



# Oregon

John A. Kitzhaber, MD, Governor

Department of Transportation

Office of the Director  
1158 Chemeketa St. NE  
Salem, OR 97301-2528

**DATE:** March 3, 2011

**TO:** Oregon Transportation Commission

**FROM:** Matthew L. Garrett  
Director

**SUBJECT:** **Consent 7** - Adoption of Interstate 5, Exit 24 Interchange Area Management Plan (IAMP)

### Requested Action

Adopt the Interstate 5, Exit 24 Interchange IAMP in Jackson County, which implements Policy 3C of the Oregon Highway Plan and is consistent with the IAMP requirements of the department's Access Management Rule (OAR 734-051-0155). Adoption of the IAMP will constitute an amendment to the 1999 Oregon Highway Plan.

### Background

The IAMP was prepared in coordination with the City of Phoenix, Jackson County, and the Rogue Valley Metropolitan Planning Organization (MPO). The Oregon Department of Transportation worked with these jurisdictions to develop an IAMP that protects the function of the interchange and identifies needed improvements. The city has adopted the IAMP into its comprehensive plan and implemented ordinances into its land use code. A notice of adoption and copy of the plan were also sent to Jackson County and the Rogue Valley MPO. No comments were received. Region planning staff contacted the Department of Land Conservation and Development, which indicated support for the plan; however, the department received no written correspondence.

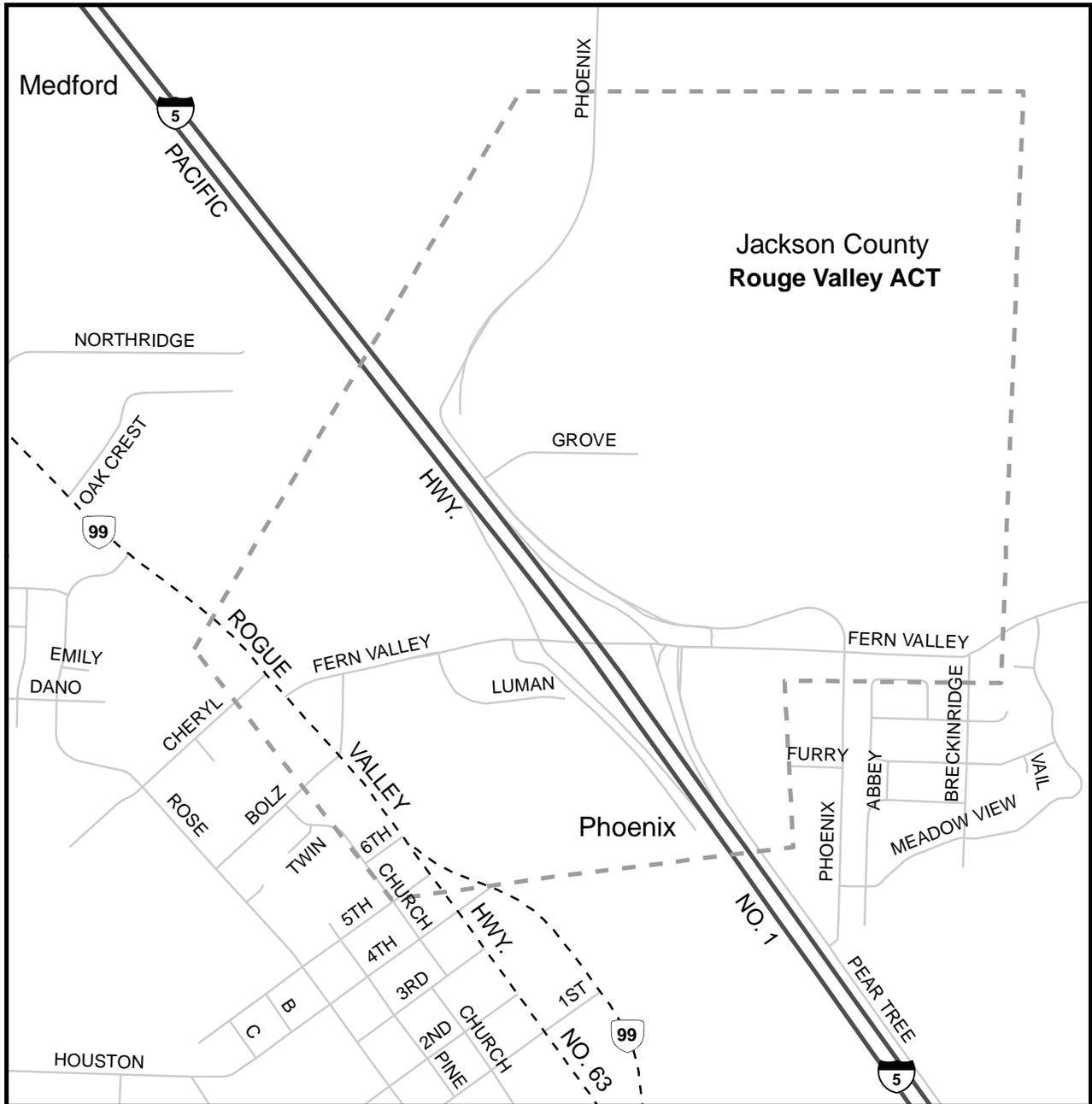
### Copies (w/attachments) to:

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Frank Reading	Michael Baker		



# STIP PROJECT LOCATION

## ODOT REGION 3



### LEGEND

- SITE AREA
- STATE HIGHWAY CLASSIFICATION
  - INTERSTATE
  - STATEWIDE
  - - - REGIONAL / DISTRICT
- REGIONAL BOUNDARY
- - - COUNTY BOUNDARY
- ACT BOUNDARY

## I-5 EXIT 24 INTERCHANGE AREA MANAGEMENT PLAN

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information."

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GIS No. 23-52

# STIP PROJECT VICINITY

## ODOT REGION 3



### I-5 EXIT 24 INTERCHANGE AREA MANAGEMENT PLAN

**LEGEND**

-  SITE LOCATION
-  STATE HIGHWAY
-  COUNTY BOUNDARY
-  STATE BOUNDARY

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(503) 986-3154 - MONTH YEAR  
GIS No. 23-52

**Exhibit A  
Staff Report**

**OTC Briefing  
I-5, Exit 24 Interchange Area Management Plan (IAMP)  
February 2011**

**Requested Action**

Region 3 requests that the OTC adopt the I-5, Exit 24 Interchange Area Management Plan (IAMP) to implement Policy 3C of the Oregon Highway Plan. The I-5, Exit 24 Interchange Area Management Plan and implementing ordinances received final City of Phoenix approval in February 2011. Public hearings were held in October 2009, at which point the council adopted the IAMP. Copies of the plan were forwarded to state (DLCD) and local agencies for comment. No comments have been received any of these agencies. With local concurrence, ODOT staff has developed findings documenting the IAMP's consistency with the local plans.

**Background**

The Oregon Department of Transportation (ODOT) plans to replace the existing Fern Valley Interchange with an interchange that will accommodate projected traffic volume growth through at least 2030. The Fern Valley Interchange is located on Interstate 5 approximately 24 miles north of the Oregon/California border, in the City of Phoenix and Jackson County. The interchange accesses the Phoenix area via Fern Valley Road, which crosses over I-5. The interchange accommodates all directional motor vehicle movements between the two roadways.

The purpose of the project to replace the Fern Valley Interchange in order "to reduce congestion and improve operational conditions at the I-5 interchange with Fern Valley Road, on Fern Valley Road within the City of Phoenix Urban Growth Boundary, and on OR 99 near its intersection with Fern Valley Road." The IAMP was developed in coordination with an Environmental Assessment (EA) for the construction phase of the project. Appendix A contains the purpose and need text from the draft EA. The IAMP incorporates two potential build alternatives included in the Draft EA. The local adopting ordinance removes all references in the IAMP to the alternative that is not eventually selected.

ODOT developed this IAMP to comply with the ODOT policy to prepare such plans for significant modifications to existing interchanges. Appendix B contains the administrative rule that includes the policy. ODOT adopted the policy as a way to maximize the value the people of Oregon receive from the large expenditure of tax dollars required to construct a new interchange. This reflects ODOT's elevated fiduciary responsibility that has resulted from the increasing scarcity of public funds for

transportation investments relative to need. It also reflects a more thorough understanding of the relationships between transportation facilities and land use and between local and state transportation networks. Together, these changes have also increased the importance of collaboration between ODOT and the communities like the City of Phoenix in which its transportation network is located.

### **IAMP 24 Purpose and Function**

In light of the purpose of the proposed new Fern Valley Interchange and the policy to prepare IAMPs, the purposes of this IAMP are to: Preserve the capacity of the proposed interchange for at least the first 20 years of its design life and the capacity of N. Phoenix Road, Fern Valley Road, and OR 99 in the vicinity of the interchange; Ensure the safe and efficient operation of the interchange and these roadways and protect their functional integrity, operations, and safety.

Based on the classification of I-5 and applicable policies, the function of the Fern Valley Interchange is to serve statewide, regional, and local travel and freight mobility by providing safe and efficient connections between I-5 and Fern Valley Road that meet or exceed applicable mobility standards.

### **Goals and Objectives**

The goal of this IAMP is to preserve over at least the first 20 years of the design life of the proposed new Fern Valley Interchange its function to serve statewide, regional, and local travel and freight mobility by providing safe and efficient connections between I-5 and Fern Valley Road that meet or exceed applicable mobility standards. The IAMP seeks to achieve the following objectives to the greatest extent possible:

1. Provide for the safe and efficient operation of the interchange.
2. Protect the function of I-5 as an Interstate Highway, part of the National Highway System, a Freeway, and a Statewide Freight Route; the function of the ODOT portion of Fern Valley Road as a District Highway and of the City of Phoenix portion as a Collector; the function of N. Phoenix Road as an Arterial; the functions of the ODOT portion of OR 99 as a District Highway and Regional Freight Route; and the function of the City of Phoenix portion of OR 99 as an Arterial.
3. Meet the performance standards applicable to I-5, the interchange, OR 99, Fern Valley Road, and N. Phoenix Road in the IMA for at least the first 20 years of the design life of the interchange.
4. Provide for the transportation needs of current and planned land uses, as contained in the City of Phoenix Comprehensive Plan.
5. Take into consideration the possibility that additional development will occur west, north and east of the existing City of Phoenix urban growth boundary (UGB), as contemplated by the proposed Greater Bear Creek Valley Regional Plan.
6. Take into consideration that most existing and projected traffic on the interchange, Fern Valley Road, OR 99, and N. Phoenix Road passes through the interchange area and so is affected by growth and development outside the IMA.
7. Minimize adverse impacts on existing businesses and residences.
8. Provide adequate access to developable lands in the interchange area, within the

constraints required to ensure continued function of the interchange and local street network.

### **Traffic Analysis**

Based on the traffic analysis done for this project and in order to meet the goals and objectives of the IAMP, we relied on a combination of the capacity expansion and retention measures and other management measures to avoid violation of the mobility performance standards applicable to the OR 99/Fern Valley Road intersection (under both build alternatives), the Fern Valley Rd./N. Phoenix Rd. intersection (under the Fern Valley Thru Alternative), and the N. Phoenix Road/S. Phoenix Road Extension and S. Phoenix Road/Fern Valley Road intersections (under the N. Phoenix Thru Alternative). The traffic analysis for the IAMP is different from the traffic analysis prepared for the EA. ODOT prepared a separate forecast of traffic and congestion for the IAMP because the IAMP required a finer level of detail than the EA. The traffic analysis TPAU prepared for the EA used the Rogue Valley Council of Governments (RVCOG) regional traffic model.

The RVCOG model uses broad employment categories because of the region's large area and large numbers of residents and employees. These categories combine businesses that vary widely in the number of motor vehicle trips they generate. The RVCOG model also uses projections of only one category of households, while households occupying different types of housing (e.g., single-family, apartments, mobile homes) generate different numbers of trips.

This general level of traffic information is sufficient to address conceptual design issues and to determine comparative environmental impacts. To determine needed measures to include in the IAMP, it was necessary to base trips generated in the area of the interchange on more specific categories of retail, service, and industrial business types. It was also necessary to distinguish among households occupying different types of housing.

### **Management Measures**

This IAMP includes twelve management measures. These measures are intended to achieve the purposes, goals and objectives of the IAMP. In particular, the measures attempt to protect the performance of the interchange and critical intersections while allowing development that enables the City of Phoenix to pay its share of the interchange construction cost and meet its other fiscal responsibilities. The measures also seek to equitably share between the City of Phoenix and traffic generators elsewhere in the Bear Creek Valley the burden of protecting the capacity of the interchange against excess traffic volumes.

#### **1. Capacity Expansion and Retention**

The purpose of this measure is to reduce the extent to which limitations on land development are necessary to prevent traffic volumes from exceeding applicable performance standards. ODOT will build as part of the Fern Valley Interchange

project the second westbound right-turn lane and second exclusive westbound leftturn lane at the OR 99/Fern Valley Road intersection. The City will require as a condition of planning approval that land developers pay to implement the traffic capacity expansions identified in the IAMP when traffic impact studies indicate that they are needed to meet applicable performance standards during the planning period.

## **2. Trip Budget**

In combination with the Capacity Expansion and Retention measure, the purpose of the trip budget measure is to help achieve the goal and objectives of this IAMP while maximizing the City of Phoenix's discretion in approving development. It and the second westbound right-turn lane and second exclusive westbound left-turn lane at the OR 99/Fern Valley Road intersection are necessary to avoid violation of the applicable mobility performance standard at the intersection. This management measure establishes parcel budgets and process for the City of Phoenix to administer.

## **3. Alternative Mobility Standards at I-5 Ramp Terminal Intersections**

The purpose of this measure is to preserve interchange capacity for future industrial and export service development in the Interchange Management Area (IMA). The IAMP adopts a v/c ratio of 0.75 as the mobility performance standard for the Fern Valley Interchange ramp terminals. As an exception to this standard, for the development of facilities for research, manufacturing, production, or the provision of services to customers or clients primarily located outside the region, the standard for the ramp terminal intersections is a v/c ratio of 0.85. For proposals for development of all other land uses, the standard is a v/c ratio of 0.75.

## **4. OR 99 Setback**

The purpose of this measure is to reduce the cost of and disruption from widening OR 99, if such widening becomes necessary in the future. The other management measures described above will delay the need to widen OR 99. However, forecasted growth in motor vehicle trips indicates that widening OR 99 is likely to be needed after the IAMP's 20-year planning period.

## **5. Jackson County Plan and Ordinance Provisions**

This measure identifies the provisions of the Jackson County Comprehensive the IAMP relies on to protect the performance of the Fern Valley Interchange. The purpose is to give ODOT a "seat at the table" when Jackson County considers amendments to the provisions, so that ODOT can avoid development that would jeopardize achievement of the goal and objectives of the IAMP. In particular, ODOT will rely on requirements that local comprehensive plans and implementing ordinances be consistent with the Oregon Highway Plan, which includes this IAMP once the Oregon Transportation Commission adopts it, to ensure that UGB expansion north of the Fern Valley Interchange does not cause violation of the mobility performance standards.

## **6. Zoning Code Provision on Transportation Facilities**

The purpose of this measure is to enable the City of Phoenix to exercise its zoning authority as applied to transportation facilities, including the Fern Valley Interchange Project. The TPR calls on local governments to establish a process for the review and approval of transportation facilities like the interchange. The Phoenix Development Code does not contain such a process. Under this measure, ODOT will work with the City of Phoenix to add one to its Development Code.

## **7. OR 99 Gateway Plan**

ODOT will support the City of Phoenix in developing a plan for a gateway to the City on OR 99 from north of the couplet to the northern city limits. The purpose of the plan will be to accommodate local and regional transportation needs while maintaining livability for city residents. This plan is currently underway.

## **8. Other Amendments to the City of Phoenix Comprehensive Plan**

The purpose of this measure is to amend the City of Phoenix Comprehensive Plan to reflect the altered configuration of the roadway network once the Fern Valley Interchange project is completed and fix an inconsistency between the Plan and the Transportation Planning Rule (OAR 660.012.0060).

## **9. Motor Vehicle Trip Reduction Designs and Programs**

The purpose of this measure is to encourage developers to commit to designs and programs that reduce motor vehicle trips. It takes advantage of the incentive to reduce motor vehicle trips developers have when they apply for planning approvals.

## **10. Bus Stop and Transfer Site Coordination**

The purpose of this measure is to facilitate improved transit service in the future by identifying possible sites for future bus transfer points, and requires coordination with the RVTD to decide between bus stops and bus pull-outs on OR 99, Fern Valley Road, and N. Phoenix Road and identify the best locations for them.

## **11. Shared Park N' Ride Help**

The purpose of this measure is to facilitate improved transit service by increasing ridership on the existing bus line on OR 99 and planned future bus lines. The measure will also help reduce traffic volumes on the South Medford Interchange. ODOT and the City of Phoenix will work with the RVTD 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.

## **12. South Valley Transportation Strategy**

ODOT and the City of Phoenix will work with Jackson County, Medford, Talent, and Ashland to formulate a strategy that avoids through traffic causing the interchange, N. Phoenix Road, and Fern Valley Road to violate the mobility standards and to achieve other objectives for the south Bear Creek Valley area.

## **Implementation**

Local implementing ordinances were adopted at the same time as the IAMP. These ordinances are included in Exhibit E and implement items such as the trip budget/bank process, establishment of setbacks along OR 99, adoption of the IAMP, provision of enforcement authority to the city for commitments made by developers to reduce trips, and updates the local code consistent with requirements of the Transportation Planning Rule (OAR 660.012.0060).

The Interchange Area Management Plan (IAMP) also includes other projects to improve the capacity of the interchange to support development. These additional projects are anticipated to be funded and constructed by development as it occurs.

## **ODOT Actions**

- Develop the I-5, Exit 24 IAMP for OTC adoption
- Identify improvements to the interchange to allow it to operate within Oregon Highway Plan (OHP) standards within the planning horizon.
- Continue to coordinate with the City of Phoenix and Jackson County
- Change the mobility standards at the interchange ramp terminals.

## **City Actions**

- Adopt the IAMP as a part of the local transportation system plan, including the Fern Valley interchange project (KN 12723) and other transportation improvements.
- Adopt and implement a trip budget.
- Adopt a setback along OR 99
- Adopt and implement a motor vehicle trip reduction program
- Adopt transportation facilities code

## **Public Involvement**

Public meetings were held at Phoenix High School and at the City of Phoenix Public Works (location of council and planning commission meetings). The open houses included graphic presentations and discussion to solicit public input. The public meetings were advertised in the Mail Tribune and news releases were sent to the local media.

## **Summary of Draft Findings**

ODOT's State Agency Coordination Agreement requires that the OTC adopt findings of fact when adopting facility plans (OAR 731-015-0065). Pursuant to these requirements, ODOT has developed findings to support the OTC adoption of the I-5, Exit 24 IAMP. For all applicable policies, the IAMP has been found to be compatible with adopted state and local policies.

Exhibit B Findings of Compliance for the IAMP is attached and address compliance with state and local plans, policies, and ordinances/statutes/rules.

**Suggested Motion Language**

I move to adopt the I-5, Exit 24 Interchange Area Management Plan as an element of the Oregon Highway Plan and adopt the findings in support of this action.

## SECTION 3. FINDINGS

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### INTRODUCTION

This section documents that this IAMP will comply with all applicable federal and state laws, regulations, and policies and is consistent with regional and local plan before ODOT proceeds with the implementation of the Fern Valley Interchange Project. The section is divided into three subsections. The first addresses the IAMP's compliance with the one federal law applicable to it; the second compliance with State of Oregon laws, regulations, and policies; and the third compatibility with applicable regional and local plans.

### FEDERAL LAW

National Environmental Policy Act (NEPA), Pub. L. 91-190, 42 U.S. Code 4321, et seq.

#### *Requirements*

NEPA mandates that Federal agencies consider the potential environmental consequences of their proposals, document the analysis, and make this information available to the public for comment prior to implementation.<sup>37</sup> NEPA applies to the Fern Valley Interchange Project because Federal money would pay the majority of the project's cost. This IAMP is part of the Fern Valley Interchange Project, so NEPA applies to it.

#### *Finding*

This IAMP is in compliance with NEPA because it is part of the Fern Valley Interchange Project, which is in compliance with NEPA. The project is in compliance with NEPA because ODOT, acting on behalf of the Federal Highway Administration (FHWA) (which administers the Federal money referred to) is preparing an environmental assessment on it. Once ODOT and FHWA have issued a draft environmental assessment and conducted a public hearing on it, FHWA will determine whether or not the project would have significant environmental impacts. If FHWA determines the project would not have significant environmental impacts, FHWA will adopt a finding of no significant impact, which will complete compliance with NEPA. If FHWA determines the project would have significant environmental impacts, ODOT and FHWA will prepare draft and final environmental impact statements (EISs). Once the final EIS is issued, FHWA will adopt a record of decision, which will complete compliance with NEPA.

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<sup>37</sup> Federal Highway Administration, Project Development Overview, undated (accessed March 18, 2009), <http://www.environment.fhwa.dot.gov/projdev/index.asp>.

## STATE PLANS, POLICIES, AND RULES

### Oregon Statewide Planning Program

#### *Statewide Planning Goals*

#### **Statewide Planning Goals in General**

##### **Requirements**

The 19 Statewide Planning Goals are the fundamental policies of Oregon’s Statewide Planning Program. Statewide Planning Program law requires each city and county to adopt a comprehensive plan that complies with the Statewide Planning Goals. Zoning and land division ordinances are implementing tools for the comprehensive plans. The Land Conservation and Development Commission (LCDC) reviews local plans and ordinances for consistency with the Statewide Planning Goals. When LCDC has officially approved a local government’s plan, that plan is considered “acknowledged.” An acknowledged local comprehensive plan is the controlling document for land use in the geographic area covered by that plan. With the exception of the administrative rule that implements Statewide Planning Goal 12, Transportation, once there is an acknowledged comprehensive plan, the Statewide Planning Goals do not apply directly to state highway projects. Instead, state highway projects must be compatible with the applicable local comprehensive plans.<sup>38</sup> However, the Statewide Planning Goals do apply directly to any amendments to city and county comprehensive plans made to include a State highway project.

##### **Finding**

With the exception of the administrative rules that implement Goal 12 referenced above and addressed immediately below, the Statewide Planning Goals do not apply directly to the Fern Valley Interchange Project, including the IAMP. This is because both the City of Phoenix and Jackson County have acknowledged comprehensive plans. When the City of Phoenix and Jackson County adopt the amendments to their comprehensive plans identified on pages 54 and 52, below, they will need to demonstrate that the amendments comply with the Statewide Planning Goals.

#### **Statewide Planning Goal 12, Transportation, and the TPR (Oregon Administrative Rules Chapter 660-012)**

Statewide Planning Goal 12 is “To provide and encourage a safe, convenient and economic transportation system.” The TPR implements Goal 12 and contains the provisions addressed below that apply to the state transportation system plan, including facility plans such as this IAMP. The TPR also contains provisions addressed below that apply to project development, including the development of the Fern Valley Interchange Project, including this IAMP.

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<sup>38</sup> 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 660-012-0030, Determination of Transportation Needs**

**Requirements.** Applicable parts of OAR 660-012-0030 state:

(1) The TSP [transportation system plan] shall identify transportation needs relevant to the planning area and the scale of the transportation network being planned including:

- (a) State, regional, and local transportation needs;
- (b) Needs of the transportation disadvantaged;
- (c) Needs for movement of goods and services to support industrial and commercial development planned for pursuant to OAR 660-009 and Goal 9 (Economic Development).

\* \* \*

(3) Within urban growth boundaries, the determination of local and regional transportation needs shall be based upon:

- (a) Population and employment forecasts and distributions that are consistent with the acknowledged comprehensive plan, including those policies that implement Goal 14. Forecasts and distributions shall be for 20 years and, if desired, for longer periods; and
- (b) Measures adopted pursuant to OAR 660-012-0045 to encourage reduced reliance on the automobile.

(4) In MPO [metropolitan planning organization] areas, calculation of local and regional transportation needs also shall be based upon accomplishment of the requirement in OAR 660-012-0035(4) to reduce reliance on the automobile.

**Finding.** The IAMP complies with OAR 660-012-0030 for the following reasons:

- The EA for the Fern Valley Interchange Project addresses the need for the project. See Appendix A of this IAMP, which contains the purpose and need sections of the EA. Needs include the need to accommodate motor vehicle traffic, which includes meeting state, regional, and local transportation needs and needs for the movement of goods and services to support industrial and commercial development. They also include needed improvements to bicycle and pedestrian facilities, which serve the transportation disadvantaged.
- The design of the Fern Valley Interchange project is based on 20-year forecasts of motor vehicle traffic which are based on 20-year forecasts of population and employment. These forecasts are consistent with the acknowledged comprehensive plans of the City of Phoenix and other jurisdictions of the region. See page 1 of Appendix E.
- The Regional Transportation Plan (RTP) includes measures that meet the requirements of OAR 660-012-0035(4) to reduce reliance on the automobile.<sup>39</sup> As described on page 51, below, the Fern Valley Interchange Project is consistent with and helps implement the RTP.

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<sup>39</sup> Rogue Valley Metropolitan Planning Organization, Regional Transportation Plan 2009-2034, as adopted March 24, 2009, Appendix B.

## **OAR 660-012-0035, Evaluation and Selection of Transportation System Alternatives**

The following evaluates IAMP compliance with the sections of OAR 660-012-0035 applicable to it.

### **OAR 660-012-0035(1)**

*Requirements.* OAR 660-012-0035(1) states:

The TSP shall be based upon evaluation of potential impacts of system alternatives that can reasonably be expected to meet the identified transportation needs in a safe manner and at a reasonable cost with available technology. The following shall be evaluated as components of system alternatives:

- (a) Improvements to existing facilities or services;
- (b) New facilities and services, including different modes or combinations of modes that could reasonably meet identified transportation needs;
- (c) Transportation system management measures;
- (d) Demand management measures; and
- (e) A no-build system alternative required by the National Environmental Policy Act of 1969 or other laws.

*Finding.* The IAMP complies with OAR 660-012-0035(1) because the alternatives development process for the EA on the Fern Valley Interchange Project evaluated the potential for the strategies listed in items a through d above and the EA will evaluate a no-build alternative. See the Alternatives Considered But Not Advanced section of the EA.

### **OAR 660-012-0035(3)**

*Requirements.* OAR 660-012-0035(3) states:

The following standards shall be used to evaluate and select alternatives:

- (a) The transportation system shall support urban and rural development by providing types and levels of transportation facilities and services appropriate to serve the land uses identified in the acknowledged comprehensive plan;
- (b) The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan;
- (c) The transportation system shall minimize adverse economic, social, environmental and energy consequences;
- (d) The transportation system shall minimize conflicts and facilitate connections between modes of transportation; and
- (e) The transportation system shall avoid principal reliance on any one mode of transportation by increasing transportation choices to reduce principal reliance on the automobile. In MPO areas this shall be accomplished by selecting transportation alternatives which meet the requirements in section (4) of this rule.

*Finding.* The IAMP complies with OAR 660-012-0035(3) because:

- The Fern Valley Interchange Project will support urban and rural development by providing a transportation facility appropriate to serve the land uses in the interchange area identified in the City of Phoenix Comprehensive Plan.
- ODOT will rely on the EA to evaluate and select among the alternatives for the Fern Valley Interchange Project and the EA considers the factors in items b, c, and d of OAR 660-012-0035(3).
- In addition to accommodating automobile travel, the Fern Valley Interchange Project improves facilities for pedestrians and bicyclists.

### **OAR 660-012-0035(10)**

*Requirements.* OAR 660-012-0035(10) states:

Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and located in an urban fringe may be included in a TSP only if the improvement project identified in the Transportation System Plan as described in section (12) of this rule, will not significantly reduce peak hour travel time for the route as determined pursuant to section (11) of this rule, or the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose of the improvement project:

- (a) Improvements to transportation facilities and services within the urban growth boundary;
- (b) Transportation system management measures that do not significantly increase capacity; or
- (c) Transportation demand management measures. The jurisdiction needs only to consider alternatives that are safe and effective, consistent with applicable standards and that can be implemented at a reasonable cost using available technology.

*Finding.* The IAMP complies with OAR 660-012-0035(10) because ODOT will not issue a revised EA and proceed with the Fern Valley Interchange Project before it seeks a determination from Jackson County that the facilities, services, and measures in OAR 660-012-0035(10)(a), (b), and (c) cannot “reasonably satisfy the purpose of ” the Fern Valley Interchange Project.

### **OAR 660-012-0050, Transportation Project Development**

**Requirements.** OAR 660-012-0050 addresses transportation project development. Section 660-012-0050(3)(b) states:

Project development involves land use decision-making to the extent that issues of compliance with applicable requirements requiring interpretation or the exercise of policy or legal discretion or judgment remain outstanding at the project development phase. These requirements may include, but are not limited to, regulations protecting or regulating development within floodways and other hazard areas, identified Goal 5

resource areas, estuarine and coastal shoreland areas, and the Willamette River Greenway, and local regulations establishing land use standards or processes for selecting specific alignments. \* \* \* When project development involves land use decision-making, all unresolved issues of compliance with applicable acknowledged comprehensive plan policies and land use regulations shall be addressed and findings of compliance adopted prior to project approval.

**Finding.** The Fern Valley Interchange Project, including the IAMP, will comply OAR Section 012-0050(3)(b). The section applies to the project because the project would require 0.2 acres of the Bear Creek Greenway, which is a Goal 5 resource. The Fern Valley Interchange Project will comply with OAR 012-0050(3)(b) because ODOT will not approve and proceed with the project until it has addressed all issues of compatibility with applicable comprehensive plan policies and land use regulations and has adopted findings of compliance. This will include the application of the City of Phoenix Development Code to the project, as discussed on page 57, below.

**OAR 660-012-0065, Transportation Improvements on Rural Lands, and OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land**

**Requirements.** OAR 660-012-0065 describes highway improvements outside UGBs for which exceptions to Statewide Planning Goals are not required. OAR 660-012-0070(1) states “Transportation facilities and improvements which do not meet the requirements of OAR 660-012-0065 require an exception to be sited on rural lands.” OAR 660-012-0070 also defines the requirements which a local government must meet when Goal exceptions are required, including for state highway improvements.

**Finding.** The Fern Valley Interchange Project will comply with OAR 660-012-0065. OAR 660-012-0065 applies to the Fern Valley Interchange Project because the Build Alternative under consideration includes improvements outside the City of Phoenix UGB. The Build Alternative would comply because the only portion outside the Phoenix UGB qualifies as a “realignment” and OAR 660-012-0065 exempts realignments from the requirement of Goal exceptions.<sup>40</sup> 660-012-0070 does not apply to the Build Alternative because OAR 660-012-0065 exempts it from Goal exceptions.

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<sup>40</sup> ODOT, I-5: Fern Valley Interchange Unit 2a Environmental Assessment, unpublished draft, undated, p. 3-60.

## *ODOT State Agency Coordination Program*

Statewide Planning Program law requires ODOT and other state agencies to carry out their duties “in a manner compatible with” local comprehensive plans and land use regulations.<sup>41</sup> In addition, state agencies are required to have policies to coordinate with other agencies and local governments in the performance of their duties under the Statewide Planning Program. ODOT implemented these requirements as applied to projects like the Fern Valley Interchange by adopting the ODOT State Agency Coordination Program. It includes the following provisions that apply to this IAMP. References to “the Department” mean ODOT.

### **OAR 731-015-0065(1)**

#### **Requirement**

Except in the case of minor amendments, the Department shall involve DLCD [the Department of Land Conservation and Development] and affected metropolitan planning organizations, cities, counties, state and federal agencies, special districts and other interested parties in the development or amendment of a facility plan. This involvement may take the form of mailings, meetings or other means that the Department determines are appropriate for the circumstances. The Department shall hold at least one public meeting on the plan prior to adoption.

#### **Finding**

731-015-0065(1) applies to the IAMP because the IAMP is part of the facility plan for the Fern Valley Interchange Project. The IAMP complies with 731-015-0065(1) because:

- The Project Development Team (PDT) for the project included representatives of the City of Phoenix, Jackson County, and the Rogue Valley Metropolitan Planning Organization (RVMPO), which is the metropolitan planning organization for the area.
- IAMP team members consulted the RVTB in formulating the Bus Stop and Transfer Site Coordination measure on page 21 and Shared Park-And-Ride Lot Help on page 21.
- Additional special districts will receive copies of the draft EA, which describes the IAMP.<sup>42</sup>
- FHWA personnel were invited to PDT meetings; attended some of the meetings; reviewed drafts of the EA, including its description of the IAMP; and will approve the EA before it is issued.
- The state and federal agencies listed below reviewed and concurred in the project’s purpose and need, evaluation criteria, range of alternatives considered. ODOT will request their concurrence in the selection of the preferred alternative for the Fern Valley Interchange Project. The IAMP will be part of the project under either of the two build alternatives.
  - FHWA
  - Oregon Department of Environmental Quality

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<sup>41</sup> Oregon Revised Statutes section 197.180(1)(b).

<sup>42</sup> These are Fire District #5, Medford Irrigation District, Rogue Valley Sanitary Service, and the Phoenix-Talent School District.

- Oregon Department of Fish and Wildlife
- Oregon Department of Land Conservation and Development (DLCDD)
- Oregon Department of State Lands
- Oregon State Historic Preservation Office
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- National Marine Fisheries Service
- U.S. Environmental Protection Agency
- All meetings of the CAC and PDT were open to the public. The City of Phoenix Planning Commission and City Council held public hearings and adopted the IAMP.

### **OAR 731-015-0065(2)**

#### **Requirement**

The Department shall provide a draft of the proposed facility plan to planning representatives of all affected cities, counties and metropolitan planning organization and shall request that they identify any specific plan requirements which apply, any general plan requirements which apply and whether the draft facility plan is compatible with the acknowledged comprehensive plan. If no reply is received from an affected city, county or metropolitan planning organization within 30 days of the Department's request for a compatibility determination, the Department shall deem that the draft plan is compatible with that jurisdiction's acknowledged comprehensive plan. The Department may extend the reply time if requested to do so by an affected city, county or metropolitan planning organization.

#### **Finding**

ODOT sent a draft of the proposed facility plan to planning representatives in Phoenix, Medford, Jackson County, the RVTD, and the RVMPO on June 8, 2009, requesting a statement of compatibility with adopted comprehensive and regional long range plans.

### **OAR 731-015-0065(3)**

#### **Requirement**

If any statewide goal or comprehensive plan conflicts are identified, the Department shall meet with the local government planning representatives to discuss ways to resolve the conflicts. These may include:

- (a) Changing the draft facility plan to eliminate the conflicts;
- (b) Working with the local governments to amend the local comprehensive plans to eliminate the conflicts; or
- (c) Identifying the conflicts in the draft facility plan and including policies that commit the Department to resolving the conflicts prior to the conclusion of the transportation planning program for the affected portions of the transportation facility.

## **Finding**

ODOT sent a draft of the proposed facility plan to planning representatives in Phoenix, Medford, Jackson County, the RVTD, and the RVMPO on June 8, 2009, requesting a statement of compatibility with adopted comprehensive and regional long range plans. If any statewide goal or comprehensive plan conflicts are identified, ODOT will comply with the requirement. No comments were received.

## **OAR 731-015-0065(4)**

### **Requirement**

The Department shall evaluate and write draft findings of compatibility with acknowledged comprehensive plans of affected cities and counties, findings of compliance with any statewide planning goals which specifically apply as determined by OAR 660-030-0065(3)(d), and findings of compliance with all provisions of other statewide planning goals that can be clearly defined if the comprehensive plan of an affected city or county contains no conditions specifically applicable or any general provisions, purposes or objectives that would be substantially affected by the facility plan.

### **Finding**

The IAMP complies with 731-015-0065(4) because:

- The findings beginning on page 52 address the compatibility with the acknowledged comprehensive plans of the City of Phoenix and Jackson County.
- The IAMP complies with OAR 660-012-0015 and therefore complies with OAR 660-030-0065(3)(d). OAR 660-030-0065(3)(d) states:

A state agency shall adopt findings demonstrating compliance with the statewide goals for an agency land use program or action if one or more of the following situations exists: \* \* \* (d) A statewide goal or interpretive rule adopted by the Commission under OAR chapter 660 establishes a compliance requirement directly applicable to the state agency or its land use program.

The only interpretive rule that qualifies under OAR 660-030-0065(3)(d) is 660-012-0015(1), which states:

ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its program for state agency coordination certified under ORS 197.180, and OAR 660-012-0030, 660-012-0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a system of transportation facilities and services adequate to meet identified state transportation needs:

- (a) The state TSP shall include the state transportation policy plan, modal systems plans and transportation facility plans as set forth in OAR 731, Division 15;
- (b) State transportation project plans shall be compatible with acknowledged comprehensive plans as provided for in OAR 731, Division 15. Disagreements between ODOT and affected local governments shall be resolved in the manner established in that division.

This IAMP is an amendment to the state TSP and the OTC will adopt it in compliance with ORS 184.618.<sup>43</sup> This section of the findings documents compliance with ODOT's State Agency Coordination Program, which is ODOT's "program for state agency coordination certified under ORS 197.180." These findings document compliance with OAR 660-012-0030 on page 29, OAR 660-012-0035 on page 30, OAR 660-012-0050 beginning on page 31, and OAR 660-012-0065 and OAR 660-012-0070 on page 32.

### **OAR 731-015-0065(5)**

#### **Requirement**

The Department shall present to the Transportation Commission the draft plan, findings of compatibility with the acknowledged comprehensive plans of affecting [sic] cities and counties and findings of compliance with applicable statewide planning goals.

#### **Finding**

The IAMP complies with 731-015-0065(5) because ODOT will present to the OTC a draft of this IAMP, which includes these findings. These findings address compatibility with the Jackson County Comprehensive Plan on page 52, below, and with the City of Phoenix Comprehensive Plan on page 54, below.

### **OAR 731-015-0075(1)**

#### **Requirement**

The Department shall involve affected cities, counties, metropolitan planning organizations, state and federal agencies, special districts and other interested parties in the development of project plans. The Department shall include planning officials of the affected cities, counties and metropolitan planning organization on the project technical advisory committee.

#### **Finding**

The Fern Valley Interchange Project complies with this requirement because the PDT for the project included representatives of the City of Phoenix, Jackson County, and

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<sup>43</sup> ORS 184.618 states:

- (1) As its primary duty, the Oregon Transportation Commission shall develop and maintain a state transportation policy and a comprehensive, long-range plan for a safe, multimodal transportation system for the state which encompasses economic efficiency, orderly economic development and environmental quality. The plan shall include, but not be limited to, aviation, highways, mass transit, pipelines, ports, rails and waterways. The plan shall be used by all agencies and officers to guide and coordinate transportation activities and to insure transportation planning utilizes the potential of all existing and developing modes of transportation.
- (2) As the plan is developed by the commission, the Director of Transportation shall prepare and submit to the commission for approval, implementation programs. Work approved by the commission to carry out the plan shall be assigned to the appropriate unit of the Department of Transportation.
- (3) The director and members of the commission shall give safety, economic development and the provisions of industrial site services priority in fund allocation decisions.

RVMPO, which is the metropolitan planning organization for the area. IAMP team members consulted the RVTD in formulating the Bus Stop and Transfer Site Coordination measure on page 21 and Shared Park-And-Ride Lot Help on page 21. Additional special districts will receive copies of the draft EA, which describes the IAMP.<sup>44</sup> FHWA personnel were invited to PDT meetings, attended some of the meetings, and reviewed drafts of the EA, including its description of the IAMP. The state and federal agencies listed below reviewed and concurred in the project's purpose and need, evaluation criteria, range of alternatives considered. ODOT will request their concurrence in the selection of the Preferred Alternative for the Fern Valley Interchange Project.

- FHWA
- Oregon Department of Environmental Quality
- Oregon Department of Fish and Wildlife
- Oregon Department of Land Conservation and Development (DLCDD)
- Oregon Department of State Lands
- Oregon State Historic Preservation Office
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- National Marine Fisheries Service
- U.S. Environmental Protection Agency

### **OAR 731-015-0075(3)**

#### **Requirement**

. . . the Department shall rely on affected cities and counties to make all plan amendments and zone changes necessary to achieve compliance with the statewide planning goals and compatibility with local comprehensive plans after completion of the Draft Environmental Impact Statement or Environmental Assessment and before completion of the Final Environmental Impact Statement or Revised Environmental Assessment. These shall include the adoption of general and specific plan provisions necessary to address applicable statewide planning goals.

#### **Finding**

The IAMP will comply with OAR 731-015-0075(3) because, before completion of the Revised EA, ODOT will seek from the City of Phoenix adoption of this IAMP as part of the Phoenix Comprehensive and the amendments to the Comprehensive Plan in the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19. Under the build alternatives for the Fern Valley Interchange Project, ODOT will also seek a determination from Jackson County that the facilities, services, and measures in OAR 660-012-0035(10)(a), (b), and (c) cannot “reasonably satisfy the purpose” of the Fern Valley Interchange Project. See the findings on OAR 660-012-0035(10) on page 31.

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<sup>44</sup> These are Fire District #5, Medford Irrigation District, Rogue Valley Sanitary Service, and the Phoenix-Talent School District.

<sup>46</sup> ODOT, Oregon Transportation Plan, September 2006.

## Oregon Transportation Plan

The following addresses how the IAMP complies with policies of the Oregon Transportation Plan (OTP).<sup>46</sup> It addresses only polices that apply by their own terms to the project.

### *Strategy 1.2.1*

#### **Requirements**

\* \* \*

Where opportunities for coordination with other transportation service providers exist, work to integrate programs and align investments of service providers involved with the design, delivery and funding of mobility services.

\* \* \*

Promote frequent public transit, intercity bus and passenger rail services as a method to increase ridership and decrease travel times, especially during peak travel periods and along heavily traveled highway corridors.

#### **Finding**

The IAMP complies with Strategy 1.2.1 because the Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-And-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 are instances of ODOT taking opportunities to coordinate with other transportation service providers and promote increased ridership and decreased travel times on public transit.

### *Strategy 1.2.2*

#### **Requirements**

\* \* \*

Design new roadways and retrofit existing roadways to support multimodal functions (e.g. construct Americans with Disabilities Act (ADA) ramps, sidewalks, crossings, bus pullouts and bicycle facilities) within existing urban and rural communities, new developments, and especially locations where public transportation exists or will likely exist. Design roads to support operations that give priority to transit vehicles as appropriate.

#### **Finding**

The IAMP complies with Strategy 1.2.2 because the Bus Stop and Transfer Site Coordination measure on page 21 provides for ODOT to coordinate with the RVTD to decide between bus stops and bus pull-outs on OR 99, Fern Valley Road, and N. Phoenix Road and identify the best locations for them.

### *Strategy 2.1.1*

#### **Requirements**

Promote transportation demand management and other transportation system operations techniques that reduce peak period travel, help shift traffic volumes away from the peak period and improve traffic flow. Such techniques may include high occupancy vehicle lanes with express transit service, truck-only lanes, van/carpools, park-and-ride facilities, parking management programs, telework, flexible work schedules, peak period pricing, ramp metering, traveler information systems, traffic signal optimization, route diversion strategies, incident management and enhancement of rail, transit, bicycling and walking.

#### **Finding**

The IAMP complies with Strategy 2.1.1 because the Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-And-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 will reduce peak period travel, help shift traffic volumes away from the peak period, and improve traffic flow.

### *Strategy 4.3.1*

#### **Requirements**

Support the sustainable development of land with a mix of uses and a range of densities, land use intensities and transportation options in order to increase the efficiency of the transportation system. Support travel options that allow individuals to reduce vehicle use.

#### **Finding**

The IAMP complies with Strategy 4.3.1 because the Trip Budget measure on page 11 will avoid the development of a mix of land uses and land use densities and intensities that would congest the Fern Valley Interchange and surrounding roadway network, impairing their efficiency. The Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-And-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 also support travel options that allow individuals to reduce motor vehicle use.

## Strategy 7.3.1

### Requirements

In all phases of decision-making, provide affected Oregonians early, open, continuous, and meaningful opportunity to influence decisions about proposed transportation activities. When preparing and adopting a multimodal transportation plan, modal/topic plan, facility plan or transportation improvement program, conduct and publicize a program for citizen, business, and tribal, local, state and federal government involvement. Clearly define the procedures by which these groups will be involved.

### Finding

Strategy 7.3.1 applies to the IAMP because the IAMP is part of the facility plan for the Fern Valley Interchange Project. The IAMP complies with Strategy 7.3.1 because of the following:

- Beginning at the outset of development of the IAMP, ODOT held six joint meetings the PDT and the IAMP Subcommittee of the Citizens Advisory Committee (CAC) for the Fern Valley Interchange Project. The PDT included representatives of ODOT, the City of Phoenix, Jackson County, and the Rogue Valley Metropolitan Planning Organization. CAC members included area residents; landowners; business representatives; freight, bicycle and pedestrian advocates; and representatives of local jurisdictions. At the meetings, IAMP team members (from ODOT and its consultant) presented and obtained feedback on the role of IAMPs, related laws and policies, scenarios of future land use, forecasts of traffic volumes and v/c ratios, possible IAMP measures, and IAMP drafts. ODOT also sent members of the PDT and CAC IAMP Subcommittee a draft of the IAMP for their review and comment.
- IAMP team members consulted directly with representatives of the City of Phoenix and Jackson County on the formulation of IAMP measures.
- ODOT posted on its web site for the Fern Valley Interchange Project technical memoranda prepared in the development of the IAMP.
- As referenced on page 37, FHWA and DLCD were among the state and federal agencies which reviewed and concurred in the project's purpose and need, evaluation criteria, range of alternatives considered. ODOT will request their concurrence in the selection of the Preferred Alternative for the Fern Valley Interchange Project.
- ODOT discussed the Fern Valley Interchange Project with Indian tribes.<sup>47</sup>

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<sup>47</sup> ODOT discussed the project at meetings with the Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of Siletz, and the Cow Creek Band of the Umpqua Tribe of Indians. ODOT met with the Confederated Tribes of the Grand Ronde in April, June and December 2006; June and November 2007; and May 2008. ODOT met with the Confederated Tribes of Siletz in November 2005, 2006 and 2007. Neither tribe indicated concerns regarding the project. ODOT met with the Cow Creek Band of the Umpqua Tribe of Indians in November 2005, May 2006, September 2006, January 2007, and June 2007. The Cow Creek Band of the Umpqua Tribe of Indians deemed this project to be outside their area of interest.

## Oregon Highway Plan

The following addresses how the IAMP helps the Fern Valley Interchange Project comply with policies of the OTP.<sup>48</sup> It addresses only policies that apply by their own terms to the project.

### *Action 1A.1*

#### **Requirements**

Use the following categories of state highways, and the list in Appendix D, to guide planning, management, and investment decisions regarding state highway facilities:

**Interstate Highways** (NHS [National Highway System]) provide connections to major cities, regions of the state, and other states. A secondary function in urban areas is to provide connections for regional trips within the metropolitan area. The Interstate Highways are major freight routes and their objective is to provide mobility. The management objective is to provide for safe and efficient high-speed continuous-flow operation in urban and rural areas.

\* \* \*

**District Highways** are facilities of county-wide significance and function largely as county and city arterials or collectors. They provide connections and links between small urbanized areas, rural centers and urban hubs, and also serve local access and traffic. The management objective is to provide for safe and efficient, moderate to high-speed continuous-flow operation in rural areas reflecting the surrounding environment and moderate to low-speed operation in urban and urbanizing areas for traffic flow and for pedestrian and bicycle movements. Inside STAs [special transportation areas], local access is a priority. Inside Urban Business Areas, mobility is balanced with local access.

\* \* \*

#### **Finding**

The IAMP complies with Action 1A.1 because it uses the above classifications to determine the mobility performance standards applicable to intersections, then incorporates measures to achieve compliance with the mobility performance standards over the planning period. See:

- in Table C-1 of Appendix C, the classification of I-5 as an Interstate Highway;
- in Table C-1 of Appendix C, the classification as District Highways of OR 99 outside the Phoenix City Center couplet and the segments of Fern Valley Road and N. Phoenix Road over which ODOT has or will take jurisdiction;
- in Table C-2 of Appendix C, the OHP mobility performance standards applicable to the I-5 Mainline, the interchange ramp terminals, and these segments of OR 99, Fern Valley Road, and N. Phoenix Road;

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<sup>48</sup> ODOT, Oregon Highway Plan, Updated June 2006.

- in Tables 2A and 2B on pages 6 and 9 of the IAMP, applicable OHP mobility performance standards and forecasted 2030 v/c ratios under Scenario 1 “With Added Capacity” at the “critical intersections” involving the I-5 ramp terminals and the relevant segments of OR 99, Fern Valley Road, and N. Phoenix Road.

The forecasted 2030 v/c ratios at the critical intersections under Scenario 1 “With Added Capacity” show that the IAMP will achieve the mobility performance standards in the OHP. “Critical intersections” are intersections where forecasted 2030 v/c ratios approach or exceed the applicable standards without IAMP measures; forecasted v/c ratios at other intersections do not approach or exceed the applicable standards even without IAMP measures.

### *Action 1B.1*

#### **Requirements**

Actively pursue the objectives and designations in the Background, Intent and Actions in Policy 1B, as appropriate, through:

\* \* \*

- Facility and transportation system plans;

\* \* \*

Policy 1B, Land Use and Transportation, states:

This policy recognizes the role of both State and local governments related to the state highway system:

- State and local government must work together to provide safe and efficient roads for livability and economic viability for all citizens.
- State and local government must share responsibility for the road system.
- State and local government must work collaboratively in planning and decision-making relating to transportation system management.

It is the policy of the State of Oregon to coordinate land use and transportation decisions to efficiently use public infrastructure investments to:

- Maintain the mobility and safety of the highway system;
- Foster compact development patterns in communities;
- Encourage the availability and use of transportation alternatives;
- Enhance livability and economic competitiveness; and
- Support acknowledged regional, city and county transportation system plans that are consistent with this Highway Plan

## Finding

Action 1B.1 applies to the IAMP because the IAMP is part of the facility plan for the Fern Valley Interchange Project. The IAMP complies with Action 1B.1 for the following reasons:

- The IAMP is a collaboration between ODOT and the City of Phoenix under which ODOT will build the Fern Valley Interchange and expand the capacity of critical intersections in the interchange area and the City of Phoenix will both require developers to expand the capacity of other specified intersections, when needed, and regulate land development in the interchange area to avoid development that generates so much traffic that it impairs the efficient operation of the interchange. The Capacity Expansion and Retention measure on page 11 includes the capacity expansions which ODOT will make and which the City of Phoenix will require. The Trip Budget measure on page 11 is the means by which the City of Phoenix will regulate land development.
- The roles ODOT and the City of Phoenix will play in the management of the interchange area, including both the roadway network and land use, exemplify sharing of responsibility for the road system between state and local government.
- The collaboration between ODOT and the City of Phoenix in the development of the Fern Valley Interchange Project and the IAMP exemplify state and local government collaboration in planning and decision-making in transportation system management.
- The IAMP serves as an instrument to coordinate land use and transportation to maintain the mobility of the highway system. The Trip Budget measure will manage land use in the interchange area to avoid levels of traffic congestion that impair mobility.
- The Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-and-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 will encourage the availability and use of transportation alternatives by facilitating accommodation of bus stops, bus pull-outs, park-and-ride lots, and use of public transit.

## Action 1B.2

### Requirement

Use the rules, standards, policies and guidance developed by ODOT to implement Policy 1B. These include but are not limited to Oregon Administrative Rule Chapter 734, Division 51 on Access Management, the ODOT Highway Design Manual, ODOT Transportation System Plan Guidelines and ODOT Development Review Guidelines, LCDC Goal 12 on Transportation and the Transportation Planning Rule.

## Finding

The IAMP complies with Action 1B.2 because it applies Division 51 of Oregon Administrative Rule Chapter 734 to implement Policy 1B. See the findings on compliance with Oregon Administrative Rule Chapter 734-051 on page 46, below.

## Action 1B.6

### Requirement

Help protect the state highway function by working with local jurisdictions in developing land use and subdivision ordinances, specifically:

- A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;
- A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;
- Regulations assuring that amendments to land use designations, densities and design standards are consistent with the functions, capacities and highway mobility standards of facilities identified in transportation system plans including the Oregon Highway Plan and adopted highway corridor plans;
- Refinement of zoning and permitted and conditional uses to reflect the effects of various uses on traffic generation;
- Standards to protect future operation of state highways and other roads;

\* \* \*

### Finding

The IAMP effectuates Action 1B.6 in the following ways:

- The traffic impact study feature of the Trip Budget measure, as described on page 15, requires traffic impact analyses as part of the applications for all conditional use permits in the interchange area and that the analyses apply a methodology that ODOT has reviewed and approved. This will result in coordinated review of conditional use permits and planned unit developments, which will cover all development with the potential to generate high rates of motor vehicle trips.
- Two IAMP measures will apply conditions to development proposals to limit their impacts and protect the performance of the Fern Valley Interchange and area intersections. First, the Trip Budget measure on page 11 will limit primary PM peak-hour motor vehicle trip generation from new development in the interchange area to the maximum amount allowable without causing violation of the mobility performance standard at the OR 99/Fern Valley Road intersection. Second, the Motor Vehicle Trip Reduction Designs and Programs measure on page 18 will encourage applicants for development approval to propose specific designs and programs to reduce motor vehicle trip generation. These designs and programs will then become conditions of approval.
- The Jackson County Plan and Ordinance Provisions measure on page 22 will help ODOT ensure that amendments to Jackson County land use designations, densities and design standards applicable in the interchange area are consistent with the functions, capacities, and highway mobility standards of the Fern Valley Interchange and intersections in the interchange area.
- The traffic impact study feature of the Trip Budget measure, as described on page 15, will add six land use categories to the uses in the Commercial Highway zone

of the Phoenix Development Code for which a conditional use permit is required: retails sales and service less than 30,000 square feet of gross leasable area, high turnover sit-down restaurants, fast-food restaurants without drive-throughs, gyms, and daycare centers. This is a refinement of conditional uses to reflect the effects of various uses on traffic generation.

- The Alternative Mobility Standard at I-5 Ramp Terminal Intersections measure on page 20 sets a standard to protect the future operation of the Fern Valley Interchange.

### *Action 1B.8*

#### **Requirement**

Work with local governments to maintain the highway mobility standards on state highways by creating effective development practices through the following means:

\* \* \*

- Avoid the expansion of urban growth boundaries along Interstate and Statewide Highways and around interchanges unless ODOT and the appropriate local governments agree to an interchange management plan to protect interchange operation or an access management plan for segments along non-freeway highways.

#### **Finding**

The Jackson County Plan and Ordinance Provisions measure on page 22 effectuates Action 1B.8 by affording ODOT the ability to negotiate conditions to protect the operation of the Fern Valley Interchange before the Phoenix and Medford UGBs are expanded in the interchange area.

### *Action 1F.1*

#### **Requirement**

Apply the highway mobility standards . . . in Table 6 to all state highway sections located outside of the Portland metropolitan area urban growth boundary . . .

#### **Finding**

The IAMP complies with Action 1F.1 because it applies the mobility standards in Table 6 of the OHP. See the findings for Action 1A.1 on page 41.

### *Action 2D.1*

#### **Requirement**

Conduct effective public involvement programs that create opportunities for citizens, businesses, regional and local governments, state agencies, and tribal governments to comment on proposed policies, plans, programs, and improvement projects.

#### **Finding**

The IAMP complies with Action 2D.1. See the findings for OTP Strategy 7.3.1 on page 40.

### *Action 2D.3*

#### **Requirement**

Coordinate with local governments and other agencies to ensure that public involvement programs target affected citizens, businesses, neighborhoods, and communities, as well as the general public.

#### **Finding**

The IAMP complies with Action 2D.3 because ODOT coordinated with the City of Phoenix when it named members of the CAC, as described on page 40. The CAC was the principal means of securing public involvement on the Fern Valley Interchange Project, including the IAMP. It included affected citizens and representatives of businesses and the neighborhood located in the area most impacted by the interchange project.

### **OAR 734-051-0155, Access Management Plans and Interchange Area Management Plans**

#### *OAR 734-051-0155(1)*

#### **Requirement**

The Department encourages the development of Access Management Plans and Interchange Area Management Plans to maintain and improve highway performance and safety by improving system efficiency and management before adding capacity. Access Management Plans and Interchange Area Management Plans:

- (a) Must be consistent with Oregon Highway Plan;
- (b) Must be used to evaluate development proposals; and
- (c) May be used to determine mitigation for development proposals.

## **Finding**

The IAMP complies with OAR 734-051-0155(1). As described above starting on page 41, the IAMP is consistent with the OHP. ODOT will use the IAMP to evaluate development proposal in the IMA. ODOT may use the IAMP to determine mitigation for development proposals in the IMA.

### *OAR 734-051-0155(2)*

## **Requirement**

Access Management Plans and Interchange Area Management Plans must be adopted by the Oregon Transportation Commission as a transportation facility plan consistent with the provisions of OAR 731-015-0065. Prior to adoption by the Oregon Transportation Commission, 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.

## **Finding**

The IAMP complies with OAR 734-051-0155(2). The OTC will adopt the IAMP as a transportation facility plan. As discussed beginning on page 33, adoption will be consistent with OAR 731-015-0065. ODOT worked with the City of Phoenix on amending the Phoenix Comprehensive Plan to include this IAMP and make the changes in the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19. ODOT also worked with the City of Phoenix to amend its development code to implement the Trip Budget measure on page 11, the Oregon 99 Setback Overlay Zone measure on page 19, the Motor Vehicle Trip Reduction Designs and Programs measure on page 18.

### *OAR 734-051-0155(7)*

## **Requirement**

OAR 734-051-0155(7) begins by stating:

An Interchange Area Management Plan is required for new interchanges and should be developed for significant modifications to existing interchanges.

## **Finding**

The Fern Valley Interchange Project will completely replace the existing Fern Valley Interchange. This IAMP complies with this portion of OAR 734-051-0155(7).

## Requirement

OAR 734-051-0155(7) also states:

An Interchange Area Management Plan must comply with the following criteria, unless the Plan documents why compliance with a criterion is not applicable:

The following lists each criterion and states how the IAMP meets the criterion.

### OAR 734-051-0155(7)(a)

#### Requirement

Be developed no later than the time an interchange is designed or is being redesigned.

#### Finding

This IAMP was developed during preparation of the EA and before selection of a preferred alternative for the Fern Valley Interchange, so before the time the new interchange is designed.

### OAR 734-051-0155(7)(b)

#### Requirement

Identify opportunities to improve operations and safety in conjunction with roadway projects and property development or redevelopment and adopt policies, provisions, and development standards to capture those opportunities.

#### Finding

Development of this IAMP identified the following opportunities to improve operations in conjunction with roadway projects and property development or redevelopment and measures to capture the opportunities.

<b>Opportunity</b>	<b>Measure</b>	<b>Page No.</b>
• Expand intersection capacity to achieve applicable mobility performance standard	• Capacity Expansion and Retention	11
	• Trip Budget	11
• Limit trip generation from new development and redevelopment to avoid violations of applicable mobility performance standards	• Motor Vehicle Trip Reduction Designs and Programs	18
	• Alternative Mobility Standard at I-5 Ramp Terminal Intersections	20
	• Jackson County Plan and Ordinance Provisions	22
• Reduce motor vehicle trips by supporting transit use, biking, and walking	• Motor Vehicle Trip Reduction Designs and Programs	18
	• Bus Stop and Transfer Site Coordination	21
	• Shared Park-and-Ride Lot Help	21

The safety aspect of the criterion in OAR 734-051-0155(7)(b) is not applicable to this IAMP because the IAMP does not include an access management plan and does not

address safety-related aspects of operations. However, other components of the project development process addressed safety issues, as documented in the EA referenced on page 1. These included traffic queues on the off-ramps extending back onto I-5, discontinuous sidewalks and the lack of dedicated bike lanes, the location of driveways close to intersections, and the crash rate for the section of OR 99 between the north city limits and Bolz Road being more than double the 2003 statewide average rate for similar roadways. See also the traffic analysis report.<sup>49</sup>

### **OAR 734-051-0155(7)(c)**

#### **Requirement**

Include short, medium, and long-range actions to improve operations and safety within the designated study area.

#### **Finding**

The measures in this IAMP meet the operations aspect of this criterion because they will improve operations in the IMA in the short, medium, and long terms. Inclusion of short, medium, and long-range actions is needed for access management measures to take advantage of opportunities that arise when development, redevelopment, and street improvement projects occur in the future. However, this IAMP does not include an access management plan. For this reason, the safety aspect of the criterion in OAR 734-051-0155(7)(c) is not applicable. As noted above, the EA referenced on page 1 and the traffic analysis report in Appendix E document how the design of the project addresses safety issues.

### **OAR 734-051-0155(7)(d)**

#### **Requirement**

Consider current and future traffic volumes and flows, roadway geometry, traffic control devices, current and planned land uses and zoning, and the location of all current and planned approaches.

#### **Finding**

The traffic analysis in Appendix E of this IAMP demonstrates that IAMP development considered current and future traffic volumes and flows, roadway geometry, traffic control devices, and the location of all current and planned approaches. The land use scenarios in Appendix F demonstrate that IAMP development considered current and planned land uses and zoning.

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<sup>49</sup> ODOT Transportation Planning Analysis Unit, Fern Valley Interchange, Unit 2a Environmental Assessment Project, Pacific Highway #1 Traffic Analysis, MP 24.00 to MP 25.00, December 2007.

### **OAR 734-051-0155(7)(e)**

#### **Requirement**

Provide adequate assurance of the safe operation of the facility through the design traffic forecast period, typically 20 years.

#### **Finding**

This criterion does not apply to the IAMP because the IAMP does not include an access management plan. As noted above, the EA referenced on page 1 and the traffic analysis report in Appendix E document how the design of the project addresses safety issues.

### **OAR 734-051-0155(7)(f)**

#### **Requirement**

Consider existing and proposed uses of all the property within the designated study area consistent with its comprehensive plan designations and zoning.

#### **Finding**

The land use scenarios in Appendix F demonstrate that IAMP development considered existing and proposed uses of all the property within the designated study area consistent with its comprehensive plan designations and zoning. See, in particular, Annexes 1 and 2 of Appendix F.

### **OAR 734-051-0155(7)(g)**

#### **Requirement**

Be consistent with any applicable Access Management Plan, corridor plan or other facility plan adopted by the Oregon Transportation Commission.

#### **Finding**

This criterion does not apply because there is no applicable access Management Plan, corridor plan, or other facility plan adopted by the OTC.

### **OAR 734-051-0155(7)(h)**

#### **Requirement**

Include polices, provisions and standards from local comprehensive plans, transportation system plans, and land use and subdivision codes that are relied upon for consistency and that are relied upon to implement the Interchange Area Management Plan.

#### **Finding**

**City of Phoenix.** Figures 3 and 4 on pages 23 and 26 of the IAMP and page D-11 to D-29 of Appendix D contain the policies, provisions, and standards from the City of Phoenix Comprehensive Plan and Land Development Code which the IAMP relies on for consistency and to implement the IAMP.

**Jackson County.** Figures 3 and 4 on pages 23 and 26 of the IAMP, pages D-8 to D-11 of Appendix D, Appendix J, and Appendix K contain the Jackson County Comprehensive Plan and Current Land Development Ordinance provisions which the IAMP relies on for consistency and to implement the IAMP.

## REGIONAL AND LOCAL PLANS AND POLICIES

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. . .”

### Regional Transportation Plan

The RTP includes the Fern Valley Interchange Project as a Tier 1 transportation improvement. It lists it as project 902, “I-5: Fern Valley Interchange, Unit 2,” and characterizes its timing as “short.”<sup>50</sup> The description reads “Reconstruct interchange; realign, widen connecting roads; replace Bear Creek bridge.”

The following addresses how the IAMP is consistent with policies of the RTP. It addresses only polices that apply by their own terms to the Fern Valley Interchange Project and this IAMP.

### Goal 6

#### Requirement

Use incentives and other strategies to reduce reliance on single occupant vehicles.

##### Policies

- 6-1: Support Transportation Demand Management strategies.
- 6-2: Facilitate alternative parking strategies to encourage walking, bicycling, carpooling and transit.
- 6-3: Enhance Bicycle and Pedestrian Systems.
- 6-4: Support transit service.

#### Finding

The Motor Vehicle Trip Reduction Designs and Programs on page 18 takes advantage of the incentive to reduce motor vehicle trips developers have when they apply for planning approvals to encourage them to reduce motor vehicle trips. The incentives come from the need to comply with the TPR and the Trip Budget measure and the financial benefit of maximizing development. Possible designs and programs are listed on page 18. The measure implements Policies 6-1 through 6-4. In addition, the Bus Stop and Transfer Site

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<sup>50</sup> Regional Transportation Plan, op. cit., Table 5.5.2, Chapter 5.1, p. 5.

Coordination measure on page 21 and Shared Park-and-Ride Lot Help measure on page 21 help implement Policy 6-4.

### *Policy 7-1*

#### **Requirement**

Coordinate existing and future land use and development with plans for the transportation system.

#### **Finding**

The IAMP coordinates existing and future land use and development with plans the transportation system by:

- determining the amount of traffic new development in the interchange area may add to the roadway network without causing traffic volumes to violate applicable mobility performance standards (see Appendix E), and
- including the Trip Budget measure on page 11 to place needed limits on the amount of traffic new development in the interchange area may add.

### **Jackson County Comprehensive Plan**

The Jackson County TSP incorporates by reference the Fern Valley Interchange project because it “incorporates by reference, the RTP for all regionally significant transportation facilities within the MPO area.”<sup>51</sup> As stated above, the RTP includes the Fern Valley Interchange project as a Tier 1 transportation improvement. The following addresses how the IAMP is consistent with applicable policies of the Jackson County TSP. It addresses only polices that apply by their own terms to the Fern Valley Interchange Project and this IAMP. Other components of the Jackson County Comprehensive Plan do not contain policies that apply.

#### ***Policy 4.2.1-B***

#### **Policy**

Roadway Improvement Projects will be consistent with the functional classification designations (arterial, major collector, etc.) in the TSP.

#### **Finding**

The improvements to N. Phoenix Road north of the Phoenix UGB will exceed TSP standards. Those standards call for one 12-foot wide travel lane in each direction and 5-foot, 6-inch shoulders.<sup>52</sup> The improvements to N. Phoenix Rd. will include two 12-foot wide travel lanes in each direction, 6-foot wide shoulder/bike lanes, and 6-foot wide

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<sup>51</sup> Jackson County, Oregon, Transportation System Plan, May 16, 2005, Strategy 4.2.1-K, p. 32.

<sup>52</sup> Jackson County Transportation System Plan, p. 56.

sidewalks. The cross-section will taper to reconnect to existing N. Phoenix Road near Campbell Road.

### **Policy 4.2.1-S**

#### **Policy**

Jackson County is committed to maintaining a volume to capacity ratio of 0.95 for weekday peak hour vehicular traffic in the MPO area.

#### **Finding**

The v/c ratio on N. Phoenix Road north of the Phoenix UGB is forecasted to be below 0.9. The forecasted 2030 v/c ratio at the N. Phoenix Road intersection with the S. Phoenix Road Extension and Grove Way is 0.77.<sup>54</sup> These are the intersections closest to the UGB.

### **Jackson County Current Land Development Ordinance**

The Fern Valley Interchange Project is compatible with the Jackson County Current Land Development Ordinance (LDO) because the LDO provides for the issuance of permits for it. As stated on page 32, the North Phoenix Thru Alternative would not require exceptions to Statewide Planning Goals. This is because the improvements to N. Phoenix Road outside the Phoenix UGB fall within OAR 660-012-0065(3)(d), which exempts them from the requirement of Goal exceptions. LDO section 4.2.9.B.2 states “Roads, highways, and other transportation facilities and improvements that are listed in OAR 660-012-0065(3)(c) through (o) may be allowed as Type 2 uses.”<sup>56</sup>

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<sup>54</sup> This is the value for Scenario 1, Proposed Project With Added Capacity, in Table 2B on p. 9.

<sup>56</sup> Ibid., Chapter 4, p. 25.

## City of Phoenix Comprehensive Plan

The following addresses how the IAMP is compatible with applicable policies of the City of Phoenix Comprehensive Plan.<sup>57</sup> It addresses only policies that are related to the Fern Valley Interchange Project and this IAMP.

### *1984 Comprehensive Plan*

#### **Goal 4**

##### **Policy**

To minimize transportation-related energy consumption through appropriate land use planning and an emphasis on non-motorized transportation alternatives.

##### **Finding**

The Trip Budget measure on page 11, Motor Vehicle Trip Reduction Designs and Programs measure on page 18, Bus Stop and Transfer Site Coordination measure on page 21, and Shared Park-and-Ride Lot Help measure on page 21 are land use planning measures that will help minimize transportation-related energy consumption and will support walking and biking as alternatives to motor vehicle transportation.

### *1999 Economic Element*

#### **Policy 4.2**

##### **Policy**

Within the Fern Valley Road Interchange area (including all lands east of Bear Creek Bridge within the UGB) any annexation, zone change, or change of existing uses which is expected to significantly increase travel demand in the interchange area must be predicated upon facts (supported by special traffic studies) and findings that sufficient capacity exists or will be available upon completion of funded improvement(s) to satisfy the proposed development's travel demand (including background traffic) concurrent with its opening.

##### **Finding**

The Trip Budget measure on page 11 implements this policy in the area of the Trip Budget Overlay Zone. Note that the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19 calls for the amendment of this policy to make it consistent with the TPR.

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<sup>57</sup> City of Phoenix, last revised 2003.

## **Policy 4.3**

### **Policy**

The Fern Valley Interchange and Fern Valley Road within the City's UGB are regionally significant transportation facilities. Developments occurring outside of the interchange area (in Southeast Medford and rural Jackson County) have the potential to exhaust the interchange's remaining unused capacity. The transportation impacts of Southwest Medford and Jackson County developments, like those of development within the interchange area, should also be offset by improvements, when necessary, to ensure "sufficient capacity" in the interchange area and ensure the protection of the public's health, safety and general welfare. The City shall endeavor to: 1) secure regional support for interchange improvements, and 2) participate in any land use action that will "significantly increase travel demand" in the interchange area (p. 36).

### **Finding**

The South Valley Transportation Strategy measure on page 22 addresses the concern this policy expresses and provides for collaboration between the City of Phoenix and ODOT to work with Jackson County, Medford, Talent, and Ashland to avoid through traffic causing violation of mobility performance standards on the Fern Valley Interchange.

### *Land Use Element, 2003*

## **Policy 1.1.1**

### **Policy**

The Planning Commission and City Council shall only consider major amendments to the Plan during the City's periodic review. In that way, major amendments 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.

## **Finding**

The City of Phoenix may adopt this IAMP as part of the City's Comprehensive Plan and make the amendments in the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19 outside of periodic review<sup>58</sup> because doing so does not fall within the definition of a "major amendment," as quoted above. It does not include land use changes; a qualitative change in the character of land use, such as conversion of residential to industrial use; a spatial change that affects large areas or many different ownerships; or an amendment to the UGB.

## *Transportation Element, 1999*

### **Goal 2**

The City shall coordinate its transportation decision-making with other land use planning decisions and with public agencies providing transportation services or facilities.

### **Finding**

The Trip Budget measure on page 11 provides a mechanism for implementing this policy with regard to ODOT in the area of the Trip Budget Overlay Zone. The traffic impact study feature of the Trip Budget measure, as described on page 15, requires traffic impact analyses as part of the applications for all conditional use permits in the interchange area and that the analyses apply a methodology that ODOT has reviewed and approved. This will result in coordinated review of conditional use permits and planned unit developments, which will cover all development with the potential to generate high rates of motor vehicle trips.

### **Goal 3**

### **Policy**

Utilize the volume to capacity standards specified in Table 4-3 to determine transportation facility adequacy.

### **Finding**

The Fern Valle Interchange Project and this IAMP are consistent with this policy because forecasted v/c ratios with the Capacity Expansion and Retention measure on page 11 under both build alternatives are below 0.90. This is the standard in Table 4-3 of the Transportation Element for all affected roadways. This result applies to both roadway segments which will be under ODOT jurisdiction and roadway segments which will remain under City of Phoenix jurisdiction. The standard of 0.90 is the same as the ODOT planning standard for the segments of these roadways under ODOT jurisdiction. Tables 2A and 2B on pages 6 and 9 show that forecasted v/c ratios on the listed roadway segments are below 0.90 under land use scenario 1 with added capacity. The added

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<sup>58</sup> The next scheduled periodic review of the Phoenix Comprehensive Plan is December 2, 2010.

capacity comes from the Capacity Expansion and Retention measure. These tables include only intersections where forecasted v/c ratios approach or exceed the applicable standard; v/c ratios at other intersections in the interchange area are lower. Also see Figures B4 and B5 in Appendix E.

### **Policy 3.3**

#### **Policy**

Within the Fern Valley Road/Interstate 5 Interchange area (including all lands located east of the Bear Creek Bridge within the Urban Growth Boundary) any request for annexation, zone change, or a change of use which are expected to significantly increase travel demand in the interchange area must be accompanied by at least a conceptual land use plan and a detailed traffic study as prepared by a licensed traffic engineer that evaluates the traffic impact the proposed use of the site will have on the traffic in the area. The traffic study shall also identify traffic mitigation measures that are intended to minimize the traffic impacts that development of the site will have on the area. The mitigation measures shall become conditions of land use approval as determined applicable by the City and shall be constructed concurrent with development of the site, or in the case of Transportation Demand Management strategies, the programs shall be implemented concurrent with the projects opening.

#### **Finding**

The Trip Budget measure on page 11 implements this policy in the area of the Trip Budget Overlay Zone.

### **City of Phoenix Land Development Code**

The Fern Valley Interchange Project is compatible with the City of Phoenix Development Code because the Zoning Code Provision on Transportation Facilities measure on page 18 will enable the City of Phoenix to add provisions to its zoning code which apply its zoning authority to transportation improvements made independently of land development. The existing Development Code is silent on such improvements.

## **Exhibit C**

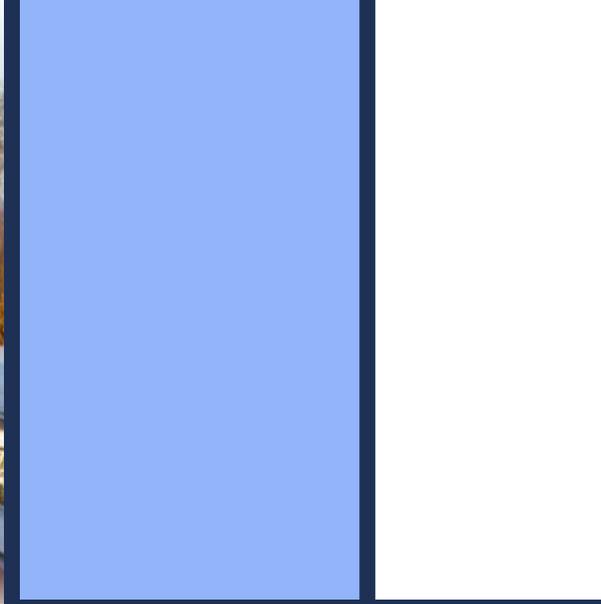
### **I-5 Exit 24 Interchange Area Management Plan**

Copies of the I-5, Exit 24 Interchange Area Management Plan can be obtained by downloading it at:

[ftp://ftp.odot.state.or.us/outgoing/OTC\\_March11](ftp://ftp.odot.state.or.us/outgoing/OTC_March11)

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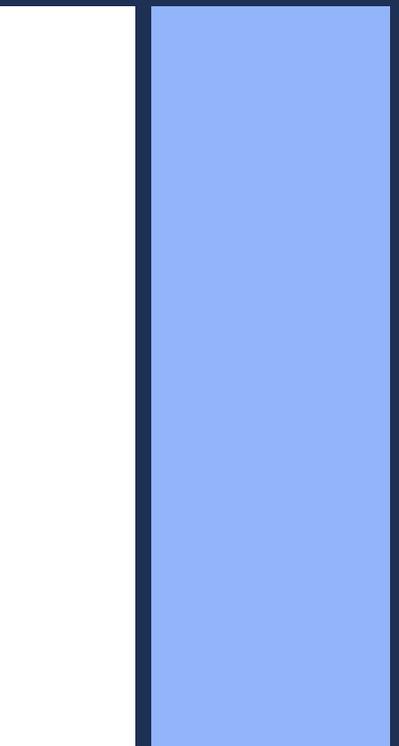


## OREGON DEPARTMENT OF TRANSPORTATION



# Interchange Area Management Plan

## Exit 24





# INTERCHANGE AREA MANAGEMENT PLAN

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## I-5: Fern Valley Interchange

February 2011

Oregon Department of Transportation  
City of Phoenix

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J Jackson County Comprehensive Plan Designations  
K Jackson County Current Land Development Ordinance Provisions

# ABBREVIATIONS

ADA	Americans with Disabilities Act
DLCD	Department of Land Conservation and Development
CAC	Citizens Advisory Committee
EA	Environmental Assessment
FHWA	Federal Highway Administration
HDM	Highway Design Manual
IMA	Interchange Management Area
IAMP	Interchange Area Management Plan
I-5	Interstate 5
LDO	Jackson County Current Land Development Ordinance
MPO	Metropolitan Planning Organization
NHS	National Highway System
ODOT	Oregon Department of Transportation
OAR	Oregon Administrative Rule
OHP	Oregon Highway Plan
ORS	Oregon Revised Statutes
OTC	Oregon Transportation Commission
PDT	Project Development Team
RVMPO	Rogue Valley Metropolitan Planning Organization
RVTD	Rogue Valley Transportation District
STA	Special transportation areas
TPAU	Transportation Planning Analysis Unit
TPR	Transportation Planning Rule
TSP	Transportation System Plan
UGB	Urban growth boundary
v/c	Volume-to-capacity



# SECTION 1. INTRODUCTION

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The Oregon Department of Transportation (ODOT) plans to replace the existing Fern Valley Interchange with an interchange that will accommodate projected traffic volume growth through at least 2030. The Fern Valley Interchange is located on Interstate 5 (I-5) approximately 24 miles north of the Oregon/California border, in the City of Phoenix and Jackson County. The interchange accesses the Phoenix area via Fern Valley Road, which crosses over I-5. The interchange accommodates all directional motor vehicle movements between the two roadways.

The purpose of the project to replace the Fern Valley Interchange is to “to reduce congestion and improve operational conditions at the [I-5] interchange with Fern Valley Road, on Fern Valley Road within the City of Phoenix Urban Growth Boundary, and on OR 99 near its intersection with Fern Valley Road.”<sup>1</sup> Appendix A contains the purpose and need text from the draft Environmental Assessment (EA) for the Fern Valley Interchange.

ODOT developed this Interchange Area Management Plan (IAMP) to comply with the ODOT policy to prepare such plans for significant modifications to existing interchanges. Appendix B contains the administrative rule that includes the policy.<sup>2</sup> ODOT adopted the policy as a way to maximize the value the people of Oregon receive from the large expenditure of tax dollars required to construct a new interchange. This reflects ODOT’s elevated fiduciary responsibility that has resulted from the increasing scarcity of public funds for transportation investments relative to need. It also reflects a more thorough understanding of the relationships between transportation facilities and land use and between local and state transportation networks. Together, these changes have also increased the importance of collaboration between ODOT and the communities like the City of Phoenix in which its transportation network is located.

## PURPOSES OF THE IAMP

In light of the purpose of the proposed new Fern Valley Interchange and the policy to prepare IAMPs referred to above, the purposes of this IAMP are to:

- Preserve the capacity of the proposed interchange for at least the first 20 years of its design life and the capacity of N. Phoenix Road, Fern Valley Road, and OR 99 in the vicinity of the interchange.
- Ensure the safe and efficient operation of the interchange and these roadways and protect their functional integrity, operations, and safety.

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<sup>1</sup>ODOT, Draft Environmental Assessment, I-5: Fern Valley Interchange Unit 2a, Jackson County, Oregon, January 2009, p. 1-4.

<sup>2</sup> The policy is stated in Oregon Administrative Rule (OAR) Section 734-051-0155(7). The Oregon Transportation Commission (OTC) adopted this administrative rule. The OTC establishes ODOT policy.

## IAMP CHALLENGES

This IAMP must meet both challenges common to interchanges and challenges specific to the Fern Valley Interchange. The biggest challenge common to most interchanges is that they attract retail and other land uses that benefit from good motor vehicle access and visibility and those uses can generate so much traffic that the traffic overwhelms the capacity of the interchange. This is a problem because interchanges cost tens of millions of dollars and they and the land uses they attract can impinge on the livability of areas around them. The problem is especially acute where urban growth is rapid, as is the case in the Medford-Phoenix-Talent-Ashland corridor of Jackson County.

Challenges unique to the Fern Valley Interchange area that this IAMP must balance include:

1. Access to existing businesses near the interchange needs to be preserved. These businesses include the retail mall in the existing interchange's northwest quadrant; DSU Peterbilt & GMC Truck, Inc., Home Depot, and other retail businesses along N. Phoenix Road in the interchange's northeast quadrant; the Pear Tree Truck Stop (now owned by TravelCenters of America) and nearby businesses in the interchange's southeast quadrant; the business in the interchange's southwest quadrant; and the businesses along OR 99 near its intersection with Fern Valley Road.
2. The Phoenix Comprehensive Plan calls for additional commercial development near the interchange.
3. To pay for the services it provides, the City of Phoenix needs additional taxable real property, which is most likely to come from commercial development.<sup>3</sup> In addition, the City is obliged to help pay for the Fern Valley Interchange project and relies on a special transportation system development charge on new development to raise the necessary funds. The more traffic a development generates, the more money the City receives.
4. Congestion at the interchange and along OR 99 impairs freight mobility, as well as mobility for other purposes in the interchange area.
5. The viability for commercial use of the land zoned commercial along OR 99 and to the north and south of Fern Valley Road needs to be supported.
6. Such commercial development must be balanced with the need to preserve the capacity of the interchange.
7. Access to and the livability of residential areas near the interchange need to be preserved. These include the Phoenix Hills subdivision in the interchange's southeast quadrant and the mobile home parks in the interchange's northwest and southwest quadrants. Residents of the Phoenix Hills subdivision would like the routing of truck stop traffic onto S. Phoenix Road reversed.
8. Most existing and projected traffic on the interchange, Fern Valley Road, OR 99, and N. Phoenix Road passes through the interchange area and so is affected by growth and development outside the Interchange Management Area (IMA).

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<sup>3</sup> The City of Phoenix's total assessed value per capita is 25 percent lower than the City of Medford's.

9. OR 99, Fern Valley Road, and N. Phoenix Road serve important intra-regional travel roles.
10. Policies of ODOT, the City of Phoenix, and Jackson County applicable to the interchange, OR 99, Fern Valley Road, and N. Phoenix Road need to be met.
11. Bicycle and pedestrian movement on Fern Valley Road between OR 99 and the interchange and across the interchange needs to be accommodated.

## INTERCHANGE FUNCTION

Based on the classification of I-5 and applicable policies, the function of the Fern Valley Interchange is to serve statewide, regional, and local travel and freight mobility by providing safe and efficient connections between I-5 and Fern Valley Road that meet or exceed applicable mobility standards. Appendix C contains the classifications on which the standards are based and the standards themselves. Appendix D contains other regulations, plans, and policies relevant to the Fern Valley Interchange and this IAMP.

## GOAL AND OBJECTIVES OF THE IAMP

The goal of this IAMP is to preserve over at least the first 20 years of the design life of the proposed new Fern Valley Interchange its function to serve statewide, regional, and local travel and freight mobility by providing safe and efficient connections between I-5 and Fern Valley Road that meet or exceed applicable mobility standards. This IAMP seeks to achieve the following objectives to the greatest extent possible:

1. Provide for the safe and efficient operation of the interchange and approaches to it.
2. Protect the function of I-5 as an Interstate Highway, part of the National Highway System, a Freeway, and a Statewide Freight Route; the function of the ODOT portion of Fern Valley Road as a District Highway<sup>4</sup> and of the City of Phoenix portion as a Collector; the function of N. Phoenix Road as an Arterial;<sup>5</sup> the functions of the ODOT portion of OR 99 as a District Highway and Regional Freight Route; and the function of the City of Phoenix portion of OR 99 as an Arterial.
3. Meet the performance standards applicable to I-5, the interchange, OR 99, Fern Valley Road, and N. Phoenix Road in the IMA for at least the first 20 years of the design life of the interchange.
4. Provide for the transportation needs of current and planned land uses, as contained in the City of Phoenix Comprehensive Plan.
5. Take into consideration the possibility that additional development will occur west, north and east of the existing City of Phoenix urban growth boundary

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<sup>4</sup> As part of the Fern Valley Interchange Project, ODOT plans to accept from the City of Phoenix jurisdiction over Fern Valley Road between OR 99 and the Fern Valley Road/N. Phoenix Road intersection under the Fern Valley Thru Alternative or the N. Phoenix Road/S. Phoenix Road Extension intersection under the N. Phoenix Thru Alternative and to classify it as a District Highway.

<sup>5</sup> This IAMP includes a measure whereby the City of Phoenix changes the classification of N. Phoenix Road from Collector to Arterial.

(UGB), as contemplated by the proposed Greater Bear Creek Valley Regional Plan.<sup>6</sup>

6. Take into consideration that most existing and projected traffic on the interchange, Fern Valley Road, OR 99, and N. Phoenix Road passes through the interchange area and so is affected by growth and development outside the IMA.
7. Minimize adverse impacts on existing businesses and residences.
8. Provide adequate access to developable lands in the interchange area, within the constraints required to ensure continued function of the interchange and local street network.
9. Balance the multiple challenges listed on page 2.

Table 1 illustrates some of the trade-offs the IAMP faces in meeting these objectives. The City of Phoenix system development charge to pay its share of the cost of the Fern Valley Interchange goes up with the number of trips a land use generates because it is tied to trip generation. However, as the table shows, the assessed value and thus the amount of annual property tax revenue different land uses generate varies, with some uses generating high numbers of trips and having low assessed values and vice versa.

## DESCRIPTION OF THE INTERCHANGE MANAGEMENT AREA

Figure 1 shows the boundaries of the IMA. The boundaries are intended to balance the following objectives:

1. Include all lands within at least one-half mile of the interchange.<sup>7</sup>
2. Include urban reserve areas identified by the proposed Greater Bear Creek Valley Regional Plan,<sup>8</sup> the development of which could affect traffic volumes on the interchange.
3. Exclude land zoned and already developed for single-family housing and other land unlikely to be developed or redeveloped with uses that could generate large amounts of motor vehicle traffic.

## TRAFFIC ANALYSIS

As part of the development of this IAMP, ODOT's Transportation Planning Analysis Unit (TPAU) forecasted peak-hour traffic volumes and volume/capacity (v/c) ratios in the interchange area and compared them to applicable standards. See Appendix E. As stated in the Oregon Highway Plan (OHP), a v/c ratio is the volume of traffic on a roadway divided by the maximum volume the roadway can handle. For example, when v/c equals 0.85, traffic uses 85 percent of an intersection's capacity and 15 percent of the capacity is not used. When v/c is less than but close to 1.0 (e.g., 0.95), traffic flow becomes unstable.

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<sup>6</sup> Rogue Valley Council of Governments, Greater Bear Creek Valley Regional Plan, Draft, October 2008, [http://rvcog.org/mn.asp?pg=rps\\_regional\\_plan](http://rvcog.org/mn.asp?pg=rps_regional_plan). The reference is to urban reserve areas PH-1, PH-2, PH-5, and PH-10, as addressed in the plan. Urban reserve area PH-3 is already developed.

<sup>7</sup> See ODOT, Interchange Area Management Plan Guidelines, July 12, 2006, p. 10.

<sup>8</sup> Rogue Valley Council of Governments, op. cit.

**TABLE 1. PM PEAK-HOUR TRIPS, ASSESSED VALUE, AND INTERCHANGE DEVELOPMENT CHARGES PER ACRE**

	Type of Land Use	Trips Per Acre <sup>1</sup>	Assessed Value Per Acre (X 1,000) <sup>2</sup>	Assessed Value Per Acre Per Trip <sup>2</sup>	IDC Per Acre of Use <sup>3</sup>
1	Mini-Warehouse	2	\$350	\$150,000	\$2,200
2	Congregate Care Facility	7	\$1,700	\$238,000	\$6,800
3	Furniture Store	9	\$650	\$70,700	\$8,800
4	Medical-Dental Office Building	9	\$250	\$26,900	\$8,900
5	Industrial Park	9	\$850	\$89,900	\$9,000
6	General Light Industrial	12	\$550	\$46,800	\$11,300
7	General Office Building	20	\$1,300	\$64,600	\$19,300
8	Motel	20	\$2,100	\$104,000	\$19,300
9	Day Care Center <sup>5</sup>	24	\$200	\$8,400	\$22,900
10	Specialty Retail Center <sup>4</sup>	27	\$800	\$29,500	\$25,900
11	High-Turnover Sit-down Restaurant <sup>5</sup>	31	\$800	\$25,700	\$29,800
12	Free-Standing Discount Superstore <sup>5</sup>	39	\$1,100	\$27,900	\$37,800
13	Discount Club	42	\$700	\$16,500	\$40,600
14	Pharmacy/Drugstore w/out Drive-Through Window <sup>5</sup>	59	\$1,200	\$20,200	\$56,800
15	Athletic Club	60	\$500	\$8,300	\$57,900
16	Supermarket <sup>5</sup>	67	\$550	\$8,200	\$64,000
17	Gasoline/Service Station with Convenience Market <sup>5</sup>	71	\$550	\$7,800	\$67,600
18	Fast-Food Restaurant w/ Drive-Through Window <sup>5</sup>	87	\$1,350	\$15,600	\$82,900
19	Drive-in Bank <sup>5</sup>	133	\$1,600	\$12,000	\$128,000

<sup>1</sup> Based on rates from Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003, adjusted to rates per acre using ratios of building square footage, fueling positions, and rooms per acre from properties in Phoenix, Medford, and Talent.

<sup>2</sup> Based on Jackson County property assessment records for comparable uses in Phoenix, Medford, and Talent. Rounded to nearest hundred.

<sup>3</sup> IDC stands for Interchange Development Charge. Amounts calculated from City of Phoenix Transportation Interchange Development Charge Calculation Sheet. Rounded to nearest hundred.

<sup>4</sup> Based on gross leasable area, which in the study area is the same as gross floor area.

<sup>5</sup> Trip rate adjusted for pass-by trips based on the City of Phoenix Interchange Development Charge calculation. See FCS Group, Transportation System Development Charge Study, May 2006, pp. 5 – 10.

Source: URS Corporation

Small disruptions can cause traffic flow to break down and long traffic queues to form.<sup>9</sup> To achieve efficient traffic flow, for roadway planning, ODOT applies v/c standards of from .70 to .90, depending on a roadway's function and location.<sup>10</sup> For designing roadway improvements, ODOT applies the stricter standards in the Oregon Design Manual.<sup>11</sup>

TPAU forecasted traffic volumes and v/c ratios for two land use “scenarios.” Scenario 1

<sup>9</sup> ODOT, Oregon Highway Plan, Updated in June 2006, [http://www.oregon.gov/ODOT/TD/TP/orhwyplan.shtml#1999\\_Oregon\\_Highway\\_Plan](http://www.oregon.gov/ODOT/TD/TP/orhwyplan.shtml#1999_Oregon_Highway_Plan), pp. 75-76.

<sup>10</sup> Ibid., Table 6, p. 83.

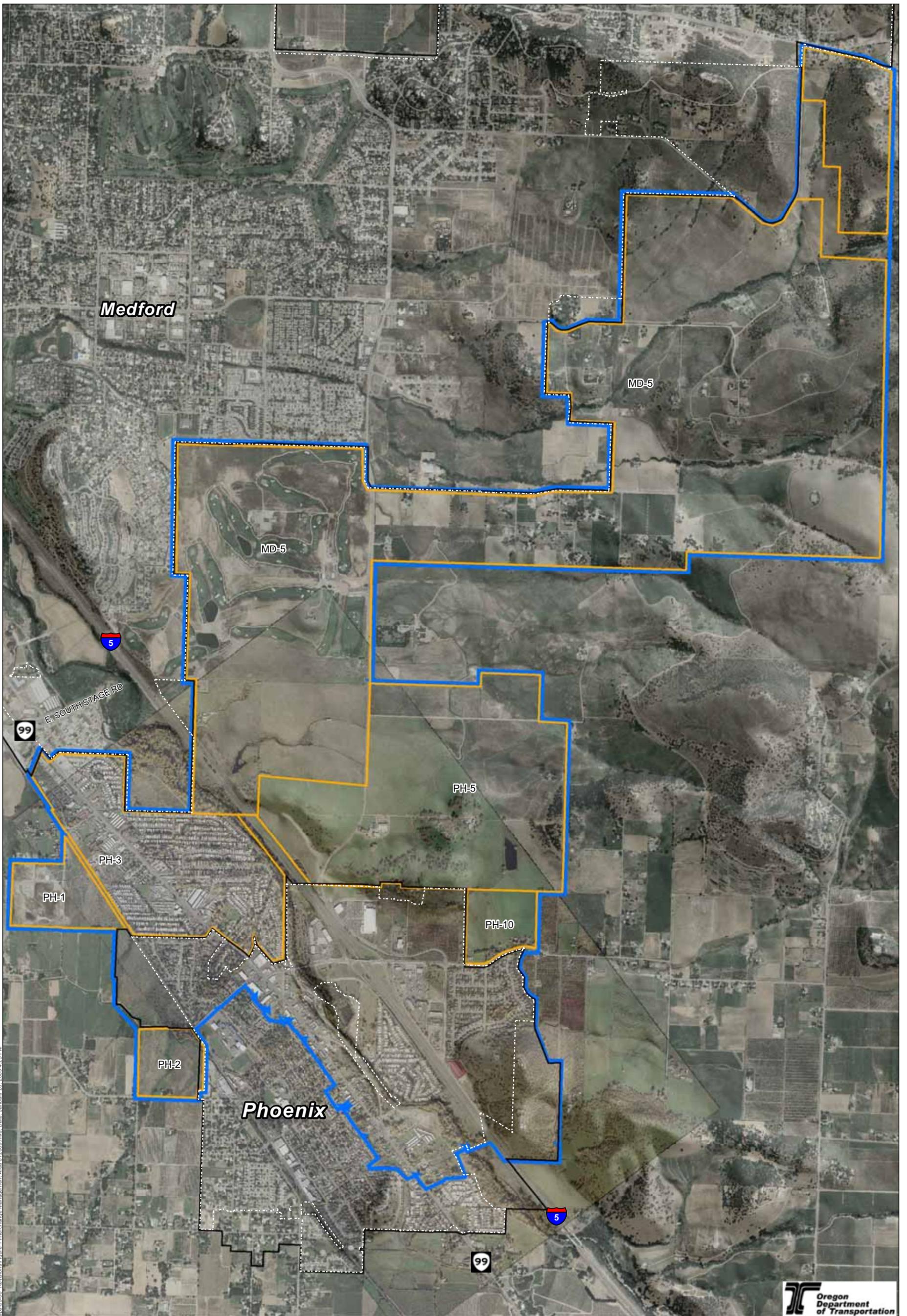
<sup>11</sup> 2003 Highway Design Manual, [http://www.oregon.gov/ODOT/HWY/ENGSERVICES/hwy\\_manuals.shtml](http://www.oregon.gov/ODOT/HWY/ENGSERVICES/hwy_manuals.shtml). See Table 10-1, p. 10-38.

represents the build-out of the City of Phoenix Comprehensive Plan. Scenario 2 adds to Scenario 1 development of the Phoenix urban reserve areas identified by the proposed Greater Bear Creek Valley Regional Plan, referenced on page 3. Appendix F describes the two scenarios. Because this IAMP must be compatible with the City of Phoenix Comprehensive Plan,<sup>12</sup> it has been written to be consistent with Scenario 1. However, the City of Phoenix Comprehensive Plan, including its UGB, is long overdue for updating. Expansion of the UGB and other amendments to the Comprehensive Plan during the 20-year planning period for this IAMP are a certainty. TPAU forecasted traffic volumes and v/c ratios for Scenario 2 to provide an indication of the consequences of development over and above what the existing Comprehensive Plan provides for. Comparing forecasted traffic volumes and v/c ratios under Scenarios 1 and 2 to applicable standards shows that v/c ratios will approach and exceed applicable standards during the planning period for the IAMP.

1. The v/c ratio at the interchange, itself, will comply with the applicable OHP standard under Scenario 1, i.e., build-out of the existing Phoenix Comprehensive Plan. However, the v/c ratio at the OR 99/Fern Valley Road intersection will exceed the applicable OHP standard by 2030, without the addition of a second westbound right-turn lane and a second exclusive westbound left-turn lane. These are the “added capacity” in Table 2. Even with the added capacity, the forecasted v/c ratio is within 0.03 of the OHP standard and exceeds the HDM standard.
2. Similarly, without the additional turn lanes described in item 3, below, the N. Phoenix Road/S. Phoenix Road Extension and S. Phoenix Road/Fern Valley Road intersections will exceed the applicable OHP standards by 2030. In fact, volumes will exceed the capacity of both intersections.
3. If a second westbound left-turn lane is added to the N. Phoenix Road/S. Phoenix Road Extension intersection, the forecasted v/c ratio will meet applicable OHP standard in 2030 under Scenario 1. Similarly, if the southbound right-turn lane at the S. Phoenix Road/Fern Valley Road intersection is retained and the intersection is made a four-way stop, the intersection will meet the applicable OHP standard in 2030.

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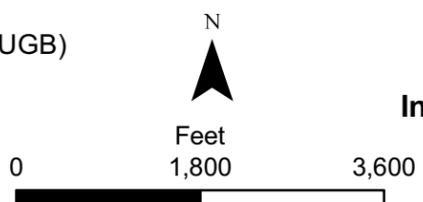
<sup>12</sup> ORS 197.180 requires that “. . . state agencies shall carry out their planning duties, powers and responsibilities and take actions that are authorized by law with respect to programs affecting land use. . . (b) In a manner compatible with: (A) Comprehensive plans and land use regulations. . .” 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.”



File Path: K:\Fern\_Valley\_MXD\Alternative\_Maps\09-08\_Revisions\Figure 1 Interchange Management Area 012009.mxd Date: January 20, 2009 4:23 PM



- PH-5 Proposed Urban Reserve Area
- City Limits
- Urban Growth Boundary (UGB)
- Interchange Management Area Boundary



**Figure 1**  
**Interchange Management Area**



January 20, 2009



TABLE 2. APPLICABLE STANDARDS AND FORECASTED 2030 V/C RATIOS						
Critical Intersection <sup>1</sup>	Standards <sup>2</sup>		Scenario 1		Scenario 2	
	Oregon Highway Plan	Highway Design Manual	Proposed Project Without Added Capacity	Proposed Project With Added Capacity	Proposed Project Without Added Capacity	Proposed Project With Added Capacity
Northbound Interchange ramp/Fern Valley Rd.	.85	.75	.68	.68 <sup>3</sup>	.76	.76 <sup>3</sup>
OR 99/Fern Valley Rd.	.90	.85	1.15	.87 <sup>4</sup>	1.35	.88 <sup>4</sup>
N. Phoenix Rd./S. Phoenix Rd. Extension	.90	.85	1.21	.80 <sup>5</sup>	1.35	.93 <sup>5</sup>
S. Phoenix Road/Fern Valley Road	.90	.85	>2.0	.43 <sup>6</sup>	>2.0	0.84 <sup>6</sup>

Note: Forecasted v/c ratios do not assume construction of the South Stage Over Crossing.

<sup>1</sup> Intersections where forecasted v/c ratios approach or exceed the applicable standard.

<sup>2</sup> Appendix C contains the sources of the standards and the roadway classifications on which they are based.

<sup>3</sup> No added capacity proposed.

<sup>4</sup> Added capacity consists of a second westbound right-turn lane and a second exclusive westbound left-turn lane. (When the second westbound exclusive left-turn lane is added, the center westbound lane would become an exclusive through-lane, i.e., left turns would not be permitted from it.)

<sup>5</sup> Added capacity consists of a second westbound left-turn lane.

<sup>6</sup> Added capacity consists of retaining the southbound right-turn lane and making the intersection a four-way stop.

Source of forecasted v/c ratios: shaded ratios, ODOT Transportation Planning Analysis Unit; other ratios, Appendix E.

4. Forecasted v/c ratios for Scenario 2 show that, when growth occurs beyond Scenario 1, i.e., beyond build-out of the existing Phoenix Comprehensive Plan, at the N. Phoenix Road/S. Phoenix Road Extension intersection, at some point in the future, v/c ratios will exceed the applicable standard. This is even with the addition of a second westbound left-turn lane.

V/c ratios at intersections in the interchange area not included in Table 2 are not forecasted to approach or exceed applicable standards under either Scenario 1 or Scenario 2. See Appendix E.

It is unknown when traffic volumes will exceed the applicable OHP standards at the Fern Valley Road/N. Phoenix Road intersection. It could be during the 20-year planning period for the IAMP or it could be after the planning period. There are three reasons for this uncertainty: 1) land development under Scenario 2 is not linked to a specific year and may not fully occur until after 2030; 2) the amount of Scenario 2 development that would cause violation of the standards has not been determined; and, 3) the pace of future development is unknown.

Based on this traffic analysis, to meet the goal and objectives on page 3, the IAMP must rely on a combination of the capacity expansion and retention measures and other measures to avoid violation of the mobility performance standards applicable to the

OR 99/Fern Valley Road intersection and the N. Phoenix Road/S. Phoenix Road Extension and S. Phoenix Road/Fern Valley Road intersections.

Note that the traffic analysis summarized above is different from the traffic analysis prepared for the EA referenced on page 1. ODOT prepared a separate forecast of traffic and congestion for the IAMP because the IAMP required a finer level of detail than the EA. The traffic analysis TPAU prepared for the EA used the Rogue Valley Council of Governments (RVCOG) regional traffic model. The RVCOG model uses broad employment categories because of the region's large area and large numbers of residents and employees. These categories combine businesses that vary widely in the number of motor vehicle trips they generate. The RVCOG model also uses projections of only one category of households, while households occupying different types of housing (e.g., single-family, apartments, mobile homes) generate different numbers of trips. This general level of traffic information is sufficient to address conceptual design issues and to determine comparative environmental impacts. To determine needed measures to include in the IAMP, it is necessary to base trips generated in the area of the interchange on more specific categories of retail, service, and industrial business types. It is also necessary to distinguish among households occupying different types of housing.

## ORGANIZATION OF THIS IAMP

Following this introductory section of the IAMP is a section that contains the IAMP measures. It is followed by findings that support the adoption of this IAMP. This IAMP also includes appendices, several of which are incorporated by reference into the IAMP by IAMP measures.

## SECTION 2. IAMP MEASURES

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This IAMP includes ten measures. These measures are intended to achieve the purposes of this IAMP, as stated on page 1, and the goal and objectives of the IAMP, as stated on page 3. In particular, the measures attempt to protect the performance of the interchange and critical intersections while allowing development that enables the City of Phoenix to pay its share of the interchange construction cost and meet its other fiscal responsibilities. The measures also seek to equitably share between the City of Phoenix and traffic generators elsewhere in the Bear Creek Valley the burden of protecting the capacity of the interchange against excess traffic volumes.

### CAPACITY EXPANSION AND RETENTION

The purpose of this measure is to reduce the extent to which limitations on land development are necessary to prevent traffic volumes from exceeding applicable performance standards. The measure does this in two ways. First, ODOT will build as part of the Fern Valley Interchange project the second westbound right-turn lane and second exclusive westbound left-turn lane described in the traffic analysis above at the OR 99/Fern Valley Road intersection. In addition, when ODOT builds the project, it will retain the southbound right-turn lane at the S. Phoenix Road/Fern Valley Road intersection. Second, the City will require as a condition of planning approval that land developers pay to implement the traffic capacity expansions below when traffic impact studies indicate that they are needed to meet applicable performance standards during the planning period. As Table 2 on page 9 shows, without these capacity expansions, traffic volumes are forecasted to violate applicable mobility performance standards within the planning period.<sup>13</sup>

- A second westbound left-turn lane at the intersection of N. Phoenix Road and S. Phoenix Road Extension
- A four-way stop at the intersection of Fern Valley Road and S. Phoenix Road

The City of Phoenix or ODOT may require land developers to pay for or both pay for and implement capacity expansions in addition to the ones listed above.

### TRIP BUDGET

The Trip Budget measure seeks to protect the performance of the roadway network near the Fern Valley Interchange while at the same time minimizing constraints on the City of Phoenix when it applies its Land Development Code to development proposals in the interchange area. Depending on what is built there, the land uses the City's Commercial Highway zoning allows could cause traffic volumes to exceed the applicable standard

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<sup>13</sup> Tables 2A and 2B show that forecasted traffic volumes will exceed the .85 v/c HDM standard and approach the .90 v/c OHP standard at the OR 99/Fern Valley Road intersection even with a second westbound right-turn lane and second exclusive westbound left-turn lane. A third southbound through lane on OR 99 would be needed to increase capacity enough to meet the HDM standard under Scenario 1. However, a third southbound through lane is not included in this IAMP.

during the 20-year design life of the interchange. At the same time, the degree of threat to intersection performance does not warrant severe restrictions on allowed land uses, such as by “down-zoning” the area. ODOT could protect against violation of applicable standards by reviewing developments case by case. However, that would interfere with the City’s local planning authority. It could also mean that development approved early in the 20-year period would use up roadway network capacity, severely constraining later development. The Trip Budget avoids this by protecting network performance, but leaving in place both the Commercial Highway zoning and City control over land use approvals.

In combination with the Capacity Expansion and Retention measure, the purpose of the Trip Budget measure is to help achieve the goal and objectives of this IAMP while maximizing the City of Phoenix’s discretion in approving development. It and the second westbound right-turn lane and second exclusive westbound left-turn lane at the OR 99/Fern Valley Road intersection described above are necessary to protect against violation of the applicable mobility performance standard at the intersection.

## Trip Budget Overlay Zone Chapter of Land Development Code

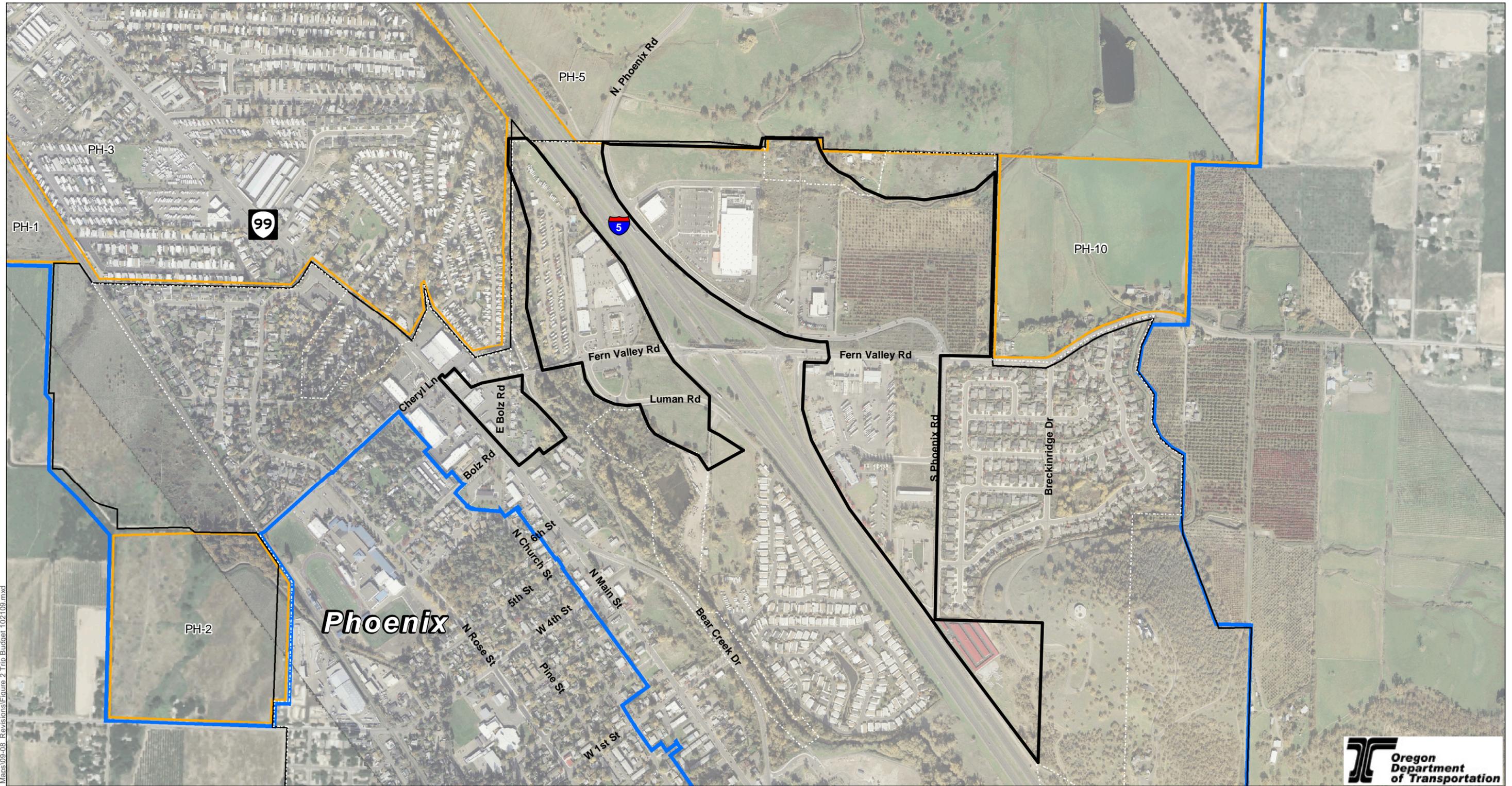
The City of Phoenix will adopt an amendment to its Land Development Code establishing a trip budget overlay zone chapter. The Trip Budget Overlay Zone chapter will have the following features:

1. **Trip Budget Overlay Zone District.** The Trip Budget Overlay Zone district will include all land the Phoenix Comprehensive Plan designates Interchange Business, plus the “triangle property” at the intersection of OR 99 and Fern Valley Road, and the properties the Plan designates Commercial across Bolz Road from the triangle property.<sup>14</sup> Figure 2 shows the district boundaries.
2. **Allowable Growth in Overlay Zone District.** Trip Budget Overlay Zone regulations will limit the generation of new, primary PM peak-hour<sup>16</sup> motor vehicle trips in the overlay zone district to 2,219 so as not to allow the OR 99/Fern Valley Road intersection to exceed the applicable mobility performance standard.
3. **Parcel Budgets.** The Trip Budget Overlay Zone chapter will assign a “parcel budget” to each tax lot in existence on the date of chapter adoption within the Trip Budget Overlay Zone district. This parcel budget will be the total number of PM peak-hour trips that development on the parcel may generate without obtaining a transfer of parcel budget trips from another parcel within the Trip Budget Overlay Zone district.

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<sup>14</sup> The triangle property consists of tax lots 381W09DA1200 and 381W09DA1100. The properties the Plan designates Commercial across Bolz Road from the triangle property are tax lots 381W09DA401, 381W09DA400, 381W09DA200, 381W09DA500, 381W09DA600, 381W09DA700, 381W09DA800, 381W09DA1000, and 381W09DA900.

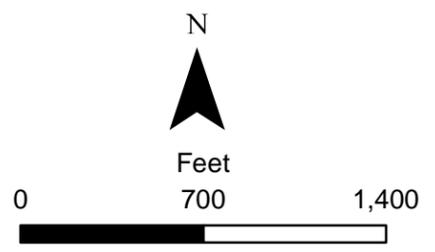
<sup>16</sup> “PM peak-hour” is 4 PM to 5 PM on weekdays in Phoenix. “Primary PM peak-hour motor vehicle trips” means PM peak-hour motor vehicle trips minus pass-by, diverted link trips, internalization, and mode split.



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- PH-5 Proposed Urban Reserve Area
- City Limits
- Urban Growth Boundary (UGB)
- Interchange Management Area Boundary
- Trip Budget Overlay Zone



**Figure 2**  
**Trip Budget Overlay Zone**



October 21, 2009



Appendix H lists each parcel's parcel budget. The parcel budgets in Appendix H equal the sum of trips from existing development and an allocation of the allowable growth in primary PM peak-hour trips stated in item 2, above. The allocations of allowable growth are proportionate to each parcel's net area available for development, as stated in Appendix H. Appendix I maps the areas Appendix H adds and subtracts in determining the net area of each parcel available for development.<sup>17</sup>

4. **Increasing Allowable Growth.** The City may increase new, primary PM peak-hour motor vehicle trips development in the overlay zone district may generate above 2,219 only if the capacity of the OR 99/Fern Valley Road intersection is increased or if other improvements in the roadway system divert traffic away from the intersection. An example would be widening OR 99 north of Fern Valley Road. The City will decide on the disposition of the increase in allowable growth at the time it is added. ODOT must concur with the number of trips added to allowable growth and their disposition.
5. **Traffic Impact Study.** The Trip Budget Overlay Zone chapter will require that all applications for land use approvals within the Trip Budget Overlay Zone district must include a traffic impact analysis that ODOT has reviewed and approved.
6. **Additional Uses Requiring Conditional Use Permits.** The Trip Budget Overlay Zone chapter will add the following uses to the uses for which the Commercial Highway zone regulations require a conditional use permit: retails sales and service less than 30,000 square feet of gross leasable area, high turnover sit-down restaurants, fast-food restaurants without drive-throughs, gyms, and daycare centers. Traffic generation by these uses warrants conditional use review of them.
7. **Transfers of Parcel Budget Trips.** The Trip Budget Overlay Zone chapter will allow the owner of a parcel of land in the Trip Budget Overlay Zone to transfer trips in its parcel budget to another parcel of land in the Trip Budget Overlay Zone district if:
  - a. development on the "sending" parcel is not generating the transferred trips and will not do so in the future;
  - b. no fewer than ten trips per net developable acre remain in the parcel's parcel budget after the transfer;

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<sup>17</sup> The numbers in Appendix H reflect estimates of the land area from individual tax lots used for the interchange project right-of-way and assume that the right-of-way along portions of existing N. Phoenix Road not used for project right-of-way will be vacated and added to abutting properties. The numbers in Appendix H also reflect other assumptions and are based on measurements using a geographic information system, rather than by parcel by parcel land surveys. However, because traffic forecasting provides approximations of actual traffic generation and future traffic volumes, Appendix H provides a sufficient basis for the allocation of parcel budgets.

<sup>21</sup> OAR 660-012-0045 (1)(c) states in part "To facilitate implementation of the TSP [transportation system plan], each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project."

- c. the City of Phoenix approves the transfer using approval procedures in the Land Development Code; and
  - d. a covenant prohibiting development on the sending parcel that would generate the transferred trips is recorded in Jackson County land title records.
8. **Recordkeeping, Monitoring, and Evaluation.** The City of Phoenix will maintain a ledger in which it records the following.
- a. The amount of allowable growth in PM peak-hour motor vehicle trips in the overlay zone district at the time of Trip Budget Overlay Zone chapter adoption, i.e., 2,219.
  - b. The total number of PM peak-hour trips in parcel budgets at the time of Trip Budget Overlay Zone chapter adoption, i.e., 2,935.
  - c. For each tax lot in the Trip Budget Overlay Zone at the time of Trip Budget Overlay Zone chapter adoption or added to the Trip Budget Overlay Zone by partition, subdivision, or zone district expansion:
    - i. the tax lot number in the records of the Jackson County Department of Assessment and Taxation;
    - ii. the number of trips in the tax lot's parcel budget, as defined in item 3, above;
    - iii. the number of trips transferred to or from another tax lot pursuant to item 7, above, the tax lot to or from which the trips were transferred, and the Jackson County land title file location of the covenant referred to in item 7;
    - iv. the number of PM peak-hour trips authorized to be generated by development by a conditional use permit, site design review approval, overlay zone and concept plan approval, or detailed development plan approval;
    - v. the balance of unused PM peak-hour trips within the tax lot's parcel budget.
  - d. The number of trips added to the amount of allowable growth in PM peak-hour trips through the OR 99/Fern Valley Road intersection because of the addition of capacity to the intersection or from the addition of other improvements in the roadway system that divert traffic away from the intersection, as described in item 2, above.

The City will make the ledger available to ODOT for inspection upon request. ODOT will monitor traffic volumes on the interchange, OR 99, Fern Valley Road, and N. Phoenix Road in the interchange area. ODOT may also monitor traffic generation at individual parcels within the Trip Budget Overlay Zone. ODOT will evaluate the performance of the Trip Budget Overlay Zone every three years and, if necessary, make recommendations to the City of Phoenix based on the evaluations. ODOT will also reevaluate the Trip Budget Overlay Zone measure when major improvements to the transportation system are constructed, such as the South Stage Road Over-crossing.

## Application of the Trip Budget Overlay Zone When Land is Rezoned to Allow Commercial Development

The City of Phoenix will apply the trip budget overlay zone to any land adjacent to the district boundaries in Figure 2 that it rezones to allow commercial development and to land in proposed urban reserves PH-5 and PH-10 it adds to its UGB and zones to allow commercial development. ODOT and the City will agree on changes to the trip budget overlay zone at the time of the rezoning or UGB expansion. Needed adjustments cannot be determined now because impacts on the OR 99/Fern Valley Road intersection will depend on the type of development and where it is located. Unlike land within the existing UGB, neither development type nor location is known and they will not be known until specific UGB expansion proposals are made. Development in the proposed urban reserves has the potential to cause violation of the performance standard at the intersection of N. Phoenix Road and S. Phoenix Road Extension (see Table 2 on page 9), as well as at the OR 99/Fern Valley Road intersection. ODOT will exercise its authority under Section 660-012-0060 of the State of Oregon's Transportation Planning Rule (TPR), contained in Appendix G, and use the Jackson County Plan and Ordinance Provisions measure on page 22 to ensure that development in urban reserves PH-5, PH-10, and MD-5 does not cause violation of mobility performance standards in the IMA, including at the intersection of N. Phoenix Road and S. Phoenix Road Extension and the OR 99/Fern Valley Road intersection.

## Sunset of Trip Budget Measure

The City of Phoenix may phase out the Trip Budget measure if and when:

1. Either
  - a. the capacity of the OR 99/Fern Valley Road intersection is increased or other improvements in the roadway system divert traffic away from the intersection so that forecasted traffic volumes within the 20-year planning period of this IAMP comply with the OHP mobility performance standards applicable within the IMA;  
or
  - b. the Trip Budget Overlay Zone district, as defined in item 1, above, is fully built out;
- and,
2. The City replaces the Trip Budget measure with alternative means of avoiding violation of the mobility performance standards applicable to the intersections in Table 2 which ODOT has approved.

## MOTOR VEHICLE TRIP REDUCTION DESIGNS AND PROGRAMS

The purpose of this measure is to provide a mechanism to ensure implementation of designs and programs that reduce motor vehicle trips when applications for land use approvals rely on them to justify reductions in projected motor vehicle trip generation. It takes advantage of the incentive to reduce motor vehicle trip generation developers have when they apply for land use approvals. The incentive comes from the financial benefit of maximizing development. The measure avoids dictating required designs and programs because, to be effective, they need to be tailored to the uses proposed at a site and the site's location.

The City of Phoenix will amend its Land Development Code to require that commitments to include design features and programs to reduce motor vehicle trips be specific and made conditions of approval. The requirement will apply to land use approvals, including partitions, subdivisions, site design review approvals, and conditional use permits. Examples of possible designs and programs include:

- Making site improvements to encourage access by foot and bicycle over and above the existing requirements of the Land Development Code, such as by providing showers and locker rooms for employees to facilitate walking or biking to work.
- Providing or subsidizing public transit passes or fares for employees.
- Reimbursing customers for the cost of taking public transit with a minimum purchase.
- Providing preferred parking locations to employee carpools and vanpools.
- Supporting telecommuting by employees (telecommuting means working at home one or more days a week instead of commuting to a workplace).
- Scheduling shift changes at times other than peak traffic hours.
- At appropriate locations, providing a bus transfer site, as described in the Bus Stop and Transfer Site Coordination
- measure on page 21, below.

This measure is intended to apply within the entire city limits of Phoenix, not just within the IMA.

## ZONING CODE PROVISION ON TRANSPORTATION FACILITIES

The purpose of this measure is to enable the City of Phoenix to exercise its zoning authority as applied to transportation facilities, including the Fern Valley Interchange Project. The TPR calls on local governments to establish a process for the review and approval of transportation facilities like the interchange.<sup>21</sup> The Phoenix Development Code does not contain such a process. Under this measure, ODOT will work with the City of Phoenix to add one to its Development Code. Appendix G contains the TPR provision.

## OR 99 SETBACK

The purpose of this measure is to reduce the cost of and disruption from widening OR 99, if such widening becomes necessary in the future. The land use measures described above will delay the need to widen OR 99. However, forecasted growth in motor vehicle trips indicates that widening OR 99 is likely to be needed after the IAMP's 20-year planning period.

The City of Phoenix will add to the Land Development Code an overlay zone covering the properties on both sides of OR 99 from the north end of the couplet to the northern city limits. Within the overlay zone, there will be a 15-foot building setback requirement. All properties fronting OR 99 on this segment are zoned Commercial Highway. There is no front setback requirement in the Commercial Highway zone regulations.<sup>22</sup> The setback requirement will apply to new development or redevelopment of affected land parcels. 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. There is no need for amendment of the Jackson County Land Development Ordinance because the regulations for the three zones along OR 99 in the IMA already have a 20-foot setback requirement.<sup>23</sup>

## OTHER AMENDMENTS TO THE CITY OF PHOENIX COMPREHENSIVE PLAN

The purpose of this measure is to amend the City of Phoenix Comprehensive Plan to reflect the altered configuration of the roadway network once the Fern Valley Interchange project is completed and fix an inconsistency between the Plan and the TPR. The City of Phoenix will classify N. Phoenix Road as realigned by the Fern Valley Interchange project as an Arterial and classify the S. Phoenix Road Extension as a Collector.<sup>24</sup> In addition, the City will amend Policy 4.2 of the Economic Element of the Comprehensive Plan as follows:

Within the Fern Valley Road Interchange area (including all lands east of Bear Creek Bridge within the UGB) any annexation, zone change, or change of existing uses which is expected to significantly increase travel demand in the interchange area must be predicated upon facts (supported by special traffic studies) and findings that sufficient capacity exists or will be available upon completion of funded improvement(s) to satisfy the proposed development's travel demand (including background traffic) ~~concurrent with its opening at the end of the~~ end of the planning period of the Transportation Element of the Comprehensive Plan or 15 years from the date of the annexation, zone change, or change of existing uses, whichever is later.

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<sup>22</sup> City of Phoenix, Land Development Code, Section 2.4.3, page 57.

<sup>23</sup> Jackson County, Land Development Ordinance, Table 8.2-1, Chapter 8, page 2. The three zones are General Commercial, Urban Residential-10, and Urban Residential-30.

<sup>24</sup> The Transportation Element of the Comprehensive Plan, dated October 4, 1999, classifies N. Phoenix Road as a Collector. See p. 87.

The end of the planning period of the current Transportation Element of the Phoenix Comprehensive Plan is 2018. The amendment will make Policy 4.2 of the Economic Element consistent with the TPR. The TPR requires adequate capacity “*As measured at the end of the planning period identified in the adopted transportation system plan . . .*”<sup>25</sup> By making the measurement period a minimum of 15 years from the date of the annexation, zone change, or change of existing uses, the amendment will also help the City of Phoenix retain adequate transportation system capacity to accommodate opportunities for desirable growth and development.

## OR 99 GATEWAY PLAN

ODOT will support the City of Phoenix in developing a plan for a gateway to the City on OR 99 from north of the couplet to the northern city limits. The purpose of the plan will be to accommodate local and regional transportation needs while maintaining livability for city residents. The City and ODOT recognize the need for all modes of transportation to be accommodated and to effectively use this corridor and for motorists from the north and east to be aware they are entering the City of Phoenix. A gateway plan, including streetscape concepts, is anticipated to identify improvements that will signal the presence of bicyclists and pedestrians, make crossing the street at intersections by bicycle or on foot as safe as possible, accommodate future traffic demands, and identify appropriate and attractive access to local businesses.

## ALTERNATIVE MOBILITY STANDARD AT I-5 RAMP TERMINAL INTERSECTIONS

The purpose of this measure is to preserve interchange capacity for future industrial and export service development in the IMA. This includes the urban reserves in the northern portion of the IMA, specifically PH-5 and MD-5. Export service development means facilities for the provision of services to customers or clients primarily located outside the region. Industrial and export service development will contribute more to the economic prosperity of the region than commercial development and local services. This is because they bring new dollars into the regional economy, thereby increasing incomes and expanding local commercial activity.

This IAMP adopts a v/c ratio of 0.75 as the mobility performance standard for the Fern Valley Interchange ramp terminals. As an exception to this standard, for the development of facilities for research, manufacturing, production, or the provision of services to customers or clients primarily located outside the region,<sup>26</sup> the standard for the ramp terminal intersections is a v/c ratio of 0.85. For proposals for development of all other land uses, the standard is a v/c ratio of 0.75. In no case may development be allowed if it would result in vehicle queues that would extend into the portion of a ramp needed to accommodate deceleration from freeway speed on I-5.

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<sup>25</sup> OAR 660-012-0060(1)(c). Appendix G contains the full text of OAR 660-012-0060.

<sup>26</sup> Defined as the area within the boundaries of the Rogue Valley Metropolitan Transportation Organization.

## BUS STOP AND TRANSFER SITE COORDINATION

The purpose of this measure is to facilitate improved transit service in the future. It has three components:

1. When ODOT designs the Fern Valley Interchange project, it will identify possible sites for future bus transfer points near the OR 99/Fern Valley Road and N. Phoenix Road/S. Phoenix Road Extension intersections. These will 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 lines is a circulator bus routed through the Phoenix neighborhoods west of I-5 and extending across I-5.<sup>27</sup> The RVTD would also like to add a bus line on N. Phoenix Road.<sup>28</sup> The transfer points will be where the circulator bus connects to the existing line on OR 99 and the future line on N. Phoenix Road. Each transfer point is envisioned to 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 will consider allowing the RVTD to use the site for a transfer point, if doing so would not violate ODOT access management standards.
2. The City of Phoenix will 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. The policy will apply when the City makes roadway improvements itself or when an applicant for development approval proposes providing a transfer site under the Motor Vehicle Trip Reduction Designs and Programs measure on page 18, above.
3. The City of Phoenix and ODOT will coordinate with the RVTD to decide between bus stops and bus pull-outs on OR 99, Fern Valley Road, and N. Phoenix Road and identify the best locations for them. The RVTD generally prefers bus stops (where the bus stops in the right travel lane) to avoid schedule delays from busses having to wait to pull back into traffic. ODOT prefers bus pull-outs to avoid traffic delays.

## SHARED PARK-AND-RIDE LOT HELP

The purpose of this measure is to facilitate improved transit service by increasing ridership on the existing bus line on OR 99 and planned future bus lines. The measure will also help reduce traffic volumes on the South Medford Interchange. ODOT and the City of Phoenix will work with the RVTD 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. At shared park-and-ride lots, a property owner

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<sup>27</sup> RVTD's 10-year plan includes this bus line in its second highest category of priority. See Rogue Valley Transportation District, Ten-Year Long Range Plan, 2007-2017, December 2007, p. 49 ([http://www.rvtd.org/images/subpages/File/LRP\\_Full%20Text\\_Chapters%20I-XII.pdf](http://www.rvtd.org/images/subpages/File/LRP_Full%20Text_Chapters%20I-XII.pdf)). The transfer site would be at the N. Phoenix Road/Fern Valley Road intersection under the Fern Valley Thru Alternative and the N. Phoenix Road/S. Phoenix Road Extension intersection under the N. Phoenix Thru Alternative.

<sup>28</sup> This is not in RVTD's 10-year plan, but is desired in the future, according to a telephone conversation with Paige Townsend, Senior Planner, RVTD, March 27, 2008.

allows bus riders to use the privately-owned lot as a park-and-ride.<sup>29</sup> ODOT will consider allowing the RVTD to use residual land acquired for right-of-way but not needed for highway improvements and which ODOT is unable to resell. ODOT will also consider attaching to excess right-of-way that ODOT resells a covenant requiring shared use of parking by transit riders.

## SOUTH VALLEY TRANSPORTATION STRATEGY

The purpose of this measure is to address four considerations bearing on this IAMP:

1. Traffic volumes on the interchange, Fern Valley Road, N. Phoenix Road, and OR 99 will result from trips generated by land uses within the City of Phoenix and the immediate area of the interchange and by land uses in Medford and other parts of the region.
2. Neither the City of Phoenix nor ODOT has 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. The measures in this IAMP are based on traffic forecasts under which the amount of development in urban reserve areas PH-5, PH-10, and MD-5 is far less than the amount contemplated by the draft Bear Creek Valley Regional Plan.

ODOT and the City of Phoenix will work with Jackson County, Medford, Talent, and Ashland to formulate a strategy that avoids through traffic<sup>30</sup> causing the interchange, N. Phoenix Road, and Fern Valley Road to violate the standards in Table 2A and Table 2B and to achieve other objectives for the south Bear Creek Valley area.

## JACKSON COUNTY PLAN AND ORDINANCE PROVISIONS

This measure identifies the provisions of the Jackson County Comprehensive this IAMP relies on to protect the performance of the Fern Valley Interchange. The purpose is to give ODOT a “seat at the table” when Jackson County considers amendments to the provisions, so that ODOT can avoid development that would jeopardize achievement of the goal and objectives of the IAMP. In particular, ODOT will rely on requirements that local comprehensive plans and implementing ordinances be consistent with the Oregon Highway Plan, which includes this IAMP once the Oregon Transportation Commission adopts it, to ensure that UGB expansion north of the Fern Valley Interchange does not cause violation of the mobility performance standards in Tables 2A or 2B on page 6. This could be by expansion of the UGB of either the City of Phoenix or the City of Medford. Expansion of either UGB would require amendment of the Jackson County

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<sup>29</sup> Such properties are often churches or shopping centers that have excess parking capacity between commute hours.

<sup>30</sup> Trips having an origin and destination outside the Phoenix limits.

Comprehensive Plan and Land Development Ordinance.<sup>31</sup>

The following provisions of the Jackson County Comprehensive Plan and Land Development Ordinance are adopted by reference into this IAMP:

1. The Jackson County Comprehensive Plan designations of lands in the IMA outside city limits, as shown on the Jackson County Comprehensive Plan Map<sup>32</sup> and represented on Figure 3.
2. The UGBs of Phoenix and Medford, as shown on the Jackson County Comprehensive Plan Map and represented on Figure 3.<sup>33</sup>
3. Jackson County zoning of lands in the IMA outside city limits, as shown on the Jackson County Zoning Map (South)<sup>34</sup> and represented on Figure 4.
4. The contents of the Jackson County Comprehensive Plan regarding each of the Comprehensive Plan designations included within the IMA, as reproduced in Appendix J of this IAMP. The designations are Agricultural Land, Commercial Land, Industrial Land, Rural Residential Land, and Urban Residential Land.<sup>35</sup>
5. The contents of the Jackson County Current Land Development Ordinance regarding each of the zoning districts included within the IMA, as reproduced in Appendix K of this IAMP. The zoning districts are Exclusive Farm Use, General Commercial, General Industrial, Light Industrial, Rural Residential – 00, Rural Residential – 2.5, Rural Residential – 5, Urban Residential – 1, Urban Residential – 8, Urban

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<sup>31</sup> The requirements ODOT would rely on include the following provisions of the Oregon Administrative Rules and Oregon Revised Statutes: 1) OAR 660-12-0015(3)(a), part of the TPR, which states that “Local TSPs [transportation system plans] . . . shall be consistent with regional TSPs and adopted elements of the state TSP”; 2) OAR 660-012-0060(1), also part of the TPR, contained in Appendix G; and, 3) ORS 197.015(5), which states that “‘Comprehensive plan’ means a generalized, coordinated land use map and policy statement of the governing body of a local government that interrelates all functional and natural systems and activities relating to the use of lands, including but not limited to sewer and water systems, transportation systems, educational facilities, recreational facilities, and natural resources and air and water quality management programs. . . A plan is “coordinated” *when the needs of all levels of governments, semipublic and private agencies and the citizens of Oregon have been considered and accommodated as much as possible. . .*” (emphasis added).

<sup>32</sup> Map dated October 13, 2003, available at

[http://www.smartmap.org/files/PDFs/Maps/comp\\_plan\\_map.pdf](http://www.smartmap.org/files/PDFs/Maps/comp_plan_map.pdf).

<sup>33</sup> ODOT may defer the application of this measure to a UGB expansion if the city the UGB of which is expanded zones the land added to the UGB as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary. In such instances, ODOT will apply the measure at the time the land is rezoned for urbanization.

<sup>34</sup> Map dated April 1, 2005, available at

[http://www.smartmap.org/files/PDFs/Maps/zoning\\_south\\_layout\\_as\\_of\\_4-1-05.pdf](http://www.smartmap.org/files/PDFs/Maps/zoning_south_layout_as_of_4-1-05.pdf).

<sup>35</sup> From the Jackson County Comprehensive Plan, Map Designations Element, undated, available at <http://www.co.jackson.or.us/Files/04%20-%20MAP-DESIGNATION.pdf>.

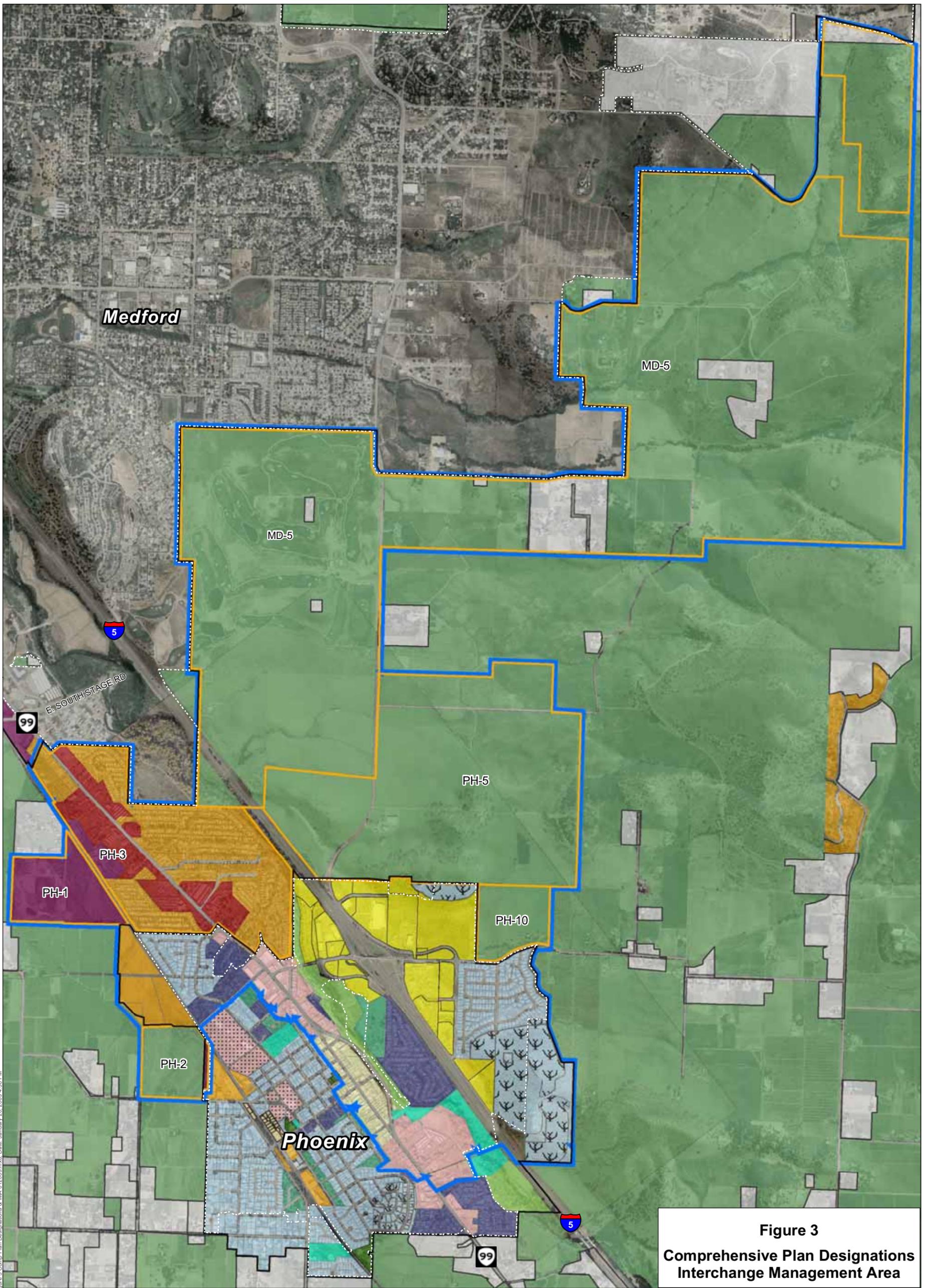
Residential – 10, and Urban Residential - 30.<sup>36</sup>

Additional provisions of this measure are:

1. If ODOT concludes that a proposed amendment to one of the provisions adopted into the IAMP would not be consistent with the IAMP, before seeking review of the amendment by the Oregon Land Use Board of Appeals, ODOT will work with Jackson County to attempt to reach agreement on how to resolve the issues involved.
2. ODOT will only determine that a proposed amendment to a plan or code provision adopted by reference into this IAMP is not consistent with the IAMP when the amendment would change the function or diminish the performance of the interchange. If neither is the case, ODOT will consider the amendment consistent with the IAMP.
3. ODOT will not amend the IAMP every time Jackson County amends the provisions adopted into the IAMP. ODOT acknowledges that Jackson County will enact amendments which will not affect the Fern Valley Interchange or which are consistent with this IAMP.
4. If ODOT does not notify Jackson County that a proposed plan or code amendment is inconsistent with the IAMP within 60 days after receipt of notice of the amendment from the County, ODOT will not assert that the amendment is inconsistent with the IAMP.
5. Should ODOT wish to amend the IAMP, ODOT will ensure that the IAMP remains compatible with the Jackson County Comprehensive Plan.

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<sup>36</sup> From the Jackson County Current Land Development Ordinance, undated, available at <http://www.co.jackson.or.us/page.asp?navid=2191>.



**Figure 3**  
**Comprehensive Plan Designations**  
**Interchange Management Area**

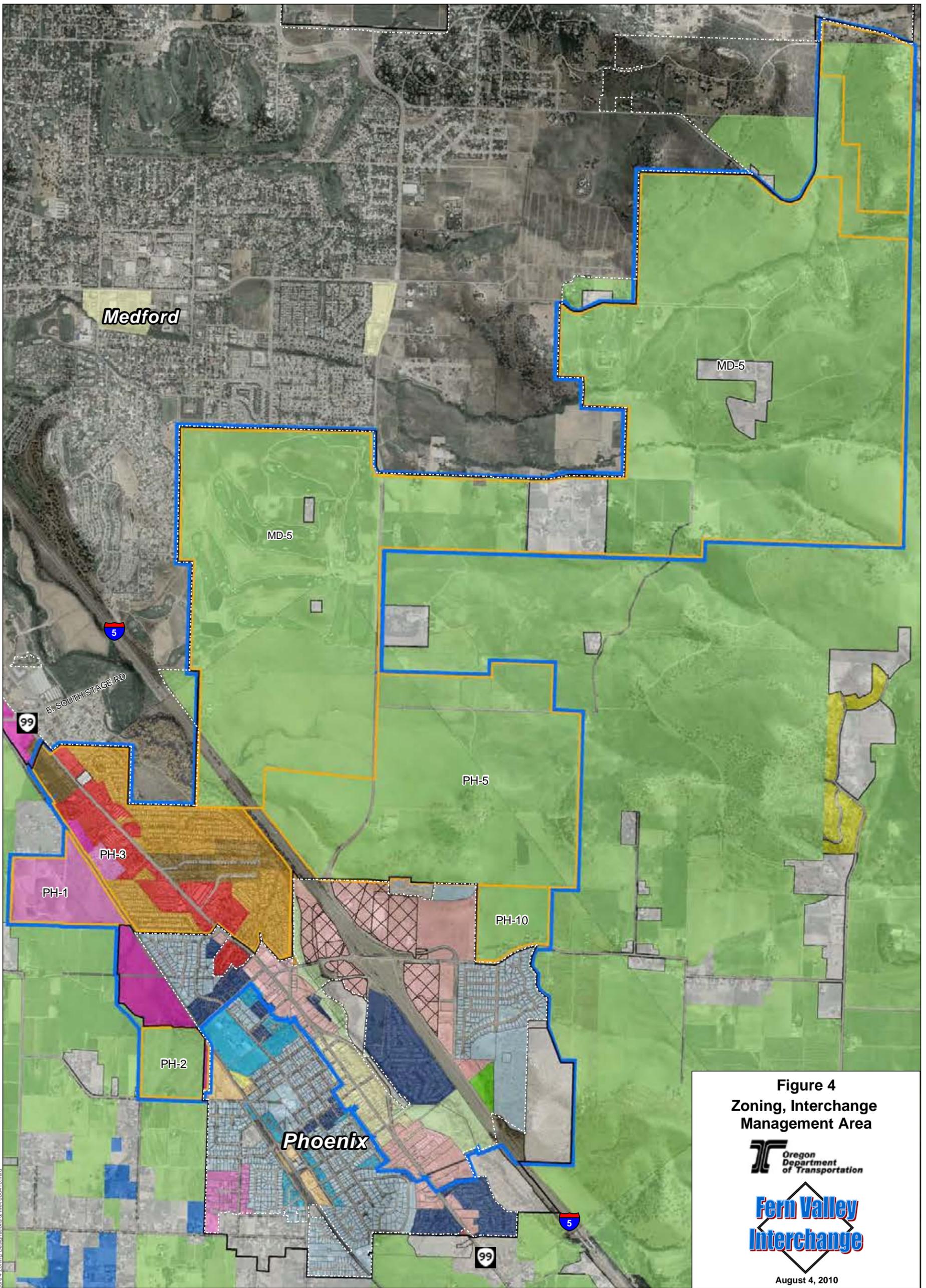
<ul style="list-style-type: none"> <li> City Limits</li> <li> Urban Growth Boundary (UGB)</li> <li> Proposed Urban Reserve Area</li> <li> Interchange Management Area Boundary</li> </ul>	<p><b>Jackson County Designations</b></p> <ul style="list-style-type: none"> <li> Agricultural</li> <li> Commercial</li> <li> Industrial</li> <li> Rural Residential</li> <li> Urban Residential</li> </ul>	<p><b>City of Phoenix Designations</b></p> <ul style="list-style-type: none"> <li> Bear Creek Greenway</li> <li> City Center District</li> <li> Commercial</li> <li> High Density Residential</li> <li> Industrial</li> <li> Interchange Business</li> </ul>	<ul style="list-style-type: none"> <li> Low Density Residential</li> <li> Medium Density Residential</li> <li> Park Open Space</li> <li> Public</li> <li> Residential Employment</li> <li> Residential Hillside</li> <li> Schools</li> </ul>
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0    Feet    1,800    3,600

January 20, 2009

File Path: K:\Fern\_Valley\_MXD\Alternative\_Maps\09508\_Revisions\Figure 3 Comp Plan Designations & IMA 012009.mxd Date: January 20, 2009 4:36 PM





**Figure 4**  
**Zoning, Interchange**  
**Management Area**



August 4, 2010

City Limits	<b>City Zoning</b>	Light Industrial	<b>County Zoning</b>	Rural Residential - 2.5
Urban Growth Boundary (UGB)	Bear Creek Greenway	Industrial	Exclusive Farm Use	Rural Residential - 5
Proposed Urban Reserve Area	City Center	Low Density Residential	General Commercial	Urban Residential - 1
Interchange Management Area Boundary	Commercal Highway	Medium Density Residential	General Industrial	Urban Residential - 10
	Farm Residential	High Density Residential	Light Industrial	Urban Residential - 8
	Hilsinifer Overlay	I-5 Overlay	Rural Residential - 00	Urban Residential - 30

0 Feet 1,800 3,600



File Path: K:\Fern\_Valley\_MXD\Alternatives\_Maps\09-08\_Revisions\Figure 4 Zoning\_Designations & IMA 080410.mxd



## SECTION 3. FINDINGS

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### INTRODUCTION

This section documents that this IAMP will comply with all applicable federal and state laws, regulations, and policies and is consistent with regional and local plan before ODOT proceeds with the implementation of the Fern Valley Interchange Project. The section is divided into three subsections. The first addresses the IAMP's compliance with the one federal law applicable to it; the second compliance with State of Oregon laws, regulations, and policies; and the third compatibility with applicable regional and local plans.

### FEDERAL LAW

National Environmental Policy Act (NEPA), Pub. L. 91-190, 42 U.S. Code 4321, et seq.

#### *Requirements*

NEPA mandates that Federal agencies consider the potential environmental consequences of their proposals, document the analysis, and make this information available to the public for comment prior to implementation.<sup>37</sup> NEPA applies to the Fern Valley Interchange Project because Federal money would pay the majority of the project's cost. This IAMP is part of the Fern Valley Interchange Project, so NEPA applies to it.

#### *Finding*

This IAMP is in compliance with NEPA because it is part of the Fern Valley Interchange Project, which is in compliance with NEPA. The project is in compliance with NEPA because ODOT, acting on behalf of the Federal Highway Administration (FHWA) (which administers the Federal money referred to) is preparing an environmental assessment on it. Once ODOT and FHWA have issued a draft environmental assessment and conducted a public hearing on it, FHWA will determine whether or not the project would have significant environmental impacts. If FHWA determines the project would not have significant environmental impacts, FHWA will adopt a finding of no significant impact, which will complete compliance with NEPA. If FHWA determines the project would have significant environmental impacts, ODOT and FHWA will prepare draft and final environmental impact statements (EISs). Once the final EIS is issued, FHWA will adopt a record of decision, which will complete compliance with NEPA.

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<sup>37</sup> Federal Highway Administration, Project Development Overview, undated (accessed March 18, 2009), <http://www.environment.fhwa.dot.gov/projdev/index.asp>.

## STATE PLANS, POLICIES, AND RULES

### Oregon Statewide Planning Program

#### *Statewide Planning Goals*

#### **Statewide Planning Goals in General**

##### **Requirements**

The 19 Statewide Planning Goals are the fundamental policies of Oregon’s Statewide Planning Program. Statewide Planning Program law requires each city and county to adopt a comprehensive plan that complies with the Statewide Planning Goals. Zoning and land division ordinances are implementing tools for the comprehensive plans. The Land Conservation and Development Commission (LCDC) reviews local plans and ordinances for consistency with the Statewide Planning Goals. When LCDC has officially approved a local government’s plan, that plan is considered “acknowledged.” An acknowledged local comprehensive plan is the controlling document for land use in the geographic area covered by that plan. With the exception of the administrative rule that implements Statewide Planning Goal 12, Transportation, once there is an acknowledged comprehensive plan, the Statewide Planning Goals do not apply directly to state highway projects. Instead, state highway projects must be compatible with the applicable local comprehensive plans.<sup>38</sup> However, the Statewide Planning Goals do apply directly to any amendments to city and county comprehensive plans made to include a State highway project.

##### **Finding**

With the exception of the administrative rules that implement Goal 12 referenced above and addressed immediately below, the Statewide Planning Goals do not apply directly to the Fern Valley Interchange Project, including the IAMP. This is because both the City of Phoenix and Jackson County have acknowledged comprehensive plans. When the City of Phoenix and Jackson County adopt the amendments to their comprehensive plans identified on pages 54 and 52, below, they will need to demonstrate that the amendments comply with the Statewide Planning Goals.

#### **Statewide Planning Goal 12, Transportation, and the TPR (Oregon Administrative Rules Chapter 660-012)**

Statewide Planning Goal 12 is “To provide and encourage a safe, convenient and economic transportation system.” The TPR implements Goal 12 and contains the provisions addressed below that apply to the state transportation system plan, including facility plans such as this IAMP. The TPR also contains provisions addressed below that apply to project development, including the development of the Fern Valley Interchange Project, including this IAMP.

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<sup>38</sup> 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 660-012-0030, Determination of Transportation Needs**

**Requirements.** Applicable parts of OAR 660-012-0030 state:

(1) The TSP [transportation system plan] shall identify transportation needs relevant to the planning area and the scale of the transportation network being planned including:

- (a) State, regional, and local transportation needs;
- (b) Needs of the transportation disadvantaged;
- (c) Needs for movement of goods and services to support industrial and commercial development planned for pursuant to OAR 660-009 and Goal 9 (Economic Development).

\* \* \*

(3) Within urban growth boundaries, the determination of local and regional transportation needs shall be based upon:

- (a) Population and employment forecasts and distributions that are consistent with the acknowledged comprehensive plan, including those policies that implement Goal 14. Forecasts and distributions shall be for 20 years and, if desired, for longer periods; and
- (b) Measures adopted pursuant to OAR 660-012-0045 to encourage reduced reliance on the automobile.

(4) In MPO [metropolitan planning organization] areas, calculation of local and regional transportation needs also shall be based upon accomplishment of the requirement in OAR 660-012-0035(4) to reduce reliance on the automobile.

**Finding.** The IAMP complies with OAR 660-012-0030 for the following reasons:

- The EA for the Fern Valley Interchange Project addresses the need for the project. See Appendix A of this IAMP, which contains the purpose and need sections of the EA. Needs include the need to accommodate motor vehicle traffic, which includes meeting state, regional, and local transportation needs and needs for the movement of goods and services to support industrial and commercial development. They also include needed improvements to bicycle and pedestrian facilities, which serve the transportation disadvantaged.
- The design of the Fern Valley Interchange project is based on 20-year forecasts of motor vehicle traffic which are based on 20-year forecasts of population and employment. These forecasts are consistent with the acknowledged comprehensive plans of the City of Phoenix and other jurisdictions of the region. See page 1 of Appendix E.
- The Regional Transportation Plan (RTP) includes measures that meet the requirements of OAR 660-012-0035(4) to reduce reliance on the automobile.<sup>39</sup> As described on page 51, below, the Fern Valley Interchange Project is consistent with and helps implement the RTP.

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<sup>39</sup> Rogue Valley Metropolitan Planning Organization, Regional Transportation Plan 2009-2034, as adopted March 24, 2009, Appendix B.

## **OAR 660-012-0035, Evaluation and Selection of Transportation System Alternatives**

The following evaluates IAMP compliance with the sections of OAR 660-012-0035 applicable to it.

### **OAR 660-012-0035(1)**

*Requirements.* OAR 660-012-0035(1) states:

The TSP shall be based upon evaluation of potential impacts of system alternatives that can reasonably be expected to meet the identified transportation needs in a safe manner and at a reasonable cost with available technology. The following shall be evaluated as components of system alternatives:

- (a) Improvements to existing facilities or services;
- (b) New facilities and services, including different modes or combinations of modes that could reasonably meet identified transportation needs;
- (c) Transportation system management measures;
- (d) Demand management measures; and
- (e) A no-build system alternative required by the National Environmental Policy Act of 1969 or other laws.

*Finding.* The IAMP complies with OAR 660-012-0035(1) because the alternatives development process for the EA on the Fern Valley Interchange Project evaluated the potential for the strategies listed in items a through d above and the EA will evaluate a no-build alternative. See the Alternatives Considered But Not Advanced section of the EA.

### **OAR 660-012-0035(3)**

*Requirements.* OAR 660-012-0035(3) states:

The following standards shall be used to evaluate and select alternatives:

- (a) The transportation system shall support urban and rural development by providing types and levels of transportation facilities and services appropriate to serve the land uses identified in the acknowledged comprehensive plan;
- (b) The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan;
- (c) The transportation system shall minimize adverse economic, social, environmental and energy consequences;
- (d) The transportation system shall minimize conflicts and facilitate connections between modes of transportation; and
- (e) The transportation system shall avoid principal reliance on any one mode of transportation by increasing transportation choices to reduce principal reliance on the automobile. In MPO areas this shall be accomplished by selecting transportation alternatives which meet the requirements in section (4) of this rule.

*Finding.* The IAMP complies with OAR 660-012-0035(3) because:

- The Fern Valley Interchange Project will support urban and rural development by providing a transportation facility appropriate to serve the land uses in the interchange area identified in the City of Phoenix Comprehensive Plan.
- ODOT will rely on the EA to evaluate and select among the alternatives for the Fern Valley Interchange Project and the EA considers the factors in items b, c, and d of OAR 660-012-0035(3).
- In addition to accommodating automobile travel, the Fern Valley Interchange Project improves facilities for pedestrians and bicyclists.

### **OAR 660-012-0035(10)**

*Requirements.* OAR 660-012-0035(10) states:

Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and located in an urban fringe may be included in a TSP only if the improvement project identified in the Transportation System Plan as described in section (12) of this rule, will not significantly reduce peak hour travel time for the route as determined pursuant to section (11) of this rule, or the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose of the improvement project:

- (a) Improvements to transportation facilities and services within the urban growth boundary;
- (b) Transportation system management measures that do not significantly increase capacity; or
- (c) Transportation demand management measures. The jurisdiction needs only to consider alternatives that are safe and effective, consistent with applicable standards and that can be implemented at a reasonable cost using available technology.

*Finding.* The IAMP complies with OAR 660-012-0035(10) because ODOT will not issue a revised EA and proceed with the Fern Valley Interchange Project before it seeks a determination from Jackson County that the facilities, services, and measures in OAR 660-012-0035(10)(a), (b), and (c) cannot “reasonably satisfy the purpose of ” the Fern Valley Interchange Project.

### **OAR 660-012-0050, Transportation Project Development**

**Requirements.** OAR 660-012-0050 addresses transportation project development. Section 660-012-0050(3)(b) states:

Project development involves land use decision-making to the extent that issues of compliance with applicable requirements requiring interpretation or the exercise of policy or legal discretion or judgment remain outstanding at the project development phase. These requirements may include, but are not limited to, regulations protecting or regulating development within floodways and other hazard areas, identified Goal 5

resource areas, estuarine and coastal shoreland areas, and the Willamette River Greenway, and local regulations establishing land use standards or processes for selecting specific alignments. \* \* \* When project development involves land use decision-making, all unresolved issues of compliance with applicable acknowledged comprehensive plan policies and land use regulations shall be addressed and findings of compliance adopted prior to project approval.

**Finding.** The Fern Valley Interchange Project, including the IAMP, will comply OAR Section 012-0050(3)(b). The section applies to the project because the project would require 0.2 acres of the Bear Creek Greenway, which is a Goal 5 resource. The Fern Valley Interchange Project will comply with OAR 012-0050(3)(b) because ODOT will not approve and proceed with the project until it has addressed all issues of compatibility with applicable comprehensive plan policies and land use regulations and has adopted findings of compliance. This will include the application of the City of Phoenix Development Code to the project, as discussed on page 57, below.

**OAR 660-012-0065, Transportation Improvements on Rural Lands, and OAR 660-012-0070, Exceptions for Transportation Improvements on Rural Land**

**Requirements.** OAR 660-012-0065 describes highway improvements outside UGBs for which exceptions to Statewide Planning Goals are not required. OAR 660-012-0070(1) states “Transportation facilities and improvements which do not meet the requirements of OAR 660-012-0065 require an exception to be sited on rural lands.” OAR 660-012-0070 also defines the requirements which a local government must meet when Goal exceptions are required, including for state highway improvements.

**Finding.** The Fern Valley Interchange Project will comply with OAR 660-012-0065. OAR 660-012-0065 applies to the Fern Valley Interchange Project because the Build Alternative under consideration includes improvements outside the City of Phoenix UGB. The Build Alternative would comply because the only portion outside the Phoenix UGB qualifies as a “realignment” and OAR 660-012-0065 exempts realignments from the requirement of Goal exceptions.<sup>40</sup> 660-012-0070 does not apply to the Build Alternative because OAR 660-012-0065 exempts it from Goal exceptions.

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<sup>40</sup> ODOT, I-5: Fern Valley Interchange Unit 2a Environmental Assessment, unpublished draft, undated, p. 3-60.

## *ODOT State Agency Coordination Program*

Statewide Planning Program law requires ODOT and other state agencies to carry out their duties “in a manner compatible with” local comprehensive plans and land use regulations.<sup>41</sup> In addition, state agencies are required to have policies to coordinate with other agencies and local governments in the performance of their duties under the Statewide Planning Program. ODOT implemented these requirements as applied to projects like the Fern Valley Interchange by adopting the ODOT State Agency Coordination Program. It includes the following provisions that apply to this IAMP. References to “the Department” mean ODOT.

### **OAR 731-015-0065(1)**

#### **Requirement**

Except in the case of minor amendments, the Department shall involve DLCD [the Department of Land Conservation and Development] and affected metropolitan planning organizations, cities, counties, state and federal agencies, special districts and other interested parties in the development or amendment of a facility plan. This involvement may take the form of mailings, meetings or other means that the Department determines are appropriate for the circumstances. The Department shall hold at least one public meeting on the plan prior to adoption.

#### **Finding**

731-015-0065(1) applies to the IAMP because the IAMP is part of the facility plan for the Fern Valley Interchange Project. The IAMP complies with 731-015-0065(1) because:

- The Project Development Team (PDT) for the project included representatives of the City of Phoenix, Jackson County, and the Rogue Valley Metropolitan Planning Organization (RVMPO), which is the metropolitan planning organization for the area.
- IAMP team members consulted the RVTD in formulating the Bus Stop and Transfer Site Coordination measure on page 21 and Shared Park-And-Ride Lot Help on page 21.
- Additional special districts will receive copies of the draft EA, which describes the IAMP.<sup>42</sup>
- FHWA personnel were invited to PDT meetings; attended some of the meetings; reviewed drafts of the EA, including its description of the IAMP; and will approve the EA before it is issued.
- The state and federal agencies listed below reviewed and concurred in the project’s purpose and need, evaluation criteria, range of alternatives considered. ODOT will request their concurrence in the selection of the preferred alternative for the Fern Valley Interchange Project. The IAMP will be part of the project under either of the two build alternatives.
  - FHWA
  - Oregon Department of Environmental Quality

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<sup>41</sup> Oregon Revised Statutes section 197.180(1)(b).

<sup>42</sup> These are Fire District #5, Medford Irrigation District, Rogue Valley Sanitary Service, and the Phoenix-Talent School District.

- Oregon Department of Fish and Wildlife
- Oregon Department of Land Conservation and Development (DLCDD)
- Oregon Department of State Lands
- Oregon State Historic Preservation Office
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- National Marine Fisheries Service
- U.S. Environmental Protection Agency
- All meetings of the CAS and PDT were open to the public. The City of Phoenix Planning Commission and City Council will hold public hearings on the IAMP prior to City adoption.

**OAR 731-015-0065(2)**

**Requirement**

The Department shall provide a draft of the proposed facility plan to planning representatives of all affected cities, counties and metropolitan planning organization and shall request that they identify any specific plan requirements which apply, any general plan requirements which apply and whether the draft facility plan is compatible with the acknowledged comprehensive plan. If no reply is received from an affected city, county or metropolitan planning organization within 30 days of the Department's request for a compatibility determination, the Department shall deem that the draft plan is compatible with that jurisdiction's acknowledged comprehensive plan. The Department may extend the reply time if requested to do so by an affected city, county or metropolitan planning organization.

**Finding**

ODOT sent a draft of the proposed facility plan to planning representatives in Phoenix, Medford, Jackson County, the RVTD, and the RVMPO on June 8, 2009, requesting a statement of compatibility with adopted comprehensive and regional long range plans.

**OAR 731-015-0065(3)**

**Requirement**

If any statewide goal or comprehensive plan conflicts are identified, the Department shall meet with the local government planning representatives to discuss ways to resolve the conflicts. These may include:

- (a) Changing the draft facility plan to eliminate the conflicts;
- (b) Working with the local governments to amend the local comprehensive plans to eliminate the conflicts; or
- (c) Identifying the conflicts in the draft facility plan and including policies that commit the Department to resolving the conflicts prior to the conclusion of the transportation planning program for the affected portions of the transportation facility.

## **Finding**

ODOT sent a draft of the proposed facility plan to planning representatives in Phoenix, Medford, Jackson County, the RVTD, and the RVMPO on June 8, 2009, requesting a statement of compatibility with adopted comprehensive and regional long range plans. If any statewide goal or comprehensive plan conflicts are identified, ODOT will comply with the requirement.

## **OAR 731-015-0065(4)**

### **Requirement**

The Department shall evaluate and write draft findings of compatibility with acknowledged comprehensive plans of affected cities and counties, findings of compliance with any statewide planning goals which specifically apply as determined by OAR 660-030-0065(3)(d), and findings of compliance with all provisions of other statewide planning goals that can be clearly defined if the comprehensive plan of an affected city or county contains no conditions specifically applicable or any general provisions, purposes or objectives that would be substantially affected by the facility plan.

### **Finding**

The IAMP complies with 731-015-0065(4) because:

- The findings beginning on page 52 address the compatibility with the acknowledged comprehensive plans of the City of Phoenix and Jackson County.
- The IAMP complies with OAR 660-012-0015 and therefore complies with OAR 660-030-0065(3)(d). OAR 660-030-0065(3)(d) states:

A state agency shall adopt findings demonstrating compliance with the statewide goals for an agency land use program or action if one or more of the following situations exists: \* \* \* (d) A statewide goal or interpretive rule adopted by the Commission under OAR chapter 660 establishes a compliance requirement directly applicable to the state agency or its land use program.

The only interpretive rule that qualifies under OAR 660-030-0065(3)(d) is 660-012-0015(1), which states:

ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its program for state agency coordination certified under ORS 197.180, and OAR 660-012-0030, 660-012-0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a system of transportation facilities and services adequate to meet identified state transportation needs:

- (a) The state TSP shall include the state transportation policy plan, modal systems plans and transportation facility plans as set forth in OAR 731, Division 15;
- (b) State transportation project plans shall be compatible with acknowledged comprehensive plans as provided for in OAR 731, Division 15. Disagreements between ODOT and affected local governments shall be resolved in the manner established in that division.

This IAMP is an amendment to the state TSP and the OTC will adopt it in compliance with ORS 184.618.<sup>43</sup> This section of the findings documents compliance with ODOT's State Agency Coordination Program, which is ODOT's "program for state agency coordination certified under ORS 197.180." These findings document compliance with OAR 660-012-0030 on page 29, OAR 660-012-0035 on page 30, OAR 660-012-0050 beginning on page 31, and OAR 660-012-0065 and OAR 660-012-0070 on page 32.

### **OAR 731-015-0065(5)**

#### **Requirement**

The Department shall present to the Transportation Commission the draft plan, findings of compatibility with the acknowledged comprehensive plans of affecting [sic] cities and counties and findings of compliance with applicable statewide planning goals.

#### **Finding**

The IAMP complies with 731-015-0065(5) because ODOT will present to the OTC a draft of this IAMP, which includes these findings. These findings address compatibility with the Jackson County Comprehensive Plan on page 52, below, and with the City of Phoenix Comprehensive Plan on page 54, below.

### **OAR 731-015-0075(1)**

#### **Requirement**

The Department shall involve affected cities, counties, metropolitan planning organizations, state and federal agencies, special districts and other interested parties in the development of project plans. The Department shall include planning officials of the affected cities, counties and metropolitan planning organization on the project technical advisory committee.

#### **Finding**

The Fern Valley Interchange Project complies with this requirement because the PDT for the project included representatives of the City of Phoenix, Jackson County, and

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<sup>43</sup> ORS 184.618 states:

- (1) As its primary duty, the Oregon Transportation Commission shall develop and maintain a state transportation policy and a comprehensive, long-range plan for a safe, multimodal transportation system for the state which encompasses economic efficiency, orderly economic development and environmental quality. The plan shall include, but not be limited to, aviation, highways, mass transit, pipelines, ports, rails and waterways. The plan shall be used by all agencies and officers to guide and coordinate transportation activities and to insure transportation planning utilizes the potential of all existing and developing modes of transportation.
- (2) As the plan is developed by the commission, the Director of Transportation shall prepare and submit to the commission for approval, implementation programs. Work approved by the commission to carry out the plan shall be assigned to the appropriate unit of the Department of Transportation.
- (3) The director and members of the commission shall give safety, economic development and the provisions of industrial site services priority in fund allocation decisions.

RVMPO, which is the metropolitan planning organization for the area. IAMP team members consulted the RVTD in formulating the Bus Stop and Transfer Site Coordination measure on page 21 and Shared Park-And-Ride Lot Help on page 21. Additional special districts will receive copies of the draft EA, which describes the IAMP.<sup>44</sup> FHWA personnel were invited to PDT meetings, attended some of the meetings, and reviewed drafts of the EA, including its description of the IAMP. The state and federal agencies listed below reviewed and concurred in the project's purpose and need, evaluation criteria, range of alternatives considered. ODOT will request their concurrence in the selection of the Preferred Alternative for the Fern Valley Interchange Project.

- FHWA
- Oregon Department of Environmental Quality
- Oregon Department of Fish and Wildlife
- Oregon Department of Land Conservation and Development (DLCD)
- Oregon Department of State Lands
- Oregon State Historic Preservation Office
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- National Marine Fisheries Service
- U.S. Environmental Protection Agency

### **OAR 731-015-0075(3)**

#### **Requirement**

. . . the Department shall rely on affected cities and counties to make all plan amendments and zone changes necessary to achieve compliance with the statewide planning goals and compatibility with local comprehensive plans after completion of the Draft Environmental Impact Statement or Environmental Assessment and before completion of the Final Environmental Impact Statement or Revised Environmental Assessment. These shall include the adoption of general and specific plan provisions necessary to address applicable statewide planning goals.

#### **Finding**

The IAMP will comply with OAR 731-015-0075(3) because, before completion of the Revised EA, ODOT will seek from the City of Phoenix adoption of this IAMP as part of the Phoenix Comprehensive and the amendments to the Comprehensive Plan in the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19. Under either of the build alternatives for the Fern Valley Interchange Project, ODOT will also seek a determination from Jackson County that the facilities, services, and measures in OAR 660-012-0035(10)(a), (b), and (c) cannot “reasonably satisfy the purpose” of the Fern Valley Interchange Project. See the findings on OAR 660-012-0035(10) on page 31.

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<sup>44</sup> These are Fire District #5, Medford Irrigation District, Rogue Valley Sanitary Service, and the Phoenix-Talent School District.

<sup>46</sup> ODOT, Oregon Transportation Plan, September 2006.

## Oregon Transportation Plan

The following addresses how the IAMP complies with policies of the Oregon Transportation Plan (OTP).<sup>46</sup> It addresses only polices that apply by their own terms to the project.

### *Strategy 1.2.1*

#### **Requirements**

\* \* \*

Where opportunities for coordination with other transportation service providers exist, work to integrate programs and align investments of service providers involved with the design, delivery and funding of mobility services.

\* \* \*

Promote frequent public transit, intercity bus and passenger rail services as a method to increase ridership and decrease travel times, especially during peak travel periods and along heavily traveled highway corridors.

#### **Finding**

The IAMP complies with Strategy 1.2.1 because the Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-And-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 are instances of ODOT taking opportunities to coordinate with other transportation service providers and promote increased ridership and decreased travel times on public transit.

### *Strategy 1.2.2*

#### **Requirements**

\* \* \*

Design new roadways and retrofit existing roadways to support multimodal functions (e.g. construct Americans with Disabilities Act (ADA) ramps, sidewalks, crossings, bus pullouts and bicycle facilities) within existing urban and rural communities, new developments, and especially locations where public transportation exists or will likely exist. Design roads to support operations that give priority to transit vehicles as appropriate.

#### **Finding**

The IAMP complies with Strategy 1.2.2 because the Bus Stop and Transfer Site Coordination measure on page 21 provides for ODOT to coordinate with the RVTD to decide between bus stops and bus pull-outs on OR 99, Fern Valley Road, and N. Phoenix Road and identify the best locations for them.

### *Strategy 2.1.1*

#### **Requirements**

Promote transportation demand management and other transportation system operations techniques that reduce peak period travel, help shift traffic volumes away from the peak period and improve traffic flow. Such techniques may include high occupancy vehicle lanes with express transit service, truck-only lanes, van/carpools, park-and-ride facilities, parking management programs, telework, flexible work schedules, peak period pricing, ramp metering, traveler information systems, traffic signal optimization, route diversion strategies, incident management and enhancement of rail, transit, bicycling and walking.

#### **Finding**

The IAMP complies with Strategy 2.1.1 because the Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-And-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 will reduce peak period travel, help shift traffic volumes away from the peak period, and improve traffic flow.

### *Strategy 4.3.1*

#### **Requirements**

Support the sustainable development of land with a mix of uses and a range of densities, land use intensities and transportation options in order to increase the efficiency of the transportation system. Support travel options that allow individuals to reduce vehicle use.

#### **Finding**

The IAMP complies with Strategy 4.3.1 because the Trip Budget measure on page 11 will avoid the development of a mix of land uses and land use densities and intensities that would congest the Fern Valley Interchange and surrounding roadway network, impairing their efficiency. The Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-And-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 also support travel options that allow individuals to reduce motor vehicle use.

## Strategy 7.3.1

### Requirements

In all phases of decision-making, provide affected Oregonians early, open, continuous, and meaningful opportunity to influence decisions about proposed transportation activities. When preparing and adopting a multimodal transportation plan, modal/topic plan, facility plan or transportation improvement program, conduct and publicize a program for citizen, business, and tribal, local, state and federal government involvement. Clearly define the procedures by which these groups will be involved.

### Finding

Strategy 7.3.1 applies to the IAMP because the IAMP is part of the facility plan for the Fern Valley Interchange Project. The IAMP complies with Strategy 7.3.1 because of the following:

- Beginning at the outset of development of the IAMP, ODOT held six joint meetings the PDT and the IAMP Subcommittee of the Citizens Advisory Committee (CAC) for the Fern Valley Interchange Project. The PDT included representatives of ODOT, the City of Phoenix, Jackson County, and the Rogue Valley Metropolitan Planning Organization. CAC members included area residents; landowners; business representatives; freight, bicycle and pedestrian advocates; and representatives of local jurisdictions. At the meetings, IAMP team members (from ODOT and its consultant) presented and obtained feedback on the role of IAMPs, related laws and policies, scenarios of future land use, forecasts of traffic volumes and v/c ratios, possible IAMP measures, and IAMP drafts. ODOT also sent members of the PDT and CAC IAMP Subcommittee a draft of the IAMP for their review and comment.
- IAMP team members consulted directly with representatives of the City of Phoenix and Jackson County on the formulation of IAMP measures.
- ODOT posted on its web site for the Fern Valley Interchange Project technical memoranda prepared in the development of the IAMP.
- As referenced on page 37, FHWA and DLCD were among the state and federal agencies which reviewed and concurred in the project's purpose and need, evaluation criteria, range of alternatives considered. ODOT will request their concurrence in the selection of the Preferred Alternative for the Fern Valley Interchange Project.
- ODOT discussed the Fern Valley Interchange Project with Indian tribes.<sup>47</sup>

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<sup>47</sup> ODOT discussed the project at meetings with the Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of Siletz, and the Cow Creek Band of the Umpqua Tribe of Indians. ODOT met with the Confederated Tribes of the Grand Ronde in April, June and December 2006; June and November 2007; and May 2008. ODOT met with the Confederated Tribes of Siletz in November 2005, 2006 and 2007. Neither tribe indicated concerns regarding the project. ODOT met with the Cow Creek Band of the Umpqua Tribe of Indians in November 2005, May 2006, September 2006, January 2007, and June 2007. The Cow Creek Band of the Umpqua Tribe of Indians deemed this project to be outside their area of interest.

## Oregon Highway Plan

The following addresses how the IAMP helps the Fern Valley Interchange Project comply with policies of the OTP.<sup>48</sup> It addresses only policies that apply by their own terms to the project.

### *Action 1A.1*

#### **Requirements**

Use the following categories of state highways, and the list in Appendix D, to guide planning, management, and investment decisions regarding state highway facilities:

**Interstate Highways** (NHS [National Highway System]) provide connections to major cities, regions of the state, and other states. A secondary function in urban areas is to provide connections for regional trips within the metropolitan area. The Interstate Highways are major freight routes and their objective is to provide mobility. The management objective is to provide for safe and efficient high-speed continuous-flow operation in urban and rural areas.

\* \* \*

**District Highways** are facilities of county-wide significance and function largely as county and city arterials or collectors. They provide connections and links between small urbanized areas, rural centers and urban hubs, and also serve local access and traffic. The management objective is to provide for safe and efficient, moderate to high-speed continuous-flow operation in rural areas reflecting the surrounding environment and moderate to low-speed operation in urban and urbanizing areas for traffic flow and for pedestrian and bicycle movements. Inside STAs [special transportation areas], local access is a priority. Inside Urban Business Areas, mobility is balanced with local access.

\* \* \*

#### **Finding**

The IAMP complies with Action 1A.1 because it uses the above classifications to determine the mobility performance standards applicable to intersections, then incorporates measures to achieve compliance with the mobility performance standards over the planning period. See:

- in Table C-1 of Appendix C, the classification of I-5 as an Interstate Highway;
- in Table C-1 of Appendix C, the classification as District Highways of OR 99 outside the Phoenix City Center couplet and the segments of Fern Valley Road and N. Phoenix Road over which ODOT has or will take jurisdiction;
- in Table C-2 of Appendix C, the OHP mobility performance standards applicable to the I-5 Mainline, the interchange ramp terminals, and these segments of OR 99, Fern Valley Road, and N. Phoenix Road;

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<sup>48</sup> ODOT, Oregon Highway Plan, Updated June 2006.

- in Tables 2A and 2B on pages 6 and 9 of the IAMP, applicable OHP mobility performance standards and forecasted 2030 v/c ratios under Scenario 1 “With Added Capacity” at the “critical intersections” involving the I-5 ramp terminals and the relevant segments of OR 99, Fern Valley Road, and N. Phoenix Road.

The forecasted 2030 v/c ratios at the critical intersections under Scenario 1 “With Added Capacity” show that the IAMP will achieve the mobility performance standards in the OHP. “Critical intersections” are intersections where forecasted 2030 v/c ratios approach or exceed the applicable standards without IAMP measures; forecasted v/c ratios at other intersections do not approach or exceed the applicable standards even without IAMP measures.

### *Action 1B.1*

#### **Requirements**

Actively pursue the objectives and designations in the Background, Intent and Actions in Policy 1B, as appropriate, through:

\* \* \*

- Facility and transportation system plans;

\* \* \*

Policy 1B, Land Use and Transportation, states:

This policy recognizes the role of both State and local governments related to the state highway system:

- State and local government must work together to provide safe and efficient roads for livability and economic viability for all citizens.
- State and local government must share responsibility for the road system.
- State and local government must work collaboratively in planning and decision-making relating to transportation system management.

It is the policy of the State of Oregon to coordinate land use and transportation decisions to efficiently use public infrastructure investments to:

- Maintain the mobility and safety of the highway system;
- Foster compact development patterns in communities;
- Encourage the availability and use of transportation alternatives;
- Enhance livability and economic competitiveness; and
- Support acknowledged regional, city and county transportation system plans that are consistent with this Highway Plan

## **Finding**

Action 1B.1 applies to the IAMP because the IAMP is part of the facility plan for the Fern Valley Interchange Project. The IAMP complies with Action 1B.1 for the following reasons:

- The IAMP is a collaboration between ODOT and the City of Phoenix under which ODOT will build the Fern Valley Interchange and expand the capacity of critical intersections in the interchange area and the City of Phoenix will both require developers to expand the capacity of other specified intersections, when needed, and regulate land development in the interchange area to avoid development that generates so much traffic that it impairs the efficient operation of the interchange. The Capacity Expansion and Retention measure on page 11 includes the capacity expansions which ODOT will make and which the City of Phoenix will require. The Trip Budget measure on page 11 is the means by which the City of Phoenix will regulate land development.
- The roles ODOT and the City of Phoenix will play in the management of the interchange area, including both the roadway network and land use, exemplify sharing of responsibility for the road system between state and local government.
- The collaboration between ODOT and the City of Phoenix in the development of the Fern Valley Interchange Project and the IAMP exemplify state and local government collaboration in planning and decision-making in transportation system management.
- The IAMP serves as an instrument to coordinate land use and transportation to maintain the mobility of the highway system. The Trip Budget measure will manage land use in the interchange area to avoid levels of traffic congestion that impair mobility.
- The Bus Stop and Transfer Site Coordination measure on page 21, Shared Park-and-Ride Lot Help measure on page 21, and Motor Vehicle Trip Reduction Designs and Programs measure on page 18 will encourage the availability and use of transportation alternatives by facilitating accommodation of bus stops, bus pull-outs, park-and-ride lots, and use of public transit.

### *Action 1B.2*

## **Requirement**

Use the rules, standards, policies and guidance developed by ODOT to implement Policy 1B. These include but are not limited to Oregon Administrative Rule Chapter 734, Division 51 on Access Management, the ODOT Highway Design Manual, ODOT Transportation System Plan Guidelines and ODOT Development Review Guidelines, LCDC Goal 12 on Transportation and the Transportation Planning Rule.

## **Finding**

The IAMP complies with Action 1B.2 because it applies Division 51 of Oregon Administrative Rule Chapter 734 to implement Policy 1B. See the findings on compliance with Oregon Administrative Rule Chapter 734-051 on page 46, below.

## Action 1B.6

### Requirement

Help protect the state highway function by working with local jurisdictions in developing land use and subdivision ordinances, specifically:

- A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;
- A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;
- Regulations assuring that amendments to land use designations, densities and design standards are consistent with the functions, capacities and highway mobility standards of facilities identified in transportation system plans including the Oregon Highway Plan and adopted highway corridor plans;
- Refinement of zoning and permitted and conditional uses to reflect the effects of various uses on traffic generation;
- Standards to protect future operation of state highways and other roads;

\* \* \*

### Finding

The IAMP effectuates Action 1B.6 in the following ways:

- The traffic impact study feature of the Trip Budget measure, as described on page 15, requires traffic impact analyses as part of the applications for all conditional use permits in the interchange area and that the analyses apply a methodology that ODOT has reviewed and approved. This will result in coordinated review of conditional use permits and planned unit developments, which will cover all development with the potential to generate high rates of motor vehicle trips.
- Two IAMP measures will apply conditions to development proposals to limit their impacts and protect the performance of the Fern Valley Interchange and area intersections. First, the Trip Budget measure on page 11 will limit primary PM peak-hour motor vehicle trip generation from new development in the interchange area to the maximum amount allowable without causing violation of the mobility performance standard at the OR 99/Fern Valley Road intersection. Second, the Motor Vehicle Trip Reduction Designs and Programs measure on page 18 will encourage applicants for development approval to propose specific designs and programs to reduce motor vehicle trip generation. These designs and programs will then become conditions of approval.
- The Jackson County Plan and Ordinance Provisions measure on page 22 will help ODOT ensure that amendments to Jackson County land use designations, densities and design standards applicable in the interchange area are consistent with the functions, capacities, and highway mobility standards of the Fern Valley Interchange and intersections in the interchange area.
- The traffic impact study feature of the Trip Budget measure, as described on page 15, will add six land use categories to the uses in the Commercial Highway zone

of the Phoenix Development Code for which a conditional use permit is required: retails sales and service less than 30,000 square feet of gross leasable area, high turnover sit-down restaurants, fast-food restaurants without drive-throughs, gyms, and daycare centers. This is a refinement of conditional uses to reflect the effects of various uses on traffic generation.

- The Alternative Mobility Standard at I-5 Ramp Terminal Intersections measure on page 20 sets a standard to protect the future operation of the Fern Valley Interchange.

### *Action 1B.8*

#### **Requirement**

Work with local governments to maintain the highway mobility standards on state highways by creating effective development practices through the following means:

\* \* \*

- Avoid the expansion of urban growth boundaries along Interstate and Statewide Highways and around interchanges unless ODOT and the appropriate local governments agree to an interchange management plan to protect interchange operation or an access management plan for segments along non-freeway highways.

#### **Finding**

The Jackson County Plan and Ordinance Provisions measure on page 22 effectuates Action 1B.8 by affording ODOT the ability to negotiate conditions to protect the operation of the Fern Valley Interchange before the Phoenix and Medford UGBs are expanded in the interchange area.

### *Action 1F.1*

#### **Requirement**

Apply the highway mobility standards . . . in Table 6 to all state highway sections located outside of the Portland metropolitan area urban growth boundary . . .

#### **Finding**

The IAMP complies with Action 1F.1 because it applies the mobility standards in Table 6 of the OHP. See the findings for Action 1A.1 on page 41.

### *Action 2D.1*

#### **Requirement**

Conduct effective public involvement programs that create opportunities for citizens, businesses, regional and local governments, state agencies, and tribal governments to comment on proposed policies, plans, programs, and improvement projects.

#### **Finding**

The IAMP complies with Action 2D.1. See the findings for OTP Strategy 7.3.1 on page 40.

### *Action 2D.3*

#### **Requirement**

Coordinate with local governments and other agencies to ensure that public involvement programs target affected citizens, businesses, neighborhoods, and communities, as well as the general public.

#### **Finding**

The IAMP complies with Action 2D.3 because ODOT coordinated with the City of Phoenix when it named members of the CAC, as described on page 40. The CAC was the principal means of securing public involvement on the Fern Valley Interchange Project, including the IAMP. It included affected citizens and representatives of businesses and the neighborhood located in the area most impacted by the interchange project.

### **OAR 734-051-0155, Access Management Plans and Interchange Area Management Plans**

#### *OAR 734-051-0155(1)*

#### **Requirement**

The Department encourages the development of Access Management Plans and Interchange Area Management Plans to maintain and improve highway performance and safety by improving system efficiency and management before adding capacity. Access Management Plans and Interchange Area Management Plans:

- (a) Must be consistent with Oregon Highway Plan;
- (b) Must be used to evaluate development proposals; and
- (c) May be used to determine mitigation for development proposals.

## **Finding**

The IAMP complies with OAR 734-051-0155(1). As described above starting on page 41, the IAMP is consistent with the OHP. ODOT will use the IAMP to evaluate development proposal in the IMA. ODOT may use the IAMP to determine mitigation for development proposals in the IMA.

*OAR 734-051-0155(2)*

## **Requirement**

Access Management Plans and Interchange Area Management Plans must be adopted by the Oregon Transportation Commission as a transportation facility plan consistent with the provisions of OAR 731-015-0065. Prior to adoption by the Oregon Transportation Commission, 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.

## **Finding**

The IAMP complies with OAR 734-051-0155(2). The OTC will adopt the IAMP as a transportation facility plan. As discussed beginning on page 33, adoption will be consistent with OAR 731-015-0065. ODOT worked with the City of Phoenix on amending the Phoenix Comprehensive Plan to include this IAMP and make the changes in the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19. ODOT also worked with the City of Phoenix to amend its development code to implement the Trip Budget measure on page 11, the Oregon 99 Setback Overlay Zone measure on page 19, the Motor Vehicle Trip Reduction Designs and Programs measure on page 18.

*OAR 734-051-0155(7)*

## **Requirement**

OAR 734-051-0155(7) begins by stating:

An Interchange Area Management Plan is required for new interchanges and should be developed for significant modifications to existing interchanges.

## **Finding**

The Fern Valley Interchange Project will completely replace the existing Fern Valley Interchange. This IAMP complies with this portion of OAR 734-051-0155(7).

## Requirement

OAR 734-051-0155(7) also states:

An Interchange Area Management Plan must comply with the following criteria, unless the Plan documents why compliance with a criterion is not applicable:

The following lists each criterion and states how the IAMP meets the criterion.

### OAR 734-051-0155(7)(a)

#### Requirement

Be developed no later than the time an interchange is designed or is being redesigned.

#### Finding

This IAMP was developed during preparation of the EA and before selection of a preferred alternative for the Fern Valley Interchange, so before the time the new interchange is designed.

### OAR 734-051-0155(7)(b)

#### Requirement

Identify opportunities to improve operations and safety in conjunction with roadway projects and property development or redevelopment and adopt policies, provisions, and development standards to capture those opportunities.

#### Finding

Development of this IAMP identified the following opportunities to improve operations in conjunction with roadway projects and property development or redevelopment and measures to capture the opportunities.

<b>Opportunity</b>	<b>Measure</b>	<b>Page No.</b>
• Expand intersection capacity to achieve applicable mobility performance standard	• Capacity Expansion and Retention	11
	• Trip Budget	11
• Limit trip generation from new development and redevelopment to avoid violations of applicable mobility performance standards	• Motor Vehicle Trip Reduction Designs and Programs	18
	• Alternative Mobility Standard at I-5 Ramp Terminal Intersections	20
	• Jackson County Plan and Ordinance Provisions	22
• Reduce motor vehicle trips by supporting transit use, biking, and walking	• Motor Vehicle Trip Reduction Designs and Programs	18
	• Bus Stop and Transfer Site Coordination	21
	• Shared Park-and-Ride Lot Help	21

The safety aspect of the criterion in OAR 734-051-0155(7)(b) is not applicable to this IAMP because the IAMP does not include an access management plan and does not

address safety-related aspects of operations. However, other components of the project development process addressed safety issues, as documented in the EA referenced on page 1. These included traffic queues on the off-ramps extending back onto I-5, discontinuous sidewalks and the lack of dedicated bike lanes, the location of driveways close to intersections, and the crash rate for the section of OR 99 between the north city limits and Bolz Road being more than double the 2003 statewide average rate for similar roadways. See also the traffic analysis report.<sup>49</sup>

### **OAR 734-051-0155(7)(c)**

#### **Requirement**

Include short, medium, and long-range actions to improve operations and safety within the designated study area.

#### **Finding**

The measures in this IAMP meet the operations aspect of this criterion because they will improve operations in the IMA in the short, medium, and long terms. Inclusion of short, medium, and long-range actions is needed for access management measures to take advantage of opportunities that arise when development, redevelopment, and street improvement projects occur in the future. However, this IAMP does not include an access management plan. For this reason, the safety aspect of the criterion in OAR 734-051-0155(7)(c) is not applicable. As noted above, the EA referenced on page 1 and the traffic analysis report in Appendix E document how the design of the project addresses safety issues.

### **OAR 734-051-0155(7)(d)**

#### **Requirement**

Consider current and future traffic volumes and flows, roadway geometry, traffic control devices, current and planned land uses and zoning, and the location of all current and planned approaches.

#### **Finding**

The traffic analysis in Appendix E of this IAMP demonstrates that IAMP development considered current and future traffic volumes and flows, roadway geometry, traffic control devices, and the location of all current and planned approaches. The land use scenarios in Appendix F demonstrate that IAMP development considered current and planned land uses and zoning.

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<sup>49</sup> ODOT Transportation Planning Analysis Unit, Fern Valley Interchange, Unit 2a Environmental Assessment Project, Pacific Highway #1 Traffic Analysis, *MP 24.00 to MP 25.00*, December 2007.

### **OAR 734-051-0155(7)(e)**

#### **Requirement**

Provide adequate assurance of the safe operation of the facility through the design traffic forecast period, typically 20 years.

#### **Finding**

This criterion does not apply to the IAMP because the IAMP does not include an access management plan. As noted above, the EA referenced on page 1 and the traffic analysis report in Appendix E document how the design of the project addresses safety issues.

### **OAR 734-051-0155(7)(f)**

#### **Requirement**

Consider existing and proposed uses of all the property within the designated study area consistent with its comprehensive plan designations and zoning.

#### **Finding**

The land use scenarios in Appendix F demonstrate that IAMP development considered existing and proposed uses of all the property within the designated study area consistent with its comprehensive plan designations and zoning. See, in particular, Annexes 1 and 2 of Appendix F.

### **OAR 734-051-0155(7)(g)**

#### **Requirement**

Be consistent with any applicable Access Management Plan, corridor plan or other facility plan adopted by the Oregon Transportation Commission.

#### **Finding**

This criterion does not apply because there is no applicable access Management Plan, corridor plan, or other facility plan adopted by the OTC.

### **OAR 734-051-0155(7)(h)**

#### **Requirement**

Include polices, provisions and standards from local comprehensive plans, transportation system plans, and land use and subdivision codes that are relied upon for consistency and that are relied upon to implement the Interchange Area Management Plan.

#### **Finding**

**City of Phoenix.** Figures 3 and 4 on pages 23 and 26 of the IAMP and page D-11 to D-29 of Appendix D contain the policies, provisions, and standards from the City of Phoenix Comprehensive Plan and Land Development Code which the IAMP relies on for consistency and to implement the IAMP.

**Jackson County.** Figures 3 and 4 on pages 23 and 26 of the IAMP, pages D-8 to D-11 of Appendix D, Appendix J, and Appendix K contain the Jackson County Comprehensive Plan and Current Land Development Ordinance provisions which the IAMP relies on for consistency and to implement the IAMP.

## REGIONAL AND LOCAL PLANS AND POLICIES

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. . .”

### Regional Transportation Plan

The RTP includes the Fern Valley Interchange Project as a Tier 1 transportation improvement. It lists it as project 902, “I-5: Fern Valley Interchange, Unit 2,” and characterizes its timing as “short.”<sup>50</sup> The description reads “Reconstruct interchange; realign, widen connecting roads; replace Bear Creek bridge.”

The following addresses how the IAMP is consistent with policies of the RTP. It addresses only polices that apply by their own terms to the Fern Valley Interchange Project and this IAMP.

### Goal 6

#### Requirement

Use incentives and other strategies to reduce reliance on single occupant vehicles.

##### Policies

- 6-1: Support Transportation Demand Management strategies.
- 6-2: Facilitate alternative parking strategies to encourage walking, bicycling, carpooling and transit.
- 6-3: Enhance Bicycle and Pedestrian Systems.
- 6-4: Support transit service.

#### Finding

The Motor Vehicle Trip Reduction Designs and Programs on page 18 takes advantage of the incentive to reduce motor vehicle trips developers have when they apply for planning approvals to encourage them to reduce motor vehicle trips. The incentives come from the need to comply with the TPR and the Trip Budget measure and the financial benefit of maximizing development. Possible designs and programs are listed on page 18. The measure implements Policies 6-1 through 6-4. In addition, the Bus Stop and Transfer Site

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<sup>50</sup> Regional Transportation Plan, op. cit., Table 5.5.2, Chapter 5.1, p. 5.

Coordination measure on page 21 and Shared Park-and-Ride Lot Help measure on page 21 help implement Policy 6-4.

### *Policy 7-1*

#### **Requirement**

Coordinate existing and future land use and development with plans for the transportation system.

#### **Finding**

The IAMP coordinates existing and future land use and development with plans the transportation system by:

- determining the amount of traffic new development in the interchange area may add to the roadway network without causing traffic volumes to violate applicable mobility performance standards (see Appendix E), and
- including the Trip Budget measure on page 11 to place needed limits on the amount of traffic new development in the interchange area may add.

### **Jackson County Comprehensive Plan**

The Jackson County TSP incorporates by reference the Fern Valley Interchange project because it “incorporates by reference, the RTP for all regionally significant transportation facilities within the MPO area.”<sup>51</sup> As stated above, the RTP includes the Fern Valley Interchange project as a Tier 1 transportation improvement. The following addresses how the IAMP is consistent with applicable policies of the Jackson County TSP. It addresses only polices that apply by their own terms to the Fern Valley Interchange Project and this IAMP. Other components of the Jackson County Comprehensive Plan do not contain policies that apply.

#### ***Policy 4.2.1-B***

#### **Policy**

Roadway Improvement Projects will be consistent with the functional classification designations (arterial, major collector, etc.) in the TSP.

#### **Finding**

The improvements to N. Phoenix Road north of the Phoenix UGB will exceed TSP standards. Those standards call for one 12-foot wide travel lane in each direction and 5-foot, 6-inch shoulders.<sup>52</sup> The improvements to N. Phoenix Rd. will include two 12-foot wide travel lanes in each direction, 6-foot wide shoulder/bike lanes, and 6-foot wide

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<sup>51</sup> Jackson County, Oregon, Transportation System Plan, May 16, 2005, Strategy 4.2.1-K, p. 32.

<sup>52</sup> Jackson County Transportation System Plan, p. 56.

sidewalks. The cross-section will taper to reconnect to existing N. Phoenix Road near Campbell Road.

### **Policy 4.2.1-S**

#### **Policy**

Jackson County is committed to maintaining a volume to capacity ratio of 0.95 for weekday peak hour vehicular traffic in the MPO area.

#### **Finding**

The v/c ratio on N. Phoenix Road north of the Phoenix UGB is forecasted to be below 0.9. The forecasted 2030 v/c ratio at the N. Phoenix Road intersection with the S. Phoenix Road Extension and Grove Way is 0.77.<sup>54</sup> These are the intersections closest to the UGB.

### **Jackson County Current Land Development Ordinance**

The Fern Valley Interchange Project is compatible with the Jackson County Current Land Development Ordinance (LDO) because the LDO provides for the issuance of permits for it. As stated on page 32, the North Phoenix Thru Alternative would not require exceptions to Statewide Planning Goals. This is because the improvements to N. Phoenix Road outside the Phoenix UGB fall within OAR 660-012-0065(3)(d), which exempts them from the requirement of Goal exceptions. LDO section 4.2.9.B.2 states “Roads, highways, and other transportation facilities and improvements that are listed in OAR 660-012-0065(3)(c) through (o) may be allowed as Type 2 uses.”<sup>56</sup>

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<sup>54</sup> This is the value for Scenario 1, Proposed Project With Added Capacity, in Table 2B on p. 9.

<sup>56</sup> Ibid., Chapter 4, p. 25.

## City of Phoenix Comprehensive Plan

The following addresses how the IAMP is compatible with applicable policies of the City of Phoenix Comprehensive Plan.<sup>57</sup> It addresses only policies that are related to the Fern Valley Interchange Project and this IAMP.

### *1984 Comprehensive Plan*

#### **Goal 4**

##### **Policy**

To minimize transportation-related energy consumption through appropriate land use planning and an emphasis on non-motorized transportation alternatives.

##### **Finding**

The Trip Budget measure on page 11, Motor Vehicle Trip Reduction Designs and Programs measure on page 18, Bus Stop and Transfer Site Coordination measure on page 21, and Shared Park-and-Ride Lot Help measure on page 21 are land use planning measures that will help minimize transportation-related energy consumption and will support walking and biking as alternatives to motor vehicle transportation.

### *1999 Economic Element*

#### **Policy 4.2**

##### **Policy**

Within the Fern Valley Road Interchange area (including all lands east of Bear Creek Bridge within the UGB) any annexation, zone change, or change of existing uses which is expected to significantly increase travel demand in the interchange area must be predicated upon facts (supported by special traffic studies) and findings that sufficient capacity exists or will be available upon completion of funded improvement(s) to satisfy the proposed development's travel demand (including background traffic) concurrent with its opening.

##### **Finding**

The Trip Budget measure on page 11 implements this policy in the area of the Trip Budget Overlay Zone. Note that the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19 calls for the amendment of this policy to make it consistent with the TPR.

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<sup>57</sup> City of Phoenix, last revised 2003.

## **Policy 4.3**

### **Policy**

The Fern Valley Interchange and Fern Valley Road within the City's UGB are regionally significant transportation facilities. Developments occurring outside of the interchange area (in Southeast Medford and rural Jackson County) have the potential to exhaust the interchange's remaining unused capacity. The transportation impacts of Southwest Medford and Jackson County developments, like those of development within the interchange area, should also be offset by improvements, when necessary, to ensure "sufficient capacity" in the interchange area and ensure the protection of the public's health, safety and general welfare. The City shall endeavor to: 1) secure regional support for interchange improvements, and 2) participate in any land use action that will "significantly increase travel demand" in the interchange area (p. 36).

### **Finding**

The South Valley Transportation Strategy measure on page 22 addresses the concern this policy expresses and provides for collaboration between the City of Phoenix and ODOT to work with Jackson County, Medford, Talent, and Ashland to avoid through traffic causing violation of mobility performance standards on the Fern Valley Interchange.

### *Land Use Element, 2003*

## **Policy 1.1.1**

### **Policy**

The Planning Commission and City Council shall only consider major amendments to the Plan during the City's periodic review. In that way, major amendments 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.

## **Finding**

The City of Phoenix may adopt this IAMP as part of the City's Comprehensive Plan and make the amendments in the Other Amendments to the City of Phoenix Comprehensive Plan measure on page 19 outside of periodic review<sup>58</sup> because doing so does not fall within the definition of a "major amendment," as quoted above. It does not include land use changes; a qualitative change in the character of land use, such as conversion of residential to industrial use; a spatial change that affects large areas or many different ownerships; or an amendment to the UGB.

## *Transportation Element, 1999*

### **Goal 2**

The City shall coordinate its transportation decision-making with other land use planning decisions and with public agencies providing transportation services or facilities.

### **Finding**

The Trip Budget measure on page 11 provides a mechanism for implementing this policy with regard to ODOT in the area of the Trip Budget Overlay Zone. The traffic impact study feature of the Trip Budget measure, as described on page 15, requires traffic impact analyses as part of the applications for all conditional use permits in the interchange area and that the analyses apply a methodology that ODOT has reviewed and approved. This will result in coordinated review of conditional use permits and planned unit developments, which will cover all development with the potential to generate high rates of motor vehicle trips.

### **Goal 3**

### **Policy**

Utilize the volume to capacity standards specified in Table 4-3 to determine transportation facility adequacy.

### **Finding**

The Fern Valle Interchange Project and this IAMP are consistent with this policy because forecasted v/c ratios with the Capacity Expansion and Retention measure on page 11 under both build alternatives are below 0.90. This is the standard in Table 4-3 of the Transportation Element for all affected roadways. This result applies to both roadway segments which will be under ODOT jurisdiction and roadway segments which will remain under City of Phoenix jurisdiction. The standard of 0.90 is the same as the ODOT planning standard for the segments of these roadways under ODOT jurisdiction. Tables 2A and 2B on pages 6 and 9 show that forecasted v/c ratios on the listed roadway segments are below 0.90 under land use scenario 1 with added capacity. The added

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<sup>58</sup> The next scheduled periodic review of the Phoenix Comprehensive Plan is December 2, 2010.

capacity comes from the Capacity Expansion and Retention measure. These tables include only intersections where forecasted v/c ratios approach or exceed the applicable standard; v/c ratios at other intersections in the interchange area are lower. Also see Figures B4 and B5 in Appendix E.

### **Policy 3.3**

#### **Policy**

Within the Fern Valley Road/Interstate 5 Interchange area (including all lands located east of the Bear Creek Bridge within the Urban Growth Boundary) any request for annexation, zone change, or a change of use which are expected to significantly increase travel demand in the interchange area must be accompanied by at least a conceptual land use plan and a detailed traffic study as prepared by a licensed traffic engineer that evaluates the traffic impact the proposed use of the site will have on the traffic in the area. The traffic study shall also identify traffic mitigation measures that are intended to minimize the traffic impacts that development of the site will have on the area. The mitigation measures shall become conditions of land use approval as determined applicable by the City and shall be constructed concurrent with development of the site, or in the case of Transportation Demand Management strategies, the programs shall be implemented concurrent with the projects opening.

#### **Finding**

The Trip Budget measure on page 11 implements this policy in the area of the Trip Budget Overlay Zone.

#### **City of Phoenix Land Development Code**

The Fern Valley Interchange Project is compatible with the City of Phoenix Development Code because the Zoning Code Provision on Transportation Facilities measure on page 18 will enable the City of Phoenix to add provisions to its zoning code which apply its zoning authority to transportation improvements made independently of land development. The existing Development Code is silent on such improvements.

