



# CITY OF PORTLAND, OREGON BUREAU OF DEVELOPMENT SERVICES

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



## Conditional Use Approval Criteria Institutional and Other Uses in R Zones, Ch. 33.815

### What is a Conditional Use?

A conditional use is one that is not allowed outright because it may change the desired character of an area. After review, the use may be permitted if there are minimal impacts, or if impacts are mitigated.

### How will Planning review my proposal?

Your conditional use proposal will be reviewed in either a Type II or Type III procedure. The review procedures are explained in this packet. If you want to know which procedure your application will go through, call or visit Planning and Zoning in the Development Services Center, 503-823-7526. For more information about the Conditional Use Review Procedures, see Chapter 33.815 Conditional Uses.

### What other requirements must be met?

The Institutional Development Standards of the Base Zone must be addressed (except for uses that are specifically identified in the 200's Chapter of the Zoning Code-Group Living, Accessory Short Term Rental facilities, and Schools and School Sites). If a facility is proposed on a site with existing development the Nonconforming Development requirements may apply (see Nonconforming Threshold information).

### What is a complete application?

A checklist of everything that you will need to submit with your application is included at the front of this packet. Use the checklist as a guide as you work through the application packet.

**Written Statement:** The written statement mentioned in the checklist is your opportunity to describe your proposal in detail and address the approval criteria. In addition to the written statement, you must include a site plan, drawings, specifications and other documents which demonstrate how your proposal meets the approval criteria.

**Site Plan:** The site plan is a drawing which shows that your proposal meets the site development standards for your proposal.

**Elevations or Other Drawings:** Elevations, pictures, engineering and architectural drawings and/or pictures need to be provided to identify the visual impacts of the proposal.

### About the Conditional Use Approval Criteria

These approval criteria apply to all conditional uses in R zones except those specially listed in the Conditional Use Chapter 33.815 under a separate category. The approval criteria allow institutions and other non-Household Living uses in a residential zone which maintain or do not significantly conflict with the appearance and function of residential areas.

You need to show how your request meets the approval criteria that are listed below. You may answer in the space that we have provided or you may submit a separate written statement in which you address each item. If you submit a separate written statement, use the approval criteria as an outline, so that anyone who reads your application can find where you have addressed each item.

Before you address the approval criterion C, be sure to read through applicable development standards that are identified in the Base Zone or 200's Section of the Zoning Code. You will need to refer back to the chapter(s) as you address the approval criteria and as you draw up your site plan/building plans.

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Requests for conditional use will be approved if the review body finds that all of the approval criteria have been met. Be sure to address each item.

### **Approval Criteria:**

- A. Proportion of Household Living uses. The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:
  - 1. The number, size, and location of other uses not in the Household Living category in the residential area; and
  - 2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.
- B. Physical compatibility.
  - 1. The proposal will preserve any City-designated scenic resources; and
  - 2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, tree preservation and landscaping; or
  - 3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, tree preservation and other design features.
- C. Livability. The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:
  - 1. Noise, glare from lights, late-night operations, odors, and litter; and
  - 2. Privacy and safety issues.
- D. Public services.
  - 1. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;
  - 2. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity, level of service, and other performance measures; access to arterials; connectivity; transit availability; on-street parking impacts; access restrictions; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; safety for all modes; and adequate transportation demand management strategies;
  - 3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.
- E. Area plans. The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.

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## Applicant's Response

Please explain your proposal and how it meets the Approval Criteria A through E for a Conditional Use for an institutional or other use in an R Zone. Respond below or in a separate written statement.

**A. My proposal meets requirement A because:** \_\_\_\_\_

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**B. My proposal meets requirement B because:** \_\_\_\_\_

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**C. My proposal meets requirement C because:** \_\_\_\_\_

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**D. My proposal meets requirement D because:** \_\_\_\_\_

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**E. My proposal meets requirement E because:** \_\_\_\_\_

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