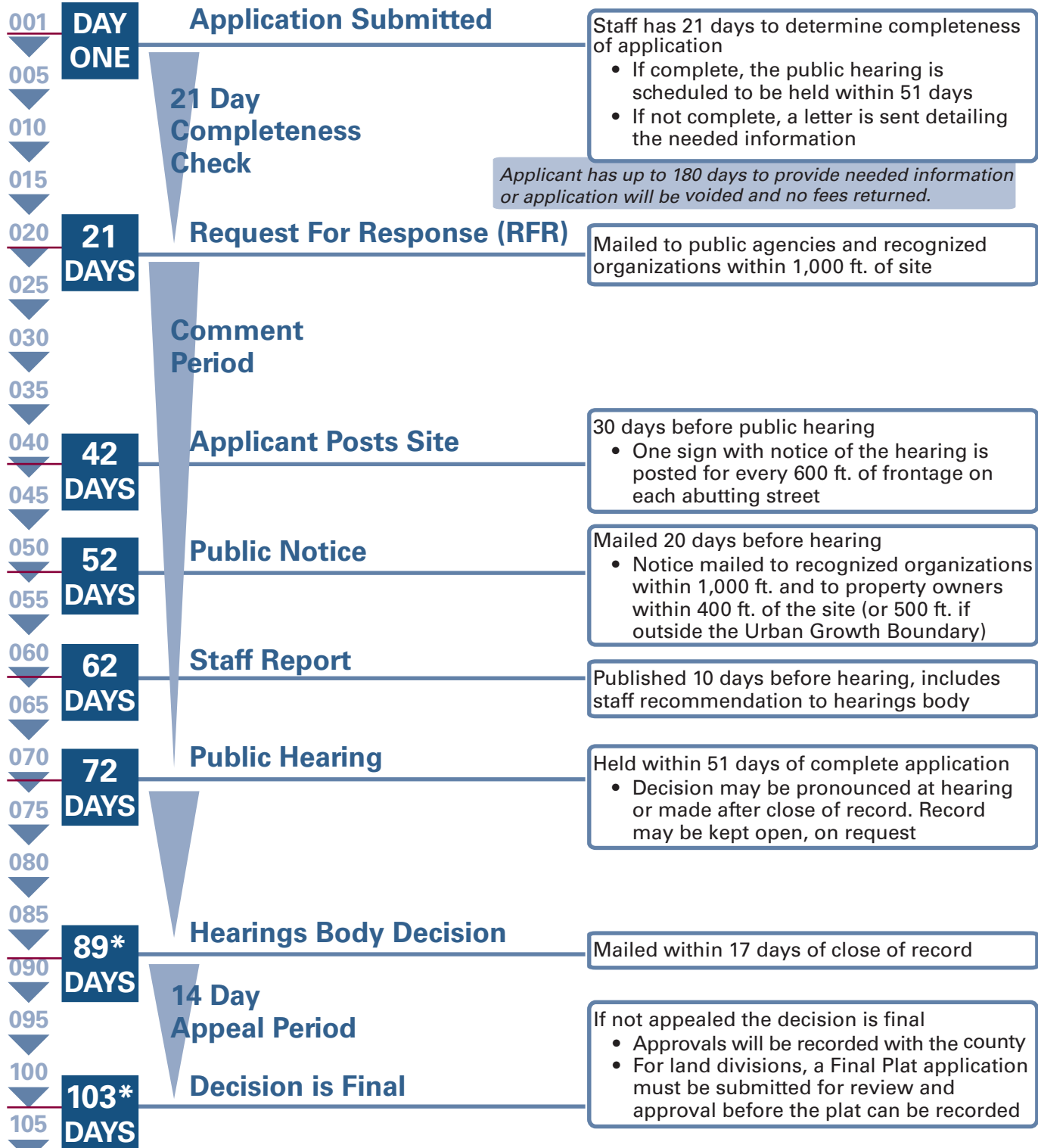




Type III Land Use Review Procedure

✓ 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



*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 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/bds | select Codes tab | City Codes | Title 33 Zoning Code

Information is subject to change.