

Interpretation of Ordinance 68-2000

Whereas the City of Rivergrove adopted Ordinance 68-2000 on October 16, 2000, adding Section 5.075 to the Land Development Ordinance (RLDO) to establish minimum and maximum residential densities in areas outside the Flood Hazard District; and

Whereas a question has arisen concerning the reference to "multi-family developments" in Section 5.075(c), excluding such developments from the provisions of Section 5.075; and

Whereas Section 5.075(b)(1) and (2) plainly govern the density calculation for all single-family detached dwellings, secondary dwelling units, duplexes, and triplexes outside the Flood Hazard District, without exception; and

Whereas the minimum and maximum density formulas in Section 5.075 have been relied upon by the City of Rivergrove as the basis for determining compliance with the RLDO for all applications for multiple lot and multiple structure developments filed since October 16, 2000; and

Whereas the Planning Commission has the authority and responsibility to interpret the RLDO pursuant to Section 3.090 of the RLDO, and that interpretation shall be in writing and shall be available with copies of the RLDO,

NOW THEREFORE, the following interpretation, to be filed in Article 5 of the Rivergrove Land Development Ordinance, is hereby adopted by the Planning Commission at its regular meeting on February ____, 2008. Until Section 5.075 is revised or until a different interpretation of this section is adopted by the Planning Commission, this section shall be applied and enforced in accordance with the following interpretation:

INTERPRETATION

The words, "multi-family developments," in Section 5.075 shall be interpreted and are defined to mean residential structures which contain more than three units, as defined in Section 5.075(b)(1).

Ayes 9
Nays 0 Postoria

W. B. Postoria / 2/16/2008
Chair Date

Chair PC
* City Manager Copy

Withdrawn by City Council
at applicant's request