



CITY OF PORTLAND, OREGON BUREAU OF DEVELOPMENT SERVICES

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Conditional Use Master Plan Supplemental Land Use Review Application Packet Check List

About Conditional Use Master Plans

A conditional use master plan is a plan for the future development of a use that is subject to the conditional use regulations. The master plan and its associated conditional use review provide the surrounding neighborhoods and the City with information about, and an opportunity to comment on, your plans for future development. The plan enables you and the City to address the effects of the future development. An approved master plan is intended to ensure that you will be allowed to develop in a manner consistent with the approved plan.

The master plan must include proposed uses and possible future uses that might be proposed for at least 3 years and up to 10 years. An approved master plan remains in effect until development allowed by the plan has been completed or the plan is amended or superseded.

Master plans may be completed at various levels of detail. Generally, the more specific the plan, the less you will need to go through additional conditional use reviews as the future uses and development are built.

When a Master Plan is Required?

A conditional use master plan may be required as part of a conditional use review; it may be submitted voluntarily; or it may be required due to the large size of the existing and proposed conditional use.

A master plan is required if the conditional use contains over 500,000 square feet of floor area and either:

- The use proposes to expand the amount of floor area over 10 percent from the amount that existed at the last conditional use review, or if there was no review, then January 1, 1991 or
- The use expands its site area beyond the site area that existed on January 1, 1991. For this regulation, site area means all land used by the use and its affiliates, including vacant land within the ownership.

Conditional Use Master Plan Procedure:

Conditional use master plans are processed through a Type III procedure as part of an associated conditional use review. The applicant is encouraged to work with surrounding property owners, residents, recognized organizations, and City bureaus during the formulation of the master plan.

What Is Covered by a Master Plan?

A. **Present uses.** A conditional use master plan is for the entire use, including portions of the use on lands where the use is allowed by right, and all affiliates on or abutting the site. An affiliate means any entity that is related to the use in such a way that either the use or the entity controls the other, or both are under control of a third party. Control means the power to decide and direct the use of land, structures, and other resources.

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- B. **Proposed and potential uses.** The conditional use master plan covers any specific uses or development proposals being requested, called the “proposed use”, and possible future uses or development, called the “possible future uses”. In your master plan be sure to use these terms to differentiate between what you want to do and what you may want to do.
 - C. **Boundaries.** The conditional use master plan may encompass lands not presently controlled by the use. The plan will not take effect for those lands until they are under control of the applicant.

How to Address the Approval Criteria

The burden of proof is on you to show how your request meets the approval criteria that are listed below. Please submit written statements and other documentation in which you thoroughly address each item. Use the approval criteria as an outline, so that anyone who reads your application can find where you have addressed each item.

To meet requirement A, you will hand in all of the required components of a master plan. These are listed later in this packet. Each document that you submit should be labeled or titled in such a way that it is obvious which component of the plan the document addresses. Also each document should be labeled as being part of a master plan. For example, the site plan should be labeled, “Master Plan Site Plan”.

To address requirement B, you will need to refer to the conditional use approval criteria in the review packet for the specific type of conditional use relating to your proposal. These criteria can be found in the section of this packet that is labeled “Part C”.

Requirement C asks that you show that your proposals will be able to meet the zoning code requirements. If you are unsure about the code requirements relating to your proposal, come talk with a planner at the planning and zoning information section of the Permit center. The planner will direct you to regulations and site development standards that relate to your site and your proposal.

Requests for conditional use will be approved if the review body finds that you have shown that all of the following approval criteria have been met..

Approval Criteria

- A. The master plan contains the required components as listed later in this packet;
- B. The proposed uses and possible future uses in the master plan comply with the applicable conditional use approval criteria; and
- C. The proposed uses and possible future uses will be able to comply with the applicable requirements of the zoning code, except where adjustments are being approved as part of the master plan.

Components of a Master Plan:

The applicant must submit a master plan with all of the following components. The review body may modify the proposal, especially those portions dealing with development standards and review procedures. Remember, the greater the level of detail in the plan, the less need for extensive reviews of subsequent phases of the plan.

- A. **Boundaries of the use.** The master plan must show the current boundaries and possible future boundaries of the use for the duration of the master plan.
- B. **General Statement.** The master plan must include a narrative that addressed the following items:
 - 1. A description in general terms of the use’s expansion plans for the duration of the master plan;

2. An explanation of how the proposed uses and possible future uses comply with the conditional use approval criteria; and
 3. An explanation of how the use will limit impacts on any adjacent residentially zoned areas. The impacts of the removal of housing units must also be addressed.
- C. Uses and functions.** The master plan must include a description of present uses, affiliated uses, proposed uses, and possible future uses. The description must include information as to the general amount and type of functions of the use such as office, classroom, recreation area, housing, etc. The likely hours of operation, and such things as the approximate number of members, employees, visitors, and special events must be included. Other uses within the master plan boundary but not part of the conditional use must be shown.
- D. Site Plan.** The master plan must include a site plan, showing to the appropriate level of detail, buildings and other structures, the pedestrian and vehicle circulation system, parking areas, open areas, existing trees to be preserved and other required items. In addition to the application requirements in 33.730.060.C, the site plan must also include:
1. All existing improvements that will remain after development of the proposed use;
 2. All improvements planned in conjunction with the proposed use; and
 3. Conceptual plans for possible future uses.
- E. Development standards.** The master plan may propose standards that will control development of the possible future uses that are in addition to or substitute for the base zone requirements. These may be such things as height limits, setbacks, FAR limits, landscaping and tree preservation requirements, parking requirements, sign programs, view corridors, or facade treatments. Standards more liberal than those of the code require adjustments.
- F. Phasing of development.** The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of property awaiting development. In addition the plan should address any proposed temporary uses or locations of uses during construction periods.
- G. Transportation and parking.** The master plan must include information on the following items for each phase.
1. Projected transportation impacts. These include the expected number of trips (peak and daily), an analysis of the impact of those trips on the adjacent stream system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs to reduce traffic impacts, such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single occupancy vehicles.
 2. Projected parking impacts. These include projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the on-street parking system and adjacent land uses, and mitigation measures.
- H. Street vacations.** The master plan must show any street vacations being requested in conjunction with the proposed use and any possible street vacations that might be requested in conjunction with future development. (Street vacations are under the jurisdiction of the City Engineer. Approval of the master plan does not prejudice City action on the actual street vacation request.)
- I. Adjustments.** The master plan must specifically list any adjustments being requested in conjunction with the proposed use or overall development standards and explain how each adjustment complies with the adjustment approval criteria.

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- J. **Other discretionary reviews.** When design review or other required reviews are also being requested, the master plan must specifically state which phases or proposals the reviews apply to. The required reviews for all phases may be done as part of the initial development. The plan must explain and provide enough detail on how the proposals comply with the approval criteria for the review.
 - K. **Review procedures.** The master plan must state the procedures for review of possible future uses if the plan does not contain adequate details for those uses to be allowed without an additional conditional use review.

Information about Implementing the Master Plan:

- A. **Conforming to the plan.** Uses and development that are in conformance with detailed aspects of the plan are not required to go through another conditional use review. Uses and development subject to less detailed parts of the plan are subject to the level of conditional use review decided on in the master plan (component K). They will be approved if they are found to comply with the master plan. Other required land use reviews must still be completed unless they were also approved as part of the master plan.
- B. **Not conforming to the plan.** Uses and development that are not in conformance with the master plan require an amendment to the plan. Amendments are described in the next section of this packet.

Amendments to Master Plans:

Amendments to the master plan are required for any use or development that is not in conformance with the plan. The approval criteria for master plans, which are listed earlier in this packet, are used for amendments. The thresholds and procedures for amendments are stated below.

- A. **Type III procedure.** Unless the master plan specifically provided differently, amendments to a master plan which require a type III procedure are:
 - 1. Any proposed development within 400 feet of the master plan boundaries or any changes to the boundaries, unless a greater distance is stated in the master plan;
 - 2. A proposed expansion of the approved boundary;
 - 3. Proposals that increase the amount, frequency, or scale of a use over 10 percent of what was approved. (Examples include the number of students, patients, or members; the number of helicopter flights; number or size of special events.);
 - 4. New uses not covered in the plan which will draw more people to the site, except for those which are replacing another use so that there is no net increase;
 - 5. Increases in the overall floor area of development on the site over 25 percent. Floor area for affordable housing as defined in Paragraph B.5 of Section 33.820.080 is exempt from this limitation;
 - 6. Increases or decreases greater than 25 percent in the amount of approved or required parking. Decreases for housing that is affordable as defined by Paragraph B.5 are exempt from this limitation; and
 - 7. Proposed uses or development which were reviewed, but were denied because they were found to not be in conformance with the plan.
- B. **Type II procedure.** Unless the master plan specifically provides differently, amendments to a master plan not specifically stated in Subsection A, above, are processed through a Type II procedure.