



# CITY OF PORTLAND, OREGON BUREAU OF DEVELOPMENT SERVICES

1900 SW Fourth Avenue, Portland, Oregon 97201, [www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)



## Adjustment Approval Criteria, Zoning Code Chapter 33.805

### Adjustments

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply citywide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purpose of the code.

### Adjustment procedure

Adjustment requests are processed through a Type II (<http://www.portlandoregon.gov/bds/article/71806>) administrative procedure that results in a staff decision. If the decision is appealed, a public hearing is held and the Adjustment Committee makes the final local decision. Information about the Type II procedure is attached to this packet.

### Approval Criteria, Zoning Code Section 33.805.040

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A through F, listed below, have been met.

The burden of proof is on the applicant to show how the request meets the approval criteria. *A written response to all applicable approval criteria must be part of your application.* Be sure to address each criterion. Note that adjustment approval criteria for signs are stated in Title 32.

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and
- D.** City-designated scenic resources and historic resources are preserved; and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable

In the uncommon situation where *all reasonable economic use of the site would be precluded* if the adjustment were not granted, the following approval criteria G, H and I apply. Because these approval criteria apply only in unusual circumstances, please discuss your proposal with Planning and Zoning staff before preparing your application.

- G.** Application of the regulation in question would preclude all reasonable economic use of the site; and
- H.** Granting the adjustment is the minimum necessary to allow the use of the site; and
- I.** Any impacts resulting from the adjustment are mitigated to the extent practical.

For more zoning information visit or call the Development Services Center at 1900 SW 4th Avenue, Suite 1500, 503-823-7526  
For current Portland Zoning Code visit [www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds) | select Codes tab | City Codes | Title 33 Zoning Code

All information is subject to change.