

ORDINANCE NO. 08-939

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE
HAVASU CITY, MOHAVE COUNTY, ARIZONA, ADOPTING A
SPECIFIC PLAN FOR A MIXED-USE PROJECT KNOWN AS HAVASU
RIVIERA 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 the Havasu Riviera Specific Plan for a 250-acre mixed use project located on the property described as the East half of the Northeast quarter (E $\frac{1}{2}$ of NE $\frac{1}{4}$); the Northwest quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$); the North half of the Southwest quarter of the Northeast quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$); the North half of the Northeast quarter of the Northwest quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$); the Northeast quarter of the Northwest quarter of the Northwest quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$); the Southeast quarter of the Northeast quarter of the Northwest quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$); the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ of SE $\frac{1}{4}$); the Southeast quarter of the Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$); the North half of the Southeast quarter of the Southeast quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 25, Township 13 North, Range 20 West of the Gila and Salt River Base and Meridian, Mohave County, Arizona, and lying within the boundaries of Lake Havasu City, Arizona, shall be and is adopted with the following conditions:

1. The property shall be rezoned to MU (Mixed Use) and R4 (Multiple Family Residential) as shown in the Havasu Riviera Specific Plan with the following modifications:
 - a. The R4 District development standards shall be modified so as to allow a secondary accessory structure a 10 foot side setback on a corner lot and a fifteen (15) foot side setback on a reverse corner lot; and
 - b. The MU District development standards shall be modified so as to allow a maximum building height of sixty (60) feet.
2. The total combined residential densities for all five (5) R4 parcels, as shown on the specific plan land use map, shall not exceed more than four (4) units per acre. Individual R4 parcels, as shown on the specific plan land use map, may be developed up to six (6) units per acre. Individual projects within any R4 parcel may be developed up to the maximum residential density set forth in the R4 Residential Zoning District and the Development Standards section of this specific plan;
3. The total combined residential densities for all three (3) MU parcels, as shown on the specific plan land use map, shall not exceed more than six (6) units per acre. Individual MU parcels, as shown on the specific plan land use map, may be developed up to eight (8) units per acre. Individual projects within any MU parcel may be developed up to the maximum residential density set forth in the MU Mixed Use Zoning District and the Development Standards section of this specific plan;
4. The total number of residential units shall not exceed 1048;

5. Re-vegetated and enhanced landscape areas shall use plant materials selected from the Lake Havasu City Water Conserving Plant List;
6. The developer is encouraged to use effluent water for landscape irrigation for all areas outside of individual lots when effluent water is available at the site; and
7. A traffic study describing the on-site and off-site traffic improvements shall be submitted to and approved by the Public Works Director prior to approval of the first phase of the project. The developer shall be responsible for all on-site and off-site traffic improvements as recommended in the approved traffic study.

BLM Conditions

8. Plans for all road realignments within BLM property, as well as the access road to the BLM Fisheries Partnership facility, shall be submitted to BLM for review prior to construction;
9. The proposed development shall be submitted to the Arizona Department of Environmental Quality and the U.S. Army Corps of Engineers for review and approval;
10. The proposed trails and trailheads shall be submitted to BLM prior to final development; and
11. Prior to approval of the final plat of the first phase of the development, the developer shall submit the plan to BLM for review and comment to determine how off-highway vehicle use will be confined to private property.

Fire Department Conditions to be met prior to preliminary plat pre-application and/or plan submittal

12. All residential and commercial occupancies will be fire sprinklered;
13. Provide an engineering report of the water supply to meet the demands for water meter sizing, hydrant spacing and fire protection demands;
14. Addressing and street assignment to be conducted under city review for public safety response;
15. Project streets and cul-de-sacs shall meet city and fire code requirements; and
16. Discussion of primary and secondary emergency access to the project needs to be detailed.

Conditions shall be met

17. The Havasu Riviera Specific Plan shall be revised to reflect the changes as required by the conditions listed above.

SECTION 2: That the Havasu Riviera Specific Plan dated June 19, 2008, and updated on July 15, 2008 for the herein described property is hereby approved as a guide for future development of the site pursuant to Section 14.44.080 of the Lake Havasu City Code.

SECTION 3: That the official copy of the Havasu Riviera Specific 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
26 day of August, 2008.

APPROVED:


Mark S. Nexsen, Mayor

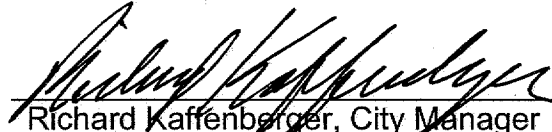
ATTEST:


Carla Simendich, City Clerk

APPROVED AS TO FORM:


Kelly Garry, Acting City Attorney

REVIEWED BY:


Richard Kaffenberger, City Manager