



Lake Havasu City

Lake Havasu City
Municipal Courthouse
Council Chambers
92 Acoma Boulevard
Lake Havasu City, Arizona
86403
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Legislation Details (With Text)

File #: ID 19-1916 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 2/13/2019 **In control:** City Council
On agenda: 2/26/2019 **Final action:**
Title: Adopt Ordinance No. 19-1213 Amending Lake Havasu City Code Chapter 13.28 to Make Necessary Changes Regarding Lot Ties, Lot Alterations, and Lot Splits (Stuart Schmeling)
Sponsors:
Indexes:
Code sections:
Attachments: 1. Ordinance No. 19-1213, 2. Chapter 13.28 (Tracked)

Date	Ver.	Action By	Action	Result
2/26/2019	1	City Council	Adopted	Pass

COUNCIL COMMUNICATION

TO: Honorable Mayor and Council
FROM: Stuart Schmeling, Zoning Administrator

SUBJECT:

Adopt Ordinance No. 19-1213 Amending Lake Havasu City Code Chapter 13.28 to Make Necessary Changes Regarding Lot Ties, Lot Alterations, and Lot Splits (*Stuart Schmeling*)

FUNDING SOURCE:

N/A

PURPOSE:

To adopt an ordinance amending Chapter 13.28 to create one process to review, notice, and appeal the three types of lot amendments.

BACKGROUND:

City Code Chapter 13.28 deals with three types of modifications to existing lots: Lot Ties, Lot Alterations, and Lot Splits.

- A Lot Tie combines multiple lots into one tax parcel so the properties can be treated as one lot for development purposes.
- A Lot Alteration relocates a shared lot line between properties. It may be used to sell a portion of a property to a neighbor or correct a fence built across a property line.

- A Lot Split takes one lot and splits it into multiple lots, resulting in the creation of new lots.

The current City Code has different notice and appeal processes for the various types of lot amendments and, as described below, the requirements may be confusing to interpret. The notification requirements are different. Lot Ties and Lot Alterations require a notice of action be mailed to the applicant. Lot Splits require notice be sent to the Planning Commissioners and property owners within 150 feet of the subject property. The appeal processes also differ. There is not a clear appeal process described for Lot Ties and Lot Alterations. Lot Split appeals may be submitted by an applicant or owner of the subject property, an appointed or elected official, or a property owner within 150 feet of the subject property. Appeals are heard by the Planning and Zoning Commission

The purpose of this code change is to create one process to review, notice, and appeal the three types of lot amendments. After reviewing the codes of nine other Arizona cities for Lot Ties, Lot Alterations, and Lot Splits, staff found none of them required notification of any of the neighboring property owners. Likewise, they did not accept appeals from anyone other than the applicant and/or the subject property owner.

The proposed ordinance is intended to establish the same notice and appeal processes for all three types of lot amendments as follows:

- A notice of decision will be provided to the applicant. If the application is denied, the notice will also contain the reasons for denial and how to appeal the decision.
- The applicant or owner of the subject parcel(s) may appeal the decision to the Planning and Zoning Commission.

This item was introduced to Council on February 12, 2019. The public had no questions or comments at the hearing.

COMMUNITY IMPACT:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance No. 19-1213

Chapter 13.28 (tracked)

SUGGESTED MOTION:

I move to adopt Ordinance No. 19-1213 amending Lake Havasu City Code Chapter 13.28 to make necessary changes to Chapter 13.28 regarding Lot Ties, Lot Alterations, and Lot Splits.