

**1202      ZONE CHANGE**

---

1202.01    APPROVAL CRITERIA

The Hearings Officer may approve a zone change, pursuant to Section 1300, if the applicant provides evidence substantiating the following:

- A.      Approval of the zone change is consistent with the Comprehensive Plan;
- B.      If development under the new zoning district designation has a need for public sanitary sewer, surface water management, and/or water service, it can be accommodated with the implementation of service providers' existing capital improvement plans. The cumulative impact of the proposed zone change and development of other properties under existing zoning designations shall be considered.
- C.      The transportation system is adequate, as defined in Subsection 1007.09(D), and will remain adequate with approval of the zone change. Transportation facilities that are under the jurisdiction of the State of Oregon are exempt from Subsection 1202.01(C). For the purpose of this criterion:
  - 1.      The evaluation of transportation system adequacy shall include both the impact of the proposed zone change and growth in background traffic for a 20-year period beginning with the year that a complete land use application is submitted.
  - 2.      It shall be assumed that all improvements identified in the Clackamas County 20-Year Capital Improvement Plan, the Statewide Transportation Improvement Plan, and the capital improvement plans of other local jurisdictions are constructed.
  - 3.      It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
  - 4.      Transportation facility capacity shall be calculated pursuant to Subsection 1007.09(E).
  - 5.      A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
- D.      The proposal, as it relates to transportation facilities under the jurisdiction of the State of Oregon, complies with the Oregon Highway Plan.

- E. Safety of the transportation system is adequate to serve the level of development anticipated by the zone change.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

#### 1202.02 ALTERNATE ZONING DISTRICT DESIGNATION

An applicant may request that the Hearings Officer approve an alternate zoning district designation if the Hearings Officer finds that the applicant's preferred designation does not comply with the approval criteria but the alternate designation does. An alternate designation may be substituted only if the public notice required pursuant to Section 1302 includes all requested designations in its description of the applicant's proposal.

[Amended by Ord. ZDO-230, 9/26/11]

#### 1202.03 PREAPPLICATION CONFERENCE

A preapplication conference is required, pursuant to Subsection 1301.04, prior to the filing of an application for a zone change.

[Adopted by Ord. ZDO-230, 9/26/11]

#### 1202.04 FINAL APPROVAL

Except as provided under Section 501, approval of a zone change is final on the date of the County's final written decision. If the County's final written decision is appealed, approval of a zone change is final on the date of the final appellate decision.

[Adopted by Ord. ZDO-230, 9/26/11]