

General Terms

Administrative Decision- Decision on a Land Use Review made by staff or 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 which create new plats, dividing larger parcels of land into two or more new 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, II x 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 Segregation, 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 the City Council, which makes the final decision on legislative actions.

Lot Confirmation- An administrative process that confirms existence of a property line that separates two or more previously platted lots. Certain standards apply to determine that there is no obstruction to access or services. This is not a land use review.

Lot Segregation- An administrative process that re-establishes a property line that separates two or more previously platted lots. Certain standards apply, to determine that there is no obstruction to access or services, but 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.

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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, while legislative actions involve the adoption of law or policy applicable Citywide or to a broad geographical area of the City. Quasi-judicial reviews follow a different process than legislative actions. 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 who have been delegated by City Council with the power to make land use decisions. Legislative actions are always reviewed by the Planning Commission, who does not hear Land Use Reviews. The Planning Commission makes recommendations to City Council who makes the final decision on legislative actions.

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

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 allowed when approved through a Conditional Use Review. Generally limits on numbers, size or other aspects of the use or program area approved through the review.

Nonconforming Situations- Uses, development or residential densities that were lawfully established, but are now either not allowed or prohibited, may continue under certain circumstances. Proposals for expansion or replacement are subject to special regulations and may not be allowed.

Nonconforming Use – A use that was allowed by right when established or a use 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 or parking area, that was created in conformance with development regulations but which subsequently, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable development standards.

Nonconforming Density - A residential use that is an allowed use in the zone and that 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 minimum density requirements.

Prohibited Use (or Development) - A use that is not allowed in a particular zone or zoning district, and for which no process exists that would allow the use to be established. Some types of development are also prohibited in some zones or zoning districts. A prohibited use or type of development differs from one that is "not allowed." When the Code says that something is "not allowed," the applicant may still request an Adjustment Review or a Modification through Design or Environmental Review to determine whether an exception to the Code could be approved.

Zoning Designations

Comprehensive Plan Map Designation - A zoning designation that implements the Comprehensive Plan Map for a given site. The Comprehensive Plan Map Designation may be different than the Zoning Designation for the site. In this case, the Comprehensive Plan Map Designation is indicated by placing parentheses around the designation. When the two designations differ, it is generally because it has not yet been determined whether the area is ready to support the level of growth that would be allowed under the Comprehensive Plan

Common Zoning

Single Dwelling Zones

- R20-Residential 20,000 SF lots
- R10-Residential 10,000 SF lots
- R7-Residential 7,000 SF lots
- R5-Residential 5,000 SF lots
- R2.5-Residential 2,500 SF lots.

Multi Dwelling Zones

- R3-Residential 3,000 SF lots
- R2-Residential 2,000 SF lots
- R1-Residential 1,000 square foot lots
- RH-High Density Residential
- RX-Central Residential
- IR-Institutional Residential

Commercial Zones

CS- Storefront Commercial
CG-General Commercial
CX-Central Commercial
CM-Mixed Commercial/Residential
CN-Neighborhood Commercial
CO- Office Commercial

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Map designation. A Zoning Map Amendment in compliance with the Comprehensive Plan Map designation may be requested through a land use review. The approval criteria for the review looks at whether services are adequate to meet the demands that would be placed by the proposed zone designation. Changes to a zoning designation that is different than the Comprehensive Plan Map designation for a site require approval through a concurrent Comprehensive Plan Map Amendment that also changes the Comprehensive Plan Map designation.

Zoning – The designation placed on land that determines the allowed uses and the character of the development. The zone designation will either implement the Comprehensive Plan Map designation for the site or the future direction of zoning for the site will be indicated by a separate Comprehensive Plan Map designation.

Base Zone- The zone that tells what uses and types of development are allowed outright, are conditional or limited uses or are prohibited. Each zone has specific development standards which also help to define the character of the zone. Residential zones also regulate density. 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.

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 zone designations 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." Historic resource overlays are an exception. 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.

Plan District- An entire area that has special characteristics that are regulated by a special set of zoning regulations and development standards. Plan Districts are indicated by a boundary on the zoning map. Historic districts are also indicated in this way.

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

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what level future zoning may be permitted. Thus, the Comprehensive Plan does not allow land uses or development that is more intensive than the Comprehensive Plan designation.

Zoning Map- The Zoning Map implements the Comprehensive Plan. It is an official document of the Zoning Code but is 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.