



CITY OF LEBANON

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Lebanon Municipal Code Title 16: Development Code

Article Four: Land Use and development Reviews, Decision Requirements and Procedures

Chapter 16.25: Code Interpretations

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CITIZEN SERVICES & DEVELOPMENT CENTER

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Chapter 16.25: Code Interpretations

16.25.010 PURPOSE

- A. It is possible that occasionally property owners or applicants may disagree with the conventional or routine interpretations (i.e., understanding and implementation) of some terms and phrases in this Code. This Chapter provides an orderly process for documenting official interpretations of the Code text.
- B. Code Interpretations may involve clarification of language and terms, make determinations regarding similarities of use, and make decisions regarding applicability and range or scope of provisions.

Deviations from established measurable standards and requirements require a **Variance**. See Chapter 16.29 of this Code.

16.25.020 LIMITATIONS ON CODE INTERPRETATIONS

- A. Code Interpretations must be as narrow in reach as possible and must be text specific.
- B. Code Interpretations are restricted to the Lebanon Development Code (LDC), and in no way affect other jurisdictions' and agencies' rules and implementation.
- C. No Code Interpretation can be in conflict with or contrary to other provisions of the Lebanon Comprehensive Plan (LCP), the LDC, the Lebanon Municipal Code (LMC), or any other adopted plans or standards of the City.
- D. Code Interpretations do not apply to site specific development standards, and infrastructure requirements.
- E. Future applications shall be consistent with and reflect previous Code Interpretations, unless specific findings are adopted that identify substantial differences in the circumstances.
- F. Any and all Code Interpretations may be altered by future Code Interpretations, but such future revisions will not invalidate land use decisions made under previous interpretations.
- G. Any and all Code Interpretations may be altered by future LDC Text Amendments (see Chapter 16.28).

16.25.030 PROCEDURE

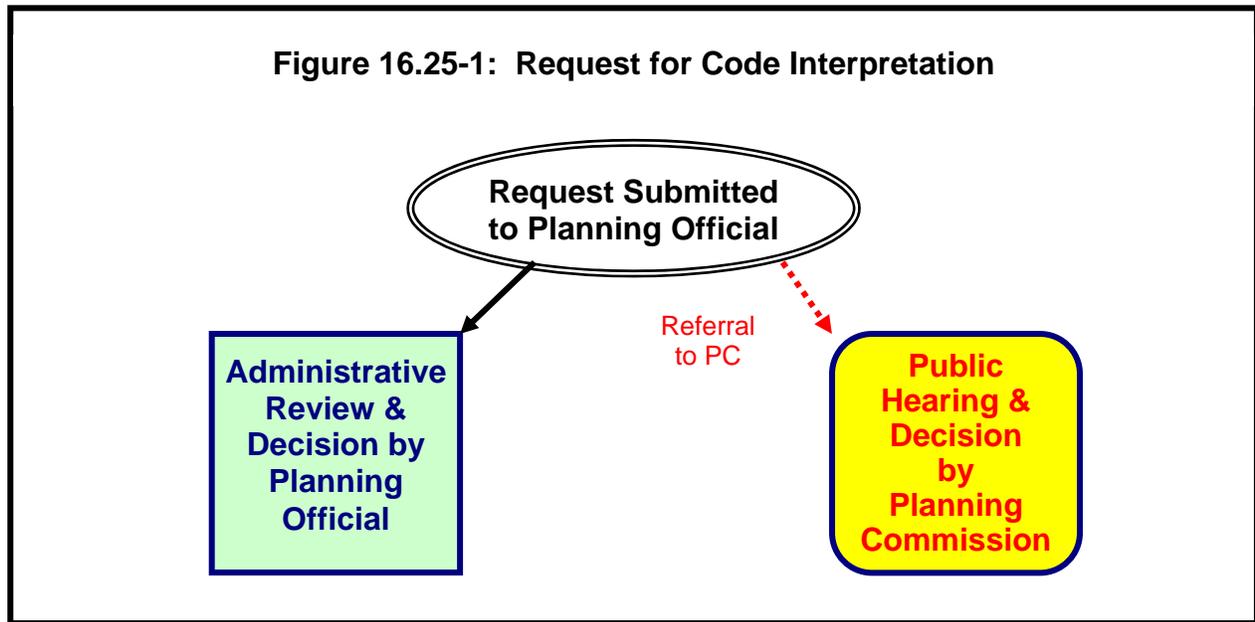
A. Requests

1. Requests for a Code Interpretation shall be made in writing to the Planning Official.
2. Code Interpretations shall be made utilizing the Administrative Review process (see Section 16.20.040 in Chapter 16.20 of this Code).
3. An applicant may request that the application be heard by the Planning Commission.
4. Mailed notices shall include a summary of the Code Interpretation ruling.

B. Decision to Issue Interpretation

1. As shown in Figure 16.25-1, The Planning Official shall have the authority to interpret the Code using the Administrative Review process, or
2. The Planning Official may refer the request to the Planning Commission for interpretation in a public hearing.
3. The review process, either by the Planning Official or on referral to the Planning Commission, shall follow all the applicable provisions of Chapter 16.20 of this Code.

Figure 16.25-1: Request for Code Interpretation



C. Written Interpretation

1. The City's decision regarding the request for a Code Interpretation shall be issued in writing and shall be mailed or delivered to the person requesting the interpretation and any other person entitled to a copy, as per all applicable provisions of Chapter 16.20 of this Code.
2. The written interpretation, including supporting evidence or documentation, shall be issued as specified by the applicable provisions of Chapter 16.20 of this Code.
3. The decision shall become effective as specified by the applicable provisions of Chapter 16.20 of this Code, unless an appeal is filed in accordance with Section 16.25.040 below.

16.25.040 APPEALS

- A. The applicant and any person who participated in the proceedings through the submittal of written or verbal testimony or evidence may appeal the decision as per the applicable provisions of Chapter 16.20 of this Code.
- B. A decision by the Planning Official may be appealed to the Planning Commission.
- C. The appeal must be filed as per the applicable provisions of Chapter 16.20 of this Code.
- D. Appeal shall be resolved as per the applicable provisions of Chapter 16.20 of this Code.

16.25.050 INTERPRETATIONS ON FILE

The City shall keep on file and make available to the public a record of all Code Interpretations to the LDC.