Type II Land Use Review Procedure

- Pre-Application Conference is optional for all Type II Procedures, and is valid for one year

001 **DAY ONE** — **Application Submitted**

Staff has 14 days to determine completeness of application
- If complete, the public notice is mailed by 14th day
- If not complete, a letter is mailed to the applicant detailing needed information

Applicant has up to 180 days to provide needed information or application will be voided and no fees returned.

005 010 015 020 025 030

14 Day Completeness Check

14 DAYS — **Public Notice**

If Complete, Notice of Proposal is mailed to public agencies, to property owners within 150 ft. of the site (or 500 ft. if outside the Urban Growth Boundary), and to recognized organizations within 400 ft.

21 Day Comment Period

035 **35 DAYS** — **Analysis**

Comments are considered; analysis of proposal is made, based on approval criteria

040 045 050

42 DAYS — **Decision**

Decision is made and mailed within 28 days after the Notice of Proposal is mailed.
- Decision may be appealed and a public hearing will be scheduled before the appropriate appeal body (see reverse)

14 Day Appeal Period

055 060 065

56* DAYS — **Decision is Final**

If not appealed the decision is final
- Approvals must 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. You must record the decision with the County Recorder's Office; you may record it in person or by mail. Refer to the recording sheet that you will receive prior to the recording date for exact details. If you have a building permit pending, it can be issued only after you have recorded the land use review 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.