

Proposed Measures

INTERCHANGE AREA MANAGEMENT PLAN I-5: Fern Valley Interchange

INTRODUCTION

The measures below are proposed for inclusion in the interchange area management plan (IAMP) for the Fern Valley Interchange (FVI). Once approved for inclusion in the IAMP, the Oregon Department of Transportation (ODOT) project team¹ will refine the details of these provisions and prepare the IAMP document for approval by the City of Phoenix and the Oregon Transportation Commission. The project team also will prepare amendments to the City of Phoenix Comprehensive Plan and Land Development Code, if needed to implement the measures. In preparing the IAMP and amendments, the project team will work with the City of Phoenix, the IAMP Citizens Advisory Committee and Project Development Team, and other interested parties.²

The project team proposes for inclusion in the IAMP: four land use measures, a local/regional trip allocation measure, two transportation system management (TSM) measures, and one transportation demand management (TDM) measure.

LAND USE MEASURES

Cross-adoption of City of Phoenix Comprehensive Land Use Plan and Development Ordinance Provisions

ODOT would include in the IAMP the following parts of the City of Phoenix Comprehensive Plan and Land Development Code:

1. All Comprehensive Plan map designations east of Interstate 5 (I-5) (except Analysis Area 24, as shown on Appendix A), Development Scenario Analysis Areas, and the Comprehensive Plan designations of Analysis Areas 16, 31-37, and 39-41 on the west side of I-5.³

¹ The project team consists of ODOT staff assigned to the Fern Valley Interchange project and consultants retained by ODOT to assist with the project.

² If the IAMP includes measures affecting the Jackson County Comprehensive Plan or Land Development Ordinance, the project team will similarly work with Jackson County and submit the IAMP and plan or ordinance amendments to Jackson County for approval.

³ These are areas where traffic generated by land uses could have a material effect on the performance of the Fern Valley Interchange and nearby intersections.

2. The zoning of the same areas.
3. The urban growth boundary (UGB) as shown on the Comprehensive Plan map.
4. The language in the Comprehensive Plan regarding the Interchange Business, Commercial, City Center District, and Industrial designations.
5. The chapters of the Phoenix Development Code on the Commercial Highway, City Center, General Industrial, and Light Industrial districts and the Design Standards chapter.

In addition, the City of Phoenix would adopt the IAMP as part of its Transportation System Plan, making it part of the Phoenix Comprehensive Plan.

The purpose of this measure is to enable ODOT to work with the City of Phoenix to protect the performance of the new Fern Valley Interchange when the City amends the UGB and its Comprehensive Plan and issues land use approvals. The UGB and Comprehensive Plan are overdue for amendment and there is insufficient time to amend them without delaying construction of the new Fern Valley Interchange project. This measure would provide ODOT the ability to work with the City of Phoenix to avoid, place restrictions on, or qualify approval of expansions of the UGB or other amendments to the Comprehensive Plan or Phoenix Development Code that otherwise would threaten the performance of the interchange. The measure would do this by giving ODOT grounds to appeal such amendments. Similarly, if the City of Phoenix adopts the IAMP into its Comprehensive Plan, the measure would give the City grounds to appeal amendments to the IAMP adopted by ODOT. In both cases, the grounds to appeal would come from the reciprocal consistency requirements that are part of the Oregon Statewide Planning Program. In simple terms, state agency plans must be consistent with local plans and vice versa.⁴ The underlying concept is that the state and a local government need to agree on plans to meet their mutual and respective needs and obligations.

Important features of this measure are:

- If ODOT were to conclude that a proposed amendment to one of the provisions adopted into the IAMP would not be consistent with the IAMP, ODOT would work with the City of Phoenix to reach agreement on how to resolve the issues involved.
- ODOT would only determine that a proposed plan or code amendment is not consistent with the IAMP when the amendment would change the function or

⁴ ORS 197.180 requires that “. . . state agencies shall carry out their planning duties, powers and responsibilities and take actions that are authorized by law with respect to programs affecting land use. . . (b) In a manner compatible with: (A) Comprehensive plans and land use regulations. . .” OAR 660-012-0015(1)(b), part of the Transportation Planning Rule, states “State transportation project plans shall be compatible with acknowledged comprehensive plans as provided for in OAR 731, Division 15. . .” OAR 734-051-0155, an ODOT administrative rule, states that “. . . the Department will work with local governments on any amendments to local comprehensive plans and transportation system plans and local land use and subdivision codes to ensure the proposed Access Management Plan and Interchange Area Management Plan is consistent with the local plan and codes.” At the same time, OAR 660-12-0015(3)(a), also part of the Transportation Planning Rule, states that “Local TSPs [transportation system plans] . . . shall be consistent with regional TSPs and adopted elements of the state TSP.” ODOT adoption of the IAMP would make it part of the Oregon Highway Plan, which would make it part of the state TSP.

diminish the performance of the interchange. If neither were the case, ODOT would not have grounds to appeal an amendment.

- ODOT would not need to amend the IAMP every time the City of Phoenix amended the provisions adopted into the IAMP. The IAMP would acknowledge that the City of Phoenix would enact amendments which ODOT would not find inconsistent with the IAMP.
- The IAMP would provide that, if ODOT did not notify the City of Phoenix that a proposed plan or code amendment was inconsistent with the IAMP within 45 days after receipt of notice of the amendment from the City, ODOT would not assert that the amendment is inconsistent.
- Should ODOT wish to amend the IAMP, it would be necessary for ODOT to ensure that the IAMP remained consistent with the City of Phoenix Comprehensive Land Use Plan.

MASTER PLAN REQUIREMENT

The City of Phoenix would amend its Comprehensive Plan and Land Development Code to require City approval of a master plan as a precondition of any planning approval on parcels of land 3 acres in size or larger. “Planning approval” is defined to mean change of comprehensive plan designation (including in conjunction with UGB expansion), zone change, subdivision, and partition. Once a master plan is approved, the plan would be the basis for City evaluation of phases or components of development within the master plan area. Master plans would include:

- a plan showing location and type of all land uses and approximate acreage and approximate number of units or square footage of uses
- the maximum height and size of proposed structures
- a plan of utilities, streets, bike ways, and pedestrian ways
- off-site public improvements necessary to serve the proposed development and/or mitigate its impacts on public facilities.

This measure has two purposes. The first purpose is to provide the City of Phoenix and ODOT a more specific basis for evaluating potential impact on interchange performance than is available in the absence of a master plan. Comprehensive plan designations and zones allow a range of residential densities and intensities of use commercial uses, so that, in themselves, they leave too many uncertainties to permit adequate protection of interchange performance.⁵ The second purpose is to encourage a more comprehensive approach to development than is achievable when it occurs piecemeal. This enables taking advantage of opportunities that are not obvious or available when development is

⁵ Subdivisions and partitions are included in the definition of “planning approval” to avoid their use to reduce parcel size to below the 3-acre criterion to avoid the master planning requirement.

fragmented and avoiding instances where development at one location forecloses or increases the cost of designs (such as of the street network) that better serve the community at large. Most undeveloped parcels east of I-5 are larger than 3 acres in size, as are three largely undeveloped parcels on the west side of I-5 that are large enough to potentially affect interchange performance, depending on how developed.⁶

Prohibit High Trip-Generating Uses in the Highway Commercial Zone Near the Interchange and the Intersection of Fern Valley Road and OR 99 Unless Part of a Master Plan Approved Under the Master Plan Measure

This is similar to the first land use measure in Technical Memorandum 4, Evaluation of Potential Management Measures. It is needed because the master plan measure, above, would not provide a means to limit trips from parcels below 3 acres in size. In particular, development of parcels below 3 acres in size, in combination with each other and other parcels, could materially affect traffic volumes on the interchange, Fern Valley Road, and the intersection of OR 99/Fern Valley Road. Avoiding high traffic generation near the intersection of Fern Valley Road and OR 99 is needed to avoid the need for a third southbound through lane on OR 99 north of Fern Valley Road.

Prohibited high trip-generating land uses would include supermarkets, discount clubs, free-standing discount superstores, pharmacy/drugstores, auto parts stores, fast-food restaurants, high-turnover restaurants, drive-in banks, quick vehicle lubrication shops, service stations, day care centers, and athletic clubs. The Highway Commercial Zone allows all of these uses now, as either permitted uses or conditionally permitted uses. Such uses would be allowed if part of a master plan for an area 3 acres in size or larger approved under the master plan measure described above. Properties smaller than 3 acres could qualify for master plan approval by combining with each other or with parcels larger than 3 acres in size.

The City of Phoenix would apply the prohibition by adopting an overlay zone that would apply to all land zoned Highway Commercial east of I-5 and to the land zoned Highway Commercial west of I-5 in Analysis Areas 16, 31-35, 37, 40, and 41, as shown in Appendix A.

⁶ These are the parcels east of the railroad tracks that make up Urban Reserve Areas PH-1 and PH-2 and the land zoned industrial between PH-1 and PH-2 (Analysis Areas 51, 52, and 39 on Appendix A, Development Scenario Analysis Areas).

Prohibit High Trip-Generating Uses in the Jackson County General Commercial Zone Along OR 99 North of Fern Valley Road in the Interchange Management Area

This is similar to the preceding measure, but would apply to land zoned General Commercial by Jackson County along OR 99 north of Fern Valley Road. The same categories of uses would be prohibited,⁷ but there would be no master plan exception, because adding a master plan provision to the Jackson County Zoning Comprehensive Plan and Land Development Ordinance is not proposed.⁸ This measure is needed because the City of Phoenix city limits extend along OR 99 north of Fern Valley Road only a short distance. Consequently, the preceding measure would not avoid high traffic-generating uses along most of the distance between Fern Valley Road and the Interchange Management Area boundary. As stated above, avoiding high traffic generation near the intersection of Fern Valley Road and OR 99 is needed to avoid the need for a third southbound through lane on OR 99 north of Fern Valley Road.

Jackson County would apply the prohibition by adopting an overlay zone that would apply to all land zoned General Commercial along OR 99 between the northern Phoenix city limits and the northern boundary of the Interchange Management Area. The boundary is the same as the northern boundaries of Analysis Areas 5 and 7 in Appendix A.

LOCAL/REGIONAL TRIP ALLOCATION

There are four reasons for including this measure:

1. Traffic volumes on the interchange, Fern Valley Road, N. Phoenix Road, and OR 99 will result from trips generated by both land uses within the City of Phoenix and the immediate area of the interchange and land uses in Medford and other parts of the region.
2. Neither the City of Phoenix nor ODOT have the authority to control land use outside the City of Phoenix as a means of limiting traffic volumes.
3. If the City of Phoenix controls land use to limit traffic volumes on the interchange, N. Phoenix Road, and OR 99, for reasons of equity, other jurisdictions and the region as a whole should do the same.
4. Shared responsibility for limiting trips is more likely to be effective if there is an explicit and measurable allocation of responsibility and accountability.

⁷ The Land Development Ordinance now requires conditional use permits for all the uses. Fast-food restaurants require Type 3 permits, all other uses a Type 2 permit. County planning staff may issue decisions on both types of permits or the Planning Director may refer either type to a hearing. Issuance of Type 3 permits requires findings of compliance with criteria that do not apply to Type 2 permits. See section 3.1.3 and 3.1.4 of the ordinance.

⁸ Such a measure is not proposed because the only land it would apply to is the land in Urban Reserve Area PH-1 (Analysis Area 51 in Appendix A) and the potential threat to interchange performance from the development of this land is too remote to justify a master plan provision.

In consultation with the City of Phoenix and other jurisdictions in the region, ODOT would determine the future PM peak-hour volumes the interchange, N. Phoenix Road, and OR 99 can handle and remain within applicable performance standards. It would then subtract existing volumes and allocate the difference between the City of Phoenix⁹ and the region.¹⁰ ODOT would then exercise its role under the cross-adoption measure, above, and its development review authority, to limit trips from within the City of Phoenix to the City's allocation. Similarly, it would exercise its role as a sponsor of highway projects and its development review authority in the rest of the region to limit regional trips to the region's allocation.

The initial allocation would be based on the City of Phoenix's existing UGB. ODOT would alter the allocation between the City and the region when the City expands the UGB in the future. Every three years, the Rogue Valley Metropolitan Planning Organization would conduct traffic counts on the interchange, N. Phoenix Road, and OR 99 and origin and destination surveys to monitor the breakdown of trips between local and through trips.

TSM MEASURES

Identify Sites for Future Bus Transfer Sites and Coordinate on Bus Stop Locations

This is similar to the measure described in Technical Memorandum 4. When ODOT designs the Fern Valley Interchange project, it would identify possible sites for future bus transfer points near the intersection of OR 99 with Fern Valley Road and the intersection of N. Phoenix Road with Fern Valley Road. These would be for transfers between the Rogue Valley Transportation District's (RVTD's) existing bus line on OR 99 and two planned future lines. One of the planned future lines is a circulator bus that would travel through the Phoenix neighborhoods west of I-5 and extend across I-5 to the intersection of Fern Valley Road with N. Phoenix Road. The other planned future line is a bus line on N. Phoenix Road. The transfer points would be where the circulator bus connects to the existing line on OR 99 and the future line on N. Phoenix Road. Each would include a staging area large enough to accommodate two busses, either off-street or as a bus pull-out. If a site were on right-of-way acquired for the Fern Valley Interchange project, ODOT would consider allowing RVTD to use the site for a transfer point.

As part of this measure, the City of Phoenix would adopt as part of its Comprehensive Plan language under which the City would seek to provide locations for bus transfer points where the circulator bus would connect to the existing bus line on OR 99 and to a future line on N. Phoenix Road. Opportunities to do this would arise when the City undertook roadway improvements or when the City reviewed applications for development approval.

⁹ Trips having an origin, destination, or both within the Phoenix city limits.

¹⁰ Trips having an origin and destination outside the Phoenix limits.

In addition, the City of Phoenix and ODOT would coordinate with RVTB to identify the best location of bus stops on OR 99, Fern Valley Road, and N. Phoenix Road. As stated in Technical Memorandum 4, on roadways with four lanes, RVTB generally prefers bus stops (where the bus stops in the right travel lane) over bus pull-outs, and so is unlikely to seek pull-outs on the sections of these roads that the project would alter.

Help Secure Shared Park-and-Ride Lots

This is similar to the measure described in Technical Memorandum 4. The IAMP would include language under which ODOT and the City of Phoenix would work with RVTB to help it identify and secure shared park-and-ride lots near the intersection of OR 99 with Fern Valley Road and the intersection of N. Phoenix Road with Fern Valley Road.¹¹ ODOT and the City of Phoenix could help RVTB secure shared park-and-ride lots in several ways. For example, ODOT could allow RVTB to use residual land acquired for right-of-way, but not needed for highway improvements and which ODOT is unable to resell. Another example would be to attach to excess right-of-way ODOT is able to resell a covenant requiring shared use of parking by transit riders. The City of Phoenix could make the provision of shared parking for transit riders a consideration when it issues approvals of development or master plans under the next measure, below.

Increase Building Setback Requirements on OR 99 North of Fern Valley Road

Both the City of Phoenix and Jackson County would add to their zoning codes overlay zones covering the properties on both sides of OR 99 north of Fern Valley Road. Within the overlay zone, 15 feet would be added to the building setback requirement applicable to each parcel of land. For example, there is no front setback requirement in the Commercial Highway zone regulations in the City of Phoenix Land Development Code.¹² Under this measure, the setback requirement would be 15 feet. The front setback requirement in the Jackson County Land Development Ordinance is 20 feet for the General Commercial and Urban Residential-10 land use districts, which apply along OR 99 north of Fern Valley Road.¹³ Under this measure, the setback would be 35 feet. Under both codes, the setback would apply to new development or redevelopment of the affected land parcel. Fifteen feet is enough to allow the addition of a 12-foot lane, plus additional buffering of bicycle and pedestrian traffic from motor vehicle traffic.

The purpose of this measure is to reduce the cost of widening OR 99 and associated disruption, if it becomes necessary to do so in the future. The land use measures described above would delay the need to widen OR 99, if implemented rigorously. However, forecasted growth in motor vehicle trips compared to the existing capacity of OR 99 indicates that widening it is likely to be needed after the 20-year planning period for the IAMP.

¹¹ At shared park-and-ride lots, a property owner allows bus riders to park. Such properties are often churches or shopping centers that have excess parking capacity during commute hours.

¹² City of Phoenix, Development Code, Section 2.4.3, page 57.

¹³ Jackson County, Land Development Ordinance, Table 8.2-1, Chapter 8, page 2.

TDM MEASURE

Amend the Phoenix Land Development Code to Consider Trip Reduction Actions in Approving Master Plans and All Commercial and Office Developments of 30,000 Square Feet of Gross Leasable Area or More

This is similar to the measure described in Technical Memorandum 4. The City of Phoenix would amend its Development Code to take into consideration specific commitments to take actions to reduce motor vehicle trips by employees and visitors when it approves master plans under the master planning requirement described and of commercial and office developments of 30,000 square feet of gross leasable area or more. Actions could include:

- Making site improvements to facilitate bicycle, pedestrian, and transit access and encourage access by foot and bicycle over and above meeting the existing requirements of the Development Code.
- Providing or subsidizing public transit passes for employees or subsidizing fares.
- Reimbursing customers for the cost of taking public transit, with a minimum purchase.
- Providing preferred parking locations to employee carpools or vanpools.
- Supporting telecommuting by employees (telecommuting means working at home one or more days a week instead of commuting to a workplace).
- At appropriate locations, providing shared parking for use by bus riders.