Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 07/29/16

Department of Permitting and Inspections

CITY OF PORTLAND

Application for Legalization of Nonconforming Dwelling Units

Section 14-391 – In effect March 24, 2004

APPLIES TO: Dwelling units (NOT rooming units) that are currently recognized by the City as illegal or nonconforming, and located within the following zones:
R-3, R-4, R-5, R-6, or R-7; or the B-1, B-1(b), B-2, B-2(b), or B-3 Zones.

FEE: $300 for each dwelling unit to be legalized by the applicant. When a permit is able to be issued, there is a requirement for a fee of $75 for each Certificate of Occupancy (C of O) required for each unit to be legalized.

REQUIRED SUBMISSIONS:

1. A plot plan, drawn to scale, showing buildings(s), parking, easements, dumpsters, fencing, public ways and any other significant feature.
2. A dimensioned floor plan for every unit in the dwelling, whether or not it is the subject of the application.
3. The applicant shall supply competent evidence, such as assessor's records, purchase and sale agreements, affidavits, other public records and such that:
   a. The nonconforming dwelling unit(s) existed as of 04/01/95
   b. The structure was originally designed and built to accommodate more than the number of units presently in use.
   c. The applicant neither constructed NOR established the nonconforming dwelling unit(s).
4. The nonconforming dwelling unit(s) must comply or be able to comply with the National Fire Protection Association Life Safety Code – Fire Prevention Code PRIOR to the issuance of the requested permit.
5. The nonconforming dwelling unit(s) must comply or be able to comply with the city's housing code PRIOR to the issuance of the requested permit.

NOTIFICATION REQUIREMENTS: Every application is subject to notifications to owners of abutting properties, as well as owners of properties situated within 300 feet of the structure, with the request to legalize nonconforming dwelling units(s). Any objection must be submitted in writing to the Zoning Administrator (ZA) within ten (10) days of the notice sent to them.