



SUPPLEMENTAL APPLICATION
Zone Change
(May 2018)

APPLICATION INFORMATION

Name _____ Date _____
File # _____ Pre-Application File No. _____

FREQUENTLY ASKED QUESTIONS

What is a zone change?

The County Zoning & Development Ordinance (ZDO) allows for a variety of zoning districts within individual Comprehensive Plan land use designations. A zone change is a proposal to change from one zoning district to another zoning district as allowed by the Comprehensive Plan.

What is needed for approval?

All zone change permits are discretionary and MAY be permitted after evaluation according to criteria in the ZDO. The County must make written findings to support the decision. The applicant is responsible for providing evidence to support the zone change request consistent with the criteria listed in Section 1202 of the ZDO and relevant chapters of the Comprehensive Plan.

What are the chances for approval?

Staff cannot predetermine the decision on this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based upon criteria relevant to this application as listed in the ordinance. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and as complete as possible.

Application process:

Zone change permits are subject to the Type III Land Use Application process and public notice. Public comments received from the Community Planning Organizations (CPOs), property owners, agencies, and other interested parties may affect the decision on the application. Special conditions may be attached to any approvals. Zone change applications are reviewed at a public hearing before the County Land Use Hearings Officer, unless a Comprehensive Plan Map Amendment is filed concurrently. In that case, both applications are reviewed at public hearings before the Planning Commission and Board of County Commissioners. The County's decision may be appealed to the Oregon Land Use Board of Appeals.

NOTE: A PRE-APPLICATION CONFERENCE is required prior to filing this application. For a copy of the Pre-Application Form, go to http://www.clackamas.us/planning/documents/preapplicationconferencerequest.pdf.

How long will it take to receive a final decision on an application?

Approximately 10 to 12 weeks for applications scheduled before the Land Use Hearings Officer.

Staff will attach the following pertinent information:

- _____ Land Use Application _____ Sample Plot Plan
_____ ZDO Section 1202 _____ Plan criteria for zone

Complete applications require the following:

1. Pre-application Conference must be completed.
2. Land Use Application Form: Information on applicant and land involved in the application. **Application must be signed by the property owner. (Attached)**
3. Supplemental Application: Information requested on this form. Please be as complete and thorough as possible. Use additional sheets of paper as necessary.
4. Preliminary Statement of Feasibility from the water provider, sanitary sewer provider, and surface water management authority – if applicable. (Attached)
5. Application Fee: \$_____ (*Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.*)
6. Plot Plan drawn to scale on 8.5" x 14" or 11" x 17" sheet of paper showing the property and your proposal.
7. Transportation Impact Study.
8. Alternative Zoning Designations: An application for a zone change may include a request for the approval of an alternate zoning district designation if it is found that the applicant's preferred designation does not comply with the approval criteria, but that an alternate designation does. An alternate designation may be substituted only if the public notice required pursuant to Section 1307 includes all requested designations in its description of the applicant's proposal; therefore, any alternative zoning designations must be specifically identified by the applicant in the submitted application.

Justification criteria: See ZDO Section 1202 and other relevant ZDO sections for specific requirements. Then answer the following questions:

- A. How is approval of the proposed zone change consistent with the applicable goals and policies of the Comprehensive Plan?

- B. If development under the proposed zone has a need for public services (sanitary sewer, surface water management, and water), how can the need be accommodated with the implementation of the applicable service provider's existing capital improvement plan? Consider the cumulative impact of the proposed zone change and development of other properties under existing zoning designations.

- C. Explain why the transportation system is adequate and will remain adequate with approval of the proposed zone change. For the purpose of this criterion:
- 1) Adequate means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS), as established by Comprehensive Plan Tables 5-2a – Motor Vehicle Capacity Evaluation Standards for the Urban Area and 5-2b- Motor Vehicle Capacity Evaluation Standards for the Rural Area.
 - 2) The evaluation of transportation system adequacy shall be conducted pursuant to the Transportation Planning Rule (Oregon Administrative Rules 660-012-0060).
 - 3) It shall be assumed that the subject property will be developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
 - 4) The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards.
 - 5) The adequacy standards shall apply to all roadways and intersections within the impact area of the proposed zone change. The impact area shall be identified pursuant to the Clackamas County Roadway Standards.
 - 6) A determination regarding whether submittal of a transportation impact study is required shall be made based upon the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
 - 7) Notwithstanding (4) through (6), motor vehicle capacity calculation methodology, impact area identification, and transportation impact study requirements are established by the ODOT Transportation Analysis Procedures Manual for roadways and intersections under the jurisdiction of the State of Oregon.

- D. Explain how the safety of the transportation system is adequate to serve the level of development anticipated by the proposed zone change.

Questions? Contact Martha Fritzie, Senior Planner at 503-742-4529 or MFritzie@clackamas.us.

