





Department

112 W. 2<sup>nd</sup> Street, Phoenix, Oregon 97535  
Office: 541-535-2050

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## I. Introduction

The City of Phoenix last amended the Transportation Element of its city wide Comprehensive Plan (also known as the “Transportation System Plan” or TSP) in 1999. The amendment was acknowledged by the State of Oregon in December of 2003. Conditions have changed between 1999 and 2016: a major regional comprehensive plan known as the “Greater Bear Creek Regional Problem Solving Plan” or RPS was completed; the Fern Valley Interchange project will be completed in a matter of months; and the City has continued to add population and commercial enterprise. Phoenix is growing and evolving, altering in significant ways the assumptions that informed the creation of the current TSP. For many reasons, revision of the current TSP is timely and essential to the future improvement of living conditions and life opportunities for this community.

Work began on this amendment in late 2013 and was completed in late 2015. The proposed amendment consists of a new Transportation System Plan, produced under the direction of a Citizens Advisory Committee (CAC), Technical Advisory Committee (TAC) and the Planning Commission. The TAC included representatives from ODOT, the Rogue Valley Metropolitan Planning Organization, Jackson County, Rogue Valley Transit District, and the Department of Land Conservation and Development. These groups met on multiple occasions throughout the process. Four public meetings were conducted, the final having been conducted in April, 2015. The entire project was supported through a Transportation and Growth Management Grant awarded to the City by ODOT.

Technical research, analysis, and recommendations were provided by an independent consultant, David Evans and Associates (DEA). Over the course of the project, DEA produced 7 technical memoranda (TM):

- TM1 Project Context, Goals, and Baseline Assumptions
- TM2 Existing System Inventory
- TM3 Transportation System Operations
- TM4 Alternatives Evaluation
- TM5 Preferred System Plan
- TM6 Ordinances and Code Changes
- TM7 Complete Street Design Guidelines

In summary, the document establishes broad policy goals and objectives; inventories and evaluates the existing transportation network; proposes a preferred alternative network that addresses known deficiencies; and recommends policies and strategies to implement the



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1 preferred alternative. The preferred alternative or “preferred system plan” addresses  
2 pedestrian, bicycle, vehicular, public transportation, and freight travel.  
3 Many factors were considered in defining a preferred alternative to replace the current, outdated  
4 Transportation System Plan. These factors included community sentiment and desires as well  
5 as quantitatively measurable phenomena like observed and projected traffic volumes, crash  
6 data, and the operational capacity of existing and proposed network component.  
7 The proposed amendment to the City’s current Comprehensive Plan would replace, in its  
8 entirety, Section X Transportation Element, adopted by the Phoenix City Council on October 4,  
9 1999 and acknowledged by the Department of Land Conservation and Development on  
10 December 2, 2003 with the *Transportation System Plan Update, January 2016* attached to this  
11 Staff Report.  
12

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## 13 II. Review Procedure

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15  
16 Amendments to the comprehensive plan require a Type IV Legislative review process according  
17 to Table 12: 4.1.2 Summary of Development Decisions/Permit by Type of Decision-making  
18 Procedure. Section 4.1.6 of the Phoenix Land Development Code defines that procedure.  
19

20 Type IV actions require a “minimum of two hearings, one before the Planning Commission and  
21 one before the City Council [...]”. The Department of Land Conservation and Development  
22 (DLCD) must be notified of the first public hearing on an amendment to the Comprehensive Plan  
23 “at least 35 days before” the hearing. At least 20 days, but no more than 40 days before the first  
24 hearing, the following notices must be issued:  
25

- 26 1. Each owner of property that would undergo a zone change as a result of the action;
- 27 2. Any affected government agency;
- 28 3. Recognized neighborhood groups affected by the action;
- 29 4. Any person who requests notice in writing; and
- 30 5. All mailing addresses within a manufactured home park, pursuant to ORS 227.175.

31  
32 At least 10 days for a scheduled City Council public hearing, notice must be published on the  
33 City’s website, at City Hall, and “other locations as appropriate.”  
34

### 35 Findings of Fact:

- 36 1. Notice of the proposed comprehensive plan amendment was provided to the DLCD on July  
37 2, 2015, and notices of revised submittal were provided on April 1, 2016 and again on June  
38 23, 2016.
- 39 2. External agencies including Fire District 5, Jackson County Roads and Parks, ODOT,  
40 Jackson County Planning & Development Department, Rogue Valley Sewer District, RVTD,  
41 and RVCOG were provided noticed and asked to provide written comments on June 24,  
42 2016. (None have been received as of July 8, 2016).
- 43 3. A notice was posted on the City’s website, at City Hall, the community information kiosk, and  
44 post office and further publicized through the Planning Department social media outlet.



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- 1 4. No properties are anticipated to need to be “rezoned” as a result of this comprehensive plan  
2 amendment.  
3 5. There are no recognized neighborhood organizations that will be affected by the proposed  
4 amendment. In fact, the City has only 1 active neighborhood organization that is located in  
5 the Phoenix Hills/Meadowview subdivision. No transportation projects are proposed within  
6 this neighborhood by the updated TSP.  
7

### 8 **Conclusions of Law:**

9 The noticing requirements for a Type IV land use action have been duly performed for the first  
10 public hearing. The application **CONFORMS TO THE REQUIREMENTS OF PHOENIX LAND**  
11 **DEVELOPMENT CODE** for comprehensive plan amendments.  
12

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### 13 **III. Standards of Review**

14 Section 4.1.6.G of the PLDC defines “Decision-Making Considerations” or Standards of Review  
15 for Type IV land use actions. This section requires that the Statewide Planning Goals and  
16 Guidelines promulgated under ORS 197 must be met. These include  
17

18 Goal 1: Citizen Involvement. To develop a citizen involvement program that insures the  
19 opportunity for citizens to be involved in all phases of the planning process.  
20

21 Goal 2: Land Use. To establish a land use planning process and policy framework as a basis for  
22 all decision and actions related to use of land and to assure an adequate factual base for such  
23 decisions and actions.  
24

25 Goal 3: Agricultural Lands. To preserve and maintain agricultural lands.  
26

27 Goal 4: Forest Lands. To conserve forest lands by maintaining the forest land base and to protect  
28 the state’s forest economy by making possible economically efficient forest practices that assure  
29 the continuous growing and harvesting of forest tree species as the leading use on forest land  
30 consistent with sound management of soil, air, water, and fish and wildlife resources and to  
31 provide for recreational opportunities and agriculture.  
32

33 Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces. To protect natural  
34 resources and conserve scenic and historic areas and open spaces.  
35

36 Goal 6: Air, Water, and Land Resources Quality. To maintain and improve the quality of the air,  
37 water and land resources of the state.  
38

39 Goal 7: Areas Subject to Natural Hazards. To protect people and property from natural hazards.  
40  
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1 Goal 8: Recreational Needs. To satisfy the recreational needs of the citizens of the state and  
2 visitors and, where appropriate, to provide for the siting of necessary recreational facilities  
3 including destination resorts.

4  
5 Goal 9: Economic Development. To provide adequate opportunity throughout the state for a  
6 variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

7  
8 Goal 10: Housing. To provide for the housing needs of citizens of the state.

9  
10 Goal 11: To plan and develop a timely, orderly and efficient arrangement of public facilities and  
11 services to serve as a framework for urban and rural development.

12  
13 Goal 12: Transportation. To provide and encourage a safe, convenient and economic  
14 transportation system.

15  
16 Goal 13: Energy Conservation. To conserve energy.

17  
18 Goal 14: Urbanization. To provide for an orderly and efficient transition from rural to urban land  
19 use, to accommodate urban population and urban employment inside urban growth boundaries,  
20 to ensure efficient use of land, and to provide for livable communities.

21  
22 Section 4.1.6.G.2 of the PLDC requires that comments from state, local, and federal agencies  
23 are considered

24  
25 Section 4.1.6.G.3 requires that the impacts of any intergovernmental agreements are  
26 considered during the review of an amendment to the Comprehensive Plan.

27  
28 Finally, Section 4.1.6.G.4 requires that amendments to the Comprehensive Plan must comply  
29 with the standards of review established in Chapter 4.7 – Land Use District Map and Text  
30 Amendments. According to Section 4.7.2.B, these criteria include

- 31  
32 1. The proposed amendment is consistent with the purpose of the subject section and  
33 article.  
34  
35 2. The proposed amendment is consistent with other Provisions of this Code.  
36  
37 3. The proposed amendment is consistent with the goals and policies of the  
38 Comprehensive Plan, and most effectively carries out those goals and policies of all  
39 alternatives considered.  
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1 **Findings of Fact:**

- 2
- 3 1. At the onset of this initiative, a Citizens Advisory Committee was established that met
- 4 throughout the process. The CAC included representation from businesses involved in the
- 5 shipping goods in and out of the City; active transportation advocates; and elected and
- 6 appointed city officials. Later in the process, the City utilized social media to broaden the
- 7 extent of public awareness of the updated TSP and encourage greater community
- 8 involvement. A series of open houses were conducted, the last of which was attended by
- 9 approximately 70 individuals, the majority of whom reside in the City.
- 10
- 11 2. The updated TSP does not propose land use change and therefore has no direct
- 12 relationship to Goals 2, 3, 4, 5, 6, 13, and 14. Nor does the updated TSP significantly alter
- 13 the “land use planning process” or land use “policy framework” already used by the City and
- 14 the State of Oregon.
- 15
- 16 3. Transportation network improvements proposed by the updated TSP are not known or
- 17 anticipated to impact or be impacted by environmentally sensitive lands or lands that are
- 18 uniquely subject to natural hazards (steep slopes, special flood hazard areas, etc.), with the
- 19 exception of projects S-10, B-8, P-8, and P-10, collectively known as “OR-99/Coleman
- 20 Creek Culvert”. Other than this project and the future expansion of the transportation
- 21 network into the City’s Urban Reserve Areas (S-8 and S-9), the updated TSP does not
- 22 propose significant expansions of the current transportation system. Transportation
- 23 improvement projects within the current UGB would consist of enhancements rather than
- 24 the extension of new infrastructure into undeveloped lands. This greatly reduces the
- 25 likelihood of potential environmental impacts or the possibility that a particular transportation
- 26 facility would be constructed in a location where it is particularly vulnerable to natural
- 27 hazards.
- 28
- 29 4. Neither the current nor the TSP update propose new transportation infrastructure related to
- 30 Goal 8.
- 31
- 32 5. The updated TSP was drafted in consultation with representatives from the shipping and
- 33 logistics industry. The viability of local industries that rely on a transportation network that
- 34 facilitates efficient movement of goods and services was considered when formulating build
- 35 alternatives. The updated TSP also considered the impacts of the current transportation
- 36 network on community economic development goals. Most significant among them is the
- 37 creation of a viable, traditional downtown. TSP projects S-1, S02, S-3, S-11, S-10 and
- 38 associated pedestrian and bicycle projects are primarily intended to support this economic
- 39 and community development goal.
- 40
- 41 6. The updated TSP does not have a direct relationship to Goal 10. Residential lands within
- 42 the City’s UGB are served by existing transportation, though improvement of non-motorized
- 43 facilities is needed in some cases.
- 44



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- 1 7. Projects proposed by the updated TSP are designed to meet the needs of existing and  
2 future land uses surrounding them. Intensity of use was a key consideration as was the  
3 anticipated timing of construction of improvements and facilities. The prioritization process  
4 reflects, in part, these factors. Other plans were considered in developing TSP projects  
5 including the City's Capital Improvements Plan.  
6
- 7 8. Development of the updated TSP was completed under the guidance of a Technical  
8 Advisory Committee that included representatives from Jackson County, RVMPO, ODOT,  
9 and RVTD. The projects proposed by the TSP were evaluated for consistency with existing  
10 and planned transportation facilities operated by these agencies. Projects were found to be  
11 consistent with other long range transportation plans such as ODOT's OR-99 Corridor Plan  
12 that was adopted in 2015. Comments from these and other agencies were solicited  
13 throughout the planning process and taken into consideration in developing the final plan  
14 and prioritized project list.  
15
- 16 9. Except where new transportation facilities will be required to serve newly urbanized in the  
17 City's PH-5 and 10 urban reserve areas, future transportation facilities will use existing right-  
18 of-way. Land acquisition requirements for facility improvements are relatively minimal.  
19
- 20 10. Except for PH-5 and 10 URAs, no new transportation facilities are planned outside of the  
21 City's UGB. These URAs were designated as such through an extensive comprehensive  
22 planning process that produced the "Greater Bear Creek Regional Problem Solving Plan" or  
23 "RPS" Plan". Non-urbanized lands are screened using a range of factors in order to identify  
24 candidate lands for urbanization that would yield the fewest negative environmental, social,  
25 economic, and equity impacts. PH-5 and 10 are undergoing further conceptual and land  
26 use planning, and one of the goals of that effort is to further minimize negative ESEE  
27 impacts.  
28
- 29 11. No transportation facilities are planned that would divide agricultural or urban social units.  
30 As mentioned in Finding #10, further conceptual planning for PH-5 and 10 URAs is intended  
31 to ensure that, among other concerns, transportation facilities avoid these impacts.  
32
- 33 12. As mentioned previously, land use types and intensity of use were considered in developing  
34 transportation improvement projects. Technical Memoranda 3, 4, and 5 evaluated proposed  
35 improvements to the existing transportation network. In particular, TM 4 examines each  
36 proposed transportation improvement project in the context of its relative ability to address  
37 an identified deficiency (or deficiencies) within the existing transportation system. The  
38 projects in the proposed TSP are, therefore, the comparatively best measures identified to  
39 address known problems given concerns for traffic congestion, safety, efficient travel, etc.  
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41 **Conclusions of Law:**

42 The requested action is consistent with State Planning Goals and Guidelines **CONFORMS TO**  
43 **THE REQUIREMENTS FOR APPROVAL OF AN AMENDEMENT TO THE CITY'S**



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1 **COMPREHENSIVE PLAN AS ESTABLISHED BY THE PHOENIX LAND DEVELOPMENT**  
2 **CODE.**

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#### IV. Staff Recommendation

6 Planning Commission should recommend that the City Council adopt Comprehensive Plan  
7 amendment CP15-01 with findings of fact and conclusions of law as presented in this staff  
8 report.

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Matt Brinkley, AICP  
Planning Director  
City of Phoenix  
Department of Planning & Building

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Date

DRAFT