

**TOWN OF CAREFREE, ARIZONA  
ORDINANCE NO. 2006-11**

**AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, GRANTING A SPECIAL USE PERMIT TO USE CERTAIN REAL PROPERTY TO CONSTRUCT AND OPERATE A 150,000 GALLON WATER RESERVIOR ON A PORTION OF LOT #90 WITHIN THE COW TRACT ESTATES UNIT II SUBDIVISION. THE IMMEDIATE OPERATION OF THE PROVISIONS OF THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH OR 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 AS REQUIRED BY LAW.**

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

Section 1. Pursuant to Article V. Section 5.01 and 5.02(18) of the Town of Carefree Zoning Ordinance, a Special Use Permit shall be and hereby is granted to Carefree Water Company, for the construction and operation of a 150,000 gallon water reservoir pursuant to Application No. 06-05-SUP on tax parcel number 216-25-094.

Section 2. The special use permit shall be and is subject to the following conditions:

1. The building permit shall be in substantial conformance to the plans submitted with the Special Use Permit application and attached to this staff report. All grading and improvements shall be totally within land under the jurisdiction of the Carefree Water Company and shall not encroach upon any privately owned property.
2. Any exterior lighting shall meet the minimum requirements of the Zoning Ordinance.
3. Reservoirs (proposed and existing) shall be painted the same color, have a light reflective value of less than 35% and consist of dark, desert tones which blend into the natural colors of the site.
4. A minimum 24" box native trees shall be planted on the earth berm and nearby the reservoir to further mitigate viewsheds toward the reservoir.

5. The site design of the water reservoir shall be considered by the Development Review Board to review the placement and design of walls, earth berm, landscaping and paint color of the reservoirs.
6. A Landscape Architect shall be retained by the Water Company to create a design to mitigate the off-site views of the water reservoirs.
7. Water runoff and potential erosion shall be minimized and drainage from the reservoir site shall be directed away from the north side of the ridge.
8. Final design and costs options shall be considered by the Town Council with a recommendation from the Development Review Board.

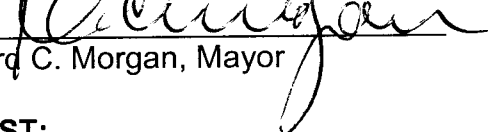
Section 3. The immediate operation of the provisions of this Ordinance is necessary for the immediate preservation of the public peace, health or safety; an emergency is hereby declared to exist; and this Ordinance shall be effective immediately and in full force and effect from and after its passage, adoption and approval by the Mayor and the Common Council of the Town as required by law.

Section 4. The Town of Carefree Zoning Map is hereby amended to reflect the issuance of the Special Use Permit granted hereunder.


**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Carefree, Arizona, the 14<sup>th</sup> day of November 2006.

Ayes 6      Noes 0      Abstentions 0      Absent 1

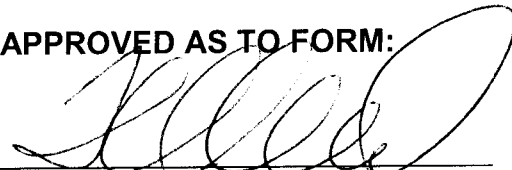
**TOWN OF CAREFREE**

By:   
Edward C. Morgan, Mayor

**ATTEST:**

  
Elizabeth L. Wise, Town Clerk

**APPROVED AS TO FORM:**

  
Thomas K. Chenal, Town Attorney