



Expedited Land Division Acknowledgement

What is an Expedited Land Division?

An Expedited Land Division (ELD) is an administrative process that provides an alternative procedure for some land division applications. The ELD procedure is detailed in [33.730.013](#).

There are two types of proposals that may use the ELD procedure if they meet specific requirements:

- **Middle Housing Land Division (MHL D).** Allows dividing specific middle housing types (duplex, triplex, fourplex and cottage clusters), subject to a limited set of approval standards. The zoning code specifies the ELD procedure be used for MHL D applications (see [33.671](#)).
- **Land division that meets the requirements of [ORS 197.360](#).** These land divisions are subject to the same Title 33 approval criteria as land divisions that go through the standard review process. The applicant may choose to use the ELD or the standard procedure. See additional information on page 2 of this form.

Why am I receiving this form about an Expedited Land Division?

This form will help intake staff identify what type of land division review is being requested to ensure the application is assigned the correct procedure. In addition, state law requires that all land division applicants be notified of the expedited land division option. All land division applicants must sign this form to acknowledge they were notified about the process and indicate whether they intend to apply for an Expedited Land Division.

Please answer the following questions and complete the Applicant Information below:

1. Are you applying for an Expedited Land Division? Yes No

If "No", skip questions 2 & 3.

If "Yes", please answer the next question.

2. Are you applying for a Middle Housing Land Division? Yes No

If "No", answer question 3.

If "Yes", proof that a building permit is under review is required for sites that do not contain existing or approved qualifying development. See submittal requirements in 33.671 and on the BDS webpage: <https://www.portland.gov/bds/zoning-land-use/land-use-review-fees-and-types/middle-housing-land-divisions>.

3. Are you applying for an Expedited Land Division under ORS 197.360? Yes No

If yes, your application must include a written description of how the proposal satisfies ORS 197.360 and documentation that the required Pre-application Conference and, if applicable, Neighborhood Contact requirements have been met per 33.730.013. The submittal requirements of 33.730.060.D also apply.

APPLICANT INFORMATION

Applicant Name: _____ Telephone: _____

Applicant Mailing Address: _____

Site Address: _____

(Print Name)

I acknowledge this typed name as my signature

(Date)

What qualifies for the Expedited Land Division process under ORS 197.360?

ORS 197.360 lists the requirements to qualify for an expedited land division review, other than a middle housing land division. These requirements are summarized below. If you are considering this option, see the full text of [ORS 197.360](#).

The proposed land division (subdivision or partition):

1. Must be on residentially zoned land and must be solely for the purposes of residential use;
2. Must not create building lots that provide for dwellings or accessory buildings within areas that are designated for protection of natural features, such as, but not limited to, environmental overlay zones; the Willamette Greenway; river environmental overlay, historic and conservation districts, and landmarks; and scenic overlay;
3. Must satisfy all City street standards and connectivity requirements; and
4. Must either:
 - a. Create enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or
 - b. Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.

In addition, the Portland Zoning Code (Section 33.730.013) requires the applicant to complete and the following before an Expedited Land Division application is submitted to the City:

1. Neighborhood Contact Requirement for proposals of 4 or more lots ([33.705.020](#))
2. Pre-application Conference (33.730.050)

What is the difference between the Expedited Land Division process and the regular land division process?

An expedited land division is intended to streamline the review of land divisions under state law, which typically allows up to 120 days for final city approval. Most land division applications under the current Zoning Code procedures do not take the full 120 days to process, and often are processed and decided in much less time. In the event additional information or time is required, the applicant can request that the 120-day deadline be extended. An expedited land division application must be processed in 63 days or less, and this timeframe can only be extended by Council action. Additionally, the Land Use Board of Appeals (LUBA) does not have jurisdiction to review a final City decision on an Expedited Land Division. A comparison of the review steps is outlined below:

Process Step	Regular Land Division Process	Expedited Land Division Process
City review for complete application	21 days	21 days
Time applicant has to submit additional materials for complete application	180 days	180 days
Public notice period	30 days	14 days
Days from application deemed complete to issuance of City’s decision	120 days*	63 days**
Ability to extend the decision deadline to respond to bureau issues in order to obtain approval?	yes	no
Local appeal	Type Ix – no Type IIx – yes Type III – yes	yes
Deadline to file an appeal	14 days from issuance of decision	14 days from issuance of decision
Timeline for issuance of Local Appeal decision	must occur within the 120 day deadline noted above	additional 42 days from filing of appeal
Total timeline without local appeals	120 days	63 days
Total timeline including local appeals (from complete application)	120 days**	119 days

*The city’s final decision must be issued within 120 days of a complete application. This includes the City’s initial decision, as well as any Decision on Appeal.

**120 day deadline can be extended by the applicant. The 63 day deadline can only be extended by the City Council during a regularly scheduled public meeting.