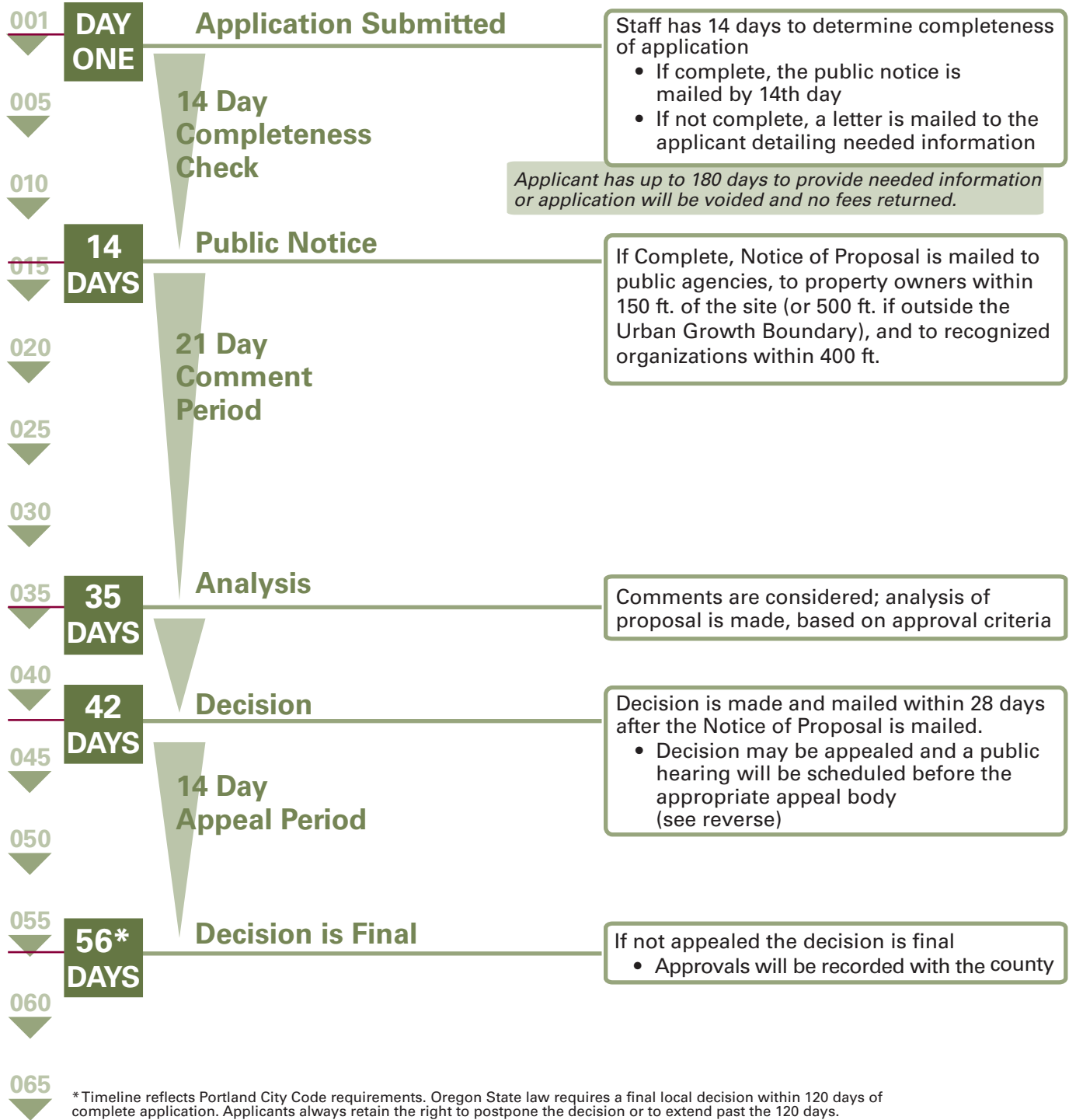




# Type II Land Use Review Procedure

✓ Pre-Application Conference is optional for all Type II Procedures, and is valid for two years



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## **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. 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.portlandmaps.com/bps/zoning/#/map/](http://www.portlandmaps.com/bps/zoning/#/map/)

Information is subject to change, recent code changes and requirements may not be reflected on this document.