



DEVELOPMENT CODE AMENDMENTS – DA24-01 STAFF REPORT

File: DA24-01 - Type IV Text Amendment

Location: N/A

Land Use District: N/A

Date Notice of Application Published: TBD

Date of Hearing: TBD (Late September to Early October)

I. OWNER INFORMATION

N/A

II. APPLICANT

City of Phoenix
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III. SUMMARY OF PROPOSED AMENDMENTS

In March 2023, the City hired Jet Planning to review the city's land development code and to provide recommendations for proposed changes related to both the development code structure and policies.

The audit reviewed the City of Phoenix Land Development Code (PLDC) in order to identify opportunities to improve and update the code. The existing code has been strategically amended in recent years, but has not been comprehensively reviewed in nearly two decades leading to usability and compliance issues. As the City continues post-wildfire recovery efforts, identifying current conflicts, lack of clarity and inconsistent policies within the code are helpful to highlight potential code updates that would better support rebuilding efforts and development in general. Issues identified in the code audit and subsequent code updates responding to the audit are intended to support active City initiatives to refine long-range and current planning policies, including the recent UGB amendments, annexations and the Highway 99/Bear Creek Greenway Re-Visioning Project. Broader themes in more detail are provided in the attached audit table, which also identify initial priorities for near-term, non-policy code updates as well as recommended future updates to the current policies in place.

The audit analyzed both what is and is not addressed through the code in order to identify update opportunities that would improve code usability and efficacy in relation to both current planning administration and identified long-range planning efforts.

The audit was developed through review of the existing code against applicable state planning regulations and city plans and experience implementing the code. The audit was also informed by comparative analysis of similar code standards and structure, including comparison with the most recent version of the Oregon Model Development Code for Small Cities (2015) and codes



in neighboring jurisdictions such as Medford, and informed by the consultant and staff's knowledge analyzing zoning across the state for over a decade.

There are many opportunities to update the code to improve consistency and structure, implement state regulatory requirements, and create opportunities to integrate long-range planning priorities.

The PLDC is organized into six chapters, that draw heavily from the Oregon Model Code for Small Cities, but with significant customizations over time to meet the needs and goals of Phoenix. The first two chapters of the PLDC are presented in the included attachments and are critical to the usability and function of the code.

The purpose of the proposed amendments to Chapter 1 of the PLDC is to establish a clear, complete and updated set of definitions (Chapter 1.3) as the foundation for the standards throughout the code. Updates to the definitions focused on the following:

- Update definitions to match state regulations for specific uses, including child care facilities, manufactured homes, manufactured dwelling parks, prefabricated structures, residential facilities and residential homes.
- Consider relocating definitions from individual chapters into a consolidated chapter here.
- Consider removing the various cross-references in individual terms, which is an unusual definitions format.

Changes to Chapter 2 of the PLDC consider a standardized structure for the individual district chapters to succinctly and consistently convey relevant district standards consistent with the city's Comprehensive Plan.

The changes proposed include a structure consistent with the following format:

- Purpose statement
- Use table, listing all permitted, conditional and prohibited uses in the zone with references to any applicable special use standards, using consistent use types across all zones.
- Dimensional standards table
- Site and architectural standards, as applicable
- Special use standards
- Other standards as applicable to individual districts

There was also an opportunity to combine the General Industrial and Light Industrial district chapters which currently overlap significantly, akin to the single Residential districts chapter with multiple zones.

Both formatting and content of the use regulations in the individual districts could be significantly updated for consistency and clarity. The existing regulations use different categories of uses, different use standards, and different formatting listing uses in tables or text that can create confusion over whether certain uses are permitted, permitted conditionally or prohibited in a given



zone. The use table in the Commercial Highway (C-H) district has the clearest formatting and was used as a model for other districts. Updated use standards address:

- Organizing uses in a table format with consistent groupings of uses into residential, commercial and public/civic/institutional categories.
- Consistent terms for individual use types across all districts and defined in Chapter 1.3. For example, the term 'light manufacture' overlaps with terms for 'cottage industrial' and 'light manufacturing' and all three are used across different chapters.
- Establishing uses as permitted, permitted conditionally or prohibited, with reference to applicable development standards.
- Ensuring uses are permitted consistent with applicable state regulations, including child care facilities, manufactured homes, manufactured dwelling parks, prefabricated structures, residential facilities and residential homes.

The main proposed change to Chapter 2 removes many of the development standards that are either already in Chapter 3 (to be discussed at the next meeting) or are better suited for Chapter 3 and have been removed from Chapter 2.

The table included with this report is organized in order by chapter. The table provides the Chapter and current page number in the PLDC where the proposed change is located. It also includes a detail of the issue, consideration of proposed changes and whether the change is recommended now as part of an initial cleanup of the code or in the future as more of a policy change.

The goal of this initial review of the proposed amendments is to familiarize the Commission with the proposed changes and to seek input in a study session style meeting. Staff is providing Chapter 1 and 2 for the first review and will follow up at the next meeting with Chapter 3, followed by Chapter 4, 5 and 6. Following these initial reviews, Staff will schedule the first evidentiary hearing and begin the formal amendment process. Given the number of proposed changes across zoning code, it is anticipated that it will take a few months of meetings to get to the first hearing date. It is expected that the first hearing will be sometime in late September or early October.

IV. APPLICABLE CRITERIA

PLDC, Chapter 4.1.6 – Type IV Procedure (Legislative)
PLDC, Chapter 4.7.2 – Legislative Amendments

V. AGENCY COMMENTS

N/A

VI. PUBLIC COMMENTS

N/A



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VII. RECOMMENDATION

None. Information Only

VIII. PROPOSED MOTION

None. Information Only

IX. EXHIBITS

- A. PLDC, Chapter 1
- B. PLDC, Chapter 2
- C. Code Audit, Jet Planning
- D. Cod Audit Priority Schedule

Respectfully Submitted,

Zac Moody
Community Development Manager