

## 14.12.090 – Island District (ID)

### A. Purpose.

1. The purpose of this Section is to regulate development on the Island, approved as Sub district 8 within Section 14.44.070 (as shown on Map 1), to enhance the leisure-service industry by ensuring accommodations and amenities conducive of a world class destination. A primary purpose of the Island District is to encourage large scale resort developments with the allowance of mixed-uses.

**Map 1 – Island District**



2. Development on the Island shall encourage the promotion of the natural physical environment of the area through excellent building and site designs that are compatible with the surrounding natural landscape.
3. The guidelines and standards in this section are designed to ensure public recreation and public access to the shoreline are maintained and/or implemented allowing

4. The development and use standards contained in this Section are designed to implement the land use policies of the General Plan.

## **B. Public Access**

1. One goal of the Island District is to maintain and expand the city's opportunity to provide better public access for the citizens and visitors of Lake Havasu City from adjoining right-of-way to and along the shoreline areas within the District. This goal will be achieved by:
  - a. Securing pedestrian easements from the right-of-way to the shoreline
  - b. Securing pedestrian easements along the shoreline
2. The City will acquire parcels/easements through the development process as a requirement of approval.
3. The City will require new development to provide a public access plan to be approved as part of the Design Review process. Said plan shall include shoreline access, if applicable, and proposed public access from adjoining City right-of-way through the project to the shoreline.

## **C. Commercial - Permitted and Accessory Uses**

1. The following are permitted commercial uses within the District:
  - a. Hotels/Motels
  - b. Open space
  - c. Parks
  - d. Public safety facilities (e.g. fire, police)
  - e. Public parking facilities
  - f. Resort
2. A hotel/motel use is required within the commercial element of a development.
3. The following are allowed accessory uses within the District:
  - a. Boat launch facilities
  - b. Boat mooring facilities
  - c. Business support services
  - d. Conference and convention facilities
  - e. Convenience store (with motor fuel sales)
  - f. Health fitness facilities

- g. Indoor amusement/entertainment facilities
- h. Marinas and associated uses
- i. Mixed-use Residential
- j. Museums, and galleries
- k. Outdoor recreation facilities
- l. Personal services
- m. Playgrounds
- n. Restaurants
- o. Retail sales and services
- p. RV Resorts (Subdivided lots prohibited)

<b>D. Residential Uses</b>
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1. Residential uses within a development can be integrated vertically in a single structure with the upper floors used for office or residential use and the ground floor for retail or service uses.
2. Residential uses can be integrated horizontally where the commercial and residential uses would be in separate structures on the same site.
3. The residential element of a mixed use development cannot exceed forty (40) percent of the overall building(s) square footage.
4. A residential element may provide units with the character and style as indicated within this subsection. For the purposes of this district, the units shall be developed as a multi-family component of a development and defined as follows:
  - a. Casita, patio home and/or bungalow – A small single story residential unit. Units may be attached to each other with shared walls between units. Units are to be developed in a high density/clustered manner. Units cannot be subdivided on individual lots.
  - b. Condominium – A multiple-family building consisting of two or more dwelling units. Individual units may be owned through the subdivision of air-space.
  - c. Townhome – A two story residential unit, generally larger than a casita, patio home and/or bungalow. Units may be attached to each other with shared walls. Units are to be developed in a high-density/clustered manner. Units cannot be subdivided on individual lots.
5. Single-family detached residential and apartments are prohibited.

## **E. Development Standards**

### **1. Site Design**

- a. Building Height
  - i. No maximum building height; Building height to be determined during the zoning and design review process.
  - ii. Parking structures will have a maximum height of 48 feet.
- b. Setbacks
  - i. Buildings along the shoreline must be setback 100 feet inland from the 450 elevation.
  - ii. Buildings along rights-of-way must be setback 20-feet.
- c. View corridors
  - i. View corridors shall be required as approved during design review as described in Section 14.12.090(F).
- d. Landscaping
  - i. Landscaping requirements shall be in conformance with Chapter 14.32 of the Development Code.
- e. Right-of-way/Public Improvements
  - i. Off-site improvements to Beachcomber Boulevard right-of-way and off-site improvements not existing within the McCulloch Boulevard will be required as approved through the permitting process.
  - ii. The existing bicycle/pedestrian path must be maintained and may require improvements as approved through the permitting process.

### **2. Public Access**

- a. A shoreline access easement of at least 60 feet wide shall be provided inland from the 450 elevation with a minimum of a 12-foot wide walkway located within the easement. Improvements within public easements will be as approved during design review as described in Section 14.12.090(F).

### **3. Parking**

- a. Parking requirements for retail/commercial uses shall comply with Section 14.36.030.
- b. Parking requirements for residential uses as part of a mixed use development shall comply with Section 14.36.020.

### **4. Signage**

- a. Signage shall comply with Section 14.38 except when a comprehensive sign package has been submitted and approved through the planned development process.

## 5. Public Space

- a. Developments will provide a minimum of 20% public space. Public space will be in addition to the minimum landscaping requirements. Public spaces should be functional and attractive urban public spaces, which may include, but are not limited to, public plazas, squares, covered areas, multi-purpose paths, benches, art displays, and other similar public amenities which promote public space utilization and connectivity throughout the District.
- b. The following are considered public space:
  - i. Public open space
  - ii. Public amenities (detached public restrooms, fishing facilities, public gathering areas, etc)
  - iii. Public parking areas
  - iv. Public multi-purpose paths
  - v. Shoreline access easements
  - vi. Shoreline access parcels that have been dedicated to the City by the development property owner
  - vii. Pedestrian access easements
  - viii. Beaches
- c. Public spaces shall:
  - i. Be made available to the public during the property's normal operating hours, except for public access paths, which shall be made available to the public at all times.
  - ii. Include the provision of public pedestrian walkways that are developed in a manner to ensure linkage with adjacent public sidewalks and continuity with adjacent properties.
  - iii. Be designed to provide linkages to building entrances.

<b>F. Design Review</b>
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### 1. Applicable Review Authority.

- a. The Planning Commission shall be the responsible authority for the review and approval of all Design Review applications related to the District. The Planning Commission shall conduct a hearing on an application before the approval or disapproval of the Design Review. The Director shall submit a staff report and recommendation to the Planning Commission for their consideration.
- b. A use shall not be established nor shall a Building Permit be issued for a new structure, or for the substantial alteration of any existing use or structure, until a Design Review application including drawings, elevations, plans, site plans, and other documents have been reviewed and approved by the Planning Commission.
- c. The Director may approve minor changes to an approved site plan, architecture, or nature of the approved use as long as the changes are consistent with all

## 2. Design Review Criteria

- a. Architectural Standards
  - i. Horizontal building planes shall not exceed 150 ft. adjacent to shoreline corridor. A significant architectural feature or a view corridor must be provided to prevent long monolithic building frontages along rights-of-way and shoreline.
  - ii. Cornices, expression lines, or other architectural features shall be incorporated into the building design in such a way as to define the ground level space.
  - iii. No neon or similar type building accent is allowed. Upper levels of the buildings may project balconies above 15 feet in height into the shoreline access easement. Decorative moldings and other architectural features may be allowed to project into the shoreline access easement.
- b. View corridors
  - i. View corridors are intended to generally provide views of the lake and mountains through the development site and shall be oriented as such. Corridors shall be improved with landscaped areas, public amenities, and/or accessory structures which enhance the quality of the corridor while still preserving views.
  - ii. View corridors shall be a minimum width of 40 feet.
  - iii. View corridors shall be of sufficient width and number so as to meet the intent of the District.
  - iv. View corridors may contain surface parking areas.
- c. Public Access
  - i. One goal of the Island District is to maintain and expand the city's opportunity to provide better public access for the citizens and visitors of Lake Havasu City from adjoining rights-of-way to and along the shoreline areas within the District.
  - ii. Additional public access easements within the development maybe required and be of sufficient number to meet the intent of the District.
  - iii. Public access areas shall include shaded areas, benches, and linkages to building entrances.
  - iv. A public access easement may lie on top of a view corridor.
  - v. To promote continuity within the shoreline access parcels/easements, amenities such as public benches, shade structures, colors schemes, building materials, decorative ornaments, ground cover, landscaping materials, and lighting fixtures located in the parcels/easements shall be consistent with existing development within the district.

### **3. Appeal of Planning Commission Decision**

- a. The applicant, City Council member, or any owner of property within 300 feet of the subject site, may appeal the Planning Commission's decision to the City Council, in compliance with Chapter 14.60 (Appeals).
- b. The appeal of the Planning Commission's decision shall be submitted in writing to the Development Services Department within 15 days of the date the Planning Commission rendered their decision. After receipt of a written request for appeal, a hearing will be scheduled no later than 30 days following the receipt of the appeal.
- c. The City Council may uphold, uphold in part, or reverse the action, determination, or decision made by the Planning Commission. The City Council may also adopt additional conditions of approval deemed reasonable and necessary.

#### **G. Legal Nonconforming Uses and Structures**

1. Nonconforming uses and structures legally existing on or before the effective date of this section may continue; provided that when the uses or structures are modified by fifty (50) percent or more in area, value, or use, the uses and structures shall be brought into compliance with the provisions of this section.

#### **H. Exceptions**

1. Exceptions from the development standards for the Island District may be requested through the planned unit development process as outlined in Lake Havasu City Code Section 14.44.070.