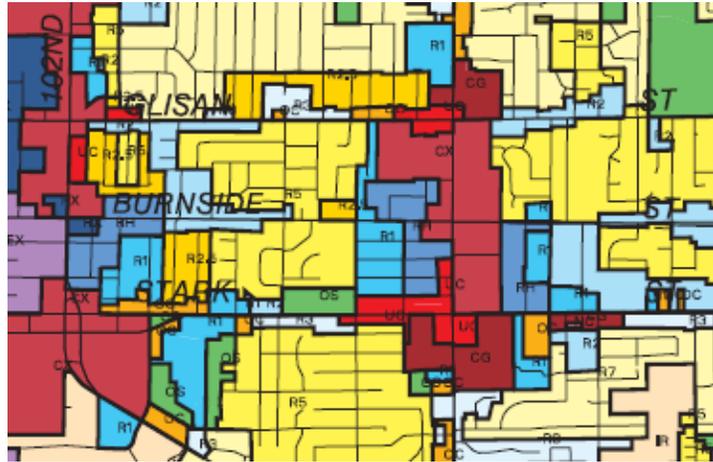


GLOSSARY OF LAND USE TERMS

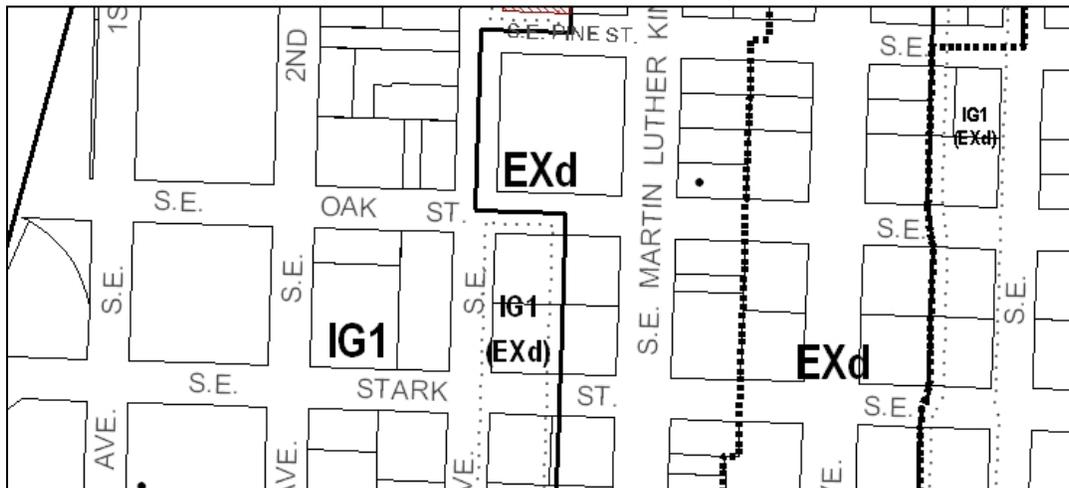
Comprehensive Plan and Zoning Maps

Comprehensive Plan Map. The Comprehensive Plan Map is the official long-range planning guide for uses and development in the city. It is a description of where and to what level future zoning may be permitted. Thus, the Comprehensive Plan designations are superior to the Zoning Map designations in that the Zoning Designations do not allow land uses or development that is more intensive than the Comprehensive Plan designation.



Comprehensive Plan Map of Gateway Regional Center.

Zoning Map. The Zoning Map implements the Comprehensive Plan. It is an official document of the Zoning Code but published separately. Boundaries of base and overlay zones are shown on the map. The Zoning Map also shows Comprehensive Plan designations. Where the Comprehensive Plan designation is equal to the Zoning Designation, only the Zoning designation is shown. For example, the map below shows sites zoned IG1, General Industrial 1. For these sites, the industrial zoning implements the Comprehensive Plan designation, Industrial Sanctuary. Areas where the Comprehensive Plan designation differs from zoning are delineated with a dotted line and the Comprehensive Plan designation is noted in parentheses. For example, the map below shows a site with IG1(EX). This designation means that the base zone is IG1 (General Industrial) and the Comprehensive Plan designation is EX (Central Employment). This situation occurs mainly in areas planned for more intensive development but where it has not yet been determined if the area's public services and infrastructure are adequate to support the level of growth that would be allowed under the Comprehensive Plan map designation.



Zoning Map showing base zones and Comprehensive Plan Map designations.

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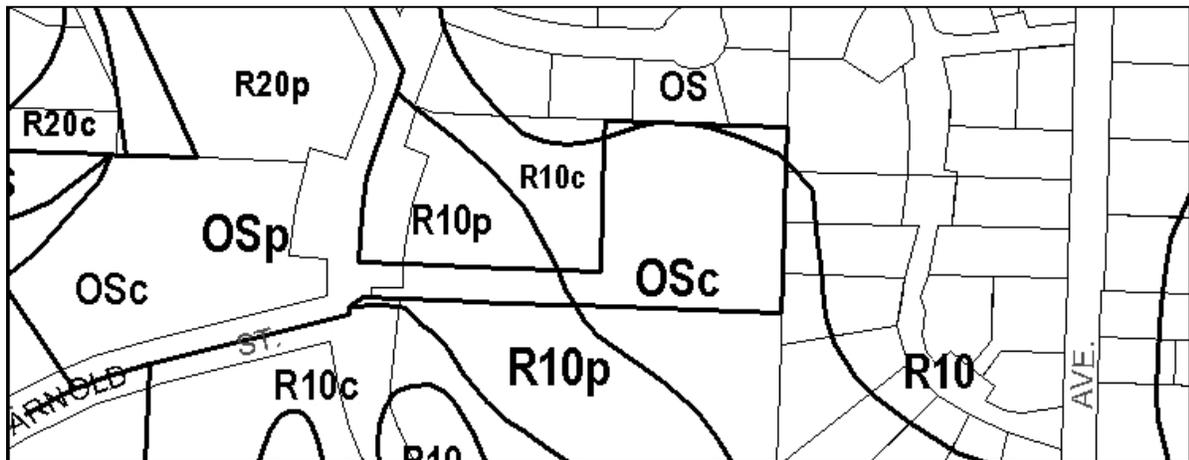
Zone Map Amendment. A Zone Map Amendment changes the Zoning designation to equal the Comprehensive Plan designation. Using the example on the map above, the zoning of a site with IG1(Exd) designations could be changed to EXd through a Zone Map Amendment. In order to be approved, it must be shown that services and infrastructure are adequate to serve future development allowed by the proposed Zone designation

Comprehensive Plan Map Amendment. A Comprehensive Plan Map Amendment changes both the Zone and Comprehensive Plan maps. This amendment requires that the requested designation on balance will be equally or more supportive of the policies of the Comprehensive Plan than the old designation. The amendment also requires the approval of City Council.

Zoning Designations

Base Zone – The base zone determines the uses and types of development that are allowed outright, are conditional or limited uses, or are prohibited. Each zone has specific development standards that also help to define the character of the zone. Residential zones include density requirements. Base zone designations are indicated by capital (upper case) letters and sometimes numbers. For example, R5 is the designation for High Density Single-dwelling Residential, maximum density of one unit per 5,000 square feet of site area.

Overlay Zone – An additional zone designation placed on sites with special characteristics that need additional regulations to preserve the specific qualities of the site, such as environmentally sensitive areas or special design districts. Overlay zones are indicated by lower case letters that follow the base zone designation. For example, environmental conservation overlays are indicated by a “c”; environmental protection overlays are indicated by a “p”; and design overlays are indicated by a “d.”



Zoning Map showing environmental conservation “c” and protection “p” overlay zones.

Plan District □ An entire area with special characteristics that is regulated by a special set of zoning regulations and development standards. Plan Districts are indicated by a boundary on the zoning map.

Historic Resources □ Historic resource overlays are an exception to other overlay zones. The boundaries of historic districts and conservation districts are shown on zoning maps, similar to the way that plan districts are indicated. Individual sites that are designated as landmarks are indicated by a black dot on the zoning map.

GLOSSARY OF LAND USE TERMS

Uses

Allowed Use □ A use that is allowed outright in a particular zone without any special review. Any proposed development must meet the development standards of the zone.

Conditional Use □ A use that is not allowed outright, although it may have beneficial aspects and serve important public interests. Examples of conditional uses in residential zones include agriculture, schools, religious institutions, and fire stations. Conditional use regulations are needed because such uses may have significant adverse effects on the environment, overburden public services, change the desired character of the area, or create a significant nuisance. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use with conditions that reduce impacts, or to deny the use if impacts cannot be reduced. Limits on the amount of visitors to the site, the size of the facility, or other aspects of the use or program may be an outcome of the conditional use review.

Nonconforming Situations □ Uses, development, or residential densities that were lawfully established, but are now either not allowed or prohibited under the current zoning, may continue under certain circumstances. Proposals for expansion or replacement are subject to special regulations and may not be allowed or may require approval through a land use review.

Nonconforming Use □ A use that was allowed by right when established or that obtained a required land use approval when established, but that subsequently, due to a change in the zone or zoning regulations, became a use or an amount of floor area that is now prohibited in the zone.

Nonconforming Development □ An element of development, such as setbacks, height, landscaping or parking area, that was created in conformance with regulations in place at the time, but which subsequently, due to a change in the zone or zoning regulations, is no longer in conformance with the current development standards.

Nonconforming Density □ A residential development that was an allowed use and was constructed at a lawful density, but that subsequently, due to a change in the zone or zoning regulations, now has either a greater density than is allowed in the zone or does not meet the required minimum density. Density is expressed in terms of the number of units.

“Prohibited” Uses or Development □ Some types of uses or development are prohibited in certain zones or zoning districts. “Prohibited” means that an adjustment, conditional use, or other land use review may not be requested in order to allow an exception to the regulation in question. However, the use or development may be allowed if the Comprehensive Plan map and/or zone map designation is changed to one where the use is allowed. Note that the terms “prohibited” and “not allowed” have different meanings in the code.

“Not Allowed” Development □ When the Code states that a certain aspect of a development is “not allowed,” the applicant may request an Adjustment Review or a modification through Design or Environmental Review. If the review is approved, the development will be allowed.

GLOSSARY OF LAND USE TERMS

General Terms

Administrative Decision □ Decision on a Land Use Review made by staff at the administrative level.

Findings □

- In quasi-judicial procedures, the narrative that addresses the approval criteria for the review and explains how the proposal does or does not meet the criteria.
- In legislative procedures, the narrative that explains how the project complies with the State Land Use Planning goals, Metro's Functional Plan, Portland's Comprehensive Plan, and other relevant adopted community, area, neighborhood, and resource management plans.

Land Divisions □ Land Use Reviews that create new plats, dividing larger parcels of land into 2 or more parcels. Approval of a Land Division consists of two phases of review, Preliminary Plan, and Final Plat. The type of land use review process that is used (Type I, IIx, or III) depends on a number of factors, including what zone the site is located in, how many dwelling units are proposed, whether there are special characteristics to the site such as a Potential Landslide, Hazard or Flood Hazard, whether other concurrent land use reviews are requested, or whether a phased development plan is proposed. Special application requirements and approval criteria apply to proposals for Land Divisions [See also Lot Confirmation and Property Line Adjustment.]

Legislative □ Legislative actions involve the adoption of law or policy applicable citywide or to a broad geographical area of the city. Legislative actions are always reviewed by the Planning Commission. The Planning Commission makes recommendations to City Council, which makes the final decision on legislative actions.

Lot Confirmation □ An administrative process that confirms existence of a property line separating two or more previously platted lots or lots of record. This is not a land use review.

Nexus □ A legal term used to describe a direct connection between a condition of approval and the impact created by the proposal. The nexus must be related to the approval criteria and must be explained in the findings.

Property Line Adjustment □ An administrative process that allows a common property line between two abutting properties to be relocated. A Property Line Adjustment does not create or remove lots and it is not a land use review.

Quasi-judicial □ A term used to describe the Land Use Review process. The quasi-judicial process is differentiated from the legislative process because it involves the application of existing law or policy to a small area or a specific factual situation. Land Use Reviews follow legal requirements that are based on state law. The reviews and potential hearings are conducted under rules that are similar to court hearings, but are not conducted by officers of the court. Hearings are conducted by appointed review bodies that have been delegated by City Council with the power to make land use decisions.

Review Bodies □ City Council or the groups or individuals authorized by City Council to make decisions in Land Use Reviews. These include the Hearings Office, the Adjustment Committee, the Design Commission, and the Landmarks Commission.