# ZONING INTERPRETATION RECORD

### Subject of Interpretation:

Calculation of project base density for parcels in the ESLO district to determine if an NAOS density incentive or a rezoning is necessary.

### Zoning Ordinance Section Number:
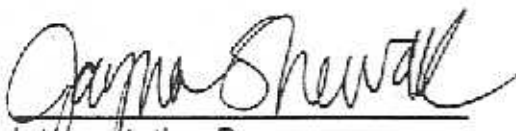
Sections 7.852 and 7.853.C

### Title of Section:

Intensity of Development and Density Incentive for NAOS

### Cause for Interpretation:

In the past, Staff has used Table C in section 7.855.D in order to distinguish between projects which require a City Council approval for either a rezoning or NAOS density incentive and those which require only a Development Review Board approval for the preliminary plat. The densities listed in Table C provide a simple method that allows staff to quickly determine the need for a rezoning or a NAOS density incentive yet there is no formal language in the ordinance to allow this cross reference to occur.

### Interpretation:

To determine if a project located in the lower or upper desert land forms requires a rezoning or NAOS Density Incentive, Staff shall use either of the following methods to determine what the base density is (the maximum number of units that could be approved by the DRB): Method 1) Require the applicant to submit a lotting plan reflecting a layout that meets all detention and NAOS requirements without any amended development standards. or, Method 2) Using table C, calculate the maximum number of units based on multiplying the gross land area times the corresponding intensity/density in Table C. Based on the following R1-43 example the range of options is as follows: Base density = .83 du/acre max.; NAOS Density Incentive = .99 du/acre max. (.83 plus 20%); Rezoning = over .99 du/acre.

Interpretation By      6 Nov 1998

Date

Approved By

| Jayna Shewak<br>Project Coordination Manager | 6 Nov. 98 | Kroy Ekblaw<br>Development Coordination<br>Director |