

ORDINANCE NO. 03-717

AN ORDINANCE OF LAKE HAVASU CITY, ARIZONA,
AMENDING
THE HAVASU FOOTHILLS ESTATES SPECIFIC AREA
PLAN AND ADOPTING A NEW SPECIFIC AREA PLAN
FOR ALL OF SECTION 33 TOWNSHIP 14N, RANGE 19W
TO INCLUDE 547 SINGLE FAMILY RESIDENTIAL UNITS
AND A 150 RESORT RELATED UNITS, A COMMERCIAL
ELEMENT, SCHOOL SITE AND OPEN SPACE WITHIN
THE CORPORATE LIMITS OF LAKE HAVASU CITY

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

SECTION 1: That property described as, the entire Section 33, Township 14N, Range 19W, 6000 Cherry Tree Boulevard, lying within the boundaries of Lake Havasu City, Arizona, shall be and is hereby amended to include changes in acreage designations, 547 residential units, and 150 resort related units. The proposed amendment is approved with the following conditions:

1. In accordance with the Specific Plan Amendment, the Development Agreement for the project shall be revised and approved by City Council prior to commencement of construction.

Exceptions

2. Minimum front yard setback will be 25 feet except when the average lot depth is 100 feet or less a 20 foot setback will be allowed. Residential streets within the project may be private and gated. Cul-de-sacs not to exceed a maximum length of 1,200 feet if all homes along said cul-de-sac are fire sprinkled.
3. Individual downward sloping lots shall be allowed to fill up to three feet above base elevation. Individual lot grades may be determined by the submittal and approval of engineered grading plans for each subdivision.
4. Building height in the RE District shall not exceed 30 feet and accessory buildings shall not exceed 20 feet in height.

Traffic

5. Developer shall be responsible for all on-site and off-site traffic improvements as defined in the October 14, 2003 master traffic impact analysis for the project as approved by the City Engineer October 14, 2003 or as may be modified by subsequent agreement of the City and the developer.

Water, Sewer, and Drainage

6. Developer shall be responsible for all infrastructure improvement as defined in the development summary infrastructure plan dated October 14, 2003 as approved by the

City Engineer October 14, 2003 or as may be modified by subsequent agreement of the City and the developer.

7. All costs associated with the package wastewater treatment plant and the future connection to the city sewer system, once the city sewer service is available to the boundary of the existing platted portion of the City, the end of the existing Cherry Tree Boulevard right-of-way, are the responsibility of the developer. At the time the development is connected to the city sewer, the developer shall be responsible for (a) dedication to the City of the sewer collection system which shall meet City standards and (b) all costs associated with decommissioning the package plant and connecting to the sewer. At the mutual agreement of the city and the developer the city may operate the package wastewater treatment plant. At the time city sewer service becomes available to the development, the then individual property owner(s) of record will be responsible for (a) the treatment capacity fees for the then existing connections to the sewer system; (b) the treatment capacity fees for new services as they are connected to the sewer system and (c) monthly City sewer user charges.

School District

8. A site of eight (8) contiguous acres shall be dedicated to the Lake Havasu School District.

Fire

9. A second gated access, all-weather route, as described in Policy #1, as required by article 9 of the Uniform Fire Code shall be provided for emergency vehicles only, prior to issuance of building permits for more than 30 homes or as required by the Lake Havasu City Fire Marshal.
10. All fire flow requirements must meet the 1997 Uniform Fire Code Appendix III-A, for size and type of construction. Fire flows will be determined for compliance, based on the water study required by the Public Works/Engineering Department.
11. Fire hydrant location and distribution are required to meet the 1997 Uniform Fire Code Appendix III-B, must be installed per NFPA-24, and City standards.
12. All buildings will be required to have automatic fire extinguishing systems installed per NFPA.
13. A maximum 1.0 acre site, accessible from a major street crossing, will be required to be dedicated to Lake Havasu City for a Fire/Police substation.
14. Timing of installation of water supplies for fire protection shall be determined by the Fire Marshal for each phase of development.

SECTION 2: That the Havasu Foothills Estates Specific Area Plan as amended dated October 21, 2003 for the herein described property is hereby approved as a guide for future development of the site pursuant to Chapter 14.71 of the Lake Havasu City Zoning Code.

SECTION 3: The official copy of the Havasu Foothills Estates Specific Area 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 21st day of October, 2003.

APPROVED this 21st day of October 2003, by the affirmative majority vote of the Lake Havasu City Council.

APPROVED: Bob Whelan
Bob Whelan, Mayor

ATTEST:

Carla Simendich
Carla Simendich, City Clerk

APPROVED AS TO FORM:

Maureen George
Maureen George, City Attorney

REVIEWED BY:

Bruce Williams
Bruce Williams, City Manager