

ORDINANCE NO. 2021-02

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO ARTICLES II AND IX OF THE TOWN OF CAREFREE ZONING ORDINANCE 10TH PUBLICATION; 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: 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in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.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 Amendment is made to *Article II. Rules and Definitions and Article IX. General Provisions* of the Town of Carefree Zoning Ordinance as follows (additions are shown in single underline, and deleted language is ~~crossed-out~~, and unchanged language remains as is):

Article II. RULES AND DEFINITIONS

Section 2.02 Definitions

- (14) BUILDING, ACCESSORY: A detached structure which is subordinate to and incidental to the main use of the principal structure on a the same lot. Accessory structures must be located in the building envelope and shall comply with the applicable sections of this Ordinance.
- (49) GUEST HOUSE: Living quarters in an accessory building or attached to the principal residence, which may include cooking facilities, ~~used for guests or servants on the premises.~~ used to house guests or domestic

attendants of the occupants of the principal building, and which shall never be rented or offered for rent or lease separate from the principal residence.

Article IX. GENERAL PROVISIONS

Section 9.02 Accessory Buildings and Uses

- (1) Accessory buildings shall not be constructed upon a lot until after the construction of the principal building has begun.
- (2) Accessory buildings in Single-Family Residential zoning districts shall not be rented or leased for any purpose.
- (3) The total cumulative square footage of the ~~livable area in a~~ guest house shall not exceed one-third (1/3) of the total square footage of the livable area of the principal structure.
- (4) No more than one (1) guest house is permitted per lot or parcel.
- (5) An accessory building shall not be used or occupied until the certificate of occupancy for the principal building has been issued by the Building Official.
- (6) ~~No accessory building shall be built in any required yard (building setback).~~ Both the principal building and guest house shall be served by a common single electric meter and water meter (if applicable).
- (7) Principal buildings and accessory structures shall be served by a single common driveway unless approved by the Zoning Administrator.
- (8) Design of accessory buildings shall be compatible with the design of the principal dwelling in materials, colors and architectural style.

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.

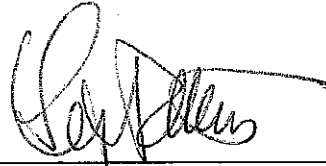
Section 5: The immediate operation of the provision of this Ordinance is necessary for the immediate preservation of the public peace, health and safety; and emergency is hereby declared to exist; and this ordinance shall be effective immediately and in full force and effect from and after its passage, 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 6th day of July, 2021.

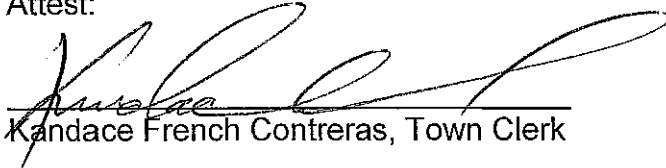
Ayes 6 Noes 0 Abstentions 0 Absent 0

TOWN OF CAREFREE

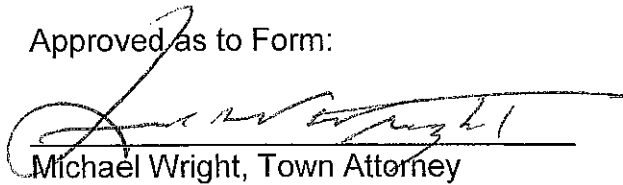


Les Peterson, Mayor

Attest:


Kandace French Contreras, Town Clerk

Approved as to Form:


Michael Wright, Town Attorney