

## Appendix I

### City of Phoenix Comprehensive Plan Policies on the Interchange Business, Commercial, and Industrial Designations and General Land Use Policies

**Commercial:** Lands included in this category are diverse. Residential, commercial, and manufacturing uses all occur within this area. This diversity reflects the outward expansion of the City's business core along the Rogue Valley Highway in a haphazard manner, creating a commercial strip lacking character, focus, identity, and prosperity. That fact, accounts for the extensive number and acreage of properties classified within the 1995 Land Use Inventory as either vacant, partially vacant or redevelopable.

Two separate and distinct zoning districts will apply to this area. The first, City Center, is intended to facilitate the evolution of the City's core business area from auto-centric to community-centric. These lands are characterized by commercial uses which are connected to the adjacent residential areas through a traditional gridded street network. This network affords easy access by residents to the City Center by a variety of transportation modes including walking and bicycling. At this time the City Center is likely to be limited to the area surrounding the two-way couplet of Bear Creek Drive and Main Street.

The City Center's emphasis is on general and speciality retail, service, and professional office. Site design requirements, uniquely suited to the City Center, will include standards:

- A) Addressing off and on-street parking including joint or shared parking,
- B) Focusing auto access to side streets and alleyways and thus limiting direct driveway access along Main Street and Bear Creek Drive,
- C) Providing for the construction of a streetscape and thus providing a clear pedestrian orientation; facilitating access and creating amenities for non-auto transportation modes,
- D) Permitting residential uses including the construction of new multi-family housing where the building is designed, oriented, constructed, and can be readily converted to a commercial use at a later time, and
- E) Requiring the design and architectural details to foster development of the area's character; defining architectural elements which lend continuity but avoid homogeneity among new structures.

The balance of the commercial areas along Highway 99 will be zoned as Highway Commercial. These lands are planned to retain their focus on auto oriented businesses with accompanying limits on other uses that would be more suitably located in the City Center. Specific site design standards will provide for direct access off of Main Street when

essential for development of the property. In these instances, developments will be required to incorporate shared driveway options into the site design and provide guarantees ensuring their future availability, at the City's discretion, for adjacent property access. Otherwise, local side streets or a single driveway off of Main Street serving multiple properties / businesses will be the norm. Off-street parking will be required while on-street parking will be prohibited.

The rationale behind treating both the City Center and Highway Commercial areas as a single plan designation relates to the evolving character of the corridor. Basic economic factors will determine the rate of evolution and change. The City is committed to implementing a streetscape. Without accompanying private investment, improvements in the public right-of-way will have little effect on business development. However, coupling private and public investment could yield substantial return and would tend to create opportunities for expansion of the City Center area.

**Interchange Business:** This designation describes those lands surrounding the Fern Valley Road / Interstate 5 interchange. They are intended to provide services and goods for the traveling public, as well as business locations serving the community and the region. Uses typically include truck stops, auto repair / service stations, restaurants, motels, other tourist accommodations, vehicle sales and service, product manufacturing, storage and distribution facilities, offices, and retail. These uses, as a group, may generate significant traffic volumes. The interchange, Fern Valley Road, and local streets intersecting at or near the interchange, are poorly suited to handle large traffic volumes.

Development in this area must be predicated upon satisfaction of Policy 4.2 of the Economic Element. Site design standards must ensure that property access does not adversely affect traffic by creating dangerous conditions or congestion. Access management, limiting the frequency and spacing of driveways and intersecting streets, should be applied as appropriate.

**Industrial:** The City's designation of almost 54 acres of industrial land, of what 38 are considered buildable, reaffirms the City commitment to diversification of local employment.

Most of these lands are not currently served with sewer, water and access and are located west of the railroad tracks in the vicinity of Dano Drive. The site is largely surrounded by agricultural lands except to the east and across the railroad which is developed as residential subdivision. This site, pursuant to Policy 9.3 of the Economic Element, is targeted for development by businesses and industries that require and rely upon a low noise environments or in harmony with such an environment. Additionally, the policy states that businesses proposed for location within the area not be appropriate for location within the City Center. Performance standards which implement this policy will need to be incorporated into the zoning ordinance / development code.

**City /  
County  
Coordination**

The City must ensure that the lands lying outside the “standard” urban growth boundary are protected from uses or land divisions that might otherwise make them unsuitable for urban development while protecting the City’s environmental setting. These areas may eventually function as the City’s “urban reserve” even though they are not now so designated. An urban reserve can only be designated through joint City / County action supported by rigorous review and negotiation. That task is not included within the City’s existing Periodic Review Work Program. Unless amended, which appears unlikely, this task must await the City next periodic review.

None the less, it is clear that these areas are suitable for joint City / County designation as “areas of mutual concern.” It is anticipated that such designation would ensure that these rural lands are not further developed for rural (non-resource) purposes. Existing uses would continue but future development, if any, would be considered in terms of impacts on the City’s environmental setting and very distant urban land needs.

**GOALS AND POLICIES**

**Goal 1. Foster sound community growth and development through effective management of public land use policy.**

Policy 1.1 Provide a structured process for the review of amendments to the Comprehensive Land Use Plan and Map.

Policy 1.1.1 The Planning Commission and City Council shall only consider major amendments to the Plan during the City’s periodic review. In that way, major changes to the City’s Plan will be considered in light of their impact on the entire community and their implications on the full breadth of the Comprehensive Plan. Major amendments may also be initiated under the following circumstances;

- A) Statutory or litigated changes either require or significantly affect the Plan,
- B) A major error or inconsistency is found within the Plan, or
- C) A change in Statewide Planning Goals or Oregon Administrative Rules require Plan amendment(s) at times other than during Periodic Review.

The term “major amendment” shall have the following meaning:

Major amendments include land use changes which have widespread and significant impact beyond the immediate area, such as quantitative

changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; a spatial change that affects large areas or many different ownerships; or an amendment to the Urban Growth Boundary. Major amendments shall also include changes that would, if approved, modify one or more Goals and Policies of the Plan. Major amendments are legislative actions.

Policy 1.1.2 The Planning Commission and City Council shall only accept applications for minor amendments to the Comprehensive Plan in April and October of each year. Actual scheduling of public hearings is at the discretion of the Planning Director.

The term "minor amendment" shall have the following meaning: Minor changes, i.e., those which do not have significant effect beyond the immediate area of the change. The public need, justification for the particular change, and its conformity with Statewide Planning Goals shall be based upon special studies or other information which shall serve as the factual basis to support the change. Minor amendments are quasi-judicial actions.

Public need, as that term is used here, means a non-market condition that can only be satisfied through the modification of public land use policy within the City of Phoenix. Special studies and evidence, supported by facts, of the public need shall accompany the application. Justification shall detail how the public need arose, its pertinence to the City of Phoenix, Rogue Valley region, and the State. Public need is the essence of the Comprehensive Plan and Map. Proposals to modify the Plan Map must show that the public need, as depicted and articulated in the Plan, would be better served through approval of the proposed amendment. In that light, the justification shall establish how the proposed minor amendment will facilitate the City achieving the Plan's objectives (the entire Plan not just the Goals or Policies of a single element) and the land use pattern depicted in the Comprehensive Plan Map.

**Goal 2. Define the extent of urban development through the establishment of a defensible, long term, and recognizable boundary between urban and rural lands; a Permanent Urban Growth Boundary.**

Policy 2.1 The Planning Commission and City Council shall only consider amendments to the permanent urban growth boundary during periodic review, and when the periodic review work program includes the update of the Population, Housing, Economic, Recreation, and Land Use Elements.

Policy 2.2 Amendments to the Permanent Urban Growth Boundary shall only be predicated upon an extraordinary and unexpected change in community development.

**Goal 3. Manage annexations to achieve the objectives of the Plan by ensuring that the cumulative effect of annexations decisions are considered.**

Policy 3.1 The City Council may approve annexations, without referral to the City's entire electorate, when findings and facts show that development of the property or properties proposed for annexation would be consistent with the Plan and:

A) That development on the land proposed for annexation can be served with all urban services and facilities without adverse impact on the availability, quality, quantity, or reliability of City services provided to or likely to be needed by;

- 1) Existing development within the incorporated area, and
- 2) Undeveloped, partially vacant, or redevelopable incorporated land (considering approved development plans or permissible densities as set out in the Plan), and

B) Population impacts of the proposed development will not cause the City's population to grow at a rate in excess of the Comprehensive Plan, Population Element's planned population. The population impact of residential lands development shall be computed by;

- 1) Multiplying the gross area in square feet times 72 percent (to account for lands dedicated to streets) then,
- 2) Dividing by the maximum lot size permissible within the zone that would be applied to the property if annexed, and then,
- 3) Multiplying by the average occupancy associated with the dwelling type based upon the most recent U.S. Census.

Such analysis shall be submitted by the applicant at the time of application.

An annexation conforms to the Population Element if the average rate of population growth likely to result from annexation (considering development phasing of the proposed annexation) when added to the development of previously annexed lands (considering their phasing and historical rate of development) will not exceed 133 percent of the average annual population growth rate computed as follows:

Planned Population - most recent PSU<sup>1</sup> estimate of population

Forecast Year - the year of the most recent estimate

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<sup>1</sup> Portland State University

- Policy 3.2 The City Council may, at its discretion, refer to the City's electorate any annexation that does not fully comply with Policy 3.1. The procedures described within ORS 222.130 regarding annexation elections shall be followed. A simple majority of votes cast shall determine the outcome.
- Policy 3.3 The Council may annex territory to the City, and dispense with the requirements of Policy 3.1 and 3.2 where the Oregon Health Division has issued a finding that a danger to public health exists because of conditions within the territory.
- Policy 3.4 All properties annexed to the City shall eventually be improved to City standards; including but not limited to street improvements, curbs, gutters, lighting, and other improvements included within the City's development standards or as may otherwise be specified by the City's Engineer, Public Works Director, or Planner and approved by the City Council. If required improvements are not proposed at the time of annexation, then the annexation agreement shall specify that the improvements shall be installed at the time of partitioning, subdivision, development or other time as approved by the Council.
- Policy 3.5 The City Council shall initiate proceeding to annex "islands" of unincorporated area within the City Limits immediately following their creation or as soon thereafter as practical when deemed to be in the overall best interest of the City. Such annexations are required to ensure orderly and equitable provision of public improvements, utilities, and community services, and to further growth and development of the community in accordance with this Plan.
- Policy 3.6 The City Council may initiate "contract annexation" or an alternative procedure, other than standard annexation, when it is determined that the community will derive significant economic advantage.

**Goal 4. Foster development that achieves the objectives of the community while providing fair and equitable treatment of proposals.**

- Policy 4.1 Whenever it is possible to simultaneously consider multiple proposals or projects which have similar objectives or would otherwise meet the same public need, the Planning Commission and City Council shall; 1) develop an unbiased ranking system, 2) evaluate the projects against one another, and 3) develop findings which describe the ranking process and outcome. When justification for only one project is documented, the Council shall approve the highest ranked proposal.

**Goal 5. Ensure the close integration of the City's Comprehensive Plan and day to day zoning and land use administration.**

Policy 5.1 Utilize the descriptions included in the Section of the Land Use Element entitled "Plan Designations" as policy. As such, the descriptions of plan designations will be the controlling document for the purpose of administration of the zoning and subdivision ordinances or other pertinent land use regulations and codes.