

Mayor Cal Sheehy
Vice Mayor David Lane
Councilmember Jeni Coke
Councilmember Jim Dolan
Councilmember Gordon Groat
Councilmember Michele Lin
Councilmember Donna McCoy



Lake Havasu City
Police Facility
2360 McCulloch Blvd North
Lake Havasu City, Arizona 86403
www.lhcaz.gov

City Council Regular Meeting Agenda

Tuesday, July 14, 2020

6:00 PM

IN-PERSON ATTENDANCE IS SUSPENDED FOR THIS MEETING.

DUE TO THE COVID-19 PANDEMIC, THIS MEETING WILL BE HELD THROUGH TECHNOLOGICAL MEANS.

PUBLIC PARTICIPATION IN THE MEETING

- 1. Members of the public can watch or listen to the meeting live via the following options:***
 - A. View the meeting live on Channel 4***
 - B. View the live stream at <https://lakehavasucity.legistar.com/Calendar.aspx>***
 - (i) Click on "Calendar" Tab***
 - (ii) Look for City Council meeting (you may have to select it from the dropdown list) and select the meeting date***
 - (iii) Click the "In Progress" link in the column titled Video***
 - C. View the meeting live at lhcaz.gov/tv***
 - D. Call in and listen to the meeting by telephone***

Dial 1 (888) 240 2560

Meeting ID 938 418 435
- 2. Members of the public can submit written comments for the Call to the Public and Public Hearing items by emailing the City Clerk at cityclerk@lhcaz.gov***

(Comments must be received at least one (1) hour prior to the posted start time for the meeting. Comments may or may not be read. Please be sure to include your name and address for the record as well as the meeting date (and Agenda Item #, if applicable) in the subject of your email.)

Notice is hereby given pursuant to A.R.S. § 38.431.02 that members of the City Council may attend by audio/video conference call.

Lake Havasu City endeavors to ensure the accessibility of all of its programs, facilities, and services to all persons with disabilities in accordance with the Americans with Disabilities Act. If you need an accommodation for a meeting, please contact the City Clerk at 453-4142 at least 24 hours prior to the meeting so that an accommodation can be arranged.

The City Council may vote to hold an executive session for the purpose of obtaining legal advice from the City's attorney on any matter listed on the agenda under A.R.S. § 38-431.03(A)(3).

1. CALL TO ORDER

2. INVOCATION: Pastor Kay Zimmerman, City On A Hill International Church

3. PLEDGE OF ALLEGIANCE: Go Lake Havasu

4. ROLL CALL

5. CALL TO THE PUBLIC

We will now open the call to the public for citizens who submitted written comments to address the council on issues within the jurisdiction of the city. Comments read into the record are limited to three (3) minutes or less. At the conclusion of the call to the public, individual members of the council may respond to criticism, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the council cannot discuss or take legal action on matters not already on the agenda.

6. CONSENT AGENDA

The following items will be considered as one item by the City Council and will be enacted with one motion with no separate discussion unless a councilmember so requests, in which event the item will be removed.

- 6.1** [ID 20-2441](#) Approve the June 23, 2020, City Council Regular Meeting Minutes (*Kelly Williams*)
- 6.2** [ID 20-2444](#) Approval of the Final Subdivision Plat for Havasu Riviera, Tract 2400B, Wren Cove, Phase II, Dividing Approximately 19 Acres into 38 Residential Lots (*Stuart Schmeling*)
- 6.3** [ID 20-2446](#) Ratify Amendment No. 3 to the Services Agreement with CherryRoad Technologies, Inc., for Implementation Services for the Oracle Fusion Enterprise Resource Planning System (*Shawn Marie Irula*)
- 6.4** [ID 20-2442](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 5:00 p.m. Tuesday, July 28, 2020 (*Kelly Williams*)

7. CORRESPONDENCE, COMMUNICATIONS, PETITIONS, ANNOUNCEMENTS, CITY MANAGER REPORT

- 7.1** [ID 20-2451](#) Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions (*Kelly Williams*)
- 7.2** [ID 20-2443](#) City Manager's Report (*Jess Knudson*)

8. PUBLIC HEARINGS

- 8.1 [ID 20-2456](#) Introduce Ordinance No. 20-1236 Amending Lake Havasu City Code Chapters 11.06 and 11.08, Regarding the Parks and Recreation and Airport Advisory Boards (*Kelly Williams*)
- 8.2 [ID 20-2422](#) Adopt Ordinance No. 20-1235 Amending the Zoning Classification and District Boundary for 386 and 390 Lake Havasu Avenue N., Tract 2252, Block 2, Lots 6 & 7, from MU-N/PD (Mixed Use - Neighborhood/Planned Development District) to R-M (Multiple-Family Residential District) (*Luke Morris*)
- 8.3 [ID 20-2447](#) Adopt Resolution No. 20-3421 Levying Upon the Assessed Valuation of the Property Within Lake Havasu City Subject to Taxation of a Certain Sum, Upon Each One Hundred Dollars (\$100.00) of Valuation, Sufficient to Raise the Amount Estimated to be Required in the Annual Budget Less the Amount Estimated to be Received from Fines, Licenses, and Other Sources of Revenue; Providing for a General Fund for the General Municipal Expenses for the Fiscal Year Ending June 30, 2021 (*Jill Olsen*)
- 8.4 [ID 20-2448](#) Adopt Resolution No. 20-3422 Adopting the Property Tax Levy and Certifying the Annual Financial Requirements of Lake Havasu City Improvement District No. 2 (London Bridge Plaza) for Fiscal Year 2020-21 (*Jill Olsen*)
- 8.5 [ID 20-2449](#) Adopt Resolution No. 20-3423 Adopting the Property Tax Levy and Certifying the Annual Financial Requirements of Lake Havasu City Improvement District No. 4 (McCulloch Median) for Fiscal Year 2020-21 (*Jill Olsen*)
- 8.6 [ID 20-2450](#) Adopt Resolution No. IDD-20-7-1 for the Irrigation and Drainage District, Levying Upon the Taxable Property within the District a Per Acre Tax Sufficient to Raise the Amount Estimate to be Received from User Fees and Other Sources of Revenue for the Fiscal Year Ending June 30, 2021 (*Jill Olsen*)

9. CURRENT EVENTS

Pursuant to A.R.S. § 38-431.02(K), a public body shall not propose, discuss, deliberate, or take legal action on any Current Event item

Council Committee Reports:

Airport Advisory Board - Councilmember Dolan
Clean Colorado River Sustainability Coalition (CCRSCo) - Mayor Sheehy
Havasu Youth Advisory Council - Councilmembers Coke & McCoy
Lake Havasu Area Chamber of Commerce - Vice Mayor Lane
Lake Havasu Convention and Visitors Bureau (CVB) - Councilmember McCoy
Lake Havasu Metropolitan Planning Organization (MPO) -
Mayor Sheehy & Councilmembers McCoy/Lane/Coke (Alternate)
Mohave County Water Authority - Mayor Sheehy & Councilmember Groat
Parks & Recreation Advisory Board - Councilmember Lin
Partnership for Economic Development (PED) - Councilmember Groat
Public Safety Personnel Retirement System – Local Fire Board - Vice Mayor Lane
Public Safety Personnel Retirement System – Local Police Board - Vice Mayor Lane

Western Arizona Council of Governments (WACOG) - Councilmember Lin

10. CALL TO THE PUBLIC

11. FUTURE MEETINGS

Tuesday, July 28, 2020 @ 6:00 p.m. - Regular Meeting

Tuesday, August 11, 2020 @ 6:00 p.m. - Regular Meeting

12. FUTURE DISCUSSION ITEMS

13. ADJOURN

City Council

FILE#: ID 20-2441

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Kelly Williams, City Clerk

SUBJECT:

Approve the June 23, 2020, City Council Regular Meeting Minutes (*Kelly Williams*)

The minutes are available for viewing in the City Clerk's Office, 2330 McCulloch Blvd. N.

City Council

FILE#: ID 20-2444

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Stuart Schmeling, Development Services Director

SUBJECT:

Approval of the Final Subdivision Plat for Havasu Riviera, Tract 2400B, Wren Cove, Phase II, Dividing Approximately 19 Acres into 38 Residential Lots (*Stuart Schmeling*)

FUNDING SOURCE:

N/A

PURPOSE:

To approve the final subdivision plat for Havasu Riviera, Tract 2400B, Wren Cove, dividing approximately 19 acres into 38 residential lots.

BACKGROUND:

The preliminary plat for Tract 2400 was approved by the Planning Commission on July 18, 2018. The plat included 42 total acres and 75 residential lots. The developer has split Tract 2400 into two phases, 2400A and 2400B. Tract 2400A was approved by Council at the May 26, 2020, meeting. This request is for Tract 2400B, which includes the remaining 19 acres, 38 of the 75 total lots within Tract 2400. Staff completed its review on June 8, 2020, and had several comments, all of which can readily be addressed by the developer.

The developer will provide financial assurance for the subdivision improvements prior to staff signature and plat recordation.

The final plat for Tract 2400B is provided as an attachment.

COMMUNITY IMPACT:

N/A

FISCAL IMPACT:

N/A

FILE#: ID 20-2444

MEETING DATE: 7/14/2020

ATTACHMENTS:

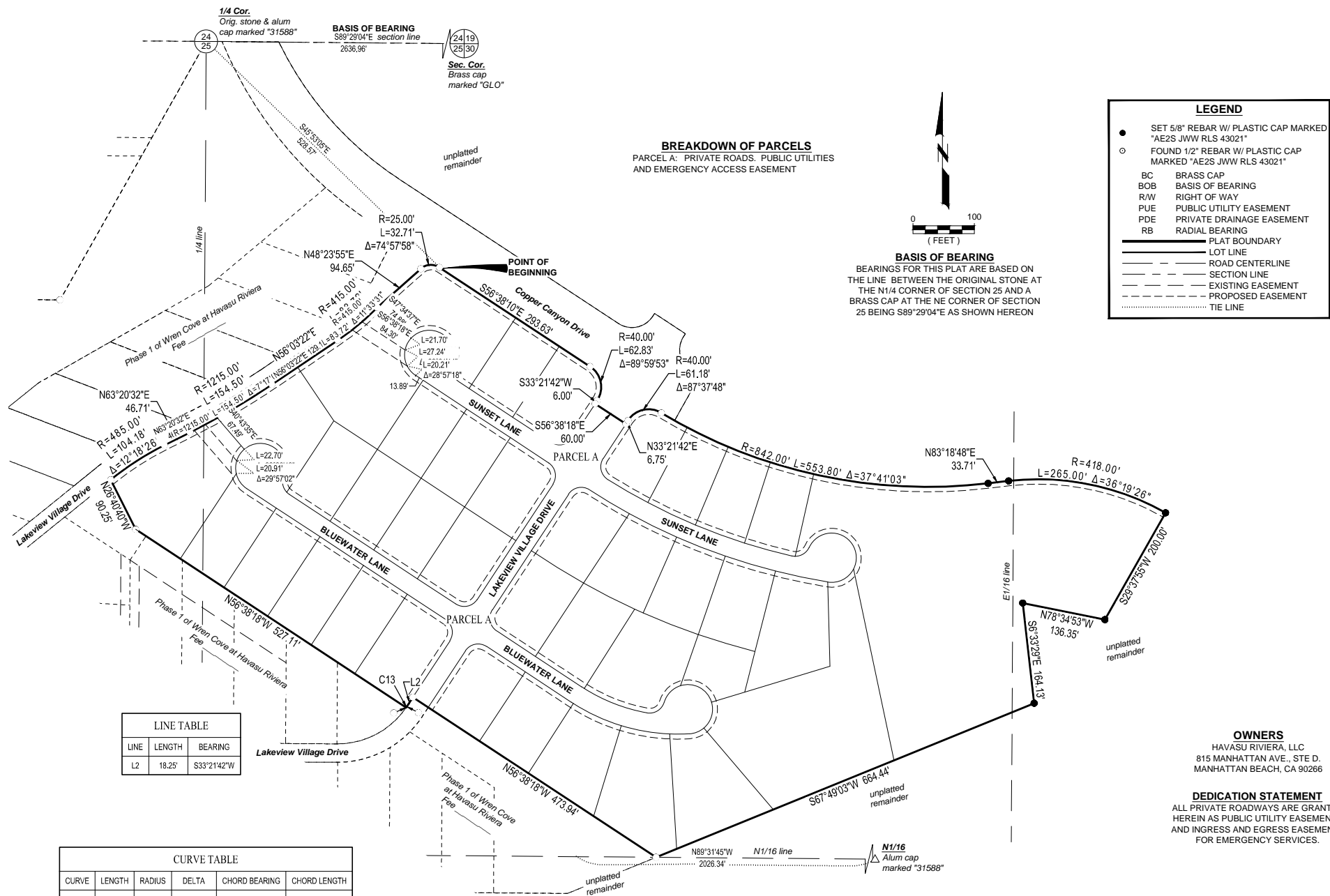
Havasu Riviera, Tract 2400B, Wren Cove Final Plat

SUGGESTED MOTION:

I move to approve the final plat for Havasu Riviera, Tract 2400B, Wren Cove, creating 38 residential lots.

Phase 2 of Wren Cove at Havasu Riviera, Lots 39-76

IN THE NW1/4 & NE1/4 SECTION 25, T13N, R20W, G&SRM, LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA



DEDICATION

Havasu Riviera LLC, as owner, has subdivided in the name of "Tract 2400B, Wren Cove at Havasu Riviera", a subdivision in a portion of Section 25, Township 13 North, Range 20 West, of the Gila and Salt River Meridian, Mohave County, Arizona, as shown on the plat hereon and hereby publishes this plat as for the plat of said "Tract 2400B", and hereby declares that said plat sets forth the location and gives the dimensions of the lots, parcels and streets, constituting the same, and that each lot, parcel and street shall be known by the number, letter or name given to each respectively on said plat. Public utility easements shown hereon shall include the right for utility companies and Lake Havasu City to enter said property for purposes for installation, operation, maintenance, repair, relocation and access as is necessary to provide public utilities.

A declaration of covenants, conditions, and restrictions for the subdivision shall be recorder hereafter.

Parcel A, a public utility easement and emergency access easement, is hereon granted.

In witness whereof:

Havasu Riviera LLC, as owner, has hereunto caused its name to be affixed and the same to be attested by the signature of the undersigned officer thereunto duly authorized this ____ day of _____, 2020.

Havasu Riviera LLC

By: _____
Jim Komick, Managing Member

DESCRIPTION

A portion of the N1/2NE1/4 Section 25, T13N, R20W, G&SRM, Lake Havasu City, Arizona, and being further described as follows:

Beginning at a point on the south line of Copper Canyon Drive which bears S45°53'05"E a distance of 528.57 feet from the N1/4 corner of Section 25; thence on said south line through the following six courses:

- S56°38'10"E a distance of 293.63 feet,
- on a 40.00-foot radius arc to the right a distance of 62.83 feet through a central angle of 89°59'53",
- (L1) S22°21'42"W a distance of 6.00 feet,
- (L2) S56°38'18"E a distance of 60.00 feet,
- (L3) N33°21'42"E a distance of 6.75 feet, and
- on a 40.00-foot radius arc to the right a distance of 61.18 feet through a central angle of 87°37'48";

thence on a 842.00-foot radius arc to the left a distance of 553.80 feet through a central angle of 37°41'03"; thence N83°18'48"E a distance of 33.71 feet; thence on a 418.00-foot radius arc to the right a distance of 265.00 feet through a central angle of 36°19'26"; thence radially from said arc S29°37'55"W a distance of 200.00 feet; thence N78°34'53"W a distance of 136.35 feet; thence S06°33'29"E a distance of 164.13 feet; thence S67°49'03"W a distance of 664.44 feet to the N1/16 line and the easternmost corner of Lot 27 of Parcel 2400A; thence on the northerly line of Lot 27 N56°38'18"W a distance of 473.94 feet to the west line of Lakeview Drive; thence on said west line

- (L2) S33°21'42"W a distance of 18.26 feet and
- (C13) on a 135.00-foot radius arc to the right a distance of 1.75 feet through a central angle of 00°44'32"

to the easternmost corner of Lot 28 of Parcel 2400A; thence on the north lines of Lots 28-32 and Parcel C of Parcel 2400A N56°38'18"W a distance of 527.11 feet; thence continuing on the northerly line of Parcel C N26°40'40"W a distance of 90.25 feet to the southeasterly line of Lakeview Village Drive as shown on the plat of Parcel 2400A; thence on said southeasterly line through the following seven courses:

- on a 485.00-foot radius arc to the right a distance of 104.18 feet through a central angle of 12°18'26",
- N63°20'32"E a distance of 46.71 feet,
- on a 1215.00-foot radius arc to the left a distance of 154.50 feet through a central angle of 07°17'09",
- N56°03'22"E a distance of 129.11 feet,
- on a 415.00-foot radius arc to the left a distance of 83.72 feet through a central angle of 11°33'31",
- N48°23'55"E a distance of 94.56 feet, and
- on a 25.00-foot radius arc to the right a distance of 32.71 feet through a central angle of 74°57'58" to the Point of Beginning.

Said parcel contains 18.61 acres.

CERTIFICATE OF OWNER

We, Havasu Riviera, LLC., owners and proprietors of Tract 2400B, hereby declare that we have caused the same to be surveyed and platted as shown hereon.

Dated this ____ day of _____, 2020.

HAVASU RIVIERA, LLC.

Printed Name: Jim Komick
Title: Managing Member

STATE OF _____)
COUNTY OF _____) SS

On this ____ day of _____, 2020, before me personally appeared Jim Komick, known to me to be the person described in the within instrument, and who acknowledged to me that he executed the same.

Notary Public for the State of _____
Residing at _____
My commission expires _____

CERTIFICATE OF SURVEYOR

I, J.W. Weeks, a Registered Land Surveyor in the State of Arizona, hereby certify that the survey of Tract 2400B as shown hereon was conducted under my supervision; that the exterior boundary of said subdivision is delineated on the ground by monuments as shown hereon; and that, to the best of my knowledge and belief, this plat is a true and correct representation of said survey. Monuments have not been installed at the corners of individual lots within this subdivision. Therefore, installation of said monuments are the responsibility of the owner or owner's successors in interest.

Dated this ____ day of _____, 2020.

J.W. Weeks, RLS
AZ Reg. No. LS-43021

CERTIFICATE OF MAYOR

I, _____, Mayor of Lake Havasu City, Arizona, hereby accept on behalf of the public all easements offered for dedication in conformity with the terms of dedication shown hereon.

Mayor
Lake Havasu City

Date

CERTIFICATE OF CITY CLERK

I, _____, Clerk of the City Council of Lake Havasu City, hereby certify that said council approved this map on the ____ day of _____, 2020, and accepted on behalf of the public all parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication.

City Clerk
Lake Havasu City

Date



Advanced Engineering and Environmental Services, Inc.
183 1st Ave. West, Dickinson, ND
Ph: 701-225-9636 Web: www.AE25.com
W:\Havasu Riviera LLC\PL1360-2016-000 - Havasu Riviera\CAO
Drawn\Survey\Plat\Parcel 2-3\PLAT-Parcel 2B-Plot.dwg
Page 1 of 2

PRELIMINARY
5/12/2020

Phase 2 of Wren Cove at
Havasu Riviera, Lots 39-76



CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	39.27	25.00	090°00'00"	N78°21'42"E
C2	39.83	25.00	091°16'59"	S12°16'47"E
C3	39.12	25.00	089°38'48"	S78°11'06"W
C4	39.27	25.00	090°00'00"	N11°38'18"W
C5	39.27	25.00	090°00'00"	S11°38'18"E
C6	39.27	25.00	090°00'00"	N78°21'42"E
C7	39.27	25.00	090°00'00"	N11°38'18"W
C8	39.27	25.00	090°00'00"	S78°21'42"W
C9	5.12	25.00	011°44'21"	S82°49'42"E
C10	29.15	25.00	066°48'31"	N57°53'52"E
C11	33.45	25.00	076°39'27"	S18°18'34"E
C12	36.45	25.00	083°32'41"	N58°25'34"E
C13	1.75	135.00	000°44'32"	S33°43'58"W

LEGEND

●

SET 5/8" REBAR W/ PLASTIC CAP MARKED "AE2S JWW RLS 43021"

○

FOUND 1/2" REBAR W/ PLASTIC CAP MARKED "AE2S JWW RLS 43021"

BC

BRASS CAP

BOB

BASIS OF BEARING

R/W

RIGHT OF WAY

PUE

PUBLIC UTILITY EASEMENT

PDE

PRIVATE DRAINAGE EASEMENT

RB

RADIAL BEARING

—

PLAT BOUNDARY

—

LOT LINE

—

ROAD CENTERLINE

—

SECTION LINE

—

EXISTING EASEMENT

—

PROPOSED EASEMENT

—

TIE LINE

City Council

FILE#: ID 20-2446

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Shawn Marie Irula, Human Resources/Risk Manager

SUBJECT:

Ratify Amendment No. 3 to the Services Agreement with CherryRoad Technologies, Inc., for Implementation Services for the Oracle Fusion Enterprise Resource Planning System (*Shawn Marie Irula*)

FUNDING SOURCE:

General Fund

PURPOSE:

Amend the Services Agreement with CherryRoad Technologies, Inc., for the implementation of the Oracle Fusion Enterprise Resource Planning (ERP) system.

BACKGROUND:

The City went live with the Human Capital Management (HCM) module of Oracle on August 24, 2019. Staff has been working with CherryRoad Technologies, Inc. (CRT) on configuration and system issues that arise as we utilize the system. Lake Havasu City does not have the staff available to dedicate to system configuration as it relates to the Positional Analysis, nor the expertise to investigate and correct issues as they arise. CRT is very familiar with the back-end configuration of the system and has been extremely resourceful in resolving issues. This amendment will allow the support hours needed to configure the system for the Positional Analysis implementation as well as troubleshoot and resolve issues. Staff recommends continuing the support with CRT for the HCM module.

COMMUNITY IMPACT:

Improved ERP services will allow the City to continue to improve automation, simplify processes, and provide more timely and complete financial reporting.

FISCAL IMPACT:

Funding in the amount of \$30,000 is available in the General Fund Human Resources/Risk Management budget for Fiscal Year 2020-21.

ATTACHMENTS:

Amendment No. 3 to Services Agreement

SUGGESTED MOTION:

I move to ratify Amendment No. 3 to the Services Agreement between Lake Havasu City and CherryRoad Technologies, Inc.



**AMENDMENT NO. 3 TO THE SERVICES AGREEMENT BETWEEN LAKE HAVASU CITY
AND CHERRYROAD TECHNOLOGIES INC. DATED NOVEMBER 28, 2017**

This Amendment No. 3 to Services Agreement dated November 28, 2017 ("Amendment") is entered into as of June 16, 2020 ("Effective Date"), by and between Lake Havasu City ("City") and CherryRoad Technologies Inc. ("CherryRoad"), together ("the Parties").

RECITALS: The Parties entered into a Services Agreement dated November 28, 2017 ("Agreement"). The City has subsequently requested additional support services related to the ERP System Implementation Services and this Amendment is necessary to add those services, as more fully described in the Scope of Work ("SOW") attached hereto as Exhibit 1.

NOW, THEREFORE, For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, hereby amend the Agreement as follows:

1. SUPPORT SERVICES

The SOW is hereby adopted and made part of the Agreement. The scope of support services to be provided by CherryRoad pursuant to such SOW will be invoiced in accordance with the terms contained in the SOW.

2. IMPACT SUMMARY

Impact	
Scope	CherryRoad will provide remote support as needed to City
Contingency	None
Schedule	None
Cost	\$30,000 for a block of 240 hours

3. Approval of this Amendment is an indication that CherryRoad is authorized to perform the described activities. Changes resulting from this Amendment will constitute the entire agreement between the Parties with respect to its subject matter. This Amendment is separate and independent from any other deliverables unless explicitly stated within this Amendment. This Amendment supersedes all prior or contemporaneous agreements, representations, or understandings, written or oral, explicit or implied, concerning the subject matter of this Amendment.

4. Except as expressly amended herein, all other terms and conditions of the Agreement (together with any prior amendments) 1 shall remain in full force and effect.

CHERRYROAD TECHNOLOGIES INC.

Signature

Print Name & Title

LAKE HAVASU CITY

Signature

Jess Knudson, City Manager
Print Name & Title

Exhibit 1 - Statement of Work Application Support

Consultant:	CherryRoad Technologies Inc.
Date:	June 16, 2020
Client:	City of Lake Havasu

Estimated Project Start Date

On June 16, 2020

Estimated Project End Date

On June 15, 2021

Assigned Project Team

Name of Staff	Role	Responsibility	Budgeted Hours
Cherry Road Managed Support	Oracle HCM Support	Support Hours for Oracle HCM Cloud Managed Services Team	240 Hours

Project Type

☒ Time & Materials or ☐ Fixed Bid

Cost Breakdown

- Hourly rate for Oracle HCM Cloud Managed Services Team Support is \$125/hour. This includes any project management/administrative hours needed to facilitate the execution of this contract (i.e. bi-weekly or monthly status reporting, etc.)
- All work will be remote.
- Engagement begins on June 16, 2020 and expires on June 15, 2021.
- Engagement duration is up to 12 months.
- Total fee (based on the budgeted hours) is \$30,000.

Project Assumptions

- At the direction of City of Lake Havasu, CherryRoad provide post-production functional and technical support for the Oracle HCM applications.

- Upon request from the ServiceNow ticket CRT will work to resolve the reported issue or support request.
- Prior to any work commencing for this application support SOW a time tracking code will be created and all time worked toward the application support will be tracked in this code.
- It is anticipated that City of Lake Havasu will perform typical Tier 1 support (i.e. password resets). This SOW is to provide Tier 2 and Tier 3 support for the HCM applications.
- This engagement will use CherryRoad's application support helpdesk (ServiceNow) to log and manage helpdesk tickets submitted by City of Lake Havasu.
- City of Lake Havasu will provide the necessary resources and protocols to ensure that CherryRoad is compliant with City of Lake Havasu processes and procedures.
- City of Lake Havasu will provide the necessary administrative support required to set up meetings, and other logistics required to complete the services remotely as outlined in this Statement of Work.
- It is assumed that all of this support will be provided remotely.
- Unused budgeted hours will be available for use by the City of Lake Havasu as needed. At the one year anniversary of this SOW, any remaining unused hours will automatically expire.
- Any expansion of scope beyond that defined in this SOW will be handled via a change control process.

Master Agreement

With the exception of the items listed below, this Statement of Work is governed by the terms and conditions of the Master Services Agreement dated November 28, 2017 ("Agreement") between the City of Lake Havasu and CherryRoad r:

Each party, and each person signing on behalf of a party, represents and warrants that it, he or she has full legal capacity and authority on its own behalf and on behalf of its predecessors, successors, and assigns heretofore and hereafter, to enter into and perform the respective obligations under this Agreement without any additional consent or approval.

This Agreement shall be binding upon, and inure to the benefit of the parties hereto, their representatives, employees, agents, independent contractors, successors and assigns.

Master Agreement exceptions

Payment Terms –CherryRoad will invoice the City of Lake Havasu for the budgeted hours upon signing of this SOW.

This Statement of Work shall be binding upon, and inure to the benefit of the parties hereto, their representatives, employees, agents, independent contractors, successors and assigns.

CherryRoad Technologies Inc.
("Consultant")

City of Lake Havasu
("Client")

By: _____

Printed Name: _____

Title: _____

Date: _____

By: _____

Printed Name: Jess Knudson

Title: City Manager

Date: 6.23.20

City Council

FILE#: ID 20-2442

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Kelly Williams, City Clerk

SUBJECT:

Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 5:00 p.m. Tuesday, July 28, 2020 (*Kelly Williams*)

City Council

FILE#: ID 20-2451

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Kelly Williams, City Clerk

SUBJECT:

Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions (*Kelly Williams*)

FUNDING SOURCE:

N/A

PURPOSE:

To announce vacancies on various Lake Havasu City boards, committees, and commissions.

BACKGROUND:

The attached spreadsheet provides a listing of the current vacancies. Applications are available at City Hall or on the Lake Havasu City website at www.lhcaz.gov <<http://www.lhcaz.gov>>.

There is no deadline to apply; the City Clerk's office will accept applications on a continuous basis.

COMMUNITY IMPACT:

Board, commission, and committee members play a pivotal role in providing guidance and direction on numerous important issues that develop our community.

FISCAL IMPACT:

N/A

ATTACHMENTS:

LHC Board/Committee/Commission Vacancies

SUGGESTED MOTION:

N/A



Board/Committee/Commission Vacancies July 14, 2020

Name of Board/Committee/Commission	Regular Member Vacancies	Alternate Member Vacancies	Meeting Date(s) and Time
Airport Advisory Board	0 Pilot 0 Non-Pilot	1 Pilot 0 Non-Pilot	Third Wednesday of every month at 5:30 p.m.
Board of Adjustment	4	3	Second and Fourth Wednesday of every month at 6:00 p.m.
Parks and Recreation Advisory Board	0 Regular 1 Student	N/A	Fourth Monday of every month at 6:00 p.m.
Planning and Zoning Commission	0	0	First and Third Wednesday of every month at 9:00 a.m.
Public Safety Personnel Retirement System	0	N/A	Meets as needed

City Council

FILE#: ID 20-2443

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Jess Knudson, City Manager

SUBJECT:
City Manager's Report (*Jess Knudson*)

City Council

FILE#: ID 20-2456

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Kelly Williams, City Clerk
Jess Knudson, City Manager

SUBJECT:

Introduce Ordinance No. 20-1236 Amending Lake Havasu City Code Chapters 11.06 and 11.08, Regarding the Parks and Recreation and Airport Advisory Boards (*Kelly Williams*)

FUNDING SOURCE:

N/A

PURPOSE:

To introduce an ordinance amending Lake Havasu City Code Chapters 11.06 and 11.08, regarding meeting frequency and powers and duties for the Lake Havasu City Parks and Recreation Advisory Board and Airport Advisory Board.

BACKGROUND:

At the February 6, 2020, City Council Planning Session, City staff sought direction from the City Council on processes for advisory boards including meeting frequency and powers and duties. This proposed ordinance makes the following changes to City Code Chapters 11.06 and 11.08, necessary to carry out the direction received, along with a couple of other proposed revisions and housekeeping items:

Chapter 11.06, Parks and Recreation:

- 1) Revising § 11.06.020 "Appointment and Terms of Office of Members" to add term limits for regular members. Also clarifies that members shall be appointed by the Mayor and City Council and any vacancy shall be filled by appointment for the unexpired term of the vacancy.
Changes the student member position from a 2-year term to a 1-year term, and clarifies that the Chairperson and Vice Chairperson shall be elected annually at the first regular meeting following July 1.
- 2) Removing § 11.06.030 "Compensation of Members" in its entirety.
- 3) Replacing § 11.06.050 "Officers" with "Quorum" and adds that five members of the board shall constitute a quorum and be necessary for the transaction of business.

4) Revising § 11.06.070 “Powers and Duties” changing the meeting frequency and streamlining the powers and duties of the Parks and Recreation Advisory Board as follows:

- 1) To hold and conduct meetings quarterly, or as needed if there is business to transact.
- 2) To form subcommittees as necessary.
- 3) To act in an advisory capacity and make recommendations on matters under the purview of the City Council regarding Lake Havasu City parks and recreation.

Removing lines 4 through 9.

Chapter 11.08, Airport Operating Regulations:

- 5) Revising § 11.08.970 “Board Established; Composition” fixing a typographical error from “member” to “members.”
- 6) Revising § 11.08.980 “Appointment and Terms of Office of Members” to add term limits for regular and alternate members. Also clarifies that the Chairperson and Vice Chairperson shall be elected annually at the first regular meeting following July 1.
- 7) Revising § 11.08.1000 “Attendance at Meetings” to remove that the Chairperson is to inform the City Council of any resignation in writing or request a replacement.
- 8) Revising § 11.08.1010 “Powers and Duties” changing the meeting frequency and streamlining the powers and duties of the Airport Advisory Board as follows:
 - A) To hold and conduct meetings quarterly, or as needed if there is business to transact.
 - B) To form subcommittees as necessary.
 - C) To act in an advisory capacity and make recommendations on matters under the purview of the City Council regarding the Lake Havasu City Municipal Airport.

Removing lines D through J.

COMMUNITY IMPACT:

Clear and up-to-date City Code provisions promote efficient and effective operations.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance No. 20-1236

Tracked Changes to Chapters 11.06 and 11.08

SUGGESTED MOTION:

I move to introduce Ordinance No. 20-1236 amending Lake Havasu City Code Chapters 11.06 and 11.08, regarding the Parks and Recreation and Airport Advisory Boards.

ORDINANCE NO. 20-1236

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY,
MOHAVE COUNTY, ARIZONA, AMENDING LAKE HAVASU CITY CODE
CHAPTERS 11.06 AND 11.08 REGARDING THE PARKS AND RECREATION AND
AIRPORT ADVISORY BOARDS**

IT IS ORDAINED, by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: That Lake Havasu City Code Chapter 11.06, Article 1, Parks and Recreation Advisory Board, Sections 11.06.020, 11.06.030, 11.06.050, and 11.06.070 are revised as follows:

§ 11.06.020 APPOINTMENT AND TERMS OF OFFICE OF MEMBERS.

A. The members of the Parks and Recreation Advisory Board shall be appointed by the Mayor and City Council. The Board shall consist of 8 regular members and 1 student member.

B. Each member shall serve without pay for a term of 3 years unless sooner removed. No member shall serve more than 2 consecutive, full terms, plus any unexpired term that they have been appointed to fill. Except that in no case shall a member's tenure exceed 7 ½ years. After completion of 2 full terms, or 7 ½ years, a member may not be considered for appointment as a regular member for a period of 12 months. Each regular member shall serve until his or her successor is appointed and qualified. The terms shall be staggered so that the terms of not more than 2 regular members shall conclude in any given year. Any vacancy shall be filled by appointment by the Mayor and City Council for the unexpired term of the vacancy.

C. The student member of the Board shall be enrolled in a local high school and shall serve a term of 1 year. The student member shall be entitled to vote.

D. All terms of office shall commence on July 1 in the year of appointment.

E. Members shall elect a Chairperson and Vice Chairperson annually, at the first regular meeting following July 1, who shall serve a term of 1 year.

§ 11.06.030 RESERVED.

§ 11.06.050 QUORUM.

Five members of the board shall constitute a quorum and be necessary for the transaction of business.

§ 11.06.070 POWERS AND DUTIES.

- A. The Parks and Recreation Advisory Board shall have the following powers and duties:
1. To hold and conduct meetings quarterly, or as needed if there is business to transact.
 2. To form subcommittees as necessary.
 3. To act in an advisory capacity and make recommendations on matters under the purview of the City Council regarding Lake Havasu City parks and recreation.

Section 2: That Lake Havasu City Code Chapter 11.08, Article X, Airport Advisory Board, Sections 11.08.970, 11.08.980, 11.08.1000, and 11.08.1010 are revised as follows:

§ 11.08.970 BOARD ESTABLISHED; COMPOSITION.

There is established an Airport Advisory Board to be composed of 7 members and no less than 2 or more than 3 alternate members. At least 6 of the members must be qualified electors and full-time residents of the City for at least 1 year immediately preceding the date of appointment. At least 3 members shall be citizens-at-large who are non-pilots. One member may be a non-resident of the City, but must reside in the area served by the Lake Havasu City Municipal Airport for at least one year immediately preceding appointment.

§ 11.08.980 APPOINTMENT AND TERMS OF OFFICE OF MEMBERS.

- A. The members and alternates of the Airport Advisory Board shall be appointed by the Mayor and City Council.
- B. Each member and alternate appointed shall serve without pay for a term of 3 years unless sooner removed. No member shall serve more than 2 consecutive, full terms, plus any unexpired term that they have been appointed to fill. Except that in no case shall a member's tenure exceed 7 ½ years. After completion of 2 full terms, or 7 ½ years, a member may not be considered for appointment as a regular or alternate member for a period of 12 months. Each member shall serve until his or her successor is appointed and qualified. The terms shall be staggered so that the terms of not more than 3 regular members or 2 alternate members shall conclude in any given year. Any vacancy shall be filled by appointment by the Mayor and City Council for the unexpired term of the vacancy.
- C. All terms of office shall commence on July 1 in the year of appointment.
- D. Members shall elect a Chairperson and Vice Chairperson annually, at the first regular meeting following July 1, who shall service for a terms of 1 year.

§ 11.08.1000 ATTENDANCE AT MEETINGS.

The absence from 3 regular meetings of the Airport Advisory Board in any calendar year by a voting member without consent of the Board shall be deemed a resignation, and the position shall be deemed vacant.

§ 11.08.1010 POWERS AND DUTIES.

A. The Airport Advisory Board shall have the following powers and duties:

1. To hold and conduct meetings quarterly, or as needed if there is business to transact.
2. To form subcommittees as necessary.
3. To act in an advisory capacity and made recommendations on matters under the purview of the City Council regarding the Lake Havasu City Municipal Airport.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 4: If any section, subsection, sentence, clause, phrase, or portion 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.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on _____, 2020.

APPROVED:

Cal Sheehy, Mayor

ATTEST:

Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Jess Knudson, City Manager

ARTICLE I. PARKS AND RECREATION ADVISORY BOARD

§ 11.06.010 BOARD ESTABLISHED—COMPOSITION.

There is established a Parks and Recreation Advisory Board, to be composed of 9 members, and to have the powers and duties set forth in this article.

§ 11.06.020 APPOINTMENT AND TERMS OF OFFICE OF MEMBERS.

A. The members of the Parks and Recreation Advisory Board shall be ~~selected~~ APPOINTED BY ~~from residents of the city by~~ the Mayor and City Council. The Board shall consist of 8 regular members and 1 student member.

B. EACH MEMBER SHALL SERVE WITHOUT PAY FOR A TERM OF 3 YEARS UNLESS SOONER REMOVED. NO MEMBER SHALL SERVE MORE THAN 2 CONSECUTIVE FULL TERMS, PLUS ANY UNEXPIRED TERM THAT THEY HAVE BEEN APPOINTED TO FILL. EXCEPT THAT IN NO CASE SHALL A MEMBER'S TENURE EXCEED 7 ½ YEARS. AFTER COMPLETION OF 2 FULL TERMS, OR 7 ½ YEARS, A MEMBER MAY NOT BE CONSIDERED FOR APPOINTMENT AS A REGULAR MEMBER FOR A PERIOD OF 12 MONTHS. ~~The terms of office for all regular members shall be 3 years and shall commence upon the first day of July and shall end on the thirtieth day of June 3 years thereafter.~~ Each regular member shall serve until his or her successor is appointed and qualified. The terms shall be staggered so that the terms of not more than 2 regular members shall conclude in any given year. ANY VACANCY SHALL BE FILLED BY APPOINTMENT BY THE MAYOR AND CITY COUNCIL FOR THE UNEXPIRED TERM OF THE VACANCY.

C. The student member of the Board shall be enrolled in a local high school and shall serve a term of ~~2-1 years~~. The student member shall be entitled to vote.

~~D. Members shall elect a Chairperson and Vice Chairperson annually who shall serve a term of 1 year.~~ ALL TERMS OF OFFICE SHALL COMMENCE ON JULY 1 IN THE YEAR OF APPOINTMENT.

~~E. All terms of office shall commence on July 1 in the year of appointment.~~ MEMBERS SHALL ELECT A CHAIRPERSON AND VICE CHAIRPERSON ANNUALLY, AT THE FIRST REGULAR MEETING FOLLOWING JULY 1, WHO SHALL SERVE A TERM OF 1 YEAR.

§ 11.06.021 RESERVED.

§ 11.06.030 ~~COMPENSATION OF MEMBERS~~ RESERVED.

~~Members of the Parks and Recreation Advisory Board shall receive no compensation for their services as Board members.~~

§ 11.06.040 DEPARTMENT OVERSIGHT.

The Parks and Recreation Department shall oversee the Parks and Recreation Advisory Board.

§ 11.06.050 ~~OFFICERS~~ QUORUM

~~The officers of the Board shall be selected by the Board members at the first meeting of the Board following the first day of July each year and shall serve in such capacity until the last day of June of the succeeding year. No officer shall serve in the same capacity for more than 2 consecutive 1-year terms.~~

FIVE MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM AND BE NECESSARY FOR THE TRANSACTION OF BUSINESS.

§ 11.06.060 ATTENDANCE AT MEETINGS.

The absence from 3 consecutive regular meetings of the Board by any member thereof without the consent of the Board shall be deemed to constitute a resignation of such member, and such member's position shall thereupon be deemed vacant.

§ 11.06.070 POWERS AND DUTIES.

A. The Parks and Recreation Advisory Board shall have the following powers and duties:

1. ~~To set a time for regular meetings which shall be held at least once each month if there is business to transact, whereby 5 members shall constitute a quorum for the transaction of business; TO HOLD AND CONDUCT MEETINGS QUARTERLY, OR AS NEEDED IF THERE IS BUSINESS TO TRANSACT.~~

2. ~~To organize by electing a Chairperson and a Vice-Chairperson; TO FORM SUBCOMMITTEES AS NECESSARY.~~

3. ~~To review and approve the official minutes of all Board meetings as prepared by the Parks and Recreation Department prior to the transmittal of such minutes to the City Council; TO ACT IN AN ADVISORY CAPACITY AND MAKE RECOMMENDATIONS ON MATTERS UNDER THE PURVIEW OF THE CITY COUNCIL REGARDING LAKE HAVASU CITY PARKS AND RECREATION.~~

~~—4. To assist and advise the City Council and City Manager in the establishment of essential policies, rules, and regulations relating to the planning, acquisition, disposition, operation, use, care, and maintenance of areas and structures owned, leased, or otherwise acquired by the city for use as parks and/or recreational centers;~~

~~—5. To assist and advise the Parks and Recreation Director in the development of a continuing plan for the city's park system and recreation programs. The City Manager, through the Parks and Recreation Director, shall from time to time send such plans and programs to the Board for review. The results of such reviews shall be forwarded to the City Council;~~

~~—6. To assist and advise the Parks and Recreation Director in establishing priorities at budget time for those items, other than administrative functions, relating to park acquisition and development and recreational and leisure programming. The recommendations of the Board shall be forwarded to the City Council by the City Manager when he or she submits the proposed budget to the Council;~~

~~—7. To receive, accept, and acquire, subject to final action by the City Council, by gift, bequest, or devise real and/or personal property of any and every kind, nature and description in the name of the city for park and/or recreational purposes, subject to the terms of the gift;~~

~~—8. To suggest to the Mayor and City Council qualified and interested persons eligible for appointment to vacancies on the Board;~~

~~—9. To prepare and recommend to the City Council for approval a master plan for the development of municipally owned parks and a specific plan for the development of each city park.~~

ARTICLE X. AIRPORT ADVISORY BOARD

§ 11.08.970 BOARD ESTABLISHED; COMPOSITION.

There is established an Airport Advisory Board to be composed of 7 members and no less than 2 or more than 3 alternate members. At least 6 of the memberS must be qualified electors and full-time residents of the city for at least 1 year immediately preceding the date of appointment. At least 3 members shall be citizens-at-large who are non-pilots. One member may be a non-resident of the city, but must reside in the area served by the Lake Havasu City Municipal Airport for at least one year immediately preceding appointment.

§ 11.08.980 APPOINTMENT AND TERMS OF OFFICE OF MEMBERS.

A. The members and alternates of the Airport Advisory Board shall be appointed by the Mayor and City Council.

B. Each member and alternate appointed shall serve without pay for a term of 3 years unless sooner removed. ~~There is no limitation on the number of terms a member may serve.~~ NO MEMBER SHALL SERVE MORE THAN 2 CONSECUTIVE FULL TERMS, PLUS ANY UNEXPIRED TERM THAT THEY HAVE BEEN APPOINTED TO FILL. EXCEPT THAT IN NO CASE SHALL A MEMBER'S TENURE EXCEED 7 ½ YEARS. AFTER COMPLETION OF 2 FULL TERMS, OR 7 ½ YEARS, A MEMBER MAY NOT BE CONSIDERED FOR APPOINTMENT AS A REGULAR OR ALTERNATE MEMBER FOR A PERIOD OF 12 MONTHS. Each member shall serve until his or her successor is appointed and qualified. THE TERMS SHALL BE STAGGERED SO THAT THE TERMS OF NOT MORE THAN 3 REGULAR MEMBERS OR 2 ALTERNATE MEMBERS SHALL CONCLUDE IN ANY GIVEN YEAR. Any vacancy shall be filled by appointment by the Mayor and City Council for the UNexpired term of the vacancy.

C. ~~Members shall elect a Chairperson and Vice Chairperson annually who shall serve a term of 1 year.~~ ALL TERMS OF OFFICE SHALL COMMENCE ON JULY 1 IN THE YEAR OF APPOINTMENT.

D. ~~All terms of office shall commence on July 1 in the year of appointment.~~ MEMBERS SHALL ELECT A CHAIRPERSON AND VICE CHAIRPERSON ANNUALLY, AT THE FIRST REGULAR MEETING FOLLOWING JULY 1, WHO SHALL SERVE A TERM OF 1 YEAR.

§ 11.08.990 QUORUM.

Four members of the Board shall constitute a quorum and be necessary for the transaction of business. The Chairperson shall temporarily appoint alternate members to the position of regular members to obtain a quorum. Alternate members may vote only when serving in such a capacity.

§ 11.08.1000 ATTENDANCE AT MEETINGS.

The absence from 3 regular meetings of the Airport Advisory Board in any calendar year by a voting member without consent of the Board shall be deemed a resignation, and the

position shall be deemed vacant. ~~The Chairperson is to inform the City Council of any resignation in writing and request a replacement.~~

§ 11.08.1010 POWERS AND DUTIES.

A. The Airport Advisory Board shall have the following powers and duties:

1. To hold and conduct meetings ~~at appropriate intervals, but not less than quarterly~~ .QUARTERLY, OR AS NEEDED IF THERE IS BUSINESS TO TRANSACT.
2. To form subcommittees as necessary.
3. ~~To recommend to the City Council plans for the regulation of future growth, development, and beautification of the Lake Havasu Municipal Airport and its immediate environs.~~ TO ACT IN AN ADVISORY CAPACITY AND MAKE RECOMMENDATIONS ON MATTERS UNDER THE PURVIEW OF THE CITY COUNCIL REGARDING THE LAKE HAVASU CITY MUNICIPAL AIRPORT.

~~—D. To review and recommend to the City Council proposed land use relating to leases and fixed based operation, including the proper and harmonious use of lands surrounding the airport.~~

~~—E. To recommend to the City Council policies governing airport budgeting and rates and fees to be charged all users of the airport.~~

~~—F. To meet with the City Council as necessary to report activities, provide pertinent information, answer questions, and respond to Council's direction.~~

~~—G. To promote, support, and enhance the overall image and benefits of the airport to airport tenants, users, and city residents.~~

~~—H. To hear complaints and recommend such resolutions as appropriate.~~

~~—I. To comply with all applicable city ordinances and state and federal laws in the execution of its duties.~~

~~—J. The Board shall not obligate the city for any fees, services, or materials without prior written approval of the City Manager.~~

City Council

FILE#: ID 20-2422

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Stuart Schmeling, Director, Development Services Department

SUBJECT:

Adopt Ordinance No. 20-1235 Amending the Zoning Classification and District Boundary for 386 and 390 Lake Havasu Avenue N., Tract 2252, Block 2, Lots 6 & 7, from MU-N/PD (Mixed Use - Neighborhood/Planned Development District) to R-M (Multiple-Family Residential District) (*Luke Morris*)

FUNDING SOURCE:

N/A

PURPOSE:

To adopt an ordinance to rezone the property at 386 and 390 Lake Havasu Avenue N., Tract 2252, Block 2, Lots 6 & 7, from MU-N/PD to R-M.

BACKGROUND:

The subject property is located on Lake Havasu Avenue N. at the southeast corner of Sabino Drive. It consists of two vacant lots that total 1.14 acres. An area map showing the property is attached.

In January 2008, the property was rezoned from R-4 (Multi-Family Residential District) to C-R/PD (Commercial Residential/Planned Development District) as part of a development that included Lots 3 through 7. That project included a specific development plan for Lots 3, 4, and 5. However, it did not include a plan for Lots 6 and 7, which were shown as vacant. That development has not occurred, and all five lots are vacant. The 2008 Planned Development Ordinance and Development Plan are attached.

In June 2012, the City Council approved an amendment to the 2008 Planned Development to allow a 57-unit hotel project on subject Lots 6 and 7. That development has not occurred, and the lots are vacant. The 2012 Planned Development Ordinance and Development Plan for Lots 6 and 7 are attached.

In 2016, the Development Code was updated and revised. As part of the update, the zoning designation for R-4 (Multiple-Family Residential District) was renamed R-M (Multiple-Family Residential District), and the C-R (Commercial Residential District) designation was replaced by MU-N (Mixed Use - Neighborhood District).

The applicant has requested to remove the current MU-N/PD zoning designation from Lots 6 and 7 and revert to the previous R-M District. At this time, they have not presented a development plan for the property. Lots 3, 4, and 5 are not included in this request. If the rezone is approved, they will be able to develop any of the uses allowed in the R-M zoning district on Lots 6 and 7. The R-M zoning allows building height of up to 30 feet and up to 20 residential units per acre.

The owner/applicant intends to develop residential uses on the property, but has not presented specific development plans to staff. If rezoned, any future development is required to meet the R-M development standards and go through design review as applicable. Please see the R-M column on the attached Permitted Uses Table for a list of allowed uses.

A Citizen's Meeting was held on May 2, 2020. No property owners within 300 feet of the subject property attended the meeting. Staff also received an email from a nearby property owner with concerns about the request that has been included in the attached Citizen's Meeting Summary.

The Planning Commission heard this request at its June 3, 2020, meeting and recommended approval with a vote of 7-0. Video of the Planning Commission's meeting may be viewed at the following web site:

<https://lakehavasucity.legistar.com/Calendar.aspx>

COMMUNITY IMPACT:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance No. 20-1235

Area Map

2008 PD Ordinance and Development Plan

2012 PD Ordinance and Development Plan

Citizen's Meeting Summary

Current Zoning Map

Permitted Uses Table

SUGGESTED MOTION:

I move to adopt Ordinance No. 20-1235 rezoning 386 & 390 Lake Havasu Avenue N, Tract 2252, Block 2, Lots 6 & 7, from MU-N/PD to R-M.

ORDINANCE NO. 20-1235

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY,
MOHAVE COUNTY, ARIZONA, AMENDING THE ZONING CLASSIFICATION AND
DISTRICT BOUNDARY FOR 386 & 390 LAKE HAVASU AVENUE N, TRACT 2252,
BLOCK 2, LOTS 6 & 7, FROM MU-N/PD (MIXED USE -
NEIGHBORHOOD/PLANNED DEVELOPMENT DISTRICT) TO R-M (MULTIPLE-
FAMILY RESIDENTIAL DISTRICT)**

IT IS ORDAINED, by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: That 386 and 390 Lake Havasu Avenue N., Tract 2252, Block 2, Lots 6 & 7, lying within the corporate limits of Lake Havasu City, Arizona, are rezoned from MU-N/PD (Mixed Use - Neighborhood/Planned Development District) to R-M (Multiple-Family Residential District), and the district boundary is revised accordingly.

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 3: If any section, subsection, sentence, clause, phrase, or portion 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.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on July 14, 2020.

APPROVED:

Cal Sheehy, Mayor

ATTEST:

Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Jess Knudson, City Manager

Area Map



ORDINANCE NO. 08-905

**AN ORDINANCE OF LAKE HAVASU CITY, ARIZONA
APPROVING A GENERAL DEVELOPMENT PLAN AND AMENDING THE ZONING
CLASSIFICATION AND DISTRICT BOUNDARY FOR THE PROPERTY DESCRIBED
AS TRACT 2252, BLOCK 2, LOTS 3-7 LOCATED WITHIN THE CORPORATE
LIMITS OF LAKE HAVASU CITY FROM R-4 (MULTI-FAMILY RESIDENTIAL) TO
C-R/PD (COMMERCIAL RESIDENTIAL/PLANNED DEVELOPMENT)**

BE IT ORDAINED, by the Mayor and City Council of Lake Havasu City, Mohave County, Arizona, as follows:

SECTION 1: That property described hereto as Tract 2252, Block 2, Lots 3-7 lying within the boundaries of Lake Havasu City, Arizona, shall be and is hereby reclassified from R-4 (Multi-Family Residential) to C-R/PD (Commercial Residential/Planned Development) with the following conditions:

1. A planned development amendment, including a specific development plan, must be approved prior to any development of Lots 6 & 7.
2. A 6-foot masonry screen wall along the rear property line of Lots 3-7 and along the southern property line of Lot 3 will be required. The wall must be located nearest the rear property line.
3. A minimum of a 10-foot landscape buffer along the entire property along Lake Havasu Avenue is required.
4. Standard off-site improvements including street widening, curbs, and sidewalks are required upon development of the properties.
5. Ingress/egress off of Sabino Drive is prohibited.
6. The trash enclosure be located along the northern property line.

SECTION 2: That the General Development Plan for the herein described property is hereby approved as a guide for future development of the site pursuant to Chapter 14.44.070 of the Lake Havasu City Development Code.

SECTION 3: The official copy of the General Development Plan as hereby approved shall be kept in the office of the Zoning Administrator until such time as the plan has been fully implemented.

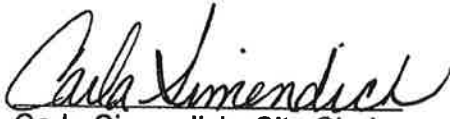
PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, this 8th day of January, 2008.

APPROVED this 8th day of January, 2008 by the affirmative vote of a majority of the members of the Lake Havasu City Council.

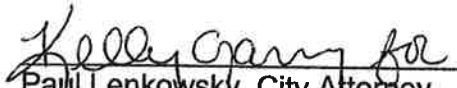
APPROVED:


Mark S. Nexsen, Mayor

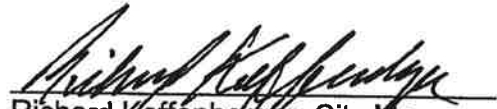
ATTEST:


Carla Simendich, City Clerk

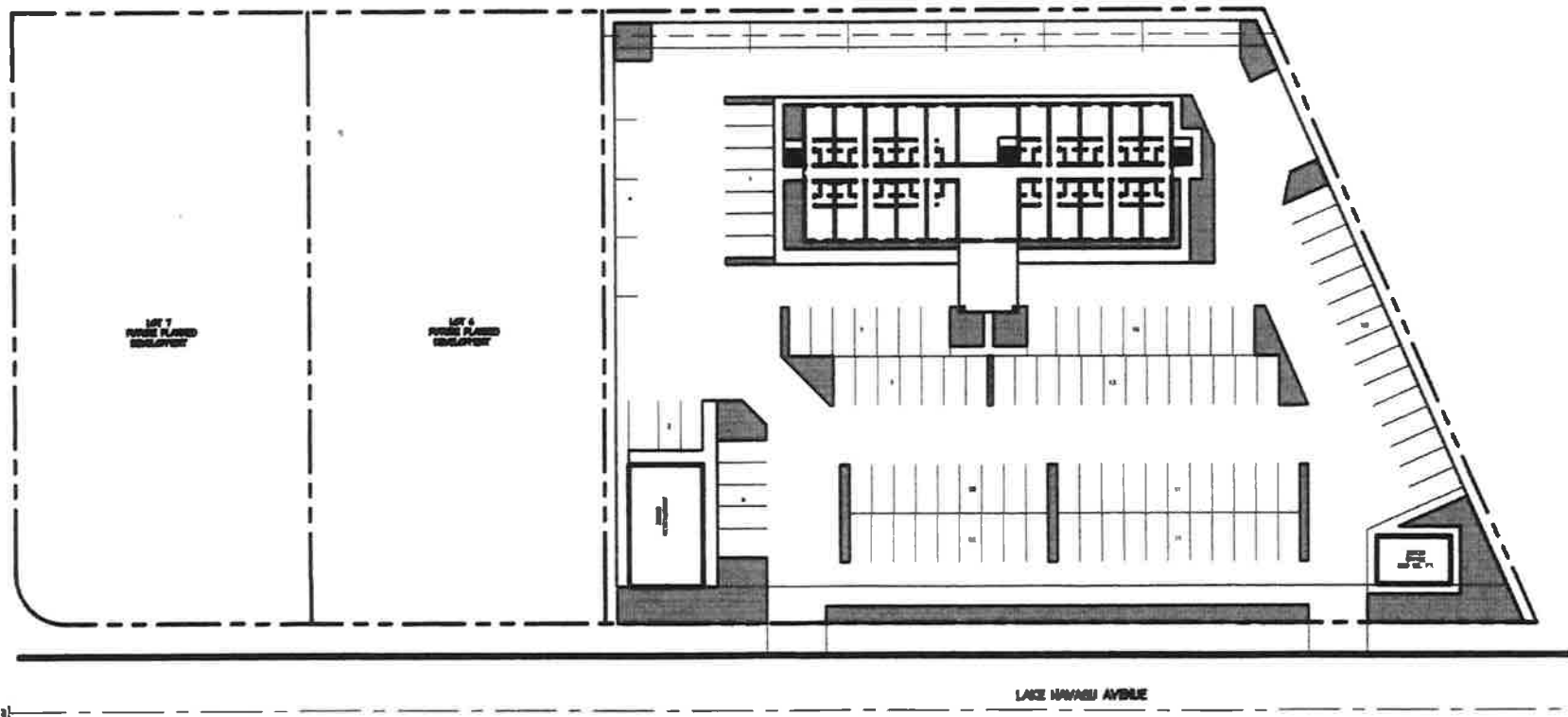
APPROVED AS TO FORM:


Paul Lenkowsky, City Attorney

REVIEWED BY:


Richard Kaffenberger, City Manager

PROPOSED HOTEL



ORDINANCE NO. 12-1076

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, APPROVING A MAJOR AMENDMENT TO PLANNED DEVELOPMENT 08-00200001 FOR LOTS 6 & 7, BLOCK 2, TRACT 2252 TO ADOPT A GENERAL DEVELOPMENT PLAN FOR A 57-UNIT HOTEL SUBJECT TO CONDITIONS OF APPROVAL, FULFILLING A CONDITION OF APPROVAL OF C-R/PD (COMMERCIAL RESIDENTIAL/PLANNED DEVELOPMENT) ZONING AND OF THE GENERAL DEVELOPMENT PLAN ON LOTS 6 & 7.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: The General Development Plan for Planned Development 08-00200001 in the C-R/PD (Commercial Residential/Planned Development) zoning district is hereby amended for Lots 6 & 7, Block 2, Tract 2252 within the corporate limits of Lake Havasu City, Arizona, to allow for development of a 57-unit hotel and hotel amenities subject to conditions of approval as provided herein, and by approval of this amendment to the General Development Plan, fulfilling Condition #1 of the approval of C-R/PD zoning and General Development Plan by Ordinance No. 08-905;

Section 2: The conditions of approval adopted in Ordinance No. 08-905 shall remain in effect and application except as modified herein as to Lots 6 & 7, Block 2, Tract 2252.

Section 3: That the revised general development plan for the herein described properties hereby allows for the use approved in this ordinance within the C-R/PD zoning district and is hereby approved as a guide for future development of the site pursuant to Section 14.44.070 of the Lake Havasu City Code with the following conditions:

1. The parking calculation used to determine the minimum parking spaces is one (1) parking space for each unit. The guest parking and RV parking requirements remain as set forth within Section 14.36.030 of the Lake Havasu City Code.

2. A no vehicular access easement along the Sabino Drive property line is dedicated. The easement must be dedicated and recorded prior to any permits being issued for the development.

3. A 6-foot masonry screen wall shall be provided along the rear property line. The wall must be located nearest the rear property line. As required by Condition 2 of Ordinance No. 08-905, construction of the 6-foot masonry wall along the rear property line of Tract 2252, Block 2, Lots 6 & 7 shall allow for integration with the 6-foot masonry wall along the rear property lines of Lots 3 – 5.

Section 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

Section 5: If any section, subsection, sentence, clause, phrase or portion 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.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, this 12th day of June, 2012.

APPROVED:


Mark S. Nexsen, Mayor

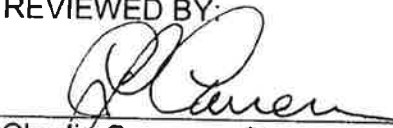
ATTEST:


Kelly Williams, Acting City Clerk

APPROVED AS TO FORM:


Kelly Garry, City Attorney

REVIEWED BY:


Charlie Cassens, City Manager

N 89°36'35" W 440.05' (W)
N 88°34'49" W 440.00' (R)

N 00°15'11" E 910.00' (R) 910.28' (M)
BASIS OF BEARINGS

71 PARKING SPACES

FRESH FLOOR 547

DOG RUN AREA

PROPOSED SITE PLAN

LOT 5
VACANT

Notice of Public Meeting

Regarding vacant property on Lake Havasu Avenue

386 N. Lake Havasu Avenue

1.40 Acres

APN #107-18-011 and 107-18-010

You are invited to participate and provide comment regarding a proposed zoning use change for the above mentioned project - see attached exhibit for location. A public scoping meeting, a part of the City's review process, will be on the property to present the proposed project and provide opportunity for public comment.

The applicant is seeking a zoning use change for this parcels from C/RPD to R-M original zoning.

When: Saturday May 2, 2020

Time: 10:00 am

Where: 386 Lake Havasu Avenue
Lake Havasu City, AZ

Additionally, comments and concerns may be submitted directly through the following methods:

Email: mikedagon@hotmail.com

Mail: [REDACTED]
Lake Havasu City, AZ 86406 [REDACTED]

Email: schmelings@lhcaz.gov

Mail: Lake Havasu City
Stuart Schemling
2330 McCulloch Blvd
Lake Havasu City, AZ 86403

300' RADIUS REPORT
107-18-010 AND 011

Owner	Situs Address	Mailing Address	City	State	Zip
107-96-001	381 LAKE HAVASU AVE N				
107-23-027	441 LAKE HAVASU AVE N				
107-23-026	431 LAKE HAVASU AVE N				
107-06-004	421 SEDONA DR				
107-82-002	406 NOLAND CT				
107-82-004	418 NOLAND CT				
107-82-005	424 NOLAND CT				
107-82-006	425 NOLAND CT				
107-82-008	413 NOLAND CT				
107-06-009	408 SEDONA DR				
107-06-023	396 SABINO DR				
107-82-009	407 NOLAND CT				
107-18-010	386 LAKE HAVASU AVE N				
17-18-011	390 LAKE HAVASU AVE N				
107-18-009	380 LAKE HAVASU AVE N				
107-06-021	392 SABINO DR				
107-06-051	1705 PAPAGO DR				
107-06-052	1681 PAPAGO DR				
107-18-014	420 LAKE HAVASU AVE N				
107-82-001	400 NOLAND CT				
107-82-003	412 NOLAND CT				
107-82-007	419 NOLAND CT				
107-18-007	360 LAKE HAVASU AVE N				
107-18-008	370 LAKE HAVASU AVE N				
107-23-025	421 LAKE HAVASU AVE N				
107-47-044	401 LAKE HAVASU AVE N				
107-06-003	417 SEDONA DR				
107-06-001	401 SEDONA DR				
107-06-002	409 SEDONA DR				
107-06-008	400 SEDONA DR				
107-06-022	394 SABINO DR				
107-06-024	398 SABINO DR				
107-06-049	1725 PAPAGO DR				

107-06-050		1715 PAPAGO DR		
107-06-053		1671 PAPAGO DR		
107-06-054		1661 PAPAGO DR		
107-06-055		1651 PAPAGO DR		
107-06-056		1641 PAPAGO DR		

10:0 AM

5-2-2020

PHONE #
OR
EMAIL

NAME

ADDRESS

NO ONE IN

ATTENDANCE

RE: apn 107-18-010 / 011

Stuart Schmeling <SchmelingS@lhcaz.gov>

Fri 5/1/2020 8:19 AM

To: Casey Elliott [REDACTED] Mike Dagon <mikedagon@hotmail.com>

Casey;

I believe the properties are zoned MU-N/PD, Mixed Use Neighborhood Planned Development. Underlying zoning districts allow a variety of uses. The Mixed Use neighborhood district allows things such as offices, medical offices, alcohol beverage sales, restaurants, and retail to name a few. By adding the "planned development" to the site it allows Council to approve a specific use from that list, including a site plan so they can more effectively determine possible impacts on the surrounding properties and determine if specific conditions are warranted to mitigate possible impacts. This particular planned development was approved several years ago and the new owner has no intention of developing a hotel. Prior to the planned development, these properties were zoned R-4, which was high density residential in our previous code prior to 2016. In today's code, RM-Residential Multifamily has the same standards as the old R-4 District. More importantly, the entire east side of Lake Havasu Avenue from Papago to the wash north of your property was zoned R-4 (RM) before the planned development changed these lots. The applicant is simply asking to have the lots return back to the zoning that was in place for many years. The RM district allows different styles of multi-family including attached and detached single family homes, to apartments and condos, but only residential uses. Residential uses traditionally have a lesser impact on adjacent properties than mixed use or commercial developments.

If you have further questions, please let me know, I would be happy to answer them.

Stuart Schmeling, AICP
Development Services Director
schmelings@lhcaz.gov
(928) 453-4149 Direct # 928-854-0714



From: Casey Elliott [REDACTED]
Sent: Thursday, April 30, 2020 4:24 PM
To: Mike Dagon <mikedagon@hotmail.com>

Cc: Stuart Schmeling <SchmelingS@lhcaz.gov>

Subject: Re: apn 107-18-010 / 011

Isn't RPD "residential planned development" whereas RM is medium density housing ie apartments

Thank you for your time

Casey Elliott



On Apr 30, 2020, at 4:04 PM, Mike Dagon <mikedagon@hotmail.com> wrote:

Thank you for your comments, I will add them to the filing. I do hope you understand that the property is presently zoned for Hotel/Motel and we are asking for it to be put back to its original zoning.

Regards

From: [REDACTED]
Sent: Thursday, April 30, 2020 2:43 PM
To: mikedagon@hotmail.com <mikedagon@hotmail.com>
Cc: schmelings@lhcaz.gov <schmelings@lhcaz.gov>
Subject: apn 107-18-010 / 011

To whom it may concern

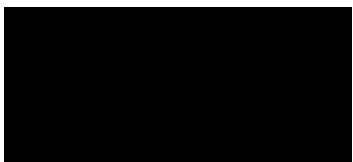
I am writing you in regards to the proposed rezoning near my home at [REDACTED] I will make it easy, if this rezoning goes through not only will I be selling this house I will sell my other 2 homes and pull my business out of Lake Havasu, which has been in business for almost 20 years in the city of Lake Havasu, as this re-zoning is unacceptable to our neighborhood. Recently the city decided to add a lane in this area already which has resulted in us being limited on getting in and out of our neighborhood, it has made it extremely difficult to get a boat into our community although every single house in our community has a boat deep garage and was a huge selling point. I am the only person who still has my boat parked in my garage due to not being able to safely get boats into most garages. Furthermore the street is so close to our community property line there has been numerous accidents with people leaving our community, we have to have our front end of our cars almost on the street to be able to see oncoming traffic, I had a gentleman towing a trailer hit the front of my truck with his fender although my truck was still on our "property". This zoning would allow them to build a 30' tall building which would also destroy the views we have of the lake, we all have views that would be obstructed for the greed of other people but it would also increase traffic in a area that already has a lot of traffic noise as well as congestion especially during the summer. Its unacceptable to think that the city of Lake Havasu has zero care about existing property and business owners and are only looking out for large developers.

Thank you in advance for you time; please let me know if you have any questions.

Casey Elliott

5/1/2020

Mail - Mike Dagon - Outlook

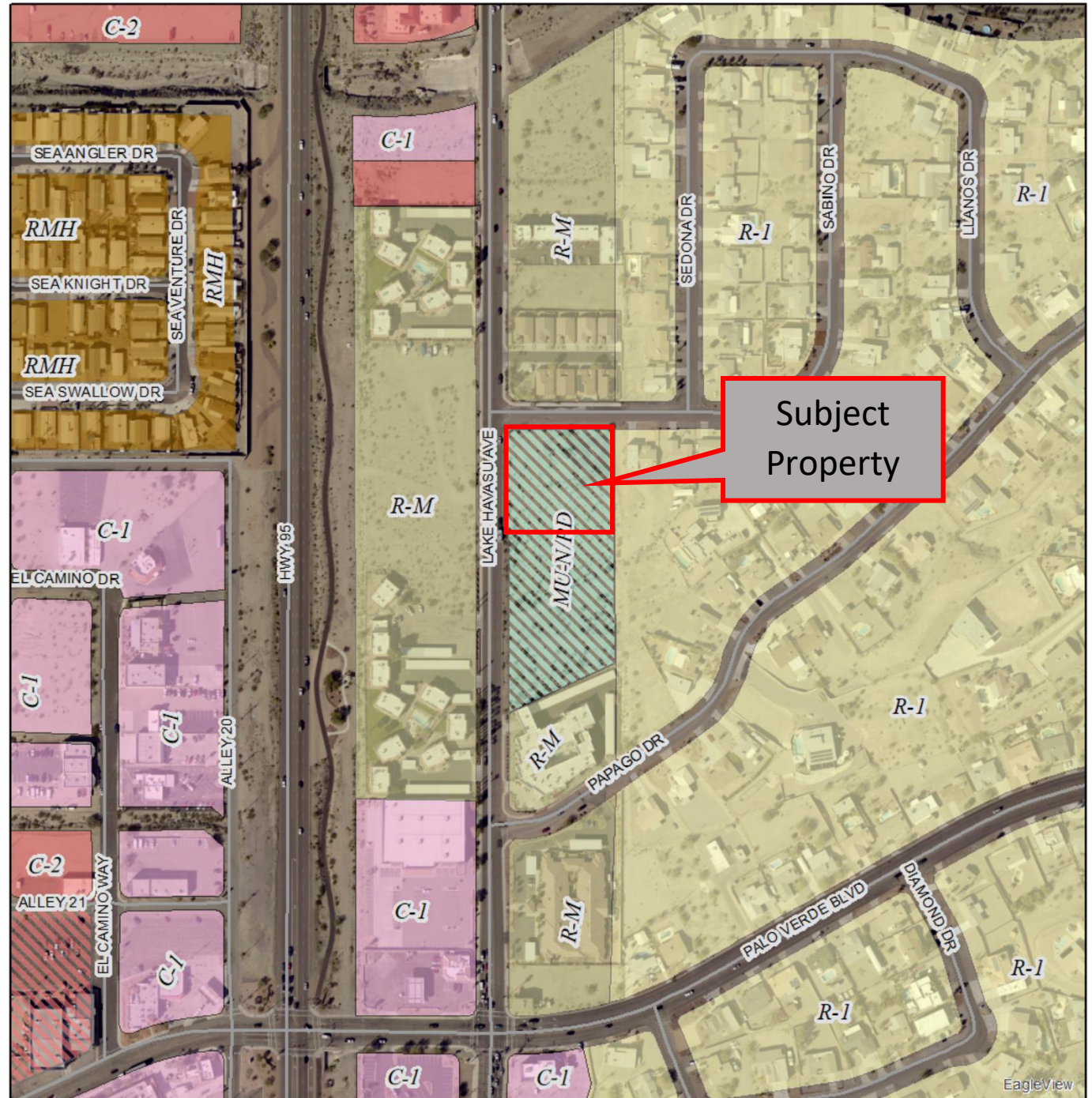


<image001.jpg>

Current Zoning Map

Zoning

- R-1 Single-Family
- RMH Manufactured Home District
- R-M Multiple-Family
- MU-N Mixed Use - Neighborhood PD
- C-1 Limited Commercial
- C-2 General Commercial
- C-2 General Commercial PD



Permitted Uses

Table 3-1: Lake Havasu City Permitted Use Table																									
P = Permitted Use C = Conditional Use A = Accessory Use T = Temporary																									
Zoning District	Residential Use										Mixed Use					Special Purpose								Use-Specific Standards	
	R-A	R-E	R-1	R-2	R-3	R-M	R-MH	R-UMS	R-CHD	R-SGD	C-CHD	MU-N	MU-G	MU-UMS	MU-CRW	C-SGD	C-1	C-2	LI	I	I-B	A-P [1]	P-1		GC
Land Use Category																									
RESIDENTIAL USES																									
Household Living																									
Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	P		P									A	A			14.03.03.A.1 14.02.03.G.4.g
Dwelling, single-family attached				P	P	P		P	P	P		P													14.03.03.A.2
Dwelling, two-family				P	P	P		P	P	P		P													
Dwelling, co-housing				P	P	P		P	P	P		P	P	P											14.03.03.A.3
Dwelling, live/work								P	P	P		P	P	P	P										14.03.03.A.4
Dwelling, multi-family				P	P	P		P	P	P	P	P	P	P	P						P				14.03.03.A.5
Dwelling, vacation rental	A/ P	A/ P	A/ P	A/ P	A/ P	A/ P	A/ P	A/ P	A/ P	A/ P		A/ P	A/ P	A/ P	A/ P										14.03.03.A.6
Manufactured housing park							P																		14.03.03.A.7
Manufactured home outside of a manufactured housing park							P																		
Group Living																									
Continuing care retirement community				C	C	C		P	P	P	P	P	P	P											14.03.03.A.8
Residential care facility				C	C	C		P	P	P	P	P	P	P								C			14.03.03.A.9
PUBLIC AND INSTITUTIONAL USES																									
Community Service																									
Cemetery or mausoleum																						P			14.03.03.B.1
Clubs, lodges, and private meeting halls											P	C	P	P	P	P	P	P	P				A		
College or university											C		C	P									P		14.03.03.B.2
Community centers	P	A		A	A	A	A	P	P	P	P	P	P	C									P	A	
Day care facility	P	P	P	P	P	A	A	A	A	P	P	P	P	A		P	A	A	P		P	P	P	A	14.03.03.B.3
Elementary and secondary school	P	P	P	P	P	P	P	P	P	P		P											P		
Funeral home or mortuary											P							P	P						
Golf course	P	P											P						P		C	C	P	P	14.03.03.B.4
Hospital											P		P	P		P	P	P	P				P		14.03.03.B.5
Library, museum, or gallery				C	C	C		C	C	C	P	P	P	P	P	P	P	P			P		P		
Long-term medical care facility	P					P			P	P	P			P		P	P	P	P						
Open space, park, or playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	14.03.03.B.6
Public safety facility													P			P		P	P	P	P		P		
Religious facility	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C						
Water-related facility															A						P				14.03.03.B.7
Utilities & Communications																									
Public utility facility, major																P		P	P	P			P		
Public utility facility, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	14.03.03.B.8
Telecommunications facility			C			A		A	A	A	A	A	A	A	A	C	A	C	C	C	C	C	C	A	14.03.03.B.9
COMMERCIAL USES																									
Agriculture and Animal Related																									
Agriculture	P																					P			14.03.03.C.1
Animal boarding	C												C	C		C	C	C	P	P		C			14.03.03.C.2
Animal grooming and care											P		P	P		P	P	P	P	P					
Community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		14.03.03.C.3
Plant nursery or garden supply	P												C	C	C	P		P	P	P		P			
Veterinary hospital											P		P	P		P	P	P	P	P					14.03.03.C.4

Permitted Uses

Table 3-1: Lake Havasu City Permitted Use Table																										
P = Permitted Use C = Conditional Use A = Accessory Use T = Temporary																										
Zoning District	Residential Use										Mixed Use					Special Purpose							Use-Specific Standards			
	R-A	R-E	R-1	R-2	R-3	R-M	R-MH	R-UMS	R-CHD	R-SGD	C-CHD	MU-N	MU-G	MU-UMS	MU-CRW	C-SGD	C-1	C-2	LI	I	I-B	A-P [1]		P-1	GC	
Food & Beverage Service																										
Bar or nightclub											P		P	P	A	P	P	P	P		P			A	14.03.03.C.5	
Restaurant											P	P	P	P	P	P	P	P	P		P		P	A	14.03.03.C.6	
Lodging																										
Bed and breakfast				A	A	C		P	P	P		P		P	P						C	C			14.03.03.C.7	
Hotels, motels, and conference facilities											P		P	P	P	P	P	P	P		P			A	14.03.03.C.8	
Resort													P	P	P						P			A		
Office																										
Business, art, or vocational schools											P	C	P	P	C	P	P	P	P							
Offices											P	P	P	P	P	P	P	P	P	P			P			
Medical offices and clinics											P	P	P	P		P	P	P	P							
Research and development laboratory											P		P	P		P	P	P	P	P						
Personal Services																										
Personal services											P	P	P	P	P	P	P	P	P	P	A				14.03.03.C.9	
Self-storage (mini-storage)													P			P		P	P	P					14.03.03.C.10	
Recreation & Entertainment																										
Entertainment, Adult																			C						14.03.03.C.11	
Indoor recreation or entertainment											P	P	P	P	P	P	P	P	P	P			P	A		
Motorsports facility																			C	C					14.03.03.C.13	
Outdoor recreation or entertainment													P	P	P		P	P	P	P	P	P	P	A		
Shooting range																							C			
Studio											P	P	P	P	P	P	P	P	P	P	P					
Theaters and auditorium													P	P	P	P	P	P			P		C			
Retail																										
Alcohol beverage sales											P	P	P	P	P	P	P	P	P	P	P		P	A	14.03.03.C.14	
Building material store																P		P	P	P						
Gas Station (fuel sales)													P	C		P	C	P	P	P	A				14.03.03.C.15	
General retail, small											P	P	P	P	P	P	P	P	P	P	A				14.03.03.C.16	
General retail, large													P	P		P	P	P	P						14.03.03.C.16	
Medical marijuana dispensary or infusion facility																		P	P						14.03.03.C.17	
Retail, adult													P			P		P	P	P					14.03.03.C.11	
Retail, big box																P	P	P	P	P						
Vehicles & Equipment																										
Airport and support services																							P			
Car wash													P			C	C	P	P	P						
Heavy vehicle and equipment sales, rental, or service																		C	P	P						
Light vehicle sales or rental													C			P		P	P	P						
Light vehicle service or repair																P		P	P	P						
Light watercraft sales, rental, or service													C		C	P		P	P	P	C					
Marina													C		C						P		P			
Marine equipment sales, rental, service, and storage																P		P	P	P						
Parking facility											A	A	P	P	P	P	A	P	P	P	P		P			
Recreational vehicle park																		C	C	C	C				14.03.03.C.19	

Permitted Uses

Table 3-1: Lake Havasu City Permitted Use Table																									
P = Permitted Use C = Conditional Use A = Accessory Use T = Temporary																									
Zoning District	Residential Use										Mixed Use					Special Purpose								Use-Specific Standards	
	R-A	R-E	R-1	R-2	R-3	R-M	R-MH	R-UMS	R-CHD	R-SGD	C-CHD	MU-N	MU-G	MU-UMS	MU-CRW	C-SGD	C-1	C-2	LI	I	I-B	A-P [1]	P-1		GC
Vehicle and freight terminals																			P	P					
INDUSTRIAL USES																									
Commercial Services																									
Outdoor storage																A	C	P	P			A	A		14.03.03.D.1
Warehouse and wholesale distribution																		P	P	P					
Manufacturing & Processing																									
Heavy industry																				P					
Light industry																			P	P					
Medical marijuana cultivation facility																		C	C	C		P			14.03.03.C.17
Storage or use of hazardous materials																				C					
Waste & Salvage																									
Recycling, large collection or light processing facility																			P	P					
Recycling, small collection facility						A	A	A	A	A	A	A	A	A	A	C	A	P	P	P	A	A	A		
ACCESSORY USES																									
Accessory automated teller machine (ATM)											A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Accessory caretaker's quarters											A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Accessory drive-in or drive-through											A		A	A		A	A	A	A	A					
Accessory dwelling unit	A	A	A	A	A	A		A	A	A		A	A						A	A	A	A			14.03.03.E.1
Accessory heliport											A														
Accessory home occupation	A	A	A	A	A	A	A	A	A	A		A	A	A								A			14.03.03.E.2
Accessory navigational use															A										14.03.03.E.3
Accessory outdoor dining											A	A	A	A	A	A	A	A		A				A	14.03.03.E.4
Accessory outdoor retail sales													A	A	A	A	A	A	A	A				A	14.03.03.E.5
Accessory residential care home	A	A	A	A	A	A	A	A	A	A		A	A	A								A			14.03.03.E.6
Accessory residential recreation facility				A	A	A	A				A	A	A	A	A										
Accessory structure, not for occupancy	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	14.03.03.E.7
Accessory swimming pools	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	14.03.03.E.8
Accessory water related use													A	A							A				
Accessory use, other customary	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Temporary Uses																									
Temporary construction office or yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	14.03.03.F.1
Temporary event or sales	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	14.03.03.F.2
Temporary real estate sales office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	14.03.03.F.3
Temporary use, other customary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	14.03.03.F.4
[1] In the A-P District, land uses are permitted as indicated, provided the applicant obtains any required federal, state, or county permits for the activity.																									

Permitted Uses

14.03.01. General – Using the Permitted Use Table

Table 3-1 (Permitted Use Table) lists each land use available in the City and indicates whether it is allowed by right, with a Conditional Use Permit, as an accessory or temporary use, or prohibited, in each base zoning district. References to additional regulations (i.e., use-specific standards) applicable to a certain land use are also included in the right hand column. Other property uses or restrictions on uses may be contained in the City's base or overlay zoning district regulations in Article 2 (Zoning Districts). If a property is located in a PD-O (Planned Development Overlay) district, the permitted uses, conditional use, and any conditions on those uses are contained in the rezoning ordinance and related documents for that property.

A. PERMITTED USES

A "P" in a cell of the Permitted Use Table indicates that the land use is allowed by right in that zoning district, subject to compliance with the use-specific standards referenced in the right hand column for that use.

B. CONDITIONAL USES

A "C" in a cell of the Permitted Use Table indicates that the land use is allowed in that zoning district only upon approval of a Conditional Use Permit as described in Section 14.05.04.G (Conditional Use Permit, Minor and Major) and subject to compliance with any use-specific standards referenced in the right hand column for that use.

C. PROHIBITED USES

A blank cell in the Permitted Use Table indicates that the land use is prohibited in that zoning district.

D. ACCESSORY USES

An "A" in a cell of the Permitted Use Table indicates that the land use is allowed in that zoning district only if it is incidental and subordinate to a permitted primary use of the land in that district (i.e., a P or C use that has been approved for the site).

E. TEMPORARY USES

A "T" in a cell of the Permitted Use Table indicates that the use is permitted in that zoning district for a temporary amount of time and only after approval of a Temporary Use Permit (Section 14.05.04.F) and subject to compliance with any use-specific standards referenced in the right hand column for that use.

F. OVERLAY DISTRICT PROVISIONS GOVERN

When a property is located within the boundaries of one or more of the overlay districts listed in Section 14.02.06 (Overlay Zoning Districts), the provisions for that overlay district prevail over those in the base zoning district. For example, if a use is prohibited in the base zoning district where the property is located, but is a permitted use in an overlay district applicable to the same property, then the use is allowed on that property. On the other hand, if a use is listed as a permitted use in the base zoning district but is listed as a conditional use in an overlay zoning district applicable to the same property, then the use is a conditional use for that property. Where a property is located in more than one overlay district, then the most restrictive use provision in those overlay zoning districts shall apply to the property.

Permitted Uses

G. USE-SPECIFIC STANDARDS

When a land use is allowed in a zoning district, there may be additional standards that apply to that specific use. Those additional standards (use-specific standards) are cross-referenced in the right hand column of the Permitted Use Table. These cross-referenced standards appear in Section 14.03.03 (Use-Specific Standards) immediately following the Permitted Use Table.

H. UNLISTED USES

When a proposed land use is not explicitly listed in the Permitted Use Table, the Zoning Administrator shall determine whether or not it is included in the definition of a listed use or is so consistent with the size, scale, operating characteristics and external impacts of a listed use that it should be treated as the same use. Any such interpretation shall be made available to the public and shall be binding on future decisions of the City until the Director makes a different interpretation or this Development Code is amended to treat the use differently.

I. LICENSES AND PERMITS REQUIRED

All uses required by the State of Arizona or the federal government to have an approval, license, or permit to operate, issued by the State or by another public, quasi-public, or regulatory agency, are required by Lake Havasu City to obtain and maintain that State approval, license, or permit at all times. Failure to do so constitutes a violation of this Code.

City Council

FILE#: ID 20-2447

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Jill Olsen, Administrative Services Director

SUBJECT:

Adopt Resolution No. 20-3421 Levying Upon the Assessed Valuation of the Property Within Lake Havasu City Subject to Taxation of a Certain Sum, Upon Each One Hundred Dollars (\$100.00) of Valuation, Sufficient to Raise the Amount Estimated to be Required in the Annual Budget Less the Amount Estimated to be Received from Fines, Licenses, and Other Sources of Revenue; Providing for a General Fund for the General Municipal Expenses for the Fiscal Year Ending June 30, 2021 (*Jill Olsen*)

FUNDING SOURCE:

N/A

PURPOSE:

To adopt the City's property tax levy for Fiscal Year 2020-21.

BACKGROUND:

In accordance with state law, the City Council is required to adopt the property tax levy no later than the third Monday in August and forward a certified copy of the Resolution to the County Board of Supervisors' office for acceptance of the tax rate. State law also requires a period of at least 14 days between the expenditure and tax levy public hearing, and the adoption of the tax levy. The expenditure and tax levy public hearing was held 15 days ago on June 23, 2020.

There is no increase or decrease in the tax rate. The tax rate for Fiscal Year 2019-20 was \$0.6718. The rate included in the final Fiscal Year 2020-21 budget adopted by the City Council on June 23, 2020, was \$0.6718. The overall levy increase is estimated to be \$315,008 due to new construction valuations, increased existing valuations, and holding the tax rate. In accordance with state law, all taxing authorities who are increasing their tax levy amount by more than new construction are required to hold a Truth in Taxation Public Hearing. The Truth in Taxation Public Hearing was held on June 23, 2020.

COMMUNITY IMPACT:

Property taxes are used to fund General Fund operations for the City, including Parks, Police and Fire services.

FISCAL IMPACT:

\$0.6718 rate per \$100 assessed value, resulting in an estimated \$5,279,553 levy for Fiscal Year 2020-21.

ATTACHMENTS:

Resolution No. 20-3421

SUGGESTED MOTION:

I move to adopt Resolution No. 20-3421 adopting the Lake Havasu City property tax levy rate of \$0.6718 per \$100 assessed value for Fiscal Year 2020-21.

RESOLUTION NO. 20-3421

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN LAKE HAVASU CITY SUBJECT TO TAXATION OF A CERTAIN SUM, UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION, SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM FINES, LICENSES, AND OTHER SOURCES OF REVENUE; PROVIDING FOR A GENERAL FUND FOR THE GENERAL MUNICIPAL EXPENSES FOR THE FISCAL YEAR ENDING JUNE 30, 2021

RECITALS, State law requires an ordinance levying taxes for Fiscal Year 2020-21 be finally adopted not later than the third Monday in August 2020. Mohave County is the assessing and collection authority for Lake Havasu City.

IT IS RESOLVED and CERTIFIED by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: There is hereby levied on each One Hundred Dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of Lake Havasu City, except property that may be exempt by law from taxation, a tax rate of \$0.6718, for the purpose of providing a General Fund for Lake Havasu City for the Fiscal Year ending on June 30, 2021.

Section 2: The City Clerk is directed to transmit a certified copy of this Resolution to the Assessor and the Board of Supervisors of Mohave County, Arizona.

Section 3: All ordinances or resolutions, or parts of ordinances or resolutions, in conflict with this Resolution are repealed.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on July 14, 2020.

APPROVED:

Cal Sheehy, Mayor

ATTEST:

Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Jess Knudson, City Manager

City Council

FILE#: ID 20-2448

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council
FROM: Jill Olsen, Administrative Services Director

SUBJECT:

Adopt Resolution No. 20-3422 Adopting the Property Tax Levy and Certifying the Annual Financial Requirements of Lake Havasu City Improvement District No. 2 (London Bridge Plaza) for Fiscal Year 2020-21
(Jill Olsen)

FUNDING SOURCE:

N/A

PURPOSE:

To adopt Fiscal Year 2020-21 property tax levy for Improvement District No. 2.

BACKGROUND:

In accordance with state law, the City Council is required to adopt the property tax levy no later than the third Monday in August and forward a certified copy of the Resolution to the County Board of Supervisors' office for acceptance of the tax rate. The tax rate of \$0.7370 per \$100 assessed value was included in the final budget adopted by City Council on June 23, 2020.

State law also requires a period of at least 14 days between the expenditure and tax levy public hearing, and the adoption of the tax levy. The expenditure and tax levy public hearing was held 15 days ago on June 23, 2020.

COMMUNITY IMPACT:

Improvement District No. 2 is the London Bridge Plaza and includes maintenance and operation of the parking lot, electric lights, water service, and landscaping for the betterment and beautification of the plaza.

FISCAL IMPACT:

\$0.7370 rate per \$100 assessed value, resulting in an estimated \$14,429 levy for Fiscal Year 2020-21.

ATTACHMENTS:

Resolution No. 20-3422

SUGGESTED MOTION:

I move to adopt Resolution No. 20-3422 adopting the Lake Havasu City Improvement District No. 2 (London Bridge Plaza) property tax levy rate at \$0.7370 per \$100 assessed value for Fiscal Year 2020-21.

RESOLUTION NO. 20-3422

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, ADOPTING THE PROPERTY TAX LEVY AND CERTIFYING THE ANNUAL FINANCIAL REQUIREMENTS OF LAKE HAVASU CITY IMPROVEMENT DISTRICT NO. 2 (LONDON BRIDGE PLAZA) FOR FISCAL YEAR 2020-21

IT IS RESOLVED and CERTIFIED by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: There is levied on each One Hundred Dollars (\$100.00) of the assessed value of all property in the Lake Havasu City Improvement District No. 2 (London Bridge Plaza) a tax rate of \$0.7370 to meet the obligations of the District for Fiscal Year 2020-21, estimated to be Fourteen Thousand Four Hundred and Twenty-Nine Dollars (\$14,429).

Section 2: The City Clerk is directed to transmit a certified copy of this Resolution to the Assessor and Board of Supervisors of Mohave County, Arizona.

Section 3: All ordinances or resolutions, or parts of ordinances or resolutions, in conflict with this Resolution are repealed.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on July 14, 2020.

APPROVED:

Cal Sheehy, Mayor

ATTEST:

Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Jess Knudson, City Manager

City Council

FILE#: ID 20-2449

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Jill Olsen, Administrative Services Director

SUBJECT:

Adopt Resolution No. 20-3423 Adopting the Property Tax Levy and Certifying the Annual Financial Requirements of Lake Havasu City Improvement District No. 4 (McCulloch Median) for Fiscal Year 2020-21
(Jill Olsen)

FUNDING SOURCE:

N/A

PURPOSE:

To adopt Fiscal Year 2020-21 property tax levy for Improvement District No. 4.

BACKGROUND:

In accordance with state budget law process, City Council is required to adopt the property tax levy no later than the third Monday in August and forward a certified copy of the Resolution to the County Board of Supervisors' office for acceptance of the tax rate. The tax rate of \$0.5040 per \$100 assessed value was included in the final budget that was adopted by City Council on June 23, 2020.

State law also requires a period of at least 14 days between the expenditure and tax levy public hearing, and the adoption of the tax levy. The expenditure and tax levy public hearing was held 15 days ago on June 23, 2020.

COMMUNITY IMPACT:

Improvement District No. 4 is the McCulloch Median and includes the maintenance of Wheeler Park, median landscaping on McCulloch Boulevard from Smoketree Avenue to Lake Havasu Avenue, and associated electricity and water service.

FISCAL IMPACT:

\$0.5040 rate per \$100 assessed value, resulting in an estimated \$61,554 levy for Fiscal Year 2020-21.

ATTACHMENTS:

Resolution No. 20-3423

SUGGESTED MOTION:

I move to adopt Resolution No. 20-3423 adopting the Lake Havasu City Improvement District No. 4 (McCulloch Median) property tax levy rate at \$0.5040 per \$100 assessed value for Fiscal Year 2020-21.

RESOLUTION NO. 20-3423

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, ADOPTING THE PROPERTY TAX LEVY AND CERTIFYING THE ANNUAL FINANCIAL REQUIREMENTS OF LAKE HAVASU CITY IMPROVEMENT DISTRICT NO. 4 (McCULLOCH MEDIAN) FOR FISCAL YEAR 2020-21

IT IS RESOLVED and CERTIFIED by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: There is levied on each One Hundred Dollars (\$100.00) of the assessed value of all property within the Lake Havasu City Improvement District No. 4 (McCulloch Median) a tax rate of \$0.5040 to meet the obligations of the District for the Fiscal Year 2020-21, estimated to be Sixty-One Thousand, Five Hundred Fifty-Four Dollars (\$61,554).

Section 2: The City Clerk is directed to transmit a certified copy of this Resolution to the Assessor and Board of Supervisors of Mohave County, Arizona.

Section 3: All ordinances or resolutions, or parts of ordinances or resolutions, in conflict with this Resolution are repealed.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on July 14, 2020.

APPROVED:

Cal Sheehy, Mayor

ATTEST:

Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Jess Knudson, City Manager

City Council

FILE#: ID 20-2450

MEETING DATE: 7/14/2020

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council

FROM: Jill Olsen, Administrative Services Director

SUBJECT:

Adopt Resolution No. IDD-20-7-1 for the Irrigation and Drainage District, Levying Upon the Taxable Property within the District a Per Acre Tax Sufficient to Raise the Amount Estimate to be Received from User Fees and Other Sources of Revenue for the Fiscal Year Ending June 30, 2021 (*Jill Olsen*)

FUNDING SOURCE:

N/A

PURPOSE:

To adopt the Fiscal Year 2020-21 property tax levy for the Lake Havasu Irrigation and Drainage District.

BACKGROUND:

In accordance with state law, the City Council, as trustees for the Lake Havasu Irrigation and Drainage District, is required to adopt the property tax levy no later than the third Monday in August and forward a certified copy of the Resolution to the County Board of Supervisors' office for acceptance of the tax rate. The tax rate of \$268.85 per acre was included in the final budget adopted by City Council on June 23, 2020.

State law also requires a period of at least 14 days between the expenditure and tax levy public hearing, and the adoption of the tax levy. The expenditure and tax levy public hearing was held 15 days ago on June 23, 2020.

COMMUNITY IMPACT:

The Lake Havasu Irrigation and Drainage District property tax partially funds the Irrigation and Drainage District operations, resulting in lower water user charges for City residents.

FISCAL IMPACT:

\$268.85 rate per acre, resulting in an estimated \$5,684,564 levy for Fiscal Year 2020-21.

ATTACHMENTS:

Resolution No. IDD-20-7-1

SUGGESTED MOTION:

I move to adopt Resolution No. IDD-20-7-1 adopting the Lake Havasu Irrigation and Drainage District property tax levy rate at \$268.85 per acre for Fiscal Year 2020-21.

RESOLUTION NO. IDD-20-7-1

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, IN ITS CAPACITY AS THE BOARD OF TRUSTEES OF AND FOR THE LAKE HAVASU IRRIGATION AND DRAINAGE DISTRICT, LEVYING UPON THE TAXABLE PROPERTY WITHIN THE DISTRICT A PER ACRE TAX SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM USER FEES AND OTHER SOURCES OF REVENUE FOR THE FISCAL YEAR ENDING JUNE 30, 2021

IT IS RESOLVED and CERTIFIED by the Mayor and City Council of Lake Havasu City, Arizona, acting in its capacity as the Board of Trustees of and for the Lake Havasu Irrigation and Drainage District, as follows:

Section 1: That there is hereby levied, tax sufficient to raise the amount estimated to be required in the annual budget, less the amount estimated to be received from user fees and other sources of revenue, upon all real property within the District, except property that may be exempt from tax by law, for the purpose of raising the monies estimated to be required by the District for the Fiscal Year 2020-21, a per acre tax sufficient to raise the sum of Five Million Six Hundred Eighty-Four Thousand Five Hundred Sixty-Four Dollars (\$5,684,564) determined as follows:

Operation and Maintenance	\$ 5,672,576
Debt Service	11,988
Total Estimated Levy	\$ 5,684,564

Section 2: That the City Clerk is directed to transmit a certified copy of this Resolution to the Assessor and Board of Supervisors of Mohave County, Arizona, for a determination of rate and levy of tax for district purposes.

Section 3: All ordinances or resolutions, or parts of ordinances or resolutions, in conflict with this Resolution are repealed.

PASSED AND ADOPTED by the City Council of Lake Havasu City, Arizona, on July 14, 2020.

APPROVED:

Cal Sheehy, Mayor

ATTEST:

Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Jess Knudson, City Manager