

ORDINANCE # 68-2000

AN ORDINANCE ADOPTING AMENDMENTS TO THE RIVERGROVE LAND
DEVELOPMENT ORDINANCE AND THE RIVERGROVE COMPREHENSIVE PLAN
IN ORDER TO COMPLY WITH THE REQUIREMENTS OF METRO'S URBAN
GROWTH MANAGEMENT FUNCTIONAL PLAN.

Planning Commission Public Hearings: 8/10/2000, 9/7/2000
9/11/2000, 9/28/2000

City Council Public Hearings:

10/16/2000

Adopted by Rivergrove City Council:

10/16/2000



Mayor Larry Barrett

10-16-00

Date



City Recorder Mike Collmeyer

10/16/2000

Adopted

FUNCTIONAL PLAN COMPLIANCE ORDINANCE

Section 1. 0

Statutory Authorization, Findings of Fact, Purpose, and Objectives

1.1 Statutory Authorization

The legislature of the State of Oregon has delegated the responsibility of local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the City of Rivergrove ordains as follows:

1.2 Findings of Fact

- (1) Metro, working with citizens and the 24 cities and 3 counties in the region is responsible for managing the region's growth. Setting the framework for managing growth has included establishing the Regional Growth Goals and Objectives (RUGGO), developing the 2040 Growth Concept, drafting the Regional Framework Plan and adopting the functional plan.
- (2) With the adoption of the Growth Concept, Metro began to develop the planning tools to assist the counties and cities to implement the Growth Concept. The Regional Framework Plan outlines specifically what changes the region must make to implement the growth management policies over the next 20 years. This plan contains all regional growth management policies including land use, transportation, water quality, natural areas, and parks policies.
- (3) Metro adopted the functional plan in November 1996, and the plan became effective in February, 1997. The purpose of the functional plan is to establish requirements and tools for local governments to use to implement the Framework Plan. The functional plan implements the RUGGOs and the 2040 Growth Concept. Cities and counties are required to amend their comprehensive plans and implementing ordinances to comply with the provisions of the functional plan.
- (4) Rivergrove is adopting this ordinance to comply with the provisions of the functional plan as required by Metro.

1.3 Statement of Purpose

The purpose of this ordinance is to comply with Titles 1-2 and 4-8 of Metro's Urban Growth Management Functional Plan. A separate ordinance, ORD #69-2000, will be enacted to comply with Title 3.

Section 2.0 General Provisions

2.1 Map of 2040 Growth Concept Design Types

Rivergrove hereby amends its Comprehensive Plan to include a map identifying boundaries of each of the 2040 Growth Concept "design types" according to Title 1, Sec. 3 of the Functional Plan. These boundaries should be consistent with the general locations found on the 2040 Growth Concept Map. Due to its small size, Rivergrove contains only one of the design types-"inner neighborhood." The Growth Concept defines this as a primarily single family residential neighborhood. Rivergrove hereby adopts Metro's map showing the 2040 inner neighborhood designation as an appendix to the Rivergrove Comprehensive Plan, **Appendix F to Attachment B to Ordinance No. 54-89.**

2.2 Amendments to LDO to Comply with Title 1 density requirements

According to Title 1, Table 1, Rivergrove has a functional plan target capacity of minus 15 for new dwelling units. This target represents a capacity for growth between the years 1994 and 2017, and is measured from land within the 1996 City boundary. According to Metro's data, Rivergrove has approximately eight acres of vacant buildable land in its R10 zone. All of this land was counted toward the City's dwelling unit target capacity. Calculations for the capacity included gross-to-net reductions needed for streets and right-of-way, and an under build factor of 20% (below the maximum allowed by zoning). Under these assumptions, the city could accommodate approximately 20 additional dwelling units on its vacant land currently zoned R10. Therefore, in light of the fact that Rivergrove has been allocated a dwelling unit target capacity of minus 15, the City should be able to meet its goal, even without considering other factors such as a credit for dwelling units constructed between 9/1/94 and 8/31/96.

Rivergrove hereby amends its Land Development Ordinance (LDO) to meet the density requirements of Title 1 of the Functional Plan:

(1) The following is added to Article 5 of the LDO:

Section 5.075. Minimum Density Standard. To ensure that property develops at or near the density envisioned for the areas outside the Flood Hazard District, Rivergrove hereby establishes a minimum density standard of 80% of maximum density.

(a) The calculation of minimum and maximum densities shall be made as follows:

(1) The "net development area", in acres, shall be determined by subtracting the following land areas from the gross acres, which is all of the land included in the legal description of the property to be developed or divided:

- a) Land within the 100-year flood plain;
 - b) Land with slopes exceeding 25%;
 - c) Water Quality Resource Areas;
 - d) All land dedicated for public rights-of-way;
 - e) All land used or proposed as a private road for access benefiting more than one lot.
- (2) To calculate the maximum number of residential units per net acre, divide the number of square feet in the net acres by the minimum number of square feet required for each lot, i.e. 10,000 square feet.
 - (3) To calculate the minimum density standard, multiply the maximum number of residential units per net acre by 80% (0.8), and round down to the next whole number.
- (b) The minimum density standard states the number of units to be placed on the property to be developed or divided.

- (1) Units shall be counted as follows:
 - a) a single-family detached dwelling -one unit;
 - b) a secondary dwelling unit -one unit;
 - c) a duplex -two units;
 - d) a triplex -three units.
- (2) Units shall be counted when a development permit is issued for one of the above or when a lot is restricted by plat restrictions or covenants to development as:
 - a) a single-family with a secondary dwelling unit; or
 - b) a duplex; or
 - c) a triplex.
- (3) Applicants may request a variance from the minimum density standard under Section 6.060. Added to the criteria to be considered on a variance request from the minimum density standard are:
 - a) the configuration of the property to be developed or divided;
 - b) the availability of sewer service to the property to be developed or divided.

- (c) The provisions of this section do not apply to land within 100-year flood plain or to multi-family developments.

- (2) The following is added to Article 6 of the LDO:

Section 6.080 is amended by addition of the following:

- (c) Nothing herein shall prohibit the partitioning or subdividing of an existing lot that is two or more times the minimum lot size specified in the development code.

2.3 Request for exception to the employment target

According to the Metro Functional Plan, Rivergrove has a target of 41 new jobs in the specified period. However, city has no land designated for employment use or commercial development. The primary source of employment within the city is home-based work. It is unlikely the city will be able to meet the target.

- (1) Rivergrove hereby requests an exception from Metro to the employment target capacities as stated in the Urban Growth Management Functional Plan.

2.4 Amendments to LDO to Comply With Title 2

Title 2 of the Functional Plan establishes minimum parking standards and establishes parking maximums. Parking, for functional plan purposes, refers to free, surface, off-street parking spaces for autos. Other forms of parking, such as on-street parking, user paid market rate parking, vehicle for sales or lease parking, structured parking, dedicated valet parking, dedicated employee carpool parking, fleet parking and truck loading/parking can be exempted from maximum parking standards by cities and counties.

Rivergrove hereby amends Article 5 of its LDO to comply with Title 2 by adding the following:

Section 5.095. Parking Standards.

- (a) Rivergrove establishes parking minimums and maximums not to exceed those ratios established by the following table:

Land Use	Minimum Parking Requirements	Maximum Parking Permitted
Places of Worship	0.5 per 1,000 sq. ft.	0.8 per 1,000 sq. ft.
Recreation Facilities	4.5 3.4 per 1,000 sq. ft. *	6.5 per 1,000 sq. ft.
Single Family Detached	2 covered, enclosed spaces per unit, 2 off-street parking spaces per unit.	no maximum
Residential units, less than 500 sq. ft., 1 bedroom, except "over-the-garage" 1 bedroom units, which require no additional parking	1 covered, enclosed space per unit, 1 off-street parking space per unit.	no maximum
Multi-family, townhouse one bedroom	1 covered, enclosed space per unit, 1.25 off-street	no maximum

** Net interior floor space*

	parking spaces per unit.	
Multi-family, townhouse two bedroom	2 covered, enclosed spaces per unit, 1.5 off-street parking spaces per unit.	no maximum
Multi-family, townhouse three bedroom or more	2 covered, enclosed spaces per unit, 1.75 off-street parking spaces per unit.	no maximum

Note: Calculations resulting in fractional numbers shall be rounded up to the next whole number. Parking calculations shall be based on, and apply to individual lots, regardless of the number of lots in the development application.

- (b) Variances for parking when a development application is received which may result in approval of construction of parking spaces either in excess of the maximum parking ratios or less than the city's minimum parking ratios established by the above table may be made under the provisions of Section 6.060

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