

City of Portland, Oregon - Bureau of Development Services



1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds

Type II Land Use Review Procedure

Pre-Application Conference is optional for all Type II Procedures, and is valid for one year **Application Submitted** Staff has 14 days to determine completeness of application ONE • If complete, the public notice is mailed by 14th day **14** Day 005 • If not complete, a letter is mailed to the **Completeness** applicant detailing needed information Check Applicant has up to 180 days to provide needed information 010 or application will be voided and no fees returned. **Public Notice** 14 If Complete, Notice of Proposal is mailed to DAYS public agencies, to property owners within 150 ft. of the site (or 500 ft. if outside the Urban Growth Boundary), and to recognized **21** Day organizations within 400 ft. Comment Period 030 **Analysis** Comments are considered; analysis of proposal is made, based on approval criteria DAYS **Decision** Decision is made and mailed within 28 days after the Notice of Proposal is mailed. **DAYS** • Decision may be appealed and a public hearing will be scheduled before the 14 Day appropriate appeal body Appeal Period (see reverse) **Decision is Final** 56* If not appealed the decision is final · Approvals will be recorded with the county

*Timeline reflects Portland City Code requirements. Oregon State law requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or to extend past the 120 days.

If the decision is appealed

If the decision is appealed, a public hearing is scheduled. A notice of this hearing is mailed to the public within five working days of the appeal being filed. The hearing is scheduled approximately three weeks after the appeal notice is mailed.

The appeal fee charged is \$250.00. The fee is refundable if the appellant prevails at the hearing (if the original proposal is modified, no refund is applicable). No fee is charged to ONI recognized organizations appealing a land use decision for a property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws.

The appeal hearing and decision

The type of appeal hearing we hold depends on the type of land use review that applies to your application. Reviews may be held before the following review bodies:

- The Adjustment Committee
- The Hearing Officer
- The Design Commission
- The Landmark Commission

The Hearings Officer may make a decision at the time of the hearing, or issue a written decision within 17 days of the hearing. The Design Commission, Landmarks Commissions, and the Adjustment Committee make their decision at the end of the hearing. The decision of these review bodies is final, and cannot be appealed to the City Council. Any further appeal is to the State Land Use Board of Appeals (LUBA).

Recording the decision with the County Recorder

If your proposal is not appealed, it is final the day after the last day to appeal. An appealed decision is final on the day that the review body issues its decision. The decision will be recorded with the County Recorder's Office; If you have a building permit pending, it can be issued only after the appeal period has passed and all conditions of the decision are met.

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/zoningcode
Information is subject to change, recent code changes and requirements may not be reflected on this document.