

Permitted Uses

14.03.01. General – Using the Permitted Use Table

Table 3-1 (Permitted Use Table) lists each land use available in the City and indicates whether it is allowed by right, with a Conditional Use Permit, as an accessory or temporary use, or prohibited, in each base zoning district. References to additional regulations (i.e., use-specific standards) applicable to a certain land use are also included in the right hand column. Other property uses or restrictions on uses may be contained in the City's base or overlay zoning district regulations in Article 2 (Zoning Districts). If a property is located in a PD-O (Planned Development Overlay) district, the permitted uses, conditional use, and any conditions on those uses are contained in the rezoning ordinance and related documents for that property.

A. PERMITTED USES

A "P" in a cell of the Permitted Use Table indicates that the land use is allowed by right in that zoning district, subject to compliance with the use-specific standards referenced in the right hand column for that use.

B. CONDITIONAL USES

A "C" in a cell of the Permitted Use Table indicates that the land use is allowed in that zoning district only upon approval of a Conditional Use Permit as described in Section 14.05.04.G (Conditional Use Permit, Minor and Major) and subject to compliance with any use-specific standards referenced in the right hand column for that use.

C. PROHIBITED USES

A blank cell in the Permitted Use Table indicates that the land use is prohibited in that zoning district.

D. ACCESSORY USES

An "A" in a cell of the Permitted Use Table indicates that the land use is allowed in that zoning district only if it is incidental and subordinate to a permitted primary use of the land in that district (i.e., a P or C use that has been approved for the site).

E. TEMPORARY USES

A "T" in a cell of the Permitted Use Table indicates that the use is permitted in that zoning district for a temporary amount of time and only after approval of a Temporary Use Permit (Section 14.05.04.F) and subject to compliance with any use-specific standards referenced in the right hand column for that use.

F. OVERLAY DISTRICT PROVISIONS GOVERN

When a property is located within the boundaries of one or more of the overlay districts listed in Section 14.02.06 (Overlay Zoning Districts), the provisions for that overlay district prevail over those in the base zoning district. For example, if a use is prohibited in the base zoning district where the property is located, but is a permitted use in an overlay district applicable to the same property, then the use is allowed on that property. On the other hand, if a use is listed as a permitted use in the base zoning district but is listed as a conditional use in an overlay zoning district applicable to the same property, then the use is a conditional use for that property. Where a property is located in more than one overlay district, then the most restrictive use provision in those overlay zoning districts shall apply to the property.

Permitted Uses

G. USE-SPECIFIC STANDARDS

When a land use is allowed in a zoning district, there may be additional standards that apply to that specific use. Those additional standards (use-specific standards) are cross-referenced in the right hand column of the Permitted Use Table. These cross-referenced standards appear in Section 14.03.03 (Use-Specific Standards) immediately following the Permitted Use Table.

H. UNLISTED USES

When a proposed land use is not explicitly listed in the Permitted Use Table, the Zoning Administrator shall determine whether or not it is included in the definition of a listed use or is so consistent with the size, scale, operating characteristics and external impacts of a listed use that it should be treated as the same use. Any such interpretation shall be made available to the public and shall be binding on future decisions of the City until the Director makes a different interpretation or this Development Code is amended to treat the use differently.

I. LICENSES AND PERMITS REQUIRED

All uses required by the State of Arizona or the federal government to have an approval, license, or permit to operate, issued by the State or by another public, quasi-public, or regulatory agency, are required by Lake Havasu City to obtain and maintain that State approval, license, or permit at all times. Failure to do so constitutes a violation of this Code.