

Jim Harris, Chairman
Suzannah Ballard
David Diaz
Joan Dzuro
Paul Lehr
Gabriele Medley
Dane Hatch, Alternate
Matthew Mitchell, Alternate
Tiffany Wilson, Alternate



Lake Havasu City
Police Facility
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Lake Havasu City, Arizona
86403
www.lhcaz.gov

Planning and Zoning Commission Regular Meeting

Minutes - Final

Wednesday, October 5, 2022

9:00 AM

1. CALL TO ORDER

Chairman Harris called the meeting to order at 9:00 a.m.

2. PLEDGE OF ALLEGIANCE

Chairman Harris led the Pledge of Allegiance.

3. ROLL CALL

Alternate Member Wilson was seated.

Present: 6 - Jim Harris, David Diaz, Suzannah Ballard, Joan Dzuro, Paul Lehr and Tiffany Wilson

Absent: 4 - Chad Nelson, Matthew Mitchell, Gabriele Medley and Dane Hatch

4. CORRESPONDENCE AND ANNOUNCEMENTS

Mr. Morris stated the Commissioners have been provided an informational packet containing comments about future Foothills Development. There are no items being presented to the Commission regarding this item today; however it was requested the packet be provided to the Commission. No applications have been submitted to the City yet.

Mr. Morris provided an update from the City Council meeting stating the storage unit rezone on Industrial Boulevard was approved.

Mr. Morris also stated that Chad Nelson has offered his resignation from the Planning Commission effective immediately. Mr. Nelson would like to spend more time with this family and address professional matters which conflict with meeting time frames. The City Council will make an announcement for the vacancy at their next meeting and go through the selection process. Applicants who have submitted an application within past six months will still have the application on file. Alternates Members or anyone who wishes to apply may contact the City Clerk for the process.

5. ELECT VICE CHAIR

Ms. Dzuro made a motion to elect Mr. Diaz as Vice-Chair. The motion was seconded by Ms. Wilson and carried by the following vote:

Aye: 6 - Harris, Diaz, Ballard, Dzuro, Lehr and Wilson

6. MINUTES

Approval of Regular Meeting Minutes from September 7, 2022.

Mr. Diaz made a motion to approve the Minutes of the last meeting. The motion was seconded by Ms. Wilson and carried by the following vote:

Aye: 6 - Harris, Diaz, Ballard, Dzuro, Lehr and Wilson

7. PUBLIC HEARING

[ID 22-3476](#) Request for a Preliminary Subdivision Plat for Encanto 2 Townhouses, at 450 Lake Havasu Avenue N, Tract 2252, Block 3, Lot 5, Creating an 11-Unit Residential Townhouse Subdivision in the Residential Multi-Family (R-M) District (Trevor Kearns)

Mr. Kearns thanked the Chairman and presented a PowerPoint slideshow and narrative including some of the following key points:

- The subject property is located on Lake Havasu Avenue N, between Bahama Avenue and Sabino Drive.
- The properties to the north and south are zoned Residential Multi-Family (R-M) District and developed for residential uses. The properties to the west are zoned Residential Multi-Family (R-M) District, General Commercial (C-2) District and Limited Commercial (C-1) District and developed for those uses.

[Preliminary Plat Map shown on screen.]

- The site is currently vacant but building permits have been submitted and design review is underway. The proposed townhouse plat will allow the units to be individually owned and they will be part of an association along with the common portions of the development.
- The project includes:
 - 11 one-bedroom residential units with 11 covered parking spaces and 3 uncovered parking spaces.
 - Parcel A - An easement for ingress, egress, maintenance and operation of utilities, sewage, drainage, refuse collection, and emergency vehicles.
 - Parcel B - Common Pool and Recreation Area.
- The project will have a property owners association to manage and maintain the association improvements. Parcels A and B will be privately owned and the water and wastewater within the subdivision will be installed and maintained by the association.

Lee Johnson, APL Surveying, stated staff did wonderful job explaining the project. This is the next phase to the Encanto subdivision to the north of this project. The two projects will be sharing the common area with the pool between the two units.

Ms. Dzuro stated it looks like the units are about 600 square feet and asked if it was the same concept as the previous phase. She questioned why they didn't combine to make 1200 square feet instead of a bunch of tiny homes. Mr. Johnson stated the answer would have to be provided by the builder. This type of home is typical to what is being built and continuously sold throughout town.

Chairman Harris opened the Public Hearing.

Bob Smith, asked what prevents one person or one corporation from purchasing all these units and reselling them at a higher price? These are supposed to be starter homes made for individual ownership. Why not have ordinances where you can't do that? They have to have some okay to build it so the City has some kind of say into it. Why does the City not put a stipulation to go by. This is happening all over town. Someone builds small starter homes and then one person buys them all so that no one can afford them again. Chairman Harris deferred the answer to Mrs. Kelly Garry, City Attorney. Ms. Garry stated this item is for the approval of a preliminary subdivision plat so we are only looking at the requirements. Portions of what would be required for approval of a subdivision plat don't have any authority to put any of those types of conditions within a preliminary plat approval or any other approval currently with the City.

Mr. Morris stated that the City has certain standard developments through the subdivision process and the zoning process. This particular item meets all standards the way it is designed. Mr. Morris understands the speaker's concerns; however, there are no means for denial of this request in our City Code.

Mr. Smith asked then why are the codes not changed. Chairman Harris stated that is something to explore with the City Council. Mr. Morris stated the subdivision code falls under the purview and review of the City Council so any modifications to the subdivision code would go through an approval process with the City Council. Mr. Diaz stated the Commission understands Mr. Smith's concern but it is not in the Planning Commission's purview at this time.

Chairman Harris closed the Public Hearing.

Mr. Kearns stated that based on the findings, the Development Review Committee recommends approval of Land Use Action 22-3476, a Preliminary Subdivision Plat for

Encanto 2 Townhouses, at 450 Lake Havasu Avenue N, Tract 2252, Block 3, Lot 5, creating an 11-Unit Residential Townhouses in the Residential Multi-Family (R-M) District.

Ms. Ballard made a motion to approve ID 22-3476, a Preliminary Subdivision Plat for Encanto 2 Townhouses, at 450 Lake Havasu Avenue N, Tract 2252, Block 3, Lot 5, creating a 11-Unit Residential Townhouses in the Residential Multi-Family District. The motion was seconded by Ms. Dzuro and carried by the following vote:

Aye: 6 - Harris, Diaz, Ballard, Dzuro, Lehr and Wilson

[ID 22-3469](#) Request for Amendments to Title 14, Zoning (Development Code), Section 14.04.08, Sign Standards, and Section 14.06.03, Definitions, Adding Development Standards for Changeable Copy and Electronic Reader Board Signs, Establishing Minimum Free-Standing Sign Base Width, Amending Political Sign Standards, and Amending Sign Definitions (Luke Morris).

Mr. Morris thanked the Chairman and stated City staff have recently received comments expressing concerns about the width of free-standing sign bases, the size of electronic reader board signs, and regulations for political signs. Mr. Morris presented a PowerPoint slideshow and overview of the proposed amendments addressing the above matters:

1. Freestanding Sign Base:

- A note has been added to Sign Table 4.08-2 establishing that a freestanding sign base must be at least 50% as wide as the full sign width.
- This has been the presumed standard for years and will now be included in the code.

2. Changeable Copy and Electronic Reader Board Signs:

- The current code provides no maximum size for these types of signs. To address this, notes have been added to Sign Table 4.08-2 for changeable copy and electronic reader board signs establishing a maximum size of 32 square feet. It also establishes a minimum of eight seconds between displayed images
- Review of other Arizona jurisdictions found that 32 square feet was a common maximum sign size and eight seconds a common minimum display time.

3. Definitions and Misc. Changes:

- ANIMATED OR MOVING SIGN, CHANGEABLE COPY SIGN, and ELECTRONIC READER BOARD SIGN definitions in Sections 14.06.03 and 14.04.08 have been updated and revised.

4. Political Signs:

- Reorganized the layout of Section 14.04.08.J and renamed to Political Signs.
- Removed reference to requiring payment of a fee.
- Added requirement that the person or organization planning to erect the sign must provide to the City Clerk the name, address, and telephone number of a person responsible for the placement and removal of the sign.
- Replaced the Sign Free Area map with an easier to read version. No other major

changes are proposed.

Staff discussed the Tracked Changes, each change individually as part of the presentation during the public hearing. New language is red and underlined and deleted language is red and struck-through. . A copy of staff's tracked changes is attached for reference.

Chairman Harris opened the Public Hearing.

Bob Smith, stated there has been a sign at the corner of Palo Verde S and HWY 95, way before the primaries, still there and falling apart. He added that he likes Ms. Ballard's comment about fining violators. If there is no penalty, what stops someone from putting another illegal sign up when the City takes them down? Additionally, there have been signs all along Lake Havasu Ave. He has complained about them but no one has taken down and asked why the code is not being enforced. Mr. Morris stated that when Staff receives a report, it is investigated. If the complaint is valid, the violation is addressed.

Chairman Harris closed the Public Hearing.

Mr. Morris stated that based on the findings, the Development Review recommends approval of Land Use Action No. 22-3469, amending Title 14, Zoning (Development Code), Section 14.04.08, Sign Standards, and Section 14.06.03, Definitions, adding development standards for changeable copy and electronic reader board signs, establishing minimum free-standing sign base width, amending political sign standards, and amending sign definitions per the attached Tracked Changes Sign Code Amendment document. This item will go to the City Council's October 25, 2022, meeting.

Mr. Diaz made a motion to approve ID 22-3469 [recommend the City Council approve Item No. 22-3469, amending Title 14, Zoning (Development Code), Section 14.04.08, Sign Standards, and Section 14.06.03, Definitions, adding development standards for changeable copy and electronic reader board signs, establishing minimum free-standing sign base width, amending political sign standards, and amending sign definitions per the attached Tracked Changes Sign Code Amendment document.], as per Staff's recommendations. The motion was seconded by Ms. Dzuro and carried by the following vote:

Aye: 6 - Harris, Diaz, Ballard, Dzuro, Lehr and Wilson

8. CALL TO PUBLIC

Emiliano Torres, Lake Havasu resident, thanked Mr. Morris for making the Commission aware that there are folks up in the Foothills Estates that are concerned about a development that is currently being developed. He hopes the Commission is aware of the major earth moving going on up there. It is not an incidental development, it is huge. There was a community meeting a couple of months ago and 300-foot radius neighbors

made aware of meeting; however Mr. Torres feels this development will impact more than the 300-foot radius property owners. The main concern is that, in the discussions with staff, it appears that this proposed development has already been approved and it makes it sound like the whole thing is in on a fix. Mr. Torres' belief is that there was a development approved and now a change for that development is in the process. Somehow we need to make City Staff aware that the issue the neighboring Foothills community has is with the new development, not what has been approved in the past.

Bob Smith stated that there is an ordinance about garage sale signs but it is not enforced. Garage sale boxes with rocks on them are laying and deteriorating, remaining onsite for weeks/months. They blow all over streets- that is littering. It has an address on there so why is code not being enforced?

9. FUTURE MEETING

The meeting for October 19, 2022 has been cancelled due to room availability. The next Regular meeting is scheduled for November 2, 2022.

10. ADJOURNMENT

Chairman Harris adjourned the meeting at 9:54 a.m.

Jim Harris, Chairman

Maria Hart, Recording Secretary