

CITY OF PORTLAND, OREGON - BUREAU OF DEVELOPMENT SERVICES



1900 SW Fourth Avenue Portland, Oregon 97201 • 503-823-7526 • www.portlandonline.com/bds

Type III Land Use Review Procedure

Pre-Application Conference is required for all Type III Procedures, valid for one year • Neighborhood contact and contact documentation is required for Type III Land Divisions and some other Type III Reviews

001 DAY	Application Submitted	Staff has 21 days to determine completeness
005 010	21 Day Completeness	of application If complete, the public hearing is scheduled to be held within 51 days If not complete, a letter is sent detailing the needed information
015	Check Applior ag	licant has up to 180 days to provide needed information oplication will be voided and no fees returned.
020 21	Request For Response (RF	Mailed to public agencies and recognized organizations within 1,000 ft. of site
030 035	Comment Period	Organizations within 1,000 it. of site
040 045 DAYS	Applicant Posts Site	One sign with notice of the hearing is posted for every 600 ft. of frontage on each abutting street
050 055 DAYS	Public Notice	 Mailed 20 days before hearing Notice mailed to recognized organizations within 1,000 ft. and to property owners within 400 ft. of the site (or 500 ft. if outside the Urban Growth Boundary)
060 065 DAYS	Staff Report	Published 10 days before hearing, includes staff recommendation to hearings body
070 075 DAYS	Public Hearing	Held within 51 days of complete application • Decision may be pronounced at hearing or made after close of record. Record may be kept open, on request
085	Hearings Body Decision	Mailed within 17 days of close of record
090 DAYS	14 Day Appeal Period	If not appealed the decision is final • Approvals must be recorded with the county • For land divisions, a Final Plat application
103* 105 DAYS	Decision is Final	must be submitted for review and approval before the plat can be recorded

*Timeline reflects Portland City Code requirements in 33.730.030. Oregon State law requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision. As noted above, requests to keep the record open may cause the timing of the decision to vary. Comprehensive Plan Map Amendments and Goal exceptions require a second hearing before City Council and are not subject to the 120 Day Rule.

The hearing and decision

Depending on the type of application submitted, a public hearing will be held before the Hearings Officer, Design Commission, or Historic Landmarks Commission. For Comprehensive Plan Map Amendments or Goal Exceptions, a hearing before City Council is also required.

The hearing allows the review body to gather all of the information needed. It is also your opportunity to provide additional input into the decision-making process. As the applicant, you must demonstrate that your proposal satisfies all of the approval criteria. Anyone opposing your proposal must demonstrate that one or more of the approval criteria cannot be satisfied. The review body will make a decision based solely on the applicable approval criteria.

If a decision is appealed

If the decision is appealed, the City Council is the review body that hears the case. Within five working days of receiving the appeal, the Bureau of Development Services will mail a public notice announcing the hearing. The hearing will take place approximately three weeks after the notice is sent to the public. The appeal fee is one-half of the original application fee. Neighborhood Association may request an appeal fee waiver. The City Council hearing is mandated by the same criteria that governed the previous hearings related to the land use review. No City Council appeal is available for decisions on sites in unincorporated Multnomah County.

If any new information is received at the hearing, any party may request a continuance of the hearing. If that request is made before the hearing ends, the record will remain open for at least seven days. In most cases, the City Council will take an initial vote at the end of the public hearing and take a final vote at a later time (approximately four weeks from the date of the original hearing).

The City Council decision may be appealed to the State Land Use Board of Appeals (LUBA). A case in unincorporated Multnomah County may also be appealed to LUBA.

Recording the decision with the County Recorder

If the decision is not appealed to City Council, it is final the day after the last day to appeal. An appealed decision is final on the day City Council issues its decision. You must record the decision with the County Recorder's Office; you may record it in person or by mail. Refer to the recording sheet that you will receive prior to the recording date for exact details. If there is a building permit pending, it cannot be issued until the land use review is recorded and all conditions of approval are met or shown how the conditions will be met as part of the building permit approval.

For more information visit or call the Planning and Zoning staff at the Development Services Center at 1900 SW 4th Avenue, Suite 1500, 503-823-7526

For current Portland Zoning Code visit www.portlandonline.com/bds | select Codes tab | City Codes | Title 33 Zoning Code

Information is subject to change.