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## CONDITIONAL USE OVERVIEW

The City does not allow some uses outright, even though they may have beneficial effects and serve public interests. These uses are subject to Conditional Use regulations because they may adversely affect the environment, overburden public services, change the desired character of an area, or create major nuisances. Conditional use review provides an opportunity to allow the use when it will have little impact, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved.

The first step is to schedule a preapplication meeting with staff to discuss the project. This meeting is required unless the Community Development Director determines one is not necessary. The meeting gives a potential applicant information about Development Code and Comprehensive Plan requirements and provides some technical and design advice.

If the application involves one of these uses, the applicant must hold a neighborhood meeting before submitting an application:

- a) Multiple-family development abutting a single-family zoning district
- b) Commercial and industrial development abutting any residential zoning district

The purpose of a neighborhood meeting is to ensure that applicants pursue early and effective citizen participation in conjunction with their applications. If a neighborhood meeting is held, the Conditional Use application should include a report documenting the results of the meeting.

Conditional Use applications typically involve requests that are more complex in nature and require interpretation of Comprehensive Plan policies and Development Code requirements. Because of this, the Community Development Director schedules Conditional Use applications for a public hearing before the Planning Commission, Hearings Board, or Landmarks Advisory Commission.

The Director mails notice of the hearing to all property owners within 100 feet of the site (300 feet for manufactured home parks and multi-family projects). The applicant compiles the notification list from the most recent county property tax assessment rolls. The Director may require the applicant to post notices as set forth in Section 1.410 of the Development Code.

Oregon Revised Statutes state that a Conditional Use decision must be made within 120 days from the date the application is deemed complete. The applicant may grant time extensions in order to resolve issues that delay the decision. The City may attach conditions to the decision to ensure conformance with the Development Code. Guarantees and evidence of compliance with the conditions may be required.

A person with standing may appeal a Planning Commission or Hearings Board decision to the City Council within 10 days from the date the City mails the Notice of Decision. There is an appeal fee. Appeal applications are available at the Community Development Department.