

**ORDINANCE NO. 09-06**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE TOWN OF FOUNTAIN HILLS ZONING ORDINANCE, CHAPTER 6, SIGN REGULATIONS, RELATING TO TOTAL AGGREGATE SIGN AREA FOR BUILDINGS WITH FRONTAGE GREATER THAN 100 FEET IN LENGTH AND TO THE LOCATION OF A-FRAME SIGNS.

**WHEREAS**, the Mayor and the Council of the Town of Fountain Hills (the "Town Council") adopted Ordinance No. 93-22 which adopted the Zoning Ordinance for the Town of Fountain Hills (the "Zoning Ordinance"); and

**WHEREAS**, the Town Council desires to amend the Zoning Ordinance to revise Chapter 6 thereof, Sign Regulations, to (i) allow buildings with more than 100 feet of frontage to have additional total aggregate sign area at a rate of 0.5 square feet of sign area per one foot of lineal frontage and (ii) remove the restriction that requires A-frame signs to be located within 20 feet of the main building entrance; and

**WHEREAS**, in accordance with the Zoning Ordinance and pursuant to ARIZ. REV. STAT. § 9-462.04, as amended, a public hearing regarding this ordinance was advertised in the April 29, 2009 edition of the Fountain Hills Times; and

**WHEREAS**, public hearings were held by the Fountain Hills Planning and Zoning Commission on May 14, 2009, and by the Town Council on June 18, 2009.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS** as follows:

**SECTION 1.** That the Zoning Ordinance, Chapter 6, Sign Regulations, Subsection 6.08(A)(1), is hereby amended as follows:

1. Frontage is determined by the measurement of the portion of the building facing the street. Corner buildings may include two street frontages if the frontages are joined at an angle between forty-five (45) and ninety (90) degrees. However, the total sign area that is oriented toward a particular street may not exceed 125% of the portion of the lot's total sign area allocation that is derived from the building frontage on that street. Building frontages that contain angles of less than forty-five (45) degrees or between ninety (90) and one-hundred eighty (180) degrees shall be considered to be one frontage. Multi-story building lineal footage is limited to the ground floor lineal footage measurement EXCEPT AS MODIFIED BY SUBSECTION 6.08(A)(5) BELOW.

**SECTION 2.** That the Zoning Ordinance, Chapter 6, Sign Regulations, Subsection 6.08(A), is hereby amended by adding a new subsection 5, to read as follows:

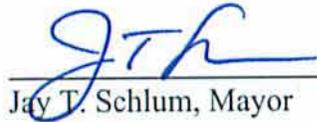
5. Ground floor businesses having building frontage greater than one hundred (100) feet in length may increase their allowed sign area by 0.5 square feet per one (1) lineal foot of building frontage in excess of one hundred (100) feet. Such additional sign area shall be for the exclusive use of said business and not transferable or re-allocable to other businesses on the site.

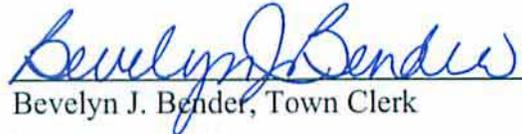
SECTION 2. That the Zoning Ordinance, Chapter 6, Sign Regulations, Subsection 6.08(B)(3), is hereby amended by (i) deleting paragraph (a) thereof in its entirety and (ii) renumbering all remaining subsections therein accordingly.

**PASSED AND ADOPTED BY** the Mayor and Council of the Town of Fountain Hills, June 18, 2009.

**FOR THE TOWN OF FOUNTAIN HILLS:**

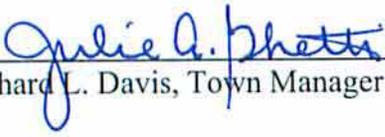
**ATTESTED TO:**

  
Jay T. Schlum, Mayor

  
Bevelyn J. Bender, Town Clerk

**REVIEWED BY:**

**APPROVED AS TO FORM:**

*for*   
Richard L. Davis, Town Manager

  
Andrew J. McGuire, Town Attorney