the established elevation of the nearest street line. This limitation shall extend for a distance of thirty (30) feet along both the front and side lot lines, measured from the point of intersection of the said intersecting lot lines. This limitation shall apply to the height of fences, walls, gateways, ornamental structures, hedges, shrubbery, and other fixtures.

(2) Building Height and Massing, Nonresidential Zoning District or Use:

- (A) The height of any office or commercial building or structure shall be no more than thirty (30) feet measured from design grade.
- (B) Massing: All office or commercial buildings or structures two thousand five hundred (2500) gross square feet or greater shall be composed of at least 3 building masses of differing heights or planes. Such building masses shall vary in height vertically by a minimum of three (3) feet from any adjacent mass or masses and facade offsets a minimum of three (3) feet from any adjacent mass or masses.
- (C) Mechanical equipment screen walls up to four (4) feet in height will not be included in the height calculations only if they are located a minimum of fifteen (15) feet away from the edge of the roof or building parapet.
- (D) This section shall not apply to amateur radio transmission towers in excess of twenty-five (25) feet for which Conditional Use Permits have been issued.

Section 4: 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.

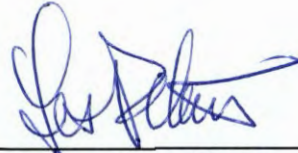
Section 5: The immediate operation of the provision of this Ordinance is necessary for the immediate preservation of the public peace, health and safety; and emergency is hereby declared to exist; and this ordinance shall be effective immediately and in full force and effect from and after its passage,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

Section 6: The Town Clerk of the Town of Carefree shall incorporate the Amendment set forth herein in to the Town of Carefree Zoning Ordinance, Carefree, Arizona.

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, ARIZONA, this 7th day of June, 2016.

Ayes 7 Noes 0 Abstentions 0 Absent 0

TOWN OF CAREFREE

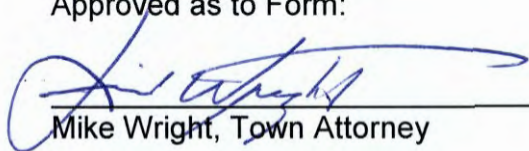


Les Peterson, Mayor

Attest:

  
Kandace French, Town Clerk

Approved as to Form:

  
Mike Wright, Town Attorney