



STAFF REPORT

File: CP25-01 – Urban Growth Boundary Amendment

Location: 38-1W-05D-1300 & 1400

Land Use District: Exclusive Farm Use/Rural Residential

Date Notice Mailed: September 15, 2025

Date of Hearing: October 13, 2025

Prepared By: Joe Slaughter, Contract Planner

I. OWNER

South Stage LLC
3929 Monte Vista Drive
Medford, OR 97504

II. AGENT

CSA Planning, Ltd.
Jay Harland
4497 Brownridge Terrace, Ste 101
Medford, OR 97504



III. PROJECT INFORMATION

Request for a Minor Comprehensive Plan Map amendment to add approximately 24.5 acres of land, from Urban Reserve Area PH-1a, to the City's Urban Growth Boundary (UGB), and to amend the Urbanization Element of the Comprehensive Plan to account for past and proposed change to the UGB.

IV. BACKGROUND AND DISCUSSION

An application for a quasi-judicial, minor map amendment was submitted to the City for review by CSA Planning, Ltd (Agent) on behalf of the property owner, South Stage LLC (Applicant), on March 12, 2025. The City conducted a completeness review of the application and deemed it incomplete on April 11, 2025. Upon receiving the additional information requested, the application was deemed complete on August 1, 2025.

The application requests the City amend its UGB to add approximately 24.5 acres of land, consisting of approximately .33 acres of public road right-of-way, 2.4 acres of Central Oregon and Pacific Railroad ("CORP") right-of-way, and 21.8 acres of property zoned Exclusive Farm Use and Rural Residential 5 owned by South Stage LLC and situated next to the northwest extent of the existing Phoenix municipal limits. The request is to also amend the City's Comprehensive Plan Map to map the subject properties as Industrial.

The subject properties, being Map Lot 38-1W-05D-1400 and the portion of Map Lot 38-1W-05D-1300 located within the PH-1a Urban Reserve, are owned in fee simple by the South Stage LLC.

The application included three volumes:
Volume No. 1: Findings of Fact and Conclusions of Law
Volume No. 2: Atlas
Volume No. 3: Boundary Location Analysis
Application materials are attached as Exhibit “A” to this report.

Staff recommends the Planning Commission adopt the findings of the Applicant, which demonstrate conformance with Chapter 4.7 of the LDC, as its own.

Per the Regional Plan Element of the Comprehensive Plan, the City must adopt conceptual land use and transportation plans for areas added to the City’s Urban Reserve through the Regional Problem Solving Process (RPS) prior to considering these areas for UGB expansion. A City Council draft Resolution No. 1148 (attached Exhibit “B”), will be considered at the City Council’s October 6, 2025 meeting. If passed, resolution would adopt the Conceptual Land Use Plan for PH-1a and a Conceptual Transportation Plan for PH-1 and PH-1a reviewed by the Planning Commission at the September 22, 2025 meeting.

The City adopted a new Urbanization Element on June 7, 2021 through Ordinance No. 1014 in anticipation of the UGB amendment adopted in 2022. If the proposed UGB amendment is approved, the City will also amend the Urbanization Element to account for the changes approved through both the 2022 UGB amendment and the current application (attached Exhibit “C”).

The approval of this application by the City of Phoenix will result in the amendment of the City’s UGB and Comprehensive Plan Map as shown in Exhibit “D”.

V. AGENCY COMMENTS

None (as of September 29, 2025)

VI. PUBLIC COMMENTS

None (as of September 29, 2025)

VII. RECOMMENDATION

Staff recommends the Planning Commission move to adopt the findings of the Applicant, demonstrating conformance with Chapter 4.7 of the LDC, as its own.

Staff also recommends the Planning Commission move to recommend, to City Council, approval of application number CP25-01 as presented by staff.

VIII. PROPOSED MOTION

Motion #1:

“I move to adopt the findings of the Applicant, along with the other materials from the Applicant demonstrating compliance with applicable portions of the Phoenix Land Development Code, Phoenix Comprehensive Plan, the Urban Growth Boundary Management Agreement between the City of Phoenix and Jackson County, and the Statewide Planning Goals, along with other materials presented in the Planning Commission Staff Report, as the basis of the Planning Commission recommendation to City Council.”

Motion #2:

“I move to recommend approval of application number CP25-01 for a Comprehensive Plan Map amendment to add 24.5 acres to the City of Phoenix Urban Growth Boundary (UGB) and to amend the Urbanization Element of the Comprehensive Plan, as presented by staff.”

IX. EXHIBITS

- A – Application (Volumes No. 1, 2, & 3)
- B – Resolution No. 1148
- C – Draft Changes to Urbanization Element
- D – Draft Revised Comprehensive Plan Map
- E – Draft Planning Commission Final Order

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Zac Moody', is positioned above the printed name.

Zac Moody
Community Development Director

EXHIBIT “A”

TYPE IV APPLICATION

OFFICIAL USE ONLY

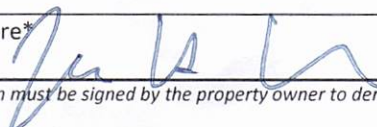
File # CP25-01 Fee Paid _____
 Date Received _____ Receipt # _____
 Received by _____

Location	Site Address 2195 Voorhies Road			Zone RR-5 & EFU
	Township / Range 38-1W-	Section(s) 05D	Tax Lot(s) 1400 & 1300	Overlay(s) None

Contact	Owner	Name South Stage LLC			
		Mailing address 3929 Monte Vista Drive	City Medford	State OR	Zip 97504
		Phone	Email		
	Applicant	Name South Stage LLC			
		Mailing address	City	State	Zip
		Phone	Email		
	Agent	Name CSA Planning, Ltd.			
		Mailing address 4497 Brownridge Terrace, Ste 101	City Medford	State OR	Zip 97504
		Phone 541-779-0569	Email jay@csaplanning.com		

Project Type	☐ Annexation	☒ Comprehensive Plan Amendment
	☐ Code Amendment	☐ Zoning Map Change
	Brief Description Urban Growth Boundary Amendment for Employment Lands	

Required Submittals	☒ Plot Plan / Site Plan
	☒ Applicant Narrative (addressing all applicable Phoenix Land Development Code requirements)
	☒ Supplemental Information (as necessary)

Consent & Certification	I hereby state that the facts related in the above application and the plans and documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.		
	Signature* 	☐ Applicant	☒ Agent

* This application must be signed by the property owner to demonstrate consent. Alternatively, a Letter of Authorization on City letterhead may be accepted.

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lots 1300 and 1400 of Jackson County Assessor map 38-1W-05D.

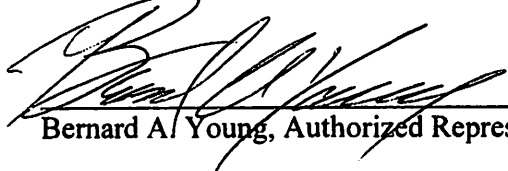
LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of South Stage LLC, the owners and or applicant of the above described real property, and, by this instrument, owners and applicant do hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through Jackson County and City of Phoenix as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned owner and or applicant and shall expire on December 31, 2027, but may be extended by the mutual consent of the parties.

Done and dated this 5th day of March, 2025.

SOUTH STAGE, LLC


Bernard A. Young, Authorized Representative

Volume No. 1

Phoenix Industrial Park Urban Growth Boundary Amendment Application

Findings of Fact & Conclusions of Law

South Stage LLC

March 11, 2025



CSA Planning, Ltd

www.csaplanning.com

4497 Brownridge, Ste 101

Medford, OR 97504-9173



March 11, 2025

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Phoenix, OR 97535

Jackson County
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RE: Volume 1 Findings of Fact and Conclusions of Law

Dear Phoenix City Council and Jackson County Board of Commissioners,

This document constitutes the ***Volume 1 Findings of Fact and Conclusions of Law*** submittal for the requested Urban Growth Boundary Amendment (UGB) for the Phoenix Industrial Park in the City of Phoenix, Oregon. This document constitutes the regulatory findings for property owned by the Applicant South Stage LLC in support of this UGB amendment request. The Volume 1 document contains the following fundamental components:

- Application Scope Summary
- Evidence List
- Procedural Conclusions of Law
- Findings of Fact
- Conclusions of Law
- Appendix of Detailed Facts and Information

The submittal also contains the *Volume 2 Atlas & Volume 3 Boundary Location Analysis*.

This document (Volume 1) identifies all the relevant approval standards necessary to support a quasi-judicial Urban Growth Boundary Amendment. For each approval standard, the document provides detailed conclusions of law that explain how the subject application can be found to satisfy the applicable criteria

Volume 1 is intended to be adopted as part of the respective County and City planning commissions' findings of fact and conclusions of law in executing recommendations for approval of the application herein. Through the respective planning commission recommendations this document is intended to ultimately be adopted by the County and City upon review and approval of the Planning Commissions' recommendations.

The state's planning requirements for Goal 14 require complex analyses and detailed conclusions of law that provide room for subjective analytic decisions and legal interpretation. We believe the analysis, findings of fact, and conclusions of law are all conclusions that a reasonable person could reach and are consistent in all ways with the relevant and applicable case law. Thus, we believe this document serves as sufficient legal basis to amend the urban growth boundary to add these lands to the City of Phoenix UGB in order to satisfy employment land needs.

Respectfully Submitted,

CSA Planning, Ltd.

A handwritten signature in blue ink, appearing to read 'Jay Harland', is written over the printed name.

Jay Harland
President

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1 NATURE AND SCOPE OF APPLICATION

1.1 Application Summary

The subject application requests approval of a minor map amendment to amend the City of Phoenix and Jackson County Comprehensive Plan Maps. The application requests the following land use approvals:

- 1) Minor UGB Amendment to add approximately 24.5 acres of land, consisting of approximately .33 acres of public road right-of-way, 2.4 acres of Central Oregon and Pacific Railroad (“CORP”) right-of-way, and 21.8 acres of property zoned Exclusive Farm Use and Rural Residential 5 owned by South Stage LLC and situated next to the northwestern extent of the existing Phoenix municipal limits.
- 2) Amend the City’s Comprehensive Plan Map to map the subject properties as Industrial, see proposed Comprehensive Plan Map at Atlas Page 18.

The subject properties, being Maplot 38-1W-05D-1400 and the portion of Maplot 38-1W-05D-1300 located within the PH-1a Urban Reserve, are owned in fee simple by the Stage Pass LLC, henceforth referred to as “the Applicant” unless otherwise noted. These areas total approximately 25.35 acres of land, with approximately 21.8 acres being located within Urban Reserve PH-1a. Tax Lot 1300 is designated as Agricultural Land on the County’s Comprehensive Plan and zoned Exclusive Farm Use (EFU) on the County’s zoning map. Tax Lot 1400 is designated as Rural Residential Land on the County’s Comprehensive Plan and zoned as Rural Residential 5 (RR-5). The properties will retain the County zoning following inclusion in the UGB until such time as the properties are annexed and the appropriate City of Phoenix zoning is applied. In addition to the portion of the subject properties located within PH-1a, the area to be amended includes approximately 2.7 acres of road and railroad right-of-way.

This application is being sought to accommodate the need for additional employment land within the City of Phoenix. The subject property provides an ideal location for the provision of employment lands and has the unique feature of offering a rail siding for future industrial users, a feature otherwise lacking across the southern half of the Rogue Valley.

1.2 Regional Problem Solving Plan

The subject property is within Urban Reserve Area PH-1a, a planned Urban Reserve area for the City of Phoenix in the adopted and acknowledged Greater Bear Creek Valley Regional Problem Solving (“RPS”) plan. Jackson County adopted the RPS plan through Ordinance 2012-6 and the City of Phoenix adopted and incorporated the RPS plan into its Comprehensive Plan through Ordinance No. 940 as the Regional Plan Element. No special restrictions are placed upon uses in PH-1a via the adoption of the RPS, as is exists in some but not all other urban reserve areas. The distribution of uses in PH-1a was adopted as 100% employment.

1.3 Procedural Overview

The subject application is a *minor* quasi-judicial UGB amendment that is less than fifty acres. Quasi-judicial UGB amendments of this size and scope are essentially subject to the same procedures as amendments to the County’s Comprehensive Plan. The RPS Urban Reserve Area Management Agreement (URAMA or URMA) establishes that the Urban Growth Boundary

Management Agreement (UGBMA)¹ between Jackson County and Phoenix remains in full force and in effect. Pursuant to said UGBMA, “Minor adjustments” to the Phoenix Urban Growth Boundary (UGB) may be considered subject to similar procedures used by the City and County in hearing zoning requests. A minor amendment is defined as “focusing on specific individual properties and not having significant impacts beyond the immediate area of change.” For this reason, the subject minor UGB application is filed with Jackson County and with the City of Phoenix. While termed a *minor* amendment from a legal perspective, UGB amendments require analysis of land needs, lands supplies and alternative sites analyses, and this application includes the same.

The Applicant herewith requests, and the UGBMA and JCLDO both provide for, this matter to be jointly heard by the Jackson County Planning Commission and the Phoenix Planning Commission. The County and City Planning Commissions will make a recommendation to the County and City for final decision.

2 EVIDENCE LIST

Applicant herewith submits the following evidence in support of the requested quasi-judicial minor Urban Growth Boundary Amendment. The subject application is submitted in three volumes. The multi-volume submittal is intended to differentiate the pure legal case found in Volume 1 from the principal analytic, evidentiary and graphic components found in Volume 2 and Volume 3.

2.1 Volume 1 Applicant’s Findings of Fact and Conclusions of Law and Appendix of Fact Details (This Document)

2.2 Volume 2 Atlas

Volume 2 contains graphical representations relevant to the land use application. Most of these are maps of the subject property and lands analyzed under the Goal 14 boundary location factors and priority lands statute.

2.3 Volume 3 Boundary Location Analysis

Volume 3 contains the analysis required by ORS and OAR using the Goal 14 Boundary Location Factors to determine if lands within the UGB can accommodate the identified land need and, if it cannot be accommodated, which lands are appropriate for UGB expansion.

¹ The UGBMA was originally adopted in 1995 by Jackson County through Ordinance 95-20 and the by City through file 94-3-UBGA. An updated UGBMA was subsequently updated in 2022 that superseded the previous version.

3 PROCEDURAL CONCLUSIONS OF LAW

Quasi-judicial UGB amendments share many procedural requirements with other types of minor Comprehensive Plan Map amendment proceedings. However, minor UGB amendments also have some procedures that are unique because they require simultaneous adoption by both Jackson County and the City of Phoenix. Therefore, the Jackson County Planning Commission and the City of Phoenix Planning Commission herewith recommend to, and the Jackson County and City accept such recommendation, and herewith adopt as its own, the following procedural conclusions of law with respect to this matter.

Henceforth in the conclusions of law in Sections 3 and 5 herein, where the phrase, “the County and City conclude” appears, this phrase shall be read to foreshorten and be synonymous with the statement, “the Jackson County Planning Commission and the City of Phoenix Planning Commission herewith conclude and recommend that the County and City accept such recommendation and conclude”.

3.1 State of Oregon Procedural Requirements

Urban Growth Boundaries are foundational to the State’s land use planning program. ORS 197 and related rules are directed at implementing this system and the procedures to amend the urban growth boundary are addressed herein.

3.1.1 Oregon Revised Statutes

197.626 Submission of land use decisions that expand urban growth boundary or designate urban or rural reserves. (1) A local government shall submit for review and the Land Conservation and Development Commission shall review the following final land use decisions in the manner provided for review of a work task under ORS 197.633 and subject to subsection (3) of this section:

- (a) An amendment of an urban growth boundary by a metropolitan service district that adds more than 100 acres to the area within its urban growth boundary;
- (b) An amendment of an urban growth boundary by a city with a population of 2,500 or more within its urban growth boundary that adds more than 50 acres to the area within the urban growth boundary;
- (c) A designation of an area as an urban reserve under ORS 195.137 to 195.145 by a metropolitan service district or by a city with a population of 2,500 or more within its urban growth boundary;
- (d) An amendment of the boundary of an urban reserve by a metropolitan service district;
- (e) An amendment of the boundary of an urban reserve to add more than 50 acres to the urban reserve by a city with a population of 2,500 or more within its urban growth boundary; and
- (f) A designation or an amendment to the designation of a rural reserve under ORS 195.137 to 195.145 by a county, in coordination with a metropolitan service district, and the amendment of the designation.

Conclusions of Law: Based upon the evidence enumerated in Section 2, and supporting record, the County and City conclude that the City of Phoenix UGB contains more than 2,500 people², but that the requested UGB amendment is less than 50 acres and is not, therefore, required to be submitted in the manner provided for periodic review pursuant to ORS 197.628 to 197.650. On this basis, the County and City herewith conclude the subject application requesting UGB

² The Portland State 2024 Preliminary Population estimate places the City of Phoenix population to be 4,413 people.

amendment for less than fifty acres is subject to the standard review process for post-acknowledgement comprehensive plan map changes.

197.610 Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.

- (1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.
- (2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.
- (3) Submission of the proposed change must include all of the following materials:
 - a. The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;
 - b. If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;
 - c. A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;
 - d. The date set for the first evidentiary hearing;
 - e. The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and
 - f. Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.
- (4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:
 - a. Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and
 - b. Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.
- (5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.
- (6) If, after submitting the materials described in subsection (3) of this section, the proposed change is altered to such an extent that the materials submitted no longer reasonably describe the proposed change, the local government must notify the Department of Land Conservation and Development of the alterations to the proposed change and provide a summary of the alterations along with any alterations to the proposed text or map to the director at least 10 days before the final evidentiary hearing on the proposal. The director shall cause notice of the alterations to be given in the manner described in subsection (4) of this section. Circumstances requiring resubmission of a proposed change may include, but are not limited to, a change in the principal uses allowed under the proposed change or a significant change in the location at which the principal uses would be allowed, limited or prohibited.
- (7) When the director determines that a proposed change to an acknowledged comprehensive plan or a land use regulation may not be in compliance with land use statutes or the statewide land use planning goals, including administrative rules implementing either the statutes or the goals, the

department shall notify the local government of the concerns at least 15 days before the final evidentiary hearing, unless there is only one hearing or the proposed change has been modified to the extent that resubmission is required under subsection (6) of this section.

- (8) Notwithstanding subsection (7) of this section, the department may provide advisory recommendations to the local government concerning the proposed change to the acknowledged comprehensive plan or land use regulation. [1981 c.748 §4; 1983 c.827 §7; 1985 c.565 §27; 1989 c.761 §20; 1999 c.622 §1; 2011 c.280 §1]

Conclusions of Law: Based upon the Findings of Fact in Section 4 and the evidence in Section 2, the County and City conclude that the subject application requires 35-day written notice to the Department of Land Conservation and Development and the same can and will be provided by the Jackson County Planning Department in accordance with the statute, and the same includes a duly attached joint submittal authorization statement from the City of Phoenix.

197.615 Submission of adopted comprehensive plan or land use regulation changes to Department of Land Conservation and Development.

(1) When a local government adopts a proposed change to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the decision to the Director of the Department of Land Conservation and Development within 20 days after making the decision.

(2) The submission must contain the following materials:

- (a) A copy of the signed decision, the findings and the text of the change to the comprehensive plan or land use regulation;
- (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;
- (c) A brief narrative summary of the decision, including a summary of substantive differences from the proposed change submitted under ORS 197.610 and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the actual change; and
- (d) A statement by the individual transmitting the submission, identifying the date of the decision and the date of the submission.

Conclusions of Law: Based upon the Findings of Fact in Section 4 and the evidence in Section 2, the County and City herewith conclude that the subject application requires notice of final adoption to the Department of Land Conservation and Development. The same can feasibly and will be provided by the Jackson County Planning Department in accordance with the statute after final decision by the County and City. The City of Phoenix will provide a duly attached joint notice of adoption authorization statement.

(3) The director shall cause notice of the decision and an explanation of the requirements for appealing the land use decision under ORS 197.830 to 197.845 to be provided to:

- (a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and
 - (b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.
- (4) On the same day the local government submits the decision to the director, the local government shall mail, or otherwise deliver, notice to persons that:
- (a) Participated in the local government proceedings that led to the decision to adopt the change to the acknowledged comprehensive plan or the land use regulation; and
 - (b) Requested in writing that the local government give notice of the change to the acknowledged comprehensive plan or the land use regulation.

(5) The notice required by subsection (4) of this section must state how and where the materials

described in subsection (2) of this section may be obtained and must:

- (a) Include a statement by the individual delivering the notice that identifies the date on which the notice was delivered and the individual delivering the notice;
- (b) List the locations and times at which the public may review the decision and findings; and
- (c) Explain the requirements for appealing the land use decision under ORS 197.830 to 197.845. [1981 c.748 §5; 1983 c.827 §9; 1999 c.255 §1; 2011 c.280 §2]

Conclusions of Law: Based upon the Findings of Fact in Section 4 and the evidence in Section 2, the County and City herewith conclude the subject application requires notice of final adoption in the manner prescribed above in ORS 197.615.(4) to persons who participated orally or in writing in the proceedings or requested such notice. The County and City further conclude that the same can feasibly and will be provided by the Jackson County Planning Department in accordance with the statute after final decision by the County and City, and the same includes a duly attached joint submittal authorization statement from the City of Phoenix.

3.1.2 Oregon Administrative Rules

660-018-0020

Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

- (1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department's Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.
- (2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:
 - (a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;
 - (b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;
 - (c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;
 - (d) The date set for the first evidentiary hearing;
 - (e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and
 - (f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
- (3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.
- (4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:

- (a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and
 - (b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.
- (5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been "submitted" on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.

Conclusions of Law: Based upon the Findings of Fact in Section 4 and the evidence in Section 2, the County and City herewith conclude the subject application requires 35-day notice to the Department of Land Conservation and Development Director and the same has been provided by the Jackson County Planning Department in accordance with and including all materials required by the above administrative rule. The City of Phoenix can feasibly and will provide a duly attached joint submittal authorization statement.

660-018-0021

Joint Submittal of Notices and Changes

- (1) Where two or more local governments are required by plan provisions, coordination agreements, statutes or goals to agree on and mutually adopt a change to a comprehensive plan or land use regulation, the local governments shall jointly submit the notice required in OAR 660-018-0020 and, if the change is adopted, the decision and materials required by OAR 660-018-0040. Notice of such proposed changes must be jointly submitted at least 35 days prior to the first evidentiary hearing. For purposes of notice and appeal, the date of the decision is the date of the last local government's adoption of the change.
- (2) For purposes of this rule, a change to a comprehensive plan or land use regulation that requires two or more local governments to agree on and mutually adopt the change includes, but is not limited to, the establishment or amendment of an urban growth boundary or urban reserve by a city and county in the manner specified in Goal 14.

Conclusions of Law: The County and City conclude the requested UGB amendment requires joint consideration and agreement. However, the County and City also conclude that the adopted and acknowledged UGBMA provides that the request shall be filed with Jackson County on forms provided by the County and the County and City thus conclude the UGBMA contemplates the County will be the lead agency in application processing. All required notices and procedures can feasibly and will be completed during the course of application review.

3.2 Jackson County Procedural Requirements

3.2.1 Jackson County Land Development Ordinance

2.6 COMMON PROCEDURES

The following general provisions apply to all applications for permits under this Ordinance. However, zone map and Comprehensive Plan map amendment applications are subject to the requirements of Sections 2.6.1 through 2.6.3, 2.6.5, 2.6.6 and 2.6.10.

2.6.1 Authority to File Applications

- A) Unless otherwise specified in this Ordinance, applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency.

- B) When an authorized agent files an application under this Ordinance on behalf of a property owner, the agent will provide the County with written documentation that the property owner has authorized the filing of the application. Such authorization will be considered valid until withdrawn by the property owner.

Conclusions of Law: Based upon the evidence in Section 2 and the Findings of Fact in Section 4, the County and City conclude the subject property are owned by the Applicant in fee simple. The Applicant has duly authorized in writing CSA Planning, Ltd to act as its agent. The Applicant has signed the requisite Type 4 Application Form. See Appendix Section 7.1.1.

2.6.3 Application Completeness

- A) An application that is consistent with the submittal requirements specified in the Land Development Ordinance and the User's Guide will be considered complete once all outstanding fees and charges are paid, and sufficient information to address all applicable standards and criteria is included.
- B) Within 30 days of the date an application is filed, the Planning Division will notify the applicant, in writing, specifying what additional information is required. The application will be deemed complete upon receipt of the missing information.
- C) If the applicant who receives notice of an incomplete application refuses to submit the missing information, the application will be deemed complete upon receipt of:
 - 1. All of the information;
 - 2. Some of the information and written notice that no other information will be provided or
 - 3. Written notice from the applicant that none of the missing information will be provided. ORS 215.427(2))
- D) On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information as required under subsection C of this section and has not submitted:
 - 1. All of the information;
 - 2. Some of the information and written notice that no other information will be provided or
 - 3. Written notice that none of the missing information will be provided.
- E) In the event the Planning Division fails to notify the applicant within 30 days of the date the application was filed, the application will be deemed complete on the 31st day.

Conclusions of Law: The County and City conclude that the application is complete in all ways.

2.6.6 Statement Supporting Decision Required [ORS 215.416(9)-(10)]

Approval or denial of any quasi-judicial development application under this Ordinance will be based on and accompanied by a brief statement that:

- A) Explains the criteria and standards considered relevant to the decision;
- B) States the facts relied upon in rendering the decision; and
- C) Explains the justification for the decision based on the criteria, standards, and facts set forth. Written notice of the approval or denial will be given to all parties to the proceeding.

Conclusions of Law: The County and City conclude the applicant has submitted the Findings of Fact and Conclusions of Law which explain the criteria and standards relevant to the decision, state the facts relied upon, and explain the justification for the decision. The same are herewith incorporated and adopted.

2.7.1 Pre-Application Conference

A) Applicability

- 1) A pre-application conference is mandatory prior to submission of all Type 3 and 4 land use applications (Table 2.7-2) and optional at the applicant's request for Type.
- 2) Type 2 and 3 Review Applications
 - a) If, within 6 months following the pre-application conference, the application is filed, deemed complete by the Planning Staff and pursued to approval by the applicant, the fee paid for the pre-application conference will be applied in full to subsequent Development Services Department permits required for the approved project.
 - b) Nothing in this section assures approval of an application under this Ordinance or eligibility for refund under Section 2.7.1(A)(2)(a).

B) Description

The purpose of a pre-application conference is to familiarize the applicant with the provisions of this Ordinance and other land use laws and regulations applicable to the proposed development. Any potential applicant may request a pre-application conference with the Planning Division. Along with a written request for the conference, the applicant will identify the type of development permit sought and will provide a description of the character, location, and magnitude of the proposed development and any other supporting documents such as maps, drawings, or models.

C) Procedures

- 1) The Planning Division will schedule a pre-application conference after receipt of a written request and the appropriate fee.
- 2) The written request shall be on forms provided by the Planning Division and shall include a draft application for the proposed development, a plot plan and other application elements identified in the User's Guide.
- 3) The Planning Division will notify other agencies and persons deemed appropriate to attend to discuss the proposal. Following the conference, the Planning Division will prepare a written summary of the discussion and send it to the applicant.

Conclusions of Law: Based upon the evidence, the County and City conclude the applicant filed a pre-application conference request on June 22, 2023, with the appropriate fee consistent with this procedural requirement and a Pre-Application conference was held on July 20th, 2023 which involved, in addition to Jackson County Planning Department personnel, Applicant's representatives and representatives from the City of Phoenix. In addition, representatives from the City of Medford attended, as the corporate limits of the City of Medford immediately abuts the subject properties. Subsequently, Jackson County personnel, Applicant's representatives, and representatives from the City of Phoenix attended a second Pre-Application conference on November 18th, 2024 to discuss technical issues related to the application.

2.7.6 Quasi-Judicial Hearing

A) Applicability

A quasi-judicial hearing is required in those cases where:

- 4) The Planning Commission or Board of Commissioners holds a hearing on a quasi-judicial Type 4 application (Table 2.7-2).

B) Review Authorities

The following review authorities will conduct quasi-judicial land use hearings.

- 3) The Planning Commission will hear all quasi-judicial Type 4 applications, conduct a public hearing and either render a decision, or forward a recommendation to the Board of Commissioners.

- c) For all other quasi-judicial Type 4 applications, the Planning Commission will conduct a public hearing and forward its recommendation to the Board of Commissioners.
- 5) The Board of Commissioners will conduct a quasi-judicial hearing on any appeal of a decision by the Planning Commission on a subdivision, planned unit development, or large destination resort application. Appeal hearings before the Board of Commissioners will be de novo evidentiary hearings, at which the Board may consider any issue raised in making its decision. A hearing date will be scheduled on the earliest available date, taking into consideration the noticing requirements of subsection (C), below, and the date by which a final decision must be reached.

For all other quasi-judicial Type 4 reviews, the Board of commissioners will conduct a quasi-judicial hearing after receiving the recommendation of the Planning Commission (Table 2.7-2). The hearing before the Board of Commissioners will be a de novo evidentiary hearing, at which the Board may consider any issue raised in making its decision. The decision of the Board of Commissioners rendered after a quasi-judicial hearing will be the final decision of the County

Conclusions of Law: The County and City conclude the subject application is a Type 4 minor map amendment that is quasi-judicial in nature. It requires public hearings before both County and City Planning Commissions that must make respective recommendations to their governing bodies, followed by agreement and approval from both the County and City. The County and City further conclude that this procedure has been followed by Jackson County and the City of Phoenix.

3.7 AMENDMENTS TO THE COMPREHENSIVE PLAN OR ZONING MAPS

3.7.1 Types of Comprehensive Plan Amendments

B) Amendments to the Official Comprehensive Plan Maps or Zoning Maps

1) Minor Map Amendments (Quasi-Judicial)

Amendments that propose a change applicable to a relatively small area or number of parcels or ownerships and that do not have significant impact beyond the immediate area of the proposed change (e.g., changes to the Map designation of a single property). Such changes will be based on the factual evidence supporting the change.

Conclusions of Law: The County and City conclude that the applicable case law determining whether an application is properly quasi-judicial (versus legislative) is the Oregon Supreme Court case, *Strawberry Hill 4 Wheelers vs. Benton Co. Bd. of Comm.*, 287 Or 591, 602-03, 601 P2d 769 (1979). In that case, the Court held that quasi-judicial land use decisions must satisfy the following tests:

- The application must apply to a circumscribed factual situation and apply to a limited number of properties or people.
- The application must be subject to established criteria.
- The application must be destined to result in a decision.

With regards to these requirements, the County and City conclude as follows:

- The application is for the inclusion of two parcels within the Phoenix UGB to meet an established employment need. The two parcels are in a tract under a single shared ownership. The application therefore applies to a circumscribed factual situation and necessarily applies to a limited number of properties and people.

- The application does not propose to change any plan or development code criteria under which approval is sought and therefore is necessarily subject to established criteria.
- By virtue of the application filing and review process, the County and City will and have rendered a final decision.

For the above reasons, the County and City conclude the application is properly quasi-judicial.

3.7.2 Procedures

A) Initiation

- 2) Minor Comprehensive Plan Map or Zoning Map amendments may be initiated as provided in Section 2.6.1 or by the Board of County Commissioners or the Jackson County or White City Planning Commissions.

B) Scheduling Major and Minor Amendments

Major and minor text or map amendments may be heard as often as deemed necessary by the relevant Planning Commissions or the Board of Commissioners. Text amendments needed to bring this Ordinance or the Comprehensive Plan into compliance with changes in State or Federal Law will be scheduled as needed.

C) Standard Review Procedure

Comprehensive Plan amendments will follow the Type 4 review procedure set forth in Section 3.1.5.

D) Joint Consideration

The relevant Planning Commission and the Board of Commissioners may hold a joint hearing on a proposed amendment, provided the notice of hearing required by Section 2.7.6 is mailed at least 20 days before the hearing. In addition, the Planning Commission or the Board of Commissioners may hold joint hearings with city planning commissions or city councils to consider matters of mutual concern. Joint hearings will be governed by the same general rules as would otherwise apply to hearings by the bodies separately. Prior to accepting testimony on the proposed amendment, the Commission and Board will determine if the bodies will jointly or separately deliberate on the matter.

Conclusions of Law: The County and City conclude as follows with respect to the above procedural requirements:

1. The subject application has been initiated by the property owner consistent with JCLDO Section 2.6.1.
2. The subject application has been scheduled consistent with Jackson County's practice of regular review of complete quasi-judicial map amendment applications.
3. Consistent with its conclusions of law above, the application will be reviewed consistent with the procedures at JCLDO 3.1.5, the city/county Urban Growth Management Agreement and Urban Reserve Management Agreement.
4. The subject application has been jointly heard by the Jackson County and Phoenix planning commissions and the County and City.

3.2.2 Jackson County Comprehensive Plan

Jackson County Comprehensive Plan General Introduction Element

AMENDMENTS TO URBAN GROWTH BOUNDARIES:

Minor Boundary Line Adjustments

Minor adjustments to an urban growth boundary line may be considered subject to similar procedures used by the city and County in hearing zoning requests. A minor amendment is defined as focusing on specific individual properties and not having significant impact beyond the immediate area of the change.

Application for a minor boundary line amendment can only be made by property owners, their authorized agents, or by a city or County governing body. Written applications for amendments may be filed in the office of the Jackson County Department of Planning and Development on forms prescribed by the County. The standards for processing an application are as indicated in the mutually adopted urban growth boundary agreement. Generally these are the same factors as for a major urban growth boundary amendment.

Conclusions of Law: The County and City conclude as follows with respect to the above procedural requirements:

1. This proposed minor boundary line adjustment to the City of Phoenix Urban Growth Boundary has been submitted consistent with the County's procedures for other minor map amendment requests, which is similar to other types of zoning requests.
2. The conclusions of law addressing the quasi-judicial nature of the application above are herewith incorporated and adopted and conclude that this requested minor amendment is focused on specific individual properties and based upon the findings of fact and conclusions of law in this document, the amendment will not have a significant impact beyond the immediate area of change.
3. The application has been made by the property owner through its duly authorized agent CSA Planning, Ltd.
4. The criteria and standards to which the application is subject are addressed in Section 5 herein below.

3.3 City of Phoenix Procedural Requirements

3.3.1 City of Phoenix Land Development Code (PLDC)

4.1.2

C. Type III Procedure (Quasi-Judicial). Type III decisions are made by the Planning Commission after a public hearing, with appeals reviewed by the City Council. Type III decisions generally use discretionary approval criteria.

D. Type IV Procedure (Legislative). Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations, zone changes, and comprehensive plan amendments which apply to entire districts). Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council.

Table 12: 4.1.2 – Summary of Development Decisions/Permit by Type of Decision-making Procedure*

Access to a Street	Type I	Chapter 3.2 and the standards of the applicable roadway or transit authority
Annexation	Type III/IV	Comprehensive Plan and city/county intergovernmental agreements, and ORS Chapter 222, as applicable
Building Permit	N/A	Building Code
Code Interpretation	Type II	Chapter 4.8 – Code Interpretations
Code Amendment	Type IV	Chapter 4.7 – Land Use District Map and Text Amendments
Comprehensive Plan Amendment, including urban growth boundary and urban reserve amendments	Type IV	Comprehensive Plan (ORD940)

Conclusions of Law: The PLDC states that a UGB amendment should be considered as a Type IV permit, which is a legislative decision. However, statements in a zoning ordinance or comprehensive plan that a procedure is legislative or quasi-judicial does not necessarily make it so. The Phoenix Land Development Code statement that the action is legislative is not accompanied by the analysis required by *Strawberry Hill 4 Wheelers vs Benton County*. The City and County herewith adopt the foregoing analysis as to why the submittal is quasi-judicial pursuant to *Strawberry Hill 4 Wheelers vs Benton County*.

4.1.5 -Type III Procedure (Quasi-Judicial)

- A. Pre-Application conference.** A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Chapter 4.1.7 – General Provisions, Section C.

Conclusions of Law: Based upon the evidence, the County and City conclude the applicant filed a pre-application conference request on June 22, 2023, with the appropriate fee consistent with this procedural requirement and a Pre-Application conference was held on July 20th, 2023 which involved, in addition to Jackson County Planning Department personnel, Applicant’s representatives and representatives from the City of Phoenix. In addition, representatives from the City of Medford attended, as the corporate limits of the City of Medford immediately abuts the subject properties. Subsequently, Jackson County personnel, Applicant’s representatives, and representatives from the City of Phoenix attended a second Pre-Application conference on November 18th, 2024 to discuss technical issues related to the application.

- B. Application Requirements.** A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Chapter 4.1.7 – General Provisions, Section C.

1. Application forms. Type III applications shall be made on forms provided by the Planning Department.
2. Content. Type III applications shall:
 - a. Include the information requested on the application form;
 - b. Be filed with copies of a narrative statement that explains how the application satisfies each and all of the relevant criteria in sufficient detail for review and action;
 - c. Be accompanied by the required fee;
 - d. Include two sets of mailing labels for all property owners of record as specified in Chapter 4.1.5 – Type III Procedure (Quasi-Judicial), Section C (Notice of Hearing). The records of the Jackson County Department of Assessment and Taxation are the official records for determining ownership. The applicant shall demonstrate that the most current assessment records have been used to produce the notice list;
 - e. Include an impact study for all Type III applications. The impact study shall quantify/assess the effect of the development on public facilities and services. The study shall address, at a minimum, the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users. In situations where this Code requires the dedication of real property to the City, the applicant shall either specifically agree to the dedication requirement, or provide evidence that shows that the real property dedication requirement is not roughly proportional to the projected impacts of the development.

Conclusions of Law: County and City conclude that the appropriate application was filed with the relevant approving authorities with required narrative statement, fee, and mailing labels. As discussed in Section 5.7.1 and herewith adopted, Applicant elects to defer consideration of transportation planning rule requirements and transportation system impacts, as is explicitly allowed by OAR 660-0024-0020 when zoning is retained.

C. Notice of Hearing.

1. Notice of a Type III application hearing or an appeal of a Type II decision hearing shall be given by the Planning Department in the following manner...[code section continues]

D. Conduct of the Public Hearing.

1. At the commencement of the hearing, the hearings body shall state to those in attendance...[code section continues]

E. The Decision Process.

1. Basis for decision. Approval or denial of an appeal of a Type II Administrative decision or a Type III application shall be based on standards and criteria in the development code...[code section continues]

F. Notice of Decision. Written notice of a Type II Administrative Appeal decision or a Type III decision shall be mailed to the applicant and to all participants of record within 30 business days after the hearings body decision. Failure of any person to receive mailed notice shall not invalidate the decision, provided that a good faith attempt was made to mail the notice.

G. Final Decision and Effective Date. The decision of the hearings body on any Type II appeal or any Type III application is final for purposes of appeal on the date it is mailed by the City. The decision is effective on the day after the appeal period expires. If an appeal is filed, the decision becomes effective on the day after the appeal is decided by the City Council. The notification and hearings procedures for Type III applications on appeal to the City Council shall be the same as for the initial hearing.

H. Appeals. Type III decisions may be appealed to the City Council as follows:

1. Notice of appeal. Any person with standing to appeal may appeal a Type III Decision by filing a Notice of Appeal according to the following procedures...[code section continues]

Conclusions of Law: The County and City conclude the subject application is a Type III map amendment application that is quasi-judicial in nature. It requires hearings and proper notice as per the respective procedures for the County and City. The County and City conclude that the proper procedures have been followed by Jackson County and the City of Phoenix.

3.3.2 City of Phoenix Comprehensive Plan

Conclusions of Law: The County and City conclude that the Phoenix Comprehensive Plan, outside of the Regional Plan Element which implements the Regional Problem Solving agreement and is herein addressed below in Section 3.6, does not have specific criteria related to the processing of an UGB amendment. They further conclude that the subject application will meet the Phoenix development code criterion for a UGB amendment, which implements the adopted City Comprehensive Plan and is found herein above in Section 3.3.1. The recently adopted Neighborhood Element of the City's Comprehensive Plan explicitly excludes PH-1, PH-1a, and PH-3 from a requirement to adopt a neighborhood plan prior to application of zoning, but this does not obviate the need for a concept plan found under RPS requirements and addressed herein below in Section 3.6.

3.4 City-County Urban Growth Management Agreement (UGBMA) Procedural Requirements

Major Revisions

Major revisions in boundary or policies will be considered amendments to both the city and County comprehensive plans and, as such, are subject to a legislative review process. A major revision shall include any boundary change that has widespread and significant impact beyond the immediate area, such as quantitative changes allowing for substantial changes in population or significant increases in resource impacts; qualitative changes in the land use itself, such as conversion of residential to industrial use or spatial changes that affect large areas of many different ownerships. Any change in urbanization policies is considered a major revision.

Major revisions will be considered by the city and county at periodic intervals in accordance with the terms of the mutually adopted urban growth boundary agreements between the county and each municipal jurisdiction. It is the intent of the governing bodies to review the urban growth boundary and urbanization policies for consistency upon completion of the City and County Comprehensive plans.

A request for major revision can be initiated only by the county or city governing bodies or their respective planning commissions. individuals, groups, citizen advisory committees, and affected agencies may petition the County or appropriate City in accordance with the procedural guidelines adopted by the jurisdiction for initiating major legislative amendments. The party who seeks the revision shall be responsible for filing adequate written documentation with the city and county governing bodies. Final legislative action on major revision requests shall be based on the factors stated in each mutually adopted urban growth boundary agreement. Generally, these are:

- 1) Demonstrated need to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities;
- 2) The orderly and economic provision of public facilities and services;
- 3) Maximum efficiency of land uses within the current urbanizable area;
- 4) Environmental, energy, economic and social consequences;
- 5) Compatibility of the proposed change with other elements of the City and County Comprehensive Plans; and,
- 6) The other Statewide Planning Goals.

Major revision proposals shall be subject to a mutual City and County review and an agreement process involving affected agencies, citizen advisory committees, and the general public.

The review process has the following steps:

- A) CAC and planning commissions review and make recommendations to the City Council and Board of County Commissioners;
- B) Proposal mailed to the affected agencies and property owners; and,
- C) Proposal heard and acted upon by City Council and Board of Commissioners.

MINOR BOUNDARY LINE ADJUSTMENTS

Minor adjustments to an urban growth boundary line may be considered subject to similar procedures used by the city and county in hearing zoning requests. A minor amendment is defined as focusing on specific individual properties and not having significant impacts beyond the immediate area of the change.

Application for a minor boundary line amendment can only be made by property owners, their authorized agents, or by a City or county governing body. Written applications for amendments may be filed in the office of Jackson County Development Services on forms prescribed by the County. The standards for processing an application are as indicated in the mutually adopted urban growth boundary agreement. Generally, these are the same factors as for a major urban growth boundary amendment.

Conclusions of Law: The County and City conclude that approval of this application will modify the Phoenix Urban Growth Boundary, thereby increasing the amount of urbanizable land in the City of Phoenix, and further conclude as follows with respect to the procedural requirements of the Urban Growth Boundary Management Agreement (UGBMA):

1. The County and City conclude that the proposed amendments are minor based upon the foregoing conclusions of law addressing this requirement under JCLDO 3.7.1 and the General Introduction Element of the County Comprehensive Plan. The County and City further conclude that the process followed for post-acknowledgment changes to the comprehensive plan is generally analogous to the procedures to review for zoning map amendments.
2. The County and City conclude the application has been made by the property owner.
3. The County and City conclude that the County and City Planning Commissions can and will forward a recommendation on the application to their respective governing bodies with the requisite findings.
4. The County and City can and must reach consensus for approval of the subject application and upon approval of the boundary amendment request, the County can and will prepare the legal instrument to officially amend the boundary.

3.5 City-County Urban Reserve Management Agreement Plan Procedural Requirements

WHEREAS City and County have previously entered into an intergovernmental agreement setting forth their rights and responsibilities within the Urban Growth Boundary (UGB) and outside the incorporated City boundaries and this Agreement remains in full force and effect; and

Conclusions of Law: The County and City conclude that the URMA includes no substantive procedural requirements except to follow the UGBMA process which the County will and has followed consistent with the above conclusions of law.

3.6 City-County Greater Bear Creek Valley Regional Plan (Regional Plan) Procedural Requirements (City's Comp Plan Version)

Comprehensive Plan Regional Plan Element

7. Regional Obligations

The City agrees to comply with all applicable monitoring and implementation requirements of the *Regional Plan, Chapter 5*, titled "Performance Indicators," which follows below. The City may not unilaterally amend these requirements.

8 Performance Indicators

8. **Conceptual Land Use Plans.** A proposal for a UGB Amendment into a designated URA shall include a Conceptual Land Use Plan prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies for the area proposed to be added to the UGB as follows:***

Conclusions of Law: The County and City conclude that the Regional Plan Element of the Phoenix Comprehensive Plan is applicable but has limited practical implication for procedural issues. The Applicant has no objection to the conceptual land use plan process. The procedure specifically provides that the plan will be prepared by the City. As such, following submittal of the UGB amendment application, the Applicant intends to provide a draft conceptual plan to aid

Phoenix Industrial Park UGB Amendment

Applicants: South Stage LLC

the City in the conceptual planning process step, so that the UGB amendment application can be reviewed and scheduled for hearing. The conceptual plan can feasibly and will be completed prior to or concurrent with the initial UGB amendment hearing in front of either the Board of County Commissioners or the Phoenix City Council.

4 FINDINGS OF FACT

4.1 Adoption of Evidence as Facts

The subject application contains evidence in Volume 1, the Volume 1 Appendix, Volume 2, and Volume 3. This evidence has either been duplicated from government data sources or prepared by professionals with expertise in Oregon land use planning, generally, and Jackson County specifically. Therefore, the County and City herewith adopt the data, analysis and information presented in Volumes 1, 2, and 3 and the Volume 1 Appendix and rely upon the same in reaching their Conclusions of Law in Section 5 herein. In relying upon this evidence, the County and City conclude that the same constitutes facts upon which a reasonable person can base this land use decision which evaluates the employment land needs for the City of Phoenix and its Urban Growth Boundary.

4.2 Summary of Material Facts

See Appendix for Additional Details.

4.2.1 Subject Property Description, Size, Ownership, and Authorization

The proposed UGB Amendment area, hereinafter “the subject property” or “subject properties”, is private land owned by the Applicant South Stage LLC, a public right of way located in Voorhies Road and an adjacent section of right of way owned by the Central Oregon and Pacific Railroad (“CORP”). The subject property is located northwest of the City of Phoenix. After the City completed annexation of areas located in Urban Reserve PH-3 in 2023, the subject property is separated from Phoenix municipal limits and existing Urban Growth Boundary by approximately 50-feet of CORP right of way. Portions of the subject property border the City of Medford UGB and municipal boundaries.

The subject property consists of two parcels identified on the Assessor’s Maps of Jackson County as 38-1W-05D-1300 and 38-1W-05D-1400. The properties are approximately 25.35 acres, of which 21.8 acres are located within the boundary of PH-1a and proposed for inclusion in this request for a UGB amendment.

The public right-of-way portions of this request includes the public rights-of-way immediately adjacent to the subject property on Voorhies Road. The adjacent portion of Voorhies Road is an improved County Road with two lanes, with approximately 60-feet of right-of-way, totally about .33 acres. The other right-of-way is owned by CORP along the eastern boundary of the subject property, consisting of approximately 2.4 acres that are between the City of Medford and City of Phoenix UGB. This right-of-way varies in width, but is approximately 182-feet in width for the majority of its course and is improved with a single rail line, with a siding developed along the northerly portion. The total gross acreage proposed for inclusion is approximately 24.5 acres.

4.2.2 Urban Reserve Area PH-1a

The subject property is located within adopted Urban Reserve Area PH-1a, which is approximately 52 acres in size and located to the northwest of the City of Phoenix, see Atlas Page 2. The text associated with the same has been adopted by the City of Phoenix into its Comprehensive Plan.

4.2.3 Lot Legality

The County and City have carefully examined the parcel that comprises the subject property as to whether the parcel was lawfully created under the laws then in effect and reach the following conclusions:

- Map number 38 South, Range 1 West Section 05 Tax Lot 1400 is a separate parcel that was approved in its current configuration via a property line adjustment found at Jackson County Development Services (JCDS) File No. 2002-55-PLA. Subsequent to the PLA approval, Map of Survey #17548 and a deed found at O.R. 2002-58600 were recorded.
- Map number 38 South, Range 1 West Section 05 Tax Lot 1300 is a separate parcel that was created via a Minor Partition found at JCDS File No. 92-18-MP. Subsequent to the PLA approval, Map of Survey #13119 (Partition Plat #P-83-1992) and a deed found at O.R. 2003-09615 were recorded.

4.2.4 Surrounding Land Uses

The property is located to the northwest of the City of Phoenix and is surrounded by a mixture of urban and rural uses. Applicant's Atlas Page 22 shows the comprehensive plan designation for surrounding lands while Atlas Page 21 shows the same lands on a recent aerial image.

East: Immediately to the east of the property is a mixture of urban uses. Along most of the easterly boundary of Tax Lot 1300 is the CORP right-of-way. It is between ~200 to ~100 feet in width. Near the northerly point of Tax Lot 1300 is Tax Lot 1200, which is owned by the Applicant. The northerly half of Tax Lot 1300, including the lands of Tax Lot 1200, abut the corporate limits of the City of Medford. The CORP right of way along the southerly half of Tax Lot 1400 is next to the City of Phoenix UGB, but not within it. Lands in the UGB next to the CORP are developed with the Town & Country Estates, an approximately 8-acre multifamily residential development. It is difficult to narratively describe the exact configuration of the boundaries and uses, but they are depicted on Atlas Page 21.

South: Beginning from the southwest and moving southeast, the first adjacent parcel is Maplot 38-1W-08-100. It is zoned EFU and approximately 34 acres. It has active farm uses, which include a mixture of grass hay or alfalfa and some cannabis cultivation. In addition to the farm uses, it has a cell tower and multiple farm buildings. The next parcel, Maplot 38-1W-05D-2200, is zoned RR-2.5 and developed with a residential use. It also appears to have pasture used for the grazing of cattle. The next parcel, Maplot 38-1W-05D-2300, is also zone RR-2.5 and is developed with a residential use and a small horse arena. The final lot, 38-1W-05D-2400, is similarly zoned RR-2.5 and developed with a residential use.

West: To the west of Taxlot 1400 is Voorhies Road. Across Voorhies Road, are three parcels zoned EFU. The two more southerly parcels (identified as Maplots 38-1W-05C-2000 and 38-1W-05C-1900) are actively farmed and have seen a rotation of crops in the past, including row crops and grass hay or alfalfa. The more northerly parcel is located at the corner of S Stage Road and Voorhies Road and identified as 38-1W-05C-1800. Based upon permit records, it has been used for a variety uses, including a salon, outdoor gathering venue, and bed and breakfast. There do not appear to be active, commercial farm uses occurring on the parcel.

The most westerly portion of Tax Lot 1300 is located outside of the PH-1a urban reserve and will remain as a farm use and emergency access location. To the west of this area is Voorhies Road. Beyond Voorhies is the Edenvale Winery, which has acres of grapes, orchard, and a tasting room. The primary access for Edenvale Winery is approximately 350 feet from the nearest portion of Tax Lot 1300.

A number of rural residential properties are located on Voorhies Road between the portion of Tax Lot 1300 outside of PH-1a and Tax Lot 1400. These properties are all zoned RR-5, all take access directly from Voorhies Road, and most are developed with dwellings. The portions of the lot closest to Tax Lot 1300 that is proposed for inclusion in the UGB are open fields used for low intensity farm uses. The properties are discussed in more detail below, moving from south to north:

- 38-1W-05D-2100: A 0.98 acre parcel that is developed with a single family dwelling and residential accessory structures.
- 38-1W-05D-2000: A 3.45 acre parcel that has an existing manufactured dwelling along with a barn and residential accessory structures. The rear portion of the parcel is a ~1.5 acre field that may be used for grass hay or pasture. Other portions of the lot may be used as paddocks for small livestock.
- 38-1W-05D-1900: A 0.54 acre parcel that has no existing structures. Aerial imagery indicates the parcel previously had an existing dwelling that was likely destroyed by the Alameda Fire.
- 38-1W-05D-1700: A 4.3 acre parcel that is developed with a single family dwelling and accessory structures. The rear ~3 acres are an open field that may be used for grazing or serve as residential open space.
- 38-1W-05D-1800: A 0.65 acre parcel that is developed with a single family dwelling and accessory residential structures.
- 38-1W-05D-1600: A 5.94 acre parcel that has no existing structures or improvements. The parcel may be used as grazing land in conjunction with adjacent Maplot 38-1W-05D-1700.
- 38-1W-05D-1500: A 0.68 acre parcel that is developed with a single family dwelling and a barn.

North: The parcel immediately to the north of Tax Lot 1400 is a 4.89 acre parcel zoned RR-5 and identified as 38-1W-05D-1000. It is owned by the Soriano family and according to a website associated with the property³, it is the home of Rogue Wolf Acres. It is described as a farm and its products and services include eggs, hair sheep and dairy goats, and horse boarding. The property has multiple farm structures, including a ~9,000 arena with stalls and a covered hay barn. To the east of Rogue Wolf Acres is a 1.59 acre parcel identified as 38-1W-05D-1100. This parcel is located within the City of Medford corporate limits and is owned by the Applicant. It is developed with a commercial structure that is the home of the H.D. Fowler Company, a distributor of waterworks, irrigation, and related equipment.

³ <http://roguewolfacres.com/index.html>

4.2.5 Description of the Area for UGB Inclusion

The area proposed for Urban Growth Boundary inclusion is next to the northwest boundary of the City of Phoenix, near the corner of Voorhies Road and S Stage Road. The proposed inclusion area is depicted on Atlas Page 21. Prior to execution of the adopting ordinances for the UGB amendment, a metes and bounds description of the UGB amendment will be prepared by a surveyor licensed to practice in the State of Oregon which can be referenced by the adopting ordinances.

The property proposed for inclusion is approximately 24.5 acres, consisting of approximately .33 acres of public road right-of-way, 2.4 acres of Central Oregon and Pacific Railroad (“CORP”) right of way, and 21.8 acres of property zoned EFU and RR-5 owned by South Stage LLC. The entirety of Tax Lot 1400, which is approximately 5 acres, is proposed for inclusion. Tax Lot 1300 is ~20.4 acres, of which approximately 16.75 acres is located within the PH-1a urban reserve. The portion outside of the PH-1a urban reserve is not proposed for inclusion. The net developable acreage proposed to be added to the Phoenix UGB is ~19.5 acres.

Tax Lot 1400 is developed with a single-family dwelling structure that was constructed in 2001. Most of the parcel is used as pasture. Tax Lot 1300 has no permanent structures and is used as pasture.

Both parcels have frontage on Voorhies Road, with Tax Lot 1400 having approximately 205 feet and Tax Lot 1300 having approximately 220 feet. Both have existing culverted driveways. The section of Voorhies Road along the parcels is paved but does not have shoulders, sidewalks, or curb.

Both the City-County Urban Reserve Management Agreement and the Urban Growth Management Agreement require that the County continue to maintain responsibility of County roads located within the urban reserve and UGB until such time as they are annexed by the City. In this case, only the portion next to Tax Lot 1400 is located within Urban Reserve PH-1a. The section of Tax Lot 1300 that is next to Voorhies Road is not located within PH-1a. As such, only the section next to Tax Lot 1400 is proposed for inclusion in the subject UGB amendment.

As discussed herein above, the subject property is approximately 50 feet from the City of Phoenix UGB and municipal limits. At the same time, it immediately borders the City of Medford UGB and municipal limits. Parcels in a tract with the subject property owned by the Applicant are located within the City of Medford boundaries and zoned General Industrial (I-G) and home to commercial enterprises. This places PH-1a in a position of jurisdictional complexity due to the historic development pattern, ownership structure, and proximity to Medford city limits.

This complexity was identified during the first pre-application conference for the subject UGB amendment. In response, both Cities signed a Memorandum of Understanding (MOU) specifically addressing UGB amendments in PH-1a. Through the MOU, the Cities agreed to enter into an Intergovernmental Agreement following a UGB amendment in PH-1a. This agreement would clarify processes for: reviewing cross-boundary transportation improvements, extending water/sewer/storm water services across boundaries, reviewing building permits, apportioning System Development Charges (SDCs), and creating opportunities for inter-city comment on related matters. A copy of the signed MOU is included in Appendix 7.1.5.

4.2.6 Subject Property Transportation Facts

4.2.6.1 Existing Road Functional Classification: Both Tax Lot 1300 and Tax Lot 1400 front upon Voorhies Road, which is a County maintained Rural Major Collector. The portion of Tax Lot 1300 that fronts on Voorhies Road is located outside of the boundary of Urban Reserve PH-1a. The portion next to Tax Lot 1400 is located within Urban Reserve PH-1a and is proposed to be included in the UGB.

Access: Existing access is taken from Voorhies Road. The subject properties have a total of two driveways, one for each tax lot.

Transportation Facilities: The existing uses are low intensity with minimal average traffic during the a.m. and p.m. peak hours. The nearest public traffic count, conducted just 150 feet south of the intersection of Voorhies Road and S Stage Road, calculated an average daily traffic (“ADT”) count of ~2,979 trips in 2024. This was in line with the previous count in 2022, which found ~2,656 trips. According to the Jackson County TSP Table 7: Rural County Roadway Standards and Specifications, a major collector such as Colver Road is planned to have typical ADT between 1,500 and 5000.

Proposed Emergency Access: As part of inclusion in the UGB, the Applicant will agree to stipulate to constructing a new emergency access commensurate with the development of the southern portion of the subject properties, as generally depicted on Atlas Page 21. This access would be available to the 19 residentially zoned and 3 light industrial zoned properties⁴ that are west of the railroad on W Glenwood Road and Alley Lane. Currently, these properties are accessible only via a single substandard private railroad crossing, creating a significant safety risk. The proposed emergency access would provide a critical backup option for evacuation and emergency vehicle access. The access would be constructed within a 65-foot-wide easement with a compacted 22-foot all weather surface, allowing for the conversion to an industrial street should the area be included in the UGB at a future date.

4.2.7 Subject Property Public Facilities and Services

Water Service: According to a map provided by the Medford Water Commission, a 12” main is located in S Stage Road. This could be presumably extended to the subject properties through either Voorhies Road or through a parcel currently located in the City of Medford municipal limits and controlled by the Applicant. The dwelling on Tax Lot 1400 is served by an existing well⁵, which was drilled in 2000.

Storm Drainage: The subject property is sufficiently large to presumably accommodate the storm drainage facilities necessary for future development.

⁴ These counts do not include tax lots that function primarily as access

⁵ See Well Report JACK 53765

Appropriate engineering of the drainage system for any future development project would be undertaken at the time of specific development approval.

Sanitary Sewer: Rogue Valley Sewer Services has an existing 8” sewer main that runs in Voorhies Road across the frontage of Tax Lot 1400 and in South Stage Road; gravity sewer connection appears feasible and preferred routing would be determined by a future project engineer. The dwelling located on Tax Lot 1400 is already served by a lateral sewer connection according to basin drawings from RVSS.

Electrical Power. The subject property has existing electrical service and power lines run along Voorhies Road. Power could be presumably supplied to any future industrial development.

Fire Protection: The subject properties are within the boundary of Medford Rural Fire Protection District #2. The properties would be annexed into Rural Fire Protection District #5 at the time of annexation into the City of Phoenix.

Police Protection: Jackson County Sheriff’s Office provides patrol for the subject property. City of Phoenix patrols would be added when the subject property is annexed to Phoenix following approval of this UGB amendment application.

Public Schools: The subject properties and surrounding area are within the boundaries of the Phoenix-Talent School District.

4.2.8 Subject Property Environmental Facts

Floodplain: The subject property is not located within any mapped flood hazard areas.

Wetlands: The U.S. Fish & Wildlife Service National Wetlands Inventory data and the Oregon Statewide Wetland Inventory indicates that some wetlands may be located in the southeast corner of Tax Lot 1300. Site visits conducted by the Applicant’s agent corroborate the likely presence of some wetlands on this portion of the property. The wetlands are limited to an area that is at ~3.6 acres. Because the potential wetlands are located in a far corner, and located the furthest from basic services and transportation infrastructure, it has a limited impact on the overall buildable area of the property.

Topography: The topography and physical character of the area is farmland with upland characteristics. The one exception is the southeast corner of Tax Lot 1300, which is discussed directly above. This area is lower than the remainder of the property and has some slopes.

Soils: About 87% of the property consists of Coleman loam, 0 to 7 percent slopes. This soil is a common soil for Rogue Valley farmland and is a Type 2 irrigated soil class. The remaining ~13% consists of Gregory silty clay loam, which runs in two bands north to south through the property. Gregory silty clay loam is also a Type 2 irrigated soil class. Both are classified as prime farmland. The soils information is as follows:

- Map Unit 76A (Gregory silty clay loam); Class 2 soil when irrigated, prime, 0 to 3 percent slopes
- Map Unit 34B (Coleman loam); Class 2 soil when irrigated, prime, 0 to 7 percent slopes

4.3 Volumes 2 and 3 Found to be Facts

The County and City herewith find Applicant's *Volume 2 Atlas of Maps* submittal in its entirety to be facts. All direct references to Volume 2, in part or whole, in the Conclusions of Law in Section 5 are herewith deemed a concurrent finding of these maps as facts. The County and City herewith find Applicant's *Volume 3 Boundary Location Analysis* submittal in its entirety to be facts. All direct references to Volume 3, in part or whole, in the Conclusions of Law in Section 5 are herewith deemed a concurrent finding of these maps as facts.

5 CONCLUSIONS OF LAW

The criteria under which quasi-judicial UGB amendments must be approved are identified and recited verbatim below and are followed by the Conclusions of Law of the County and City relevant to that criterion. The County and City herewith conclude they have reviewed the respective Comprehensive Plan provisions, Oregon Statutes, and Administrative Rules and conclude that only the below recited criteria constitute decisional criteria relevant to the subject application under the relevant case law. *See, Bennett vs. City of Dallas*, 17 Or LUBA 450, *aff'd* 96 Or App 645 (1989). In that case, the court held that approval criteria requiring compliance with a comprehensive plan does not automatically transform all comprehensive plan goals and policies into decisional criteria. The court further held that a determination of whether particular plan policies are approval criteria must be based on the language used in the policies and the context in which the policies appear.

5.1 State of Oregon Criteria

5.1.1 Oregon Revised Statutes

197A.285 Priority of land to be included within urban growth boundary.

- (1) A city outside Metro shall comply with this section when determining which lands to include within the urban growth boundary of the city, including when amending an urban growth boundary under ORS 197A.270 (5)(a), 197A.310 or 197A.312.
- (2) The Land Conservation and Development Commission shall provide, by rule, that:
 - (a) When evaluating lands for inclusion within the urban growth boundary, the city shall establish a study area that includes all land that is contiguous to the urban growth boundary and within a distance specified by commission.
 - (b) The city shall evaluate all land in the study area for inclusion in the urban growth boundary as provided in subsection (4) of this section, except for land excluded from the study area because:
 - (A) It is impracticable, as provided in subsection (3) of this section, to provide necessary public facilities or services to the land.
 - (B) The land is subject to significant development hazards, including a risk of land slides, a risk of flooding because the land is within the 100-year floodplain or is subject to inundation during storm surges or tsunamis, and other risks determined by the commission.
 - (C) The long-term preservation of significant scenic, natural, cultural or recreational resources requires limiting or prohibiting urban development of the land that contains

the resources.

(D) The land is owned by the federal government and managed primarily for rural uses.

(E) The land is designated as rural reserve under ORS 197A.230 to 197A.250

(c) When evaluating the priority of land for inclusion under paragraph (b) of this subsection:

(A) The city shall evaluate the land within the study area that is designated as an urban reserve under ORS 197A.245 in an acknowledged comprehensive plan.

(B) If the amount of land appropriate for selection under subparagraph (A) of this paragraph is not sufficient to satisfy the need for the land, the city shall evaluate the land that is subject to an acknowledged exception under ORS 197.732 or land that is nonresource land and select as much of the land as necessary to satisfy the need for land using criteria established by the commission and criteria in an acknowledged comprehensive plan and land use regulations.

(C) If the amount of land appropriate for selection under subparagraphs (A) and (B) of this paragraph is not sufficient to satisfy the need for land, the city shall evaluate the land within the study area that is designated as marginal land under ORS 197.247 (1991 Edition) in the acknowledged comprehensive plan and select as much of the land as necessary to satisfy the need for land using criteria established by the commission and criteria in an acknowledged comprehensive plan and land use regulations.

(D) If the amount of land appropriate for selection under subparagraphs (A) to (C) of this paragraph is not sufficient to satisfy the amount of land needed, the city shall evaluate land within the study area that is designated for agriculture or forest uses in the acknowledged comprehensive plan that is not predominantly high-value farmland, as defined in ORS 195.300, or does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service, and select as much of that land as necessary to satisfy the need for land:

(i) Using criteria established by the commission and criteria in an acknowledged comprehensive plan and land use regulations; and

(ii) Using the predominant capability classification system or the predominant cubic site class, as appropriate for the acknowledged comprehensive plan designation, to select lower capability or cubic site class lands first.

(E) If the amount of land appropriate for selection under subparagraphs (A) to (D) of this paragraph is not sufficient to satisfy the need for land, the city shall evaluate land within the study area that is designated as agricultural land in an acknowledged comprehensive plan and is predominantly high value farmland and select as much of that land as necessary to satisfy the need for land. A local government may not select land that is predominantly made up of prime or unique farm soils, as defined by the United States Department of Agriculture Natural Resources Conservation Service, unless there is an insufficient amount of other land to satisfy its land need.

(3) For purposes of subsection (2)(b)(A) of this section, the commission shall determine impracticability by rule, considering the likely amount of development that could occur on the lands within the planning period, the likely cost of facilities and services, physical, topographical or other impediments to service provision and whether urban development has occurred on similarly situated lands such that it is likely that the lands will be developed at an urban level during the planning period. When impracticability is primarily a result of existing development patterns, the rules of the commission shall require that the lands be included within the study area, but may allow the development capacity forecast for the lands to be specified at a lower level over the planning period. The rules of the commission must be based on an evaluation of how similarly situated lands have, or have not, developed over time.

(4) For purposes of subsection (2)(b)(C) of this section, the commission by rule shall determine the circumstances in which and the resources to which this exclusion will apply.

(5) Notwithstanding subsection (2)(c)(E) of this section, the rules must allow land that would otherwise be excluded from an urban growth boundary to be included if:

- (a) The land contains a small amount of resource land that is not important to the commercial agricultural enterprise in the area and the land must be included to connect a nearby and significantly larger area of land of higher priority for inclusion within the urban growth boundary; or
 - (b) The land contains a small amount of resource land that is not predominantly high-value farmland or predominantly made up of prime or unique farm soils and the land is completely surrounded by land of higher priority for inclusion into the urban growth boundary.
- (6) When the primary purpose for expansion of the urban growth boundary is to accommodate a particular industry use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics and the site characteristics may be found in only a small number of locations, the city may limit the study area to land that has, or could be improved to provide, the required site characteristics. Lands included within an urban growth boundary for a particular industrial use, or a particular public facility, must remain planned and zoned for the intended use:
- (a) Except as allowed by rule of the commission that is based on a significant change in circumstance or the passage of time; or
 - (b) Unless the city removes the land from within the urban growth boundary.
- (7) Notwithstanding any other provision of this section, the commission may adopt rules that specify circumstances under which a city may exchange land within the urban growth boundary of the city for land that is outside of the urban growth boundary and that is designed to avoid adverse effects of an exchange on agricultural or forest operations in the surrounding area. [Formerly 197A.320]

Conclusions of Law: The County and City conclude that the City of Phoenix is outside of Metro boundaries and is thus subject to ORS 197A.285. The County and City conclude that the administrative rules established by ORS 197A.285 are found in OAR Division 24. The specific subsection implementing the boundary location alternatives analysis is 660-024-0067. ORS 197A.285, which sets the statutory schema for the prioritization of lands in a boundary location analysis, was modified in 2023 via House Bill 2001. ORS 197A.285 now sets lands that are designated as an urban reserve as the first priority lands and moves lands subject to an exception or land that is not resource to the subsequent second priority. The County and City conclude that the schema set forth in ORS 197A.285 is the controlling law and that it supersedes the prioritization schema in OAR 660-024-0067. To this end, the County and City herewith incorporate and adopt the conclusions of law herein below under Section 5.1.3 Oregon Administrative Rules.

5.1.2 Statewide Planning Goals

The statewide planning goals are addressed herein below. The entire goal language is provided for those goals where the goal contains provisions that are applicable to the subject application in one or more specific ways. For those goals that are only broadly applicable to the proposed quasi-judicial UGB amendment application, only the overarching introductory goal statement is provided. The balance is omitted for the sake of brevity. Supplemental conclusions of law may be prepared during the course of the public proceedings on this application in the event detailed conclusions explaining compliance with omitted goal language is raised as a substantive issue.

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process...*[balance omitted for brevity]*

Conclusions of Law: The County and City conclude the proposed UGB amendment is quasi-judicial in nature and therefore citizen involvement is assured by and through application of the county's adopted and acknowledged procedures for the conduct and noticing of quasi-

judicial reviews, including the giving of proper public noticing and the proper conduct of public hearings.

Goal 2: Land Use Planning

PART I -- PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Affected Governmental Units --are those local governments, state and federal agencies and special districts which have programs, land ownerships, or responsibilities within the area included in the plan.

Comprehensive Plan -- as defined in ORS 197.015(5).

Coordinated -- as defined in ORS 197.015(5). Note: It is included in the definition of comprehensive plan.

Implementation Measures -- are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

Plans -- as used here encompass all plans which guide land-use decisions, including both comprehensive and single-purpose plans of cities, counties, state and federal agencies and special districts.

Conclusions of Law: The County and City conclude that both jurisdictions have acknowledged land use plans that comply with Goal 2. The County and City further conclude that the mutually adopted and acknowledged Urban Growth Management Agreement provides for review of minor growth boundary amendment requests and that such requests are required to be submitted on forms provided by the county. The County and City further conclude that this application has been filed and evidence has been provided within Volumes 1, 2 and 3 and the same will and has assured an adequate factual basis in support of the County and City decision to amend the Phoenix UGB consistent with Goal 2.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state's agricultural land use policy expressed in ORS 215.243 and 215.700.

USES

Counties may authorize farm uses and those nonfarm uses defined by commission rule that will not have significant adverse effects on accepted farm or forest practices.

IMPLEMENTATION

Zoning applied to agricultural land shall limit uses which can have significant adverse effects on agricultural and forest land, farm and forest uses or accepted farming or forest practices.

Counties shall establish minimum sizes for new lots or parcels in each agricultural land designation. The minimum parcel size established for farm uses in farmland zones shall be consistent with applicable statutes. If a county proposes a minimum lot or parcel size less than 80 acres, or 160 acres for rangeland, the minimum shall be appropriate to maintain the existing commercial agricultural enterprise within the area and meet the requirements of ORS 215.243.

Counties authorized by ORS 215.316 may designate agricultural land as marginal land and allow those uses and land divisions on the designated marginal land as allowed by law.

LCDC shall review and approve plan designations and revisions to land use regulations in the manner provided by ORS Chapter 197.

DEFINITIONS

Agricultural Land -- in western Oregon is land of predominantly Class I, II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land-use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event.

More detailed soil data to define agricultural land may be utilized by local governments if such data permits achievement of this goal. Agricultural land does not include land within acknowledged urban growth boundaries or land within acknowledged exceptions to Goals 3 or 4.

Farm Use -- is as set forth in ORS 215.203.

High-Value Farmlands – are areas of agricultural land defined by statute and Commission rule.

GUIDELINES

A. PLANNING

1. Urban growth should be separated from agricultural lands by buffer or transitional areas of open space.
2. Plans providing for the preservation and maintenance of farm land for farm use, should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. IMPLEMENTATION

1. Non-farm uses permitted within farm use zones under ORS 215.213(2) and (3) and 215.283(2) and (3) should be minimized to allow for maximum agricultural productivity.
2. Extension of services, such as sewer and water supplies into rural areas should be appropriate for the needs of agriculture, farm use and non-farm uses established under ORS 215.213 and 215.283.
3. Services that need to pass through agricultural lands should not be connected with any use that is not allowed under ORS 215.203, 215.213, and 215.283, should not be assessed as part of the farm unit and should be limited in capacity to serve specific service areas and identified needs.
4. Forest and open space uses should be permitted on agricultural land that is being preserved for future agricultural

Conclusions of Law: The Land Conservation and Development Commission has adopted administrative rules that implement the Statewide Planning Goals. The County and City conclude that the administrative rule in OAR 660-024-0020(1)(b) provides that Goal 3 is not applicable to UGB amendment requests. The County and City conclude in the first instance that the rule provides no need for further goal findings. However, as a precautionary conclusion, the County and City also conclude that Goal 3 could be interpreted to apply indirectly because Goal 3 continues to apply to those lands not included in the UGB and Goal 14 requires an analysis of impacts on Goal 3 protected lands. To this end, the County and City herewith incorporate and adopt the conclusions of law herein below under Goal 14 which addresses impacts to lands protected by Goal 3. The County and City conclude that satisfaction of the Goal 14 requirements to evaluate agricultural land impacts will contemporaneously assure lands protected by Goal 3 have been adequately considered in the alternatives analysis and will satisfy the Goal 3 objective to continue to preserve and maintain agricultural lands in Jackson County.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture...*(balance omitted for brevity)*

Conclusions of Law: The County and City conclude that OAR 660-024-0020(1)(b) provides that Goal 4 does not apply to UGB amendments and conclude that the rule does not require further goal findings. However, the County and City also conclude in the alternative that the subject property is not near any land inventoried in the Jackson County Comprehensive Plan (nor zoned) as forest land and is not surrounded or near any lands known to be engaged in forest practices.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

The following resources shall be inventoried:

- a. Riparian corridors, including water and riparian areas and fish habitat;
- b. Wetlands;
- c. Wildlife Habitat;

- d. Federal Wild and Scenic Rivers;
- e. State Scenic Waterways;
- f. Groundwater Resources;
- g. Approved Oregon Recreation Trails;
- h. Natural Areas;
- i. Wilderness Areas;
- j. Mineral and Aggregate Resources;
- k. Energy sources;
- l. Cultural areas.

Local governments and state agencies are encouraged to maintain current inventories of the following resources:

- a. Historic Resources;
- b. Open Space;
- c. Scenic Views and Sites.

Following procedures, standards, and definitions contained in commission rules, local governments shall determine significant sites for inventoried resources and develop programs to achieve the goal.

GUIDELINES FOR GOAL 5

A. PLANNING

1. The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.
2. Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.
3. Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.
4. Plans providing for open space, scenic and historic areas and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.
6. In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.
7. As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans should not provide for there classification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710(23).

B. IMPLEMENTATION

1. Development should be planned and directed so as to conserve the needed amount of open space.

2. The conservation of both renewable and non-renewable natural resources and physical limitations of the land should be used as the basis for determining the quantity, quality, location, rate and type of growth in the planning area.
3. The efficient consumption of energy should be considered when utilizing natural resources.
4. Fish and wildlife areas and habitats should be protected and managed in accordance with the Oregon Wildlife Commission's fish and wildlife management plans.
5. Stream flow and water levels should be protected and managed at a level adequate for fish, wildlife, pollution abatement, recreation, aesthetics and agriculture.
6. Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory Committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological, and recreational needs for significant natural areas.
7. Local, regional and state governments should be encouraged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this goal.
8. State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.
9. Areas identified as having non-renewable mineral and aggregate resources should be planned for interim, transitional and "second use" utilization as well as for the primary use.

Conclusions of Law: The County and City conclude in general terms that the City has an adopted and acknowledged Comprehensive Plan that it relies upon to comply with Statewide Planning Goal 5. However, the City acknowledged Comprehensive Plan does not contain adopted inventories of most Goal 5 resources, such as wetlands, as specified in OAR 660-023. Future application of the City's comprehensive plan will assure future compliance with Goal 5 in the protection of natural resources, scenic and historic areas and opens spaces.

More specifically, the County and City conclude that the subject property may contain wetlands, which are a Goal 5 protected resource. These lands are concentrated in the southeasterly corner of Tax Lot 1300 and would not prevent the development of the remainder of the site. Prior to development, the Applicant or developer would need to coordinate with the State of Oregon and acquire all necessary permits. The subject property does not contain or abut City parks, other putative open space, or other Goal 5 resources. The proposed uses are or can be made consistent with any Goal 5 resources, plans, or objective acknowledged by the City or County.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Waste and Process Discharges -- refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards.

GUIDELINES

A. PLANNING

1. Plans should designate alternative areas suitable for use in controlling pollution including but not limited to waste water treatment plants, solid waste disposal sites and sludge disposal sites.
2. Plans should designate areas for urban and rural residential use only where approvable sewage disposal alternatives have been clearly identified in such plans.
3. Plans should buffer and separate those land uses which create or lead to conflicting requirements and impacts upon the air, water and land resources.
4. Plans which provide for the maintenance and improvement of air, land and water resources of the planning area should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. All plans and programs affecting waste and process discharges should be coordinated within the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan.
6. Plans of state agencies before they are adopted should be coordinated with and reviewed by local agencies with respect to the impact of these plans on the air, water and land resources in the planning area.
7. In all air quality maintenance areas, plans should be based on applicable state rules for reducing indirect pollution and be sufficiently comprehensive to include major transportation, industrial, institutional, commercial recreational and governmental developments and facilities.

B. IMPLEMENTATION

1. Plans should take into account methods and devices for implementing this goal, including but not limited to the following:
 - (1) tax incentives and disincentives,
 - (2) land use controls and ordinances,
 - (3) multiple-use and joint development practices,
 - (4) capital facility programming,
 - (5) fee and less-than-fee acquisition techniques, and
 - (6) enforcement of local health and safety ordinances.
2. A management program that details the respective implementation roles and responsibilities for carrying out this goal in the planning area should be established in the comprehensive plan.
3. Programs should manage land conservation and development activities in a manner that accurately reflects the community's desires for a quality environment and a healthy economy and is consistent with state environmental quality statutes, rules, standards and implementation plans.

Conclusions of Law: The County and City conclude that the proposed UGB inclusion area can be feasibly served with public sewer and water and can be served by storm drainage when more intensive uses are ultimately proposed. Specifically, Rogue Valley Sewer Services has

an existing 8" sewer main in Voorhies Road across the frontage of Tax Lot 1400, and the Medford Water Commission has a 12" water main in S Stage Road that can be extended to serve the properties. The subject property has sufficient area to accommodate stormwater detention facilities designed to current standards that will protect downstream water quality when more intensive uses are proposed.

The land will be limited to employment uses and minimal impacts to water and land resources are expected and to the knowledge of the Applicant there is no evidence testified to the contrary.

Air resources are examined on a regional basis and through point-source DEQ permitting. The proposed amendment will support the implementation of the City of Phoenix's Transportation System Plan and will provide the infrastructure necessary for the ultimate development of a road network built to City standards through urban reserves PH-1 and PH-1a, which will provide additional bicycling and pedestrian connections. The site's access to rail transportation also provides an opportunity to create freight movement via the rail system, which typically has lower emission than truck transport. There are no negative air quality impacts from this amendment and no party has testified otherwise.

Goal 7: Areas Subject to Natural Hazards

To protect people and property from natural hazards...*[balance omitted for brevity]*

Conclusions of Law: The County and City conclude that the property is not within a mapped floodway and not subject to flooding. Like nearly all lands west of I-5, the property is mapped by DOGAMI as being within an area of historic landslides. However, the landslide susceptibility of the property is either rated as non-existent or low. There are no other unusual natural hazard risks to the subject property and no party has testified otherwise.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

RECREATION PLANNING

The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise; (2) in appropriate proportions; and (3) in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

Conclusions of Law: The County and City conclude that UGB inclusion of the subject property has limited direct Goal 8 implications because the use of the subject property will be primarily for industrial and employment uses.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens...*[balance omitted for brevity]*

Conclusions of Law: The County and City conclude that this UGB amendment will accommodate approximately 25 acres of identified need for employment lands. The lands will enable the City of Phoenix to meet several important economic development objectives. These include the following:

1. The subject property is unique in the City of Phoenix by having access to the CORP and an existing rail siding. This feature is otherwise lacking in Phoenix and more generally in the southern half of the Rogue Valley.
2. The subject property is well suited for employment development, as it has access to appropriate transportation infrastructure, adequate public services, and has topography appropriate for industrial development.
3. The inclusion of the subject property will fulfill an identified land need that was left after the UGB amendment enacted by City in 2022 and will provide lands that can meet the need in the distribution and transportation services sector based in parcels that are 5-20 acres in size.

Therefore, the County and City conclude this subject amendment will advance Goal 9 by filling an identified need by providing strategically located employment lands with unique transportation assets that can help diversify and strengthen the local and regional economy.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Conclusions of Law: Based upon the evidence, the County and City conclude Goal 10 is not applicable to this UGB amendment because this amendment is not expected to result in any new supply of land for residential development in the City of Phoenix Urban Growth Boundary.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development...*[balance omitted for brevity]*

Conclusions of Law: Based upon the evidence in Section 4.2.6 and 4.2.7, the County and City conclude the subject property can be feasibly served by sewer facilities, municipal water and storm drain facilities to serve the types of uses that might be feasibly permitted under the Phoenix Development Code within the Industrial Comprehensive Plan Designation. Further, the inclusion of these parcels will enable future transportation connections to other areas in the PH-1a and PH-1 Urban Reserve, enabling future development consistent with the City's adopted plans and providing additional safety benefits. The County and City therefore conclude that the amendment is consistent with Goal 11.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system...*[balance omitted for brevity]*

Conclusions of Law: The conclusion of law reached by the County and City is that OAR 660 Division 12 implements Goal 12 and that OAR 660-024-0020(1)(d) makes explicit that detailed findings of compliance with OAR 660-012-0060 are not required when adopting a UGB amendment where the proposed land will retain its current zoning. Since the proposed amendment will not change the zoning of the subject property, the County and City correspondingly do not apply OAR 660-012-0060 to this UGB amendment.

While application of OAR 660-012-0060 is not required at this time, the County and City conclude that addressing the goal itself is nonetheless appropriate. In this regard, the County and City conclude that proposed amendment will provide benefits to the City by creating additional transportation infrastructure that will serve the remainder of PH-1 and PH-1a over the longer term. In the short term, the project will provide an additional form of emergency

access for lands to the southeast, creating safety benefits. In these ways, the County and City conclude that this UGB amendment will provide and encourage a safe, convenient and economic transportation system, consistent with Goal 12.

Goal 13: Energy Conservation

To conserve energy...*[balance omitted for brevity]*

Conclusions of Law: The County and City conclude that the proposed amendment will enable the location of employment uses next to appropriate transportation connections and a railroad siding. Rail transportation is a very energy efficient mode of transportation, particularly for freight, creating the potential for energy savings. The County and City on that basis concludes the amendments will comply with Goal 13.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Urban Growth Boundaries

Urban growth boundaries shall be established and maintained by cities, counties and regional governments to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land. Establishment and change of urban growth boundaries shall be a cooperative process among cities, counties and, where applicable, regional governments.

An urban growth boundary and amendments to the boundary shall be adopted by all cities within the boundary and by the county or counties within which the boundary is located, consistent with intergovernmental agreements, except for the Metro regional urban growth boundary established pursuant to ORS chapter 268, which shall be adopted or amended by the Metropolitan Service District.

Conclusions of Law: The County and City conclude that this UGB amendment will provide for an orderly and efficient transition from rural to urban land use by amending the UGB to include the subject property that is the most appropriate location for additional lands to accommodate an identified need for employment lands, which are an urban use, near the expanding urban population of Phoenix consistent with Goal 14.

Land Need

Establishment and change of urban growth boundaries shall be based on the following:

- (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments, or for cities applying the simplified process under ORS chapter 197A, a 14-year forecast; and
- (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2). In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need. Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary

Conclusions of Law (Goal 14 Continued): The County and City incorporate and rely upon the City's analysis of employment land need, which was relied upon to justify the need in the City's 2022 UGB amendment and found in the Economic, Urbanization, and Land Use Element of the Comprehensive Plan and the City's adopted Regional Economic Opportunity Study (REOS), in concluding that there is a demonstrated need to accommodate an employment land

need for an urban population consistent with a 20-year population forecast.

With respect to the *amount of land needed*, the County and City incorporate and rely upon the City's findings from the 2022 UGB amendment, which added 217 acres of land for employment development, which was less than the 272 acres⁶ of employment land need that was identified by the City. No action subsequently taken by the City has reduced the identified land need and therefore approximately 55 acres of the need remain unfilled. This quantity was contingent upon the removal from the UGB of the property identified by the City as the "Helicopter Pad"⁷, consisting of approximately 33 acres of industrially zoned lands. After consultation with the County, these lands were not removed from the City's UGB. After reconciling for the "Helicopter Pad" lands remaining in the UGB as potential supply, 22 acres of net additional buildable employment land need remain unmet after the 2022 UGB amendment.

Thus, the County and City conclude that 22 net buildable acres are necessary to accommodate employment land needs based on a 20-year population forecast that was part of the adopted REOS and subsequently adopted Economic, Urbanization, and Land Use Elements of the Comprehensive Plan.

The County and City further conclude that the REOS specifically identified transportation and distribution services on parcels of 5-20 acres as a leading sector. The subject properties, totaling approximately 21.8 acres (approximately 19.5 unconstrained acres) with rail access, directly fulfill this identified need in a way that no other property within the first priority lands could match. This represents not just a quantitative fulfillment of the land need, but a qualitative match to the employment land needs recognized by the City.

Boundary Location

The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197A.320 or, for the Metropolitan Service District, ORS 197.298, and with consideration of the following factors:

- (1) Efficient accommodation of identified land needs;
- (2) Orderly and economic provision of public facilities and services;
- (3) Comparative environmental, energy, economic and social consequences; and
- (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

Urbanizable Land

Land within urban growth boundaries shall be considered available for urban development consistent with plans for the provision of urban facilities and services. Comprehensive plans and implementing measures shall manage the use and division of urbanizable land to maintain its potential for planned urban development until appropriate public facilities and services are available or planned.

⁶ The City distinguished between *local* and *regional* employment land needs and even provided separate acreage calculations for each category. However, the City's approach appears to be that the 272 acres of employment land need identified in the REOS would satisfy both the regional employment needs and the local industrial employment needs simultaneously, rather than treating them as separate or additive requirements. The logic and assumptions are discussed in greater detail in Volume 3, Section 2.1 and 2.1.1.

⁷ Identified as "Parcels 38-1W09B4901, 38-1W09B4900, 38-1W09C200, 38-1W09A3000, 38-1W09C300" in the City's adopted Land Use Element.

Unincorporated Communities

In unincorporated communities outside urban growth boundaries counties may approve uses, public facilities and services more intensive than allowed on rural lands by Goal 11 and 14, either by exception to those goals, or as provided by commission rules which ensure such uses do not adversely affect agricultural and forest operations and interfere with the efficient functioning of urban growth boundaries.

Single-Family Dwellings in Exception Areas

Notwithstanding the other provisions of this goal, the commission may by rule provide that this goal does not prohibit the development and use of one single-family dwelling on a lot or parcel that:

- (a) Was lawfully created;
- (b) Lies outside any acknowledged urban growth boundary or unincorporated community boundary;
- (c) Is within an area for which an exception to Statewide Planning Goal 3 or 4 has been acknowledged; and
- (d) Is planned and zoned primarily for residential use.

Rural Industrial Development

Notwithstanding other provisions of this goal restricting urban uses on rural land, a county may authorize industrial development, and accessory uses subordinate to the industrial development, in buildings of any size and type, on certain lands outside urban growth boundaries specified in ORS 197.713 and 197.714, consistent with the requirements of those statutes and any applicable administrative rules adopted by the Commission.

Conclusions of Law (Goal 14 Continued): The County and City herewith adopt the analysis and conclusions of the Volume 3 Boundary Location Analysis, which evaluates alternative boundary locations consistent with ORS 197A.285 and with consideration of the four Boundary Location Factors herein above. As concluded in Volume 3, Section 10, an Urban Growth Boundary expansion that includes the Subject Properties or several other candidate lands located in PH-5 would be consistent in all ways with the priority lands statute at ORS 197A.285 and would represent a reasonable and appropriate balance of the four boundary location factors of Statewide Planning Goal 14 and the comprehensive plan and adopted land use regulations in effect at the time of the initiation of this subject amendment.

After consideration of the candidate lands and the Boundary Location Analysis, the County and City conclude that the Subject Properties, identified as Parcels 2 and 3 in Volume 3 and consisting of all of Tax Lot 1400, the portion of Tax Lot 1300 within the Urban Reserve PH-1a, adjacent CORP right of way, and nearby right of way on Voorhies Road, present the optimal location for UGB inclusion to meet the identified employment land need.

Unlike alternative sites such as Parcels 4-7 which face significant transportation infrastructure barriers, or Parcels 8-10 which are significantly further from existing infrastructure and lack rail access, the subject properties provide immediate development potential with minimal constraints. The other potential sites in Urban Reserve PH-10 (Parcels 11-13) are restricted by RPS land use distribution requirements limiting employment uses to only 15% of that reserve area, which means they have inadequate lands to meet the identified need.

The County and City reached this after applying the four Boundary Location factors to Parcels 2 and 3 as follows:

Factor 1: The subject properties provide approximately 22 acres of land that are relatively unconstrained and located near the City of Phoenix UGB. The properties unique access to the CORP railroad and sufficient space for a rail siding make the location particularly

advantageous. Overall, the size, location, and lack of constraints makes the Subject Properties well suited to efficiently accommodate the identified need.

Factor 2: Public services are located near the subject properties and their extension appears to be both feasible and straightforward. Water service can be extended from a 12" main in S Stage Road and an existing 8" sewer main runs across the frontage of Tax Lot 1400. The properties front on Voorhies Road, a county maintained Major Collector. This contrasts with other alternative sites, where the extension of services would be less economical.

Factor 3: Environmentally, the site has a small area of wetlands in the southeast corner of Tax Lot 1300. Because the wetlands are in a corner and isolated, they should not affect the overall development potential of the Subject Properties. No other environmental constraints are noted on the parcel. In terms of social impact, the parcel is within an urban reserve area that has been 100% planned for industrial uses since the adoption of the Regional Problem Solving process. There are nearby dwellings, but they are limited in number and all generally have existing buffers in the terms of open space or fields between the dwelling and the potentially developable area. In addition, the inclusion of the Subject Properties would enable the construction of a transportation network that would have safety benefits for a residential area to the southeast. Economically, the development of the properties would benefit from the adjacent railroad and industrial uses to the north, providing new growth and employment opportunities. In terms of energy, access to the railroad has the potential to provide large energy savings for industrial freight uses.

Factor 4: The development of the parcels can be compatible with nearby forest and farm uses. The Subject Properties boundaries have limited adjacency to active farm uses. Most of the surrounding lands are instead developed or zoned for residential or employment uses. The one bordering farm use to the south of Parcel #1400 appears to have consisted recently of a mixture of grass hay or alfalfa and some cannabis cultivation. The portion adjacent to the proposed inclusion area is developed with several farm structures, with the closest being a ~7,200 square foot metal agricultural building used to store farm equipment and hemp. The northeasterly corner of the adjacent farm parcel is occupied by open space that appears to have wetland characteristics and is not farmed. In addition to the open spaces and farm uses, the property is home to a cell tower. Given the relative low intensity, location, and sensitivity of these uses, proper site design, buffering, and development standards should be able to ameliorate potential conflicts.

GUIDELINES

A. PLANNING

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area; (2) the needs of the forecast population; (3) the carrying capacity of the planning area; and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
3. Plans providing for the transition from rural to urban land use should take into consideration as to a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
4. Comprehensive plans and implementing measures for land inside urban growth boundaries should encourage the efficient use of land and the development of livable communities.

Guideline Summary: The County and City conclude that the planning guidelines of Goal 14 are not explicit criteria, but instead provide general guidance on Goal 14 planning efforts. In this regard, the County and City note that the proposed amendment will designate sufficient amounts of urbanizable land to accommodate the growth planning of the area for needed employment lands; the size and arrangement of the property are sufficient to accommodate employment needs in this area and enhance the economy of Phoenix.

B. IMPLEMENTATION

1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.
2. The type, design, phasing and location of major public transportation facilities (i.e., all modes: air, marine, rail, mass transit, highways, bicycle and pedestrian) and improvements thereto are factors which should be utilized to support urban expansion into urbanizable areas and restrict it from rural areas.
3. Financial incentives should be provided to assist in maintaining the use and character of lands adjacent to urbanizable areas.
4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.
5. Additional methods and devices for guiding urban land use should include but not be limited to the following: (1) tax incentives and disincentives; (2) multiple use and joint development practices; (3) fee and less-than-fee acquisition techniques; and (4) capital improvement programming.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities.

Implementation Summary: The County and City conclude that the implementation provisions of Goal 14 are not explicit criteria but provide general guidance on Goal 14 implementation. In this regard, the County and City note that the proposed amendment is responsive as a logical inclusion of urbanizable lands that have feasible access to public facilities and services and that the inclusion of these lands will strengthen the overall transportation network of the City and make future development feasible.

Conclusions of Law (Goal 14 Ultimate Conclusion): Based upon the foregoing conclusions of law and after evaluating all the first priority lands in the study area as documented in the Volume 3 analysis, the County and City ultimately conclude Tax Lots 1400 and 1300 present the optimal location for UGB expansion to meet the identified employment land need and that the subject UGB amendment is consistent with Goal 14.

5.1.3 Oregon Administrative Rules

660-024-0000

Purpose and Applicability

- (1) The rules in this division clarify procedures and requirements of Goal 14 regarding a local government adoption or amendment of an urban growth boundary (UGB). The rules in this division do not apply to the simplified UGB process under OAR chapter 660, division 38.
- (2) The rules in this division interpret Goal 14 as amended by the Land Conservation and Development Commission (LCDC or commission) on or after April 28, 2005, and are not applicable to plan amendments or land use decisions governed by previous versions of Goal 14 still in effect.

- (3) The rules in this division adopted on October 5, 2006, are effective April 5, 2007. The rules in this division amended on March 20, 2008, are effective April 18, 2008. The rules in this division adopted March 13, 2009, and amendments to rules in this division adopted on that date, are effective April 16, 2009, except as follows:
 - (a) A local government may choose to not apply this division to a plan amendment concerning the evaluation or amendment of a UGB, regardless of the date of that amendment, if the local government initiated the evaluation or amendment of the UGB prior to April 5, 2007;
 - (b) For purposes of this rule, "initiated" means that the local government either:
 - (A) Issued the public notice specified in OAR 660-018-0020 for the proposed plan amendment concerning the evaluation or amendment of the UGB; or
 - (B) Received LCDC approval of a periodic review work program that includes a work task to evaluate the UGB land supply or amend the UGB;
 - (c) A local government choice whether to apply this division must include the entire division and may not differ with respect to individual rules in the division.
- (4) The rules in this division adopted on December 4, 2015, are effective January 1, 2016, except that a local government may choose to not apply the amendments to rules in this division adopted December 4, 2015 to a plan amendment concerning the amendment of a UGB, regardless of the date of that amendment, if the local government initiated the amendment of the UGB prior to January 1, 2016.

Conclusions of Law: The County and City conclude that the version of OAR 660-024 addressed herein is the applicable Goal 14 administrative rule now in effect.

660-024-0020

Adoption or Amendment of a UGB

- (1) All statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows:
 - (a) The exceptions process in Goal 2 and OAR chapter 660, division 4, is not applicable unless a local government chooses to take an exception to a particular goal requirement, for example, as provided in OAR 660-004-0010(1);
 - (b) Goals 3 and 4 are not applicable;
 - (c) Goal 5 and related rules under OAR chapter 660, division 23, apply only in areas added to the UGB, except as required under OAR 660-023-0070 and 660-023-0250;
 - (d) The transportation planning rule requirements under OAR 660-012-0060 need not be applied to a UGB amendment if the land added to the UGB is zoned 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;
 - (e) Goal 15 is not applicable to land added to the UGB unless the land is within the Willamette River Greenway Boundary;
 - (f) Goals 16 to 18 are not applicable to land added to the UGB unless the land is within a coastal shorelands boundary;
 - (g) Goal 19 is not applicable to a UGB amendment.

Conclusions of Law: The County and City conclude that this rule operates as a dispositive criterion with respect to the Statewide Planning Goals that might otherwise be interpreted to apply to a UGB amendment. With respect to the Transportation Planning Rule, the County and City conclude that the subject property will retain its Exclusive Farm Use (EFU) and Rural

Residential 5 (RR-5) zoning designations and therefore the County and City, as they are entitled, elect *not* to apply the Transportation Planning Rule to the subject UGB amendment.

- (2) The UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location.

Conclusions of Law: The County and City conclude the Applicant proposes to include the entirety of one parcel, a portion of another parcel, adjacent rights of way along Voorhies Road, and the rights of way for CORP, and has provided maps in a format that a definitive UGB location can be discerned and incorporated into the county and city GIS mapping systems; furthermore, Applicant has stipulated to providing a legal description for the UGB amendment area prepared by a registered professional land surveyor to be incorporated into the final adoption actions of the County and City so that the location of the UGB can be known with precision.

660-024-0040

Land Need

- 1) The UGB must be based on the appropriate 20-year population forecast for the urban area as determined under rules in OAR chapter 660, division 32, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision. Local governments in Crook, Deschutes or Jefferson Counties may determine the need for Regional Large-Lot Industrial Land by following the provisions of OAR 660-024-0045 for areas subject to that rule.

Conclusions of Law: The County and City incorporate and rely upon the City's analysis of employment land need, which was relied upon to justify the need in the City's 2022 UGB amendment and found in the Economic, Urbanization, and Land Use Element of the Comprehensive Plan and the City's adopted Regional Economic Opportunity Study, in concluding that there is a demonstrated need to accommodate an employment land need for an urban population consistent with a 20-year population forecast.

With respect to the *amount of land needed*, the County and City incorporate and rely upon the City's findings from the 2022 UGB amendment, which added 217 acres of land for employment development, which was less than the 272 acres of employment land need that was identified by the City. No action subsequently taken by the City has reduced the identified land need and therefore approximately 55 acres of the need remain unfilled. This quantity was contingent upon the removal from the UGB of the property identified by the City as the "Helicopter Pad", consisting of approximately 33 acres of industrially zoned lands. After consultation with the County, these lands were not removed from the City's UGB. After reconciling for the "Helicopter Pad" lands remaining in the UGB as potential supply, 22 acres of net additional employment land need remain unmet after the 2022 UGB amendment.

Thus, the County and City conclude that 22 acres are necessary to accommodate employment land needs based on a 20-year population forecast that was part of the adopted REOS and subsequently adopted Economic, Urbanization, and Land Use Elements of the Comprehensive Plan.

- (2) If the UGB analysis or amendment is conducted as part of a periodic review work program, the 20-year planning period must commence on the date initially scheduled for completion of the appropriate work task. If the UGB analysis or amendment is

conducted as part of a sequential UGB approval, the 20-year planning period will be established in the work program issued pursuant to OAR 660-025-0185. If the UGB analysis or amendment is conducted as a post-acknowledgement plan amendment under ORS 197.610 to 197.625, the 20-year planning period must commence either:

- (a) On the date initially scheduled for final adoption of the amendment specified by the local government in the initial notice of the amendment required by OAR 660-018-0020; or
- (b) If more recent than the date determined in subsection (a), at the beginning of the 20-year period specified in the appropriate coordinated population forecast for the urban area as determined under rules in OAR chapter 660, division 32, unless ORS 197.296 requires a different date for local governments subject to that statute.

Conclusions of Law: The County and City conclude the 20-year planning period is from the date initially scheduled for final adoption of the amendment which will be around the end of 2025, making the 20-year planning period 2045, pursuant to (a) above.

- (3) A local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).

Conclusions of Law: The County and City conclude that the proposed UGB review is to accommodate an employment land need. The rule makes clear that it is wholly appropriate to evaluate such a need independent of the other potential land needs the City may have.

- (4) The determination of 20-year residential land needs for an urban area must be consistent with the appropriate 20-year coordinated population forecast for the urban area determined under rules in OAR chapter 660, division 32, and with the requirements for determining housing needs in Goals 10 and 14, OAR chapter 660, division 7 or 8, and applicable provisions of ORS 197.295 to 197.314 and 197.475 to 197.490.

Conclusions of Law: The County and City conclude that the subject UGB amendment is not based upon nor is it planned to serve residential land needs.

- (5) Except for a metropolitan service district described in ORS 197.015(13), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR chapter 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with OAR 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth. Local governments in Crook, Deschutes or Jefferson Counties may determine the need for Regional Large-Lot Industrial Land by following the provisions of OAR 660-024-0045 for areas subject to that rule.

Conclusions of Law: The County and City conclude that the subject amendment relies upon the City of Phoenix's adopted EOA, Economic Element, Urbanization Plan Element, Land Use Element, and 2022 UGB amendment. Therein, a 20 year employment need was adopted in compliance with the requirements of Goal 9 and OAR 660-009. As discussed herein above and herewith adopted, the needed determined in the adopted documents was based upon a reasonable justification for job growth over the 20 year period.

- (6) Cities and counties may jointly conduct a coordinated regional EOA for more than one city in the county or for a defined region within one or more counties, in conformance with Goal 9, OAR chapter 660, division 9, and applicable provisions of ORS 195.025. A defined region may include incorporated and unincorporated areas of one or more counties.

Conclusions of Law: The County and City conclude that the proposed UGB amendment is based upon a need adopted by the Economic Element, which concluded that there was a need for employment lands based upon a regional EOA that was adopted by the City of Phoenix in 2016.

- (7) The determination of 20-year land needs for transportation and public facilities for an urban area must comply with applicable requirements of Goals 11 and 12, rules in OAR chapter 660, divisions 11 and 12, and public facilities requirements in ORS 197.712 and 197.768. The determination of school facility needs must also comply with 195.110 and 197.296 for local governments specified in those statutes.

Conclusions of Law: The County and City observe that this rule is directed at facility land needs and essentially requires that an adequate supply of lands for public facilities be included in a UGB to assure efficient urbanization. The land need for the subject application is established in the City's adopted and acknowledged Economic Element, Urbanization Element, REOS, and the 2022 UGB amendment.

- (8) The following safe harbors may be applied by a local government to determine housing need under this division:
 - (a) A local government may estimate persons per household for the 20-year planning period using the persons per household for the urban area indicated in the most current data for the urban area published by the U.S. Census Bureau.
 - (b) If a local government does not regulate government-assisted housing differently than other housing types, it is not required to estimate the need for government-assisted housing as a separate housing type.
 - (c) If a local government allows manufactured homes on individual lots as a permitted use in all residential zones that allow 10 or fewer dwelling units per net buildable acre, it is not necessary to provide an estimate of the need for manufactured dwellings on individual lots.
 - (d) If a local government allows manufactured dwelling parks required by ORS 197.475 to 197.490 in all areas planned and zoned for a residential density of six to 12 units per acre, a separate estimate of the need for manufactured dwelling parks is not required.
 - (e) A local government outside of the Metro boundary may estimate its housing vacancy rate for the 20-year planning period using the vacancy rate in the most current data published by the U.S. Census Bureau for that urban area that includes the local government.
 - (f) A local government outside of the Metro boundary may determine housing needs for purposes of a UGB amendment using the combined Housing Density and Housing Mix safe harbors described in this subsection and in Table 1, or in combination with the Alternative Density safe harbor described under subsection (g) of this section and in Table 2. To meet the Housing Density safe harbor in this subsection, the local government may Assume For UGB Analysis that all buildable land in the urban area, including land added to the UGB, will develop at the applicable average overall density specified in column B of Table 1. Buildable land in the UGB, including land added to the UGB, must also be Zoned to Allow at least the average overall maximum density specified as Zone To Allow in column B of Table 1. Finally, the local government must adopt zoning that ensures buildable land in the urban area, including land added to the UGB, cannot develop at an average overall density less than the applicable Required Overall Minimum density specified in column B of Table 1. To meet the Housing Mix safe harbor in this subsection, the local government must Zone to Allow the applicable percentages of low, medium and high density residential specified in column C of Table 1.
 - (g) When using the safe harbor in subsection (f), a local government may choose to also use the applicable Alternative Density safe harbors for Small Exception

Parcels and High Value Farm Land specified in Table 2. If a local government chooses to use the Alternative Density safe harbors described in Table 2, it must

- (A) Apply the applicable Small Exception Parcel density assumption and the High Value Farm Land density assumption measures specified in the table to all buildable land that is within these categories, and
- (B) Apply the Housing Density and Mix safe harbors specified in subsection (f) of this section and specified in Table 1 to all buildable land in the urban area that does not consist of Small Exception Parcels or High Value Farm Land.
- (h) As an alternative to the density safe harbors in subsection (f) and, if applicable, subsection (g), of this section, a local government outside of the Metro boundary may assume that the average overall density of buildable residential land in the urban area for the 20-year planning period will increase by 25 percent over the average overall density of developed residential land in the urban area at the time the local government initiated the evaluation or amendment of the UGB. If a local government uses this Incremental Housing Density safe harbor, it must also meet the applicable Zoned to Allow density and Required Overall Minimum density requirements in Column B of Table 1 and, if applicable, Table 2, and must use the Housing Mix safe harbor in Column C of Table 1.
- (i) As an alternative to the Housing Mix safe harbor required in subsection (f) of this section and in Column C of Table 1, a local government outside the Metro boundary that uses the housing density safe harbor in subsection (f), (g) or (h) of this section may estimate housing mix using the Incremental Housing Mix safe harbor described in paragraphs (A) to (C) of this subsection, as illustrated in Table 3:
 - (A) Determine the existing percentages of low density, medium density, and high density housing on developed land (not “buildable land”) in the urban area at the time the local government initiated the evaluation or amendment of the UGB;
 - (B) Increase the percentage of medium density housing estimated in paragraph (A) of this subsection by 10 percent, increase the percentage of high density housing estimated in paragraph (A) of this subsection by five percent, as illustrated in Table 3, and decrease the percentage of low density single family housing by a proportionate amount so that the overall mix total is 100 percent, and
 - (C) Zone to Allow the resultant housing mix determined under subparagraphs (A) and (B) of this subsection.
- (j) Tables 1, 2 and 3 are adopted as part of this rule, and the following definitions apply to terms used in the tables:
 - (A) “Assume For UGB Analysis” means the local government may assume that the UGB will develop over the 20-year planning period at the applicable overall density specified in Column B of Tables 1 and 2.
 - (B) “Attached housing” means housing where each unit shares a common wall, ceiling or floor with at least one other unit. “Attached housing” includes, but is not limited to, apartments, condominiums, and common-wall dwellings or row houses where each dwelling unit occupies a separate lot.
 - (C) “Average Overall Density” means the average density of all buildable land in the UGB, including buildable land already inside the UGB and buildable land added to the UGB, including land zoned for residential use that is presumed to be needed for schools, parks and other institutional uses.
 - (D) “Coordinated 20-year Population Forecast” and “20-year Population Forecast” under Column A of the Tables refers to the appropriate population forecast for the urban area determined under rules in OAR chapter 660, division 32.

- (E) "Density" means the number of dwelling units per net buildable acre.
- (F) "High Value Farm Land" has the same meaning as the term defined in ORS 195.300(10).
- (G) "Required Overall Minimum" means a minimum allowed overall average density, or a "density floor," that must be ensured in the applicable residential zones with respect to the overall supply of buildable land for that zone in the urban area for the 20-year planning period.
- (H) "Single Family Detached Housing" means a housing unit that is free standing and separate from other housing units, including mobile homes and manufactured dwellings under ORS 197.475 to 197.492.
- (I) "Small Exception Parcel" means a residentially zoned parcel five acres or less with a house on it, located on land that is outside a UGB prior to a proposed UGB expansion, subject to an acknowledged exception to Goal 3 or 4 or both.
- (J) "Zone To Allow" or "Zoned to Allow" means that the comprehensive plan and implementing zoning shall allow the specified housing types and densities under clear and objective standards and other requirements specified in ORS 197.307(3)(b) and (6).

Conclusions of Law: The County and City conclude that the above safe harbors concern residential land needs while the proposed UGB is directed at employment land needs, thus rendering the above safe harbors inapplicable to the subject amendment.

- (9) The following safe harbors may be applied by a local government to determine its employment needs for purposes of a UGB amendment under this rule, Goal 9, OAR chapter 660, division 9, Goal 14 and, if applicable, ORS 197.296.
 - (a) A local government may estimate that the current number of jobs in the urban area will grow during the 20-year planning period at a rate equal to either:
 - (A) The county or regional job growth rate provided in the most recent forecast published by the Oregon Employment Department; or
 - (B) The population growth rate for the urban area in the appropriate 20-year coordinated population forecast determined under rules in OAR chapter 660, division 32.
 - (b) A local government with a population of 10,000 or less may assume that retail and service commercial land needs will grow in direct proportion to the forecasted urban area population growth over the 20-year planning period. This safe harbor may not be used to determine employment land needs for sectors other than retail and service commercial.

Conclusions of Law: The County and City conclude that the subject application is for employment land needs that have been based upon the City's adopted EOA, Economic Element, Urbanization Element, Land Use Element and recent UGB amendment. Therefore, although the City could apply the above safe harbors regarding employment land need, the City has elected not to do so and is not required to do so.

- (10) As a safe harbor during periodic review or other legislative review of the UGB, a local government may estimate that the 20-year land needs for streets and roads, parks and school facilities will together require an additional amount of land equal to 25 percent of the net buildable acres determined for residential land needs under section (4) of this rule, and in conformance with the definition of "Net Buildable Acre" as defined in OAR 660-024-0010(6).

Conclusions of Law: The County and City conclude that the subject application concerns a need for an employment land need and that no determination of residential land needs has been

made herein. Therefore, the County and City elect not to make the voluntary assumption allowed under the safe harbor rule in the above standard.

660-024-0050

Land Inventory and Response to Deficiency

- (1) When evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For residential land, the buildable land inventory must include vacant and redevelopable land, and be conducted in accordance with OAR 660-007-0045 or 660-008-0010, whichever is applicable, and ORS 197.296 for local governments subject to that statute. For employment land, the inventory must include suitable vacant and developed land designated for industrial or other employment use, and must be conducted in accordance with OAR 660-009-0015.

Conclusions of Law: The County and City herewith incorporate and rely upon the analysis performed in Volume 3, Section 2.2.

Given these set of facts discussed herein, it is determined that there is not adequate development capacity within the UGB to accommodate the employment land need which is the subject of this application.

- (2) As safe harbors, a local government, except a city with a population over 25,000 or a metropolitan service district described in ORS 197.015(13), may use the following assumptions to inventory the capacity of buildable lands to accommodate housing needs:
 - (a) The infill potential of developed residential lots or parcels of one-half acre or more may be determined by subtracting one-quarter acre (10,890 square feet) for the existing dwelling and assuming that the remainder is buildable land;
 - (b) Existing lots of less than one-half acre that are currently occupied by a residence may be assumed to be fully developed.

Conclusions of Law: The County and City conclude that the subject application is not directed at residential land needs and therefore this safe harbor is not relevant to this application.

- (3) As safe harbors when inventorying land to accommodate industrial and other employment needs, a local government may assume that a lot or parcel is vacant if it is:
 - (a) Equal to or larger than one-half acre, if the lot or parcel does not contain a permanent building; or
 - (b) Equal to or larger than five acres, if less than one-half acre of the lot or parcel is occupied by a permanent building.

Conclusions of Law: The County and City conclude that the subject application relies upon the City's adopted Economic Element, Regional EOA, Employment Buildable Lands Inventory, and Urbanization Element to establish the amount of land needed and available to accommodate the identified employment land need, and therefore have opted not to use a safe harbor with regards to calculating vacant lands.

- (4) If the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB. If the local government determines there is a need to expand the UGB, changes to the UGB must be determined by evaluating alternative boundary locations

consistent with Goal 14 and applicable rules at OAR 660-024-0060 or 660-024-0065 and 660-024-0067.

Conclusions of Law: Consistent with its conclusions of law under OARs 660-024-0040 and 660-024-0050, the County and City herewith incorporate and rely upon the analysis performed in Volume 3, Section 2.2. Therein, it is determined that the requirements of the determined land need could not be accommodated by lands within the existing UGB, as was determined and adopted by the City in 2022 during the previous UGB amendment. Thus, the County and City conclude that meeting such needs for additional land requires the expansion of UGB.

- (5) In evaluating an amendment of a UGB submitted under ORS 197.626, the director or the Commission may determine that a difference between the estimated 20-year needs determined under OAR 660-024-0040 and the amount of land and development capacity added to the UGB by the submitted amendment is unlikely to significantly affect land supply or resource land protection, and as a result, may determine that the proposed amendment complies with section (4) of this rule.

Conclusions of Law: The County and City conclude the subject amendment is not being submitted in the manner of periodic review under ORS 197.626, so this provision of the rule is inapplicable.

- (6) When land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination. The local government must also apply appropriate zoning to the added land consistent with the plan designation or may maintain the land as urbanizable land until the land is rezoned for the planned urban uses, either by retaining the zoning that was assigned prior to inclusion in the boundary or by applying other interim zoning that maintains the land's potential for planned urban development. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.

Conclusions of Law: The County and City conclude that the land will be designated as Industrial in the City Comprehensive Plan. The subject properties shall retain their existing zoning of Exclusive Farm Use (EFU) and Rural Residential 5 (RR-5) County zoning now assigned until subsequent annexation and zone change to the appropriate City zone that is designed to accommodate the employment land needs.

- (7) Lands included within a UGB pursuant to OAR 660-024-0065(3) to provide for a particular industrial use, or a particular public facility, must be planned and zoned for the intended use and must remain planned and zoned for that use unless the city removes the land from the UGB.

Conclusions of Law: The County and City conclude that the primary purpose of the subject application is to accommodate an employment land need, but it is not to provide for a particular industrial use or a particular public facility and that OAR 660-024-0050(7) is concerned with those particular circumstances, and is therefore inapplicable to the subject application.

- (8) As a safe harbor regarding requirements concerning "efficiency," a local government that chooses to use the density and mix safe harbors in OAR 660-024-0040(8) is deemed to have met the Goal 14 efficiency requirements under:
 - (a) Sections (1) and (4) of this rule regarding evaluation of the development capacity of residential land inside the UGB to accommodate the estimated 20-year needs; and
 - (b) Goal 14 regarding a demonstration that residential needs cannot be reasonably accommodated on residential land already inside the UGB, but not with respect to:
 - (A) A demonstration that residential needs cannot be reasonably accommodated by rezoning non-residential land, and

(B) Compliance with Goal 14 Boundary Location factors.

Conclusions of Law: The County and City conclude that the proposed UGB amendment concerns the supply of employment lands and that OAR 660-024-0050(8) is concerned with residential land needs and is therefore inapplicable to the subject application.

660-024-0065

Establishment of Study Area to Evaluate Land for Inclusion in the UGB

- (1) When considering a UGB amendment to accommodate a need deficit identified in OAR 660-024-0050(4), a city outside of Metro must determine which land to add to the UGB by evaluating alternative locations within a “study area” established pursuant to this rule. To establish the study area, the city must first identify a “preliminary study area” which shall not include land within a different UGB or the corporate limits of a city within a different UGB. The preliminary study area shall include:
 - (a) All lands in the city’s acknowledged urban reserve, if any;
 - (b) All lands that are within the following distance from the acknowledged UGB:
 - (A) For cities with a UGB population less than 10,000: one-half mile;
 - (B) For cities with a UGB population equal to or greater than 10,000: one mile;
 - (c) All exception areas contiguous to an exception area that includes land within the distance specified in subsection (b) and that are within the following distance from the acknowledged UGB:
 - (A) For cities with a UGB population less than 10,000: one mile;
 - (B) For cities with a UGB population equal to or greater than 10,000: one and one-half miles;
 - (d) At the discretion of the city, the preliminary study area may include land that is beyond the distance specified in subsections (b) and (c).

Conclusions of Law: The County and City conclude that the City of Phoenix is a city with a population of less than 10,000. They further conclude that the subject application has established a study area according to the rules set forth in 660-024-0065 pertaining to a city with a population of less than 10,000 and herewith incorporate the analysis and description thereof found in Volume 3, Section 4.

- (2) A city that initiated the evaluation or amendment of its UGB prior to January 1, 2016, may choose to identify a preliminary study area applying the standard in this section rather than section (1). For such cities, the preliminary study area shall consist of:
 - (a) All land adjacent to the acknowledged UGB, including all land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency, and;
 - (b) All land in the city’s acknowledged urban reserve established under OAR chapter 660, division 21, if applicable.

Conclusions of Law: The County and City conclude that the subject application was initiated after 2016 and therefore this Criteria is not applicable.

- (3) When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics. For purposes of this section:
 - (a) The definition of “site characteristics” in OAR 660-009-0005(11) applies for purposes of identifying a particular industrial use.

- (b) A “public facility” may include a facility necessary for public sewer, water, storm water, transportation, parks, schools, or fire protection. Site characteristics may include but are not limited to size, topography and proximity.

Conclusions of Law: The County and City conclude that the primary purpose of the subject application is to accommodate an employment land need, but not one that could be construed as requiring specific, limiting site characteristics. The County and City have elected not to limit the preliminary study area as the boundary location analysis required by Goal 14 includes factors that will value site characteristics that are of importance to accommodate an employment land need that is the subject of this amendment. The County and City herewith incorporate the analysis of the preliminary study area and description thereof found in Volume 3, Section 4 and as graphically depicted on Volume 2 Atlas Pages 1 and 2.

- (4) The city may exclude land from the preliminary study area if it determines that:
 - (a) Based on the standards in section (7) of this rule, it is impracticable to provide necessary public facilities or services to the land;
 - (b) The land is subject to significant development hazards, due to a risk of:
 - (A) Landslides: The land consists of a landslide deposit or scarp flank that is described and mapped on the Statewide Landslide Information Database for Oregon (SLIDO) Release 3.2 Geodatabase published by the Oregon Department of Geology and Mineral Industries (DOGAMI) December 2014, provided that the deposit or scarp flank in the data source is mapped at a scale of 1:40,000 or finer. If the owner of a lot or parcel provides the city with a site-specific analysis by a certified engineering geologist demonstrating that development of the property would not be subject to significant landslide risk, the city may not exclude the lot or parcel under this paragraph;
 - (B) Flooding, including inundation during storm surges: the land is within the Special Flood Hazard Area (SFHA) identified on the applicable Flood Insurance Rate Map (FIRM);
 - (C) Tsunamis: the land is within a tsunami inundation zone established pursuant to ORS 455.446;
 - (c) The land consists of a significant scenic, natural, cultural or recreational resource described in this subsection:
 - (A) Land that is designated in an acknowledged comprehensive plan prior to initiation of the UGB amendment, or that is mapped on a published state or federal inventory at a scale sufficient to determine its location for purposes of this rule, as:
 - (i) Critical or essential habitat for a species listed by a state or federal agency as threatened or endangered;
 - (ii) Core habitat for Greater Sage Grouse; or
 - (iii) Big game migration corridors or winter range, except where located on lands designated as urban reserves or exception areas;
 - (B) Federal Wild and Scenic Rivers and State Scenic Waterways, including Related Adjacent Lands described by ORS 390.805, as mapped by the applicable state or federal agency responsible for the scenic program;
 - (C) Designated Natural Areas on the Oregon State Register of Natural Heritage Resources;
 - (D) Wellhead protection areas described under OAR 660-023-0140 and delineated on a local comprehensive plan;

- (E) Aquatic areas subject to Statewide Planning Goal 16 that are in a Natural or Conservation management unit designated in an acknowledged comprehensive plan;
- (F) Lands subject to acknowledged comprehensive plan or land use regulations that implement Statewide Planning Goal 17, Coastal Shoreland, Use Requirement 1;
- (G) Lands subject to acknowledged comprehensive plan or land use regulations that implement Statewide Planning Goal 18, Implementation Requirement 2;
- (d) The land is owned by the federal government and managed primarily for rural uses.

Conclusions of Law: The County and City conclude that no lands were excluded under subsections (4).(a)-(d) of the foregoing criteria, as is described in the Volume 3 Section 4, which the County and City herewith incorporate.

- (5) After excluding land from the preliminary study area under section (4), the city must adjust the area, if necessary, so that it includes an amount of land that is at least twice the amount of land needed for the deficiency determined under OAR 660-024-0050(4) or, if applicable, twice the particular land need described in section (3). Such adjustment shall be made by expanding the distance specified under the applicable section (1) or (2) and applying section (4) to the expanded area.:

Conclusions of Law: The County and City conclude that the preliminary study area consists of many hundreds of acres of land, as is described in the Volume 3 Section 4, which the County and City herewith incorporate. Therefore, no adjustments were required to the preliminary study area per this subsection of the rule.

- (6) For purposes of evaluating the priority of land under OAR 660-024-0067, the “study area” shall consist of all land that remains in the preliminary study area described in section (1), (2) or (3) of this rule after adjustments to the area based on sections (4) and (5), provided that when a purpose of the UGB expansion is to accommodate a public park need, the city must also consider whether land excluded under subsection (4)(a) through (c) of this rule can reasonably accommodate the park use.

Conclusions of Law: The County and City conclude that the preliminary study area consists of the lands as is described in the Volume 3 Section 4 and as graphically depicted on Volume 2 Atlas Pages 7 and 8, which accords with the above criterion.

- (7) For purposes of subsection (4)(a), the city may consider it impracticable to provide necessary public facilities or services to the following lands:
 - (a) Contiguous areas of at least five acres where 75 percent or more of the land has a slope of 25 percent or greater, provided that contiguous areas 20 acres or more that are less than 25 percent slope may not be excluded under this subsection. Slope shall be measured as the increase in elevation divided by the horizontal distance at maximum ten-foot contour intervals
 - (b) Land that is isolated from existing service networks by physical, topographic, or other impediments to service provision such that it is impracticable to provide necessary facilities or services to the land within the planning period. The city’s determination shall be based on an evaluation of:
 - (A) The likely amount of development that could occur on the land within the planning period:
 - (B) The likely cost of facilities and services; and,
 - (C) Any substantial evidence collected by or presented to the city regarding how similarly situated land in the region has, or has not, developed over time.
 - (c) As used in this section, “impediments to service provision” may include but are not limited to:

(A) Major rivers or other water bodies that would require new bridge crossings to serve planned urban development;

(B) Topographic features such as canyons or ridges with slopes exceeding 40 percent and vertical relief of greater than 80 feet;

(C) Freeways, rail lines, or other restricted access corridors that would require new grade separated crossings to serve planned urban development;

(D) Significant scenic, natural, cultural or recreational resources on an acknowledged plan inventory and subject to protection measures under the plan or implementing regulations, or on a published state or federal inventory, that would prohibit or substantially impede the placement or construction of necessary public facilities and services.

Conclusions of Law: The County and City conclude that they have elected not to eliminate lands as allowed by the criterion above, and that the preliminary study area is as described in Volume 3, Section 4 and as graphically depicted Volume 2 Atlas Pages 7 and 8.

- (8) Land may not be excluded from the preliminary study area based on a finding of impracticability that is primarily a result of existing development patterns. However, a city may forecast development capacity for such land as provided in OAR 660-024-0067(1)(d).

Conclusions of Law: The County and City adopt the analysis and description of the preliminary study area as described in Volume 3, Section 4, and therefore conclude that no lands were excluded from the preliminary study area based on a finding of impracticability that is primarily a result of existing development patterns.

- (9) Notwithstanding OAR 660-024-0050(4) and section (1) of this rule, except during periodic review or other legislative review of the UGB, the city may approve an application under ORS 197.610 to 197.625 for a UGB amendment to add an amount of land less than necessary to satisfy the land need deficiency determined under OAR 660-024-0050(4), provided the amendment complies with all other applicable requirements

Conclusions of Law: The County and City conclude that this subject amendment will add an amount of land substantially equivalent to the identified land need and therefore this criterion is not applicable.

660-024-0067

Evaluation of Land in the Study Area for Inclusion in the UGB; Priorities

- (1) A city considering a UGB amendment must decide which land to add to the UGB by evaluating all land in the study area determined under OAR 660-024-0065, as follows
- (a) Beginning with the highest priority category of land described in section (2), the city must apply section (5) to determine which land in that priority category is suitable to satisfy the need deficiency determined under OAR 660-024-0050 and select for inclusion in the UGB as much of the land as necessary to satisfy the need.
 - (b) If the amount of suitable land in the first priority category is not sufficient to satisfy all the identified need deficiency, the city must apply section (5) to determine which land in the next priority is suitable and select for inclusion in the UGB as much of the suitable land in that priority as necessary to satisfy the need. The city must proceed in this manner until all the land need is satisfied, except as provided in OAR 660-024-0065(9).
 - (c) If the amount of suitable land in a particular priority category in section (2) exceeds the amount necessary to satisfy the need deficiency, the city must choose which land in that priority to include in the UGB by applying the criteria in section (7) of this rule.

- (d) In evaluating the sufficiency of land to satisfy a need under this section, the city may use the factors identified in sections (5) and (6) of this rule to reduce the forecast development capacity of the land to meet the need.
- (e) Land that is determined to not be suitable under section (5) of this rule to satisfy the need deficiency determined under OAR 660-024-0050 is not required to be selected for inclusion in the UGB unless its inclusion is necessary to serve other higher priority lands.

Conclusions of Law: The County and City conclude that the required analysis was performed in Volume 3, Section 5, and that enough land was found to satisfy the need in the first priority category. With regards to the specific land selected, the County and City herewith adopt the Conclusions of Law herein above in Section 5.1.2 regarding Goal 14 and the Boundary Location Factor Analysis.

(2) Priority of Land for inclusion in a UGB:

- (a) First Priority is urban reserve, exception land, and nonresource land. Lands in the study area that meet the description in paragraphs (A) through (C) of this subsection are of equal (first) priority:
 - (A) Land designated as an urban reserve under OAR chapter 660, division 21, in an acknowledged comprehensive plan;
 - (B) Land that is subject to an acknowledged exception under ORS 197.732; and
 - (C) Land that is nonresource land.
- (b) Second Priority is marginal land: land within the study area that is designated as marginal land under ORS 197.247 (1991 Edition) in the acknowledged comprehensive plan.
- (c) Third Priority is forest or farm land that is not predominantly high-value farm land: land within the study area that is designated for forest or agriculture uses in the acknowledged comprehensive plan and that is not predominantly high-value farmland as defined in ORS 195.300, or that does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS). In selecting which lands to include to satisfy the need, the city must use the agricultural land capability classification system or the cubic foot site class system, as appropriate for the acknowledged comprehensive plan designation, to select lower capability or cubic foot site class lands first.
- (d) Fourth Priority is agricultural land that is predominantly high-value farmland: land within the study area that is designated as agricultural land in an acknowledged comprehensive plan and is predominantly high-value farmland as defined in ORS 195.300. A city may not select land that is predominantly made up of prime or unique farm soils, as defined by the USDA NRCS, unless there is an insufficient amount of other land to satisfy its land need. In selecting which lands to include to satisfy the need, the city must use the agricultural land capability classification system to select lower capability lands first.

Conclusions of Law: ORS 197A.285, which sets the statutory schema for the prioritization of lands in a boundary location analysis, was modified in 2023 via House Bill 2001. ORS 197A.285 now sets lands that are designated as an urban reserve as the first priority lands and moves lands subject to an exception or land that is not resource to the subsequent second priority. The County and City conclude that the schema set forth in ORS 197A.285 is the controlling law and that it supersedes the prioritization schema in OAR 660-024-0067. Volume 3, Section 5 described and prioritized lands as required under state law with urban reserves treated as the first and highest priority, but that exception lands and non-resource lands were identified as second priority lands in the preliminary study area as described Volume 3, Section 4.

- (3) Notwithstanding section (2)(c) or (d) of this rule, land that would otherwise be excluded from a UGB may be included if:
 - (a) The land contains a small amount of third or fourth priority land that is not important to the commercial agricultural enterprise in the area and the land must be included in the UGB to connect a nearby and significantly larger area of land of higher priority for inclusion within the UGB; or
 - (b) The land contains a small amount of third or fourth priority land that is not predominantly high-value farmland or predominantly made up of prime or unique farm soils and the land is completely surrounded by land of higher priority for inclusion into the UGB.

Conclusions of Law: The County and City conclude that the Boundary Location Analysis in Volume 3 does not recommend that any third or fourth priority lands as described above be included in the UGB amendment, and thus this criterion is not applicable.

- (4) For purposes of categorizing land evaluating land pursuant to subsections (2)(c) and (d) and section (3) of this rule,
 - (a) Areas of land not larger than 100 acres may be grouped together and studied as a single unit of land;
 - (b) The land contains a small amount of third or fourth priority land that is not predominantly high-value farmland or predominantly made up of prime or unique farm soils and the land is completely surrounded by land of higher priority for inclusion into the UGB.
 - (c) Notwithstanding subsection (4)(a), if a city initiated the evaluation or amendment of its UGB prior to January 1, 2016, and if the analysis involves more than one lot or parcel or area within a particular priority category for which circumstances are reasonably similar, these lots, parcels and areas may be considered and evaluated as a single group;
 - (d) When determining whether the land is predominantly high-value farmland, or predominantly prime or unique, “predominantly” means more than 50 percent.

Conclusions of Law: The County and City conclude that the Boundary Location Analysis in Volume 3 evaluated lands mostly on a parcel by parcel basis, only grouping lands together when common ownerships made such analysis more responsive to the likelihood of satisfying the identified need. Regardless, the 100-acre limit did not apply to the categories of lands analyzed therein, as the analysis did not extend to lands that fall under the herein above referenced subsection (2)(c), (2)(d), or section (3). No third or fourth priority lands were considered for inclusion. Thus, this criterion is met.

- (5) With respect to section (1), a city must assume that vacant or partially vacant land in a particular priority category is “suitable” to satisfy a need deficiency identified in OAR 660-024-0050(4) unless it demonstrates that the land cannot satisfy the specified need based on one or more of the conditions described in subsections (a) through (g) of this section:
 - (a) Existing parcelization, lot sizes or development patterns of rural residential land make that land unsuitable for an identified employment need; as follows:
 - (A) Parcelization: the land consists primarily of parcels 2-acres or less in size, or;
 - (B) Existing development patterns: the land cannot be reasonably redeveloped or infilled within the planning period due to the location of existing structures and infrastructure
 - (b) The land would qualify for exclusion from the preliminary study area under the factors in OAR 660-024-0065(4) but the city declined to exclude it pending more detailed analysis

- (c) The land is, or will be upon inclusion in the UGB, subject to natural resources protections under Statewide Planning Goal 5 such that that no development capacity should be forecast on that land to meet the land need deficiency.;
- (d) With respect to needed industrial uses only, the land is over 10 percent slope, or is an existing lot or parcel that is smaller than 5 acres in size, or both. Slope shall be measured as the increase in elevation divided by the horizontal distance at maximum ten-foot contour intervals.
- (e) With respect to a particular industrial use or particular public facility use described in OAR 660-024-0065(3), the land does not have, and cannot be improved to provide, one or more of the required specific site characteristics.
- (f) The land is subject to a conservation easement described in ORS 271.715 that prohibits urban development.
- (g) The land is committed to a use described in this subsection and the use is unlikely to be discontinued during the planning period:
 - (A) Public park, church, school, or cemetery, or
 - (B) Land within the boundary of an airport designated for airport uses, but not including land designated or zoned for residential, commercial or industrial uses in an acknowledged comprehensive plan.

Conclusions of Law: The County and City conclude that the analysis in Volume 3 did not exclude any land from the preliminary study area as being unsuitable for any of the reasons described in OAR 660-024-0067(5) nor is the subject amendment resulting in land of a lower priority being included due to unsuitability conditions described in the above rule.

- (6) For vacant or partially vacant lands added to the UGB to provide for residential uses:
 - (a) Existing lots or parcels one acre or less may be assumed to have a development capacity of one dwelling unit per lot or parcel. Existing lots or parcels greater than one acre but less than two acres shall be assumed to have an aggregate development capacity of two dwelling units per acre.
 - (b) In any subsequent review of a UGB pursuant to this division, the city may use a development assumption for land described in subsection (a) of this section for a period of up to 14 years from the date the lands were added to the UGB.

Conclusions of Law: The County and City conclude that the criteria concern dwellings, and therefore residential land needs, while the proposed UGB amendment is directed at employment land needs and is thus not applicable.

- (7) Pursuant to subsection (1)(c), if the amount of suitable land in a particular priority category under section (2) exceeds the amount necessary to satisfy the need deficiency, the city must choose which land in that priority to include in the UGB by first applying the boundary location factors of Goal 14 and then applying applicable criteria in the acknowledged comprehensive plan and land use regulations acknowledged prior to initiation of the UGB evaluation or amendment. The city may not apply local comprehensive plan criteria that contradict the requirements of the boundary location factors of Goal 14. The boundary location factors are not independent criteria; when the factors are applied to compare alternative boundary locations and to determine the UGB location the city must show that it considered and balanced all the factors. The criteria in this section may not be used to select lands designated for agriculture or forest use that have higher land capability or cubic foot site class, as applicable, ahead of lands that have lower capability or cubic foot site class.

Conclusions of Law: The County and City conclude that the amount of suitable land in the first priority exceeded the amount necessary to satisfy the established land need. Thus, the land need can and is satisfied by the UGB amendment with first priority land, as is depicted on Atlas Page 9. The County and City conclude this analysis was performed in Volume 3, Section 5,

and further conclude that the inclusion of subject property of this amendment in the UGB, identified as all 5 acres of Map and Tax Lot 38-1W-05-1400 and approximately 16.8 acres of Map and Tax Lot 38-1W-05D-1300, satisfies an identified need for employment lands. The County and City conclude that the analysis which reached these conclusions is a reasonable methodology and balanced all boundary location factors in conformance with ORS 197A.285 and OAR 660-024-0067, and herewith adopt the analysis and conclusions therein.

Specifically, the County and City herewith adopt the findings in Section 5.1.3 regarding the application of the Boundary Location Factors and conclude that Tax Lot 1400 and 1300 and are the most appropriate land for UGB inclusion and accommodates the identified need for the following reasons:

- The land proposed for inclusion is mostly flat, provides sufficient buildable area outside of floodplains, wetlands, and other topographical constraints, and has access to an existing rail line, providing a unique economic asset for the City of Phoenix.
- The land proposed for inclusion is near the necessary public services and facilities, providing an efficient use of land to accommodate the identified need.
- The land proposed for inclusion will enable the future construction of the City's transportation network by providing a critical transportation link for lands both inside and outside the UGB to the south. It will also provide for the extension of an access route across Tax Lot 1300 that will provide an alternative egress for residential lands to the south and east, which will enhance safety and resilience against fire hazards.
- The land proposed for inclusion is part of an Urban Reserve which was proposed for 100% employment land uses in the adopted Bear Creek Valley Regional Problem Solving document.
- The 2022 amendment only added employment land on the east side of Interstate 5. Most of the Phoenix's residences are on the west side of Interstate 5. The proposed UGB amendment will help balance employment opportunities on the west side of Interstate 5 with the opportunities created on the east side of Interstate 5 in the 2022 UGB amendment.

(8) The city must apply the boundary location factors of Goal 14 in coordination with service providers and state agencies, including the Oregon Department of Transportation (ODOT) with respect to Factor 2 regarding impacts on the state transportation system, and the Oregon Department of Fish and Wildlife (ODFW) and the Department of State Lands (DSL) with respect to Factor 3 regarding environmental consequences. "Coordination" includes timely notice to agencies and service providers and consideration of any recommended evaluation methodologies.

Conclusions of Law: The County and City conclude that timely notice to agency and service providers can feasibly and will be provided. At the time of submittal, the Applicant does not anticipate any objections or recommended evaluation methodology changes. Applicant can and will supplement this conclusion of law, in the event the coordination process results in unexpected comments from any of the above named State agencies.

(9) In applying Goal 14 Boundary Location Factor 2 to evaluate alternative locations under section (7), the city must compare relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. For purposes of this section, the term "public facilities and services" means water,

sanitary sewer, storm water management, and transportation facilities. The evaluation and comparison under Boundary Location Factor 2 must consider

- (a) The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;
- (b) The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and
- (c) The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.

Conclusions of Law: The County and City conclude that the boundary factor analysis considered the above criteria as prescribed by the rule and described in Volume 3, Section 5.1.2 of said analysis.

- (10) The adopted findings for UGB amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis.

Conclusions of Law: The County and City conclude that the Volume 3, Section 5 for the subject UGB amendment describes all of the alternative areas of evaluation in the boundary location alternatives analysis and that a map depicting these evaluation areas is found at Atlas Pages 15-19.

5.2 Jackson County Land Use Criteria

This section addresses Jackson County criteria applicable to the UGB Amendment. Jackson County criteria that pertain to transportation is addressed in Section 5.7 that is solely focused on transportation related criteria.

5.2.1 Jackson County Land Development Ordinance

3.7.3 Approval Criteria

Any amendment must comply with all applicable Statewide Planning Goals, Oregon Administrative Rules and the Comprehensive Plan as a whole. In addition, the following specific approval criteria apply:

Conclusions of Law: The County and City herewith incorporate and adopt the foregoing Conclusions of Law in Section 5.1 and relies upon the same in concluding that this application complies with all applicable Statewide Planning Goals, Oregon Revised Statutes and Oregon Administrative Rules. As to the Comprehensive Plan, the County and City herewith incorporates and adopts its conclusions of law in Section 5.2.2. On that basis, the County and City conclude that the subject application complies with all provisions of the Jackson County Comprehensive Plan which are relevant thereto.

C) Minor Comprehensive Plan Map or Zoning Map Amendments (Quasi-Judicial)

All proposed minor map amendments will be reviewed for compliance with the criteria set forth below and with all other applicable provisions of this Ordinance and the Comprehensive Plan:

- 1) Adequate public safety, transportation, and utility facilities and services can be provided to the subject property. In the case of a minor zoning map amendment, adequate transportation facilities must exist or be assured;

Conclusions of Law: Based upon the findings of fact in Sections 4.2.6 and 4.2.7, the County and City conclude that the subject properties can feasibly and will be served by adequate public facilities and services for new or expanded uses and that the character of the planned uses for

the area are such that they will produce relatively few additional demands for public facilities and services.

- 2) The minor map amendment will not prevent implementation of any area of special concern or restrictions specified for that area in Chapter 7 or the adopting ordinance creating it, or both;

Conclusions of Law: The County and City conclude the subject properties are not within any Areas of Special Concern or subject to restrictions from Chapter 7 or the adopting ordinance creating it.

- 3) On resource zoned lands outside urban growth boundaries, the entire parcel is included in the minor Comprehensive Plan Map unless the purpose of the amendment conforms with the criteria of Policy 1 of the Comprehensive Map Designations Element;

Conclusions of Law: The County and City conclude that the proposed amendment includes the entirety of Tax Lot 1400, which is approximately 5 acres, and approximately 16.8 acres of Taxlot 1300, which is zoned EFU. The portion of Tax Lot 1300 proposed for inclusion is the area located within Urban Reserve PH-1a. The remainder of the parcel is outside of the Urban Reserve and is therefore of a lower priority land. The amount proposed to be brought into the UGB satisfies the identified need for employment lands. Accordingly, this criterion is met.

- 4) Map amendments outside urban growth boundaries and urban unincorporated communities that will result in a minimum residential lot size smaller than 10 acres meet the requirements for an exception to Statewide Planning Goal 14;

Conclusions of Law: The County and City conclude that this criterion applies to proposals that will result in the subject property remaining outside urban growth boundaries and concerns amendments to allow residential development. Therefore, this application complies by reason that this criterion does not apply to UGB amendments.

- 5) Any minor Zoning Map amendment is consistent with the Comprehensive Plan Map designation;

Conclusions of Law: The County and City conclude that Applicant does not, under this application, seek a minor zoning map amendment.

- 6) In the case of a minor Comprehensive Plan Map amendment, community benefit as a result of the minor map amendment is clearly demonstrated; and

Conclusions of Law: The County and City conclude that it is in the interest of the community, in this case the City of Phoenix, to have sufficient lands incorporated within the Phoenix UGB so that the identified needs for employment lands can be accommodated. This will create new space for business and industry that can take advantage of railroad access, which is an asset rarely found in the southern half of the Rogue Valley. In addition, the inclusion of the subject properties will help build and diversify the employment base of the City of Phoenix, allow for the furtherance of a transportation network to serve other areas on the west side of Phoenix, and produce jobs for the community. The County and City therefore conclude that this UGB amendment will result in community benefit.

- 7) In determining the appropriateness of the proposed redesignation, the White City or Jackson County Planning Commission and Board of Commissioners will consider any factors relevant to the proposal, which may include: topography, geology, hydrology, soil characteristics, climate, vegetation, wildlife, water quality, historical or archaeological resources, scenic resources, noise, open space, existing site grading, drainage, adverse impacts on other property in the vicinity, and any other factors deemed to be relevant to the application.

Conclusions of Law: The County and City conclude that the conclusions of law herein and the record for the proceedings are adequate to conclude that factors relevant to the proposal have been properly considered.

E) Standards for Amending an Adopted Urban Growth Boundary, Urban Fringe, or Buffer Area

In addition to the requirements contained in joint urban growth boundary management agreements, all proposed boundary amendments must comply with applicable State Law, Statewide Planning Goals, the County Comprehensive Plan and any Regional Problem Solving documents adopted by the County.

Conclusions of Law: The County and City conclude as follows with respect to this criterion:

1. Regarding State Law, the County and City herewith incorporate and adopt the conclusions of law in Section 5.1.1, and based thereupon, conclude that the proposed UGB amendment complies with State Law.
2. With respect to the Statewide Planning Goals, the County and City herewith incorporate and adopt the conclusions of law in Section 5.1.2 and 5.1.3, and based thereupon, conclude that the proposed UGB amendment complies with the Statewide Planning Goals.
3. Regarding the Jackson County Comprehensive Plan, the County and City herewith incorporate and adopt the conclusions of law in Section 5.2.2 and 5.7.2, and based thereupon, conclude that the proposed UGB amendment complies with the County Comprehensive Plan.
4. Regarding the RPS Plan, the County and City herewith incorporate and adopt the subsequent conclusions of law under Sections 5.5 and 5.6 herein below and based upon the same conclude that this proposed amendment is consistent in all ways with the cited and addressed Regional Problem Solving documents that have been adopted by Jackson County.

5.2.2 Jackson County Comprehensive Plan

The fact that criteria elsewhere in these Conclusions of Law requires quasi-judicial map amendments to comply with the Comprehensive Plan — *See, JCLDO 3.7.3(C)* — does not turn all plan goals and policies into decisional criteria. The County and City conclude that they have reviewed the goals and policies of the Jackson County Comprehensive Plan and conclude that the plan contains only the following goals or policies and those transportation policies specifically addressed in section 5.7.2 herein below that may be properly construed as independent approval criteria under *Bennett vs. City of Dallas, supra*.

Urban Lands Element Policy 1

Policy: Jackson County Shall Maintain a Long-Range Commitment to the implementation of Urban Centered Growth

Conclusions of Law: The County and City herewith conclude that this policy is applicable but broad in its direction that the County will continue its policy direction of urban centered growth through the continued application and amendment of UGBs. The County and City further conclude that approval of the subject application is consistent with and an expression of this long-term policy direction because it implements and is in furtherance of the adopted and acknowledged long range Regional Problem Solving Plan.

5.3 City of Phoenix Land Development Code Criteria

This section addresses City of Phoenix criteria applicable to the UGB Amendment. Phoenix's criteria that pertain to transportation are addressed in Section 5.7, the section of this document that addresses the transportation-related standards and criteria.

5.3.1 City of Phoenix Land Development Code

4.7.3 Quasi-Judicial Amendments.

B. Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

1. Demonstration of compliance with all applicable comprehensive plan policies and map designations. Where this criterion cannot be met, a comprehensive plan amendment shall be a prerequisite to approval;

Conclusions of Law: The County and City herewith incorporate and adopt the conclusions of law herein below in Section 5.3.2 and based thereupon conclude that this proposed amendment and the compendium Conceptual Master Plan, which proposes a comprehensive plan map designation of Industrial for the subject properties, has been found to comply with the City of Phoenix Comprehensive Plan and map designations.

2. Demonstration of compliance with all applicable standards and criteria of this Code, and other applicable implementing ordinances;

Conclusions of Law: The County and City conclude that the proposed amendment meets all standards of the City of Phoenix Land Development Code as discussed in Section 5.3.1. Further, the City and County conclude that the amendment meets the standards and requirements with the Oregon Statewide Planning Goals, including Goal 14. With respect to OAR 660-024, the County and City herewith incorporate and adopt the conclusions of law herein above in Section 5.1.3.

3. Evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or land use district map regarding the property that is the subject of the application; and the provisions of Chapter 4.7.6 – Transportation Planning Rule Compliance, as applicable.

Conclusions of Law: The County and City conclude that the community of Phoenix has continued to grow and change since the adoption of the Regional EOA and the Alameda fire. Changes to the structure of the economy have increased opportunities for industrial uses with rail connections and the continually evolving local economy warrants amendments to provide land that can provide jobs and growth to the City of Phoenix while satisfying a previously identified, unfulfilled land need. With respect to the Transportation Planning Rule, the County herewith incorporate and adopt the conclusions of law herein below.

4.7.6 Transportation Planning Rule Compliance.

A. When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. Significant means the proposal would:

1. Demonstration of compliance with all applicable comprehensive plan policies and map designations. Where this criterion cannot be met, a comprehensive plan amendment shall be a prerequisite to approval;
2. Change the standards implementing a functional classification system; or

3. Allow types or levels of land use that would result in levels of travel or access what are inconsistent with the functional classification of a transportation facility; or
4. Reduce the level of service of the facility below the minimum acceptable level identified in the Comprehensive Plan and the Transportation System Plan.

Conclusions of Law: The County and City herewith incorporate and adopt the conclusions of law herein below in Section 5.7.1, which addresses OAR 660-024-0020 and by extension OAR 660-024-0060. Therein, it is concluded that compliance with the Transportation Planning Rule need not be determined at the time of the UGB amendment if, as in this instance, the land retains its present zoning. Therefore, the County and City conclude that this criterion is met for the subject application and future TPR compliance will be ensured through the City of Phoenix rezoning process which the Applicant anticipates undertaking shortly after adoption and acknowledgement of the proposed UGB amendment.

5.3.2 City of Phoenix Comprehensive Plan

LAND USE ELEMENT

Policy 1.2

There shall be two types of amendments of the City's Comprehensive Land Use Plan and Map. Major amendments shall mean those revisions of the City's Land Use Plan and/or Map that affect change over large areas, either through the text of the land use element or in the land use designation of land or both. Although there is no specific quantitative threshold that defines a Major Amendment of the Land Use Plan or Map, the following situations are demonstrative of a Major Amendment:

- Revisions of descriptions of Comprehensive Land Use Map designations such that additions and deletions to the text result in substantial inconsistencies between the Comprehensive Plan and implementing land use regulations (mostly the Land Development Code) that could only be resolved through Legislative zone change of multiple properties and/or Legislative amendment of the and implementing land use regulations (mostly the Land Development Code);
- Designation of multiple tracts of land or tracts of land that of themselves are large relative to the size of similarly designated lands. The reasonably anticipated quantitative and qualitative impact of the proposed designation shall be considered in this determination, particularly in instances where the proposed designation could reasonably be anticipated to alter the character of lands and existing development beyond those adjacent to it;
- Revisions that affect or are related to the amendment of the City's Urban Growth Boundary.

Major amendments may only be initiated on the action of the City Council or Planning Commission, though such action may be requested by owners of real property affected by the proposed amendment.

Major amendments should only be initiated in limited circumstances. The following are demonstrative of such situations, but do not represent an exhaustive list:

- Changes to state statute, administrative rules, Statewide Planning Goals, or the outcomes of legal decisions determined to affect the legality of provisions within the Land Use Plan;
- Inconsistencies between individual elements of the Comprehensive Plan resulting from the amendment of individual elements.

Minor amendments are those affecting individual or a small number of tracts of land of limited area such the effects of the proposed amendment are confined within the immediate area and are not of a general nature affecting similar lands throughout the City.

Minor amendments may be initiated by private parties, the Planning Commission, or City Council.

All amendments of the Land Use Plan and Map shall demonstrate the following:

- Measurable public need for the amendment, for example the provision of needed housing;
 - Consistency with other Comprehensive Plan goals, objectives, policies, and the like;
 - Compliance with Statewide Planning Goals.
-

Conclusions of Law: The County and City herewith adopt and incorporate the conclusions of law in Section 3.2.1 and conclude that the subject application is quasi-judicial in nature pursuant to Strawberry Hill 4 Wheelers vs Benton County.

Policy 4.3

Plan for future land uses in areas that are likely to be included in an amended Urban Growth Boundary and implement changes to the City's land development code as needed to ensure efficient, fiscally sustainable land development.

Conclusions of Law: The City has adopted a zoning ordinance to carry out the comprehensive plan and has regulations pertaining to employment uses and land use designations. The Applicant submitted a draft conceptual plan shortly after filing the application to designate the subject lands as Industrial and has justified the need for inclusion, contributing thereby to the efficient and fiscally sustainable development of the land in the future.

Policy 6.1

Develop implementation measures and land use regulations for PH-5 in accordance with the Economic Element and such that large assemblages of employment land are preserved in order to accommodate the development needs of large, traded-sector employers. Policies and any area-specific plans should identify and designate employment land in PH-5 should be substantially consistent with the following table:

Site Size (Range)	Avg. Assumed Size Based on Economic Element Table 4-3	Assumed # Sites Based on Economic Element Table 4-3	Total Gross Acres
50+	67	1	67
20-50	25	4	100
5-20	10	8	80
<5	5	5	25
			272

Conclusions of Law: As discussed elsewhere, the 2022 UGB amendment justified the need for 272 acres of employment lands, but only included 217 acres of land. The subject proposal would amend the UGB to include lands in PH-1a and would not negatively affect the ability of the City to create large assemblages of employment lands in PH-5.

Policy 6.7

Remove Parcels 38-1W09B4901, 38-1W09B4900, 38-1W09C200, 38-1W09A3000, 38-1W09C300, the land known as the "Helicopter Pad", from the City's Urban Growth Boundary and Urban Renewal Agency boundary.

Conclusions of Law: The County and City ultimately decided against removing the aforementioned lands from the City of Phoenix UGB in the 2022 UGB amendment. These lands are therefore still in the UGB and should properly be considered when conducting an analysis of the availability of employment lands in the UGB. Although this subject application does not directly affect these lands, the foregoing analysis of need and land availability considered the above lands remaining in the supply of employment lands.

ECONOMIC ELEMENT

Policy 1.1

Ensure that the City of Phoenix has an adequate supply of employment land for both short and long-term local employment needs over the next 20 years, and initiate efforts to expand the City's Urban Growth Boundary in order to accommodate that need.

Conclusions of Law: The County and City herewith adopt and incorporate the findings of fact and conclusions of law in Section 5.1.2 regarding the land need for the subject UGB amendment. As discussed there, the City has an existing unmet need of about 22 acres of employment lands. The unmet need includes both regional and local employment lands.

Therefore, the subject amendment will help to ensure that the City has an adequate supply of local employment land for both the short and long term.

Policy 1.5

Pursue expansion of the City's current Urban Growth Boundary in order to accommodate demand for regional and local-serving employment land, and remove the "Helicopter Pad" property from the City's current UGB and the Phoenix Urban Renewal Agency boundary.

Conclusions of Law: The County and City conclude that they decided against removing the "Helicopter Pad" from the City's UGB in 2022. They further conclude, as discussed herein above, that there is existing unmet need for employment lands and that the subject UGB amendment will remedy this need.

Policy 3.1

Ensure that the City of Phoenix is positioned to accommodate regional employment needs that cannot be met elsewhere in Southern Oregon, including the entirety of Jackson and Josephine Counties.

Conclusions of Law: The subject properties have access to a rare asset in the Rogue Valley, namely an undeveloped property with frontage on a railroad and enough space for a siding. By amending the UGB to include the subject properties, Phoenix will strengthen its local economy and provide a valuable opportunity to regional employers.

ENERGY CONSERVATION ELEMENT

Transportation Planning

Goal #4, To minimize transportation-related energy consumption through appropriate land use planning and an emphasis on non-motorized transportation alternatives.

Policies:

3. The City will continue to provide industrial sites in locations that can make maximum use of the railroad and freeway.

Conclusions of Law: The proposed UGB inclusion would added lands that would further the City's energy conservation goals by providing railroad access to new industrial lands, thereby providing an energy efficient mode of transportation for an otherwise energy intensive land class. .

5.4 City-County Urban Growth Boundary Management Agreement

URBAN GROWTH POLICIES

1. The City of Phoenix shall have primary responsibility for all future urban level development that takes place within the City and urban growth boundary area. Additionally:
 - A) All urban level development shall conform to City standards, shall be consistent with the adopted City Comprehensive plan, and shall meet all appropriate requirements of the City Zoning Ordinance and Map.
 - B) The term "urban level development" shall be generally defined, for purposes of this agreement, as any commercial or industrial development, and any residential development, partitioning, or subdivision that creates actual or potential densities greater than allowed by the City's Low Density Residential (R- I) District. The expansion or major alteration of legally existing commercial or industrial use shall also be considered urban level development.
 - C) Urban level development proposals submitted through County processes must be accompanied by a contract to annex to the City.

- D) Prior to annexation of urbanizable lands, no land divisions shall be approved by the County which create lots less than forty (40) acres in size.
- E) Prior to annexation of urbanizable lands, no property shall be rezoned. This restriction advances the purposes and policies of the Regional plan to make more efficient use of urbanizable land.

Conclusions of Law: The County and City conclude that the subject application is for an amendment for the UGB and does not include a request for a specific development. The County and City further conclude that the above are procedural requirements that would apply to development in the future and that the City will have general responsibility for the regulation of such development.

- 2. A change in the use of urbanizable land from a use designated on the Jackson County Comprehensive Plan zoning Map to uses shown on the City Comprehensive Plan shall occur only upon annexation or contractual intent to annex to the City. Additionally::
 - A) Development of land for uses designated in the Comprehensive plan shall be encouraged on vacant or underdeveloped lands adjacent to or within the City limits prior to the conversion of other lands within the urban growth boundary.
 - B) Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth, as allowed by the Comprehensive Plan, prior to or concurrent with the land use changes.
 - C) The City may initiate annexation and zone changes of lands outside the City limits and within the UGB that are under a County "Exclusive Farm Use" designation or otherwise enjoying farm-related tax incentives when such lands are needed for urban development.

Conclusions of Law: This application is for a UGB amendment and does not contemplate a fundamental change in the use of the land. The Applicant has elected to maintain the existing County zoning, which complies with requirements of Section 2 above. The County and City conclude that it is feasible for the lands to be provided with adequate urban facilities and services prior or concurrently with land use changes based upon the analysis in Volume 3 and Findings of Fact herein above in Section 4.2.6 and 4.2.7.

- 3. City annexation shall only occur within the framework of the City's Comprehensive Plan and within the Urban Growth Boundary.

Conclusions of Law: The County and City conclude that the subject application is for a UGB amendment, but that subject properties can feasibly and will comply with the above requirements.

- 4. Except as provided in Policy 10 of this agreement, specific annexation decisions shall be governed by the City of Phoenix. The City will provide opportunities for the County and all affected agencies to respond to pending requests for annexation with the response time limited to thirty days to minimize any unnecessary and costly delay in processing.

Conclusions of Law: The County and City conclude that the subject application is for a UGB amendment and not annexation. While Policy 4 above will be applicable in the future when the subject lands are annexed, they do not directly have bearing on the subject application for a UGB amendment.

- 5. The establishment of the Urban Growth Boundary does not imply that all lands within the Boundary must be annexed to the City.

Conclusions of Law: The County and City conclude that annexation decisions are land use decisions made by the City and that such decisions regarding the request of any specific parcel or property may be approved or denied.

- 6. Except in cases where a contract for annexation has been executed, or after proclamation of an annexation having a delayed effective date pursuant to ORS 222.180(2), Jackson County shall retain

jurisdiction over any land use decisions, other than annexations, within the unincorporated urbanizable area, in conformance with these adopted policies. Additionally:

- A) The City shall be requested to respond to pending applications for land use changes in the unincorporated urbanizable area. If no response is received within fourteen days, the County will assume the City has no objections to the request.
- B) The City will request that the County respond to pending applications for land use changes within the incorporated area which could affect land under County jurisdiction. If no response is received within fourteen days, the City will assume the County has no objections to the request.
- C) Recognizing that unincorporated areas within the Urban Growth Boundary could ultimately become part of Phoenix, the City's recommendations will be given due consideration. It is the intent of the County to administer a mutually adopted City/County policy in the urbanizable area until such time as the area is annexed.
- D) Any application for a subdivision, land partition, or other land division within the established Urban Growth Boundary of phoenix shall include the City's written approval of a Conversion plan for the subject property, in accordance with the requirements of Section 14, Conversion plan Regulations, of the Phoenix Zoning Ordinance.

Conclusions of Law: The County and City conclude that the above are policies regarding procedures for lands within the UGB that have not yet annexed and no contract for annexation has been executed.

7. Any land use actions within the unincorporated urbanizable area shall conform to public improvement requirements as contained in the City's and County's Land Development Codes, except that in the case of a conflict between the two, those of the City shall apply.

Conclusions of Law: The County and City conclude that future land use actions in urbanizable area shall conform to the above procedure and apply public improvement requirements of the City when the County and City have conflicting standards.

8. Within the unincorporated urbanizable area, execution and recording of an irrevocable consent to annex to the City, pursuant to ORS 222.1 15, shall be required for:
- A) Single-Family Residential permits.
 - B) City sanitary sewer and City water hook-up permits.
 - C) All land use actions subject to County site plan review.

Conclusions of Law: The County and City conclude that the City shall require an irrevocable consent to annex to the City once the lands in the urbanizable area meet any of 8(a) – (c) above.

9. Prior to annexation, lands within the urbanizable area which currently support a farm use shall be encouraged, through zoning and appropriate tax incentives, to remain in that use for as long as is "economically feasible".
- A) "Economically feasible", as used in this policy, shall be interpreted to mean feasible from the standpoint of the property owner. Implementation of this policy will be done on a voluntary basis.
 - B) "Exclusive Farm" or other appropriate low-intensity rural zoning designation shall be applied to areas within the UGB by the County for the purpose of maintaining agricultural land uses and related tax incentives until such time as planned annexation and urban development occur.
 - C) "Suburban Residential" or other zoning designations that would permit non-agricultural land uses to develop prematurely could result in obstacles to future planned and coordinated growth and, therefore, should be restricted to only those areas that are already developed to such levels.
 - D) Agricultural zoning policies contained herein apply only to areas identified by the City or County as agricultural lands within the UGB or URA's and shall not be used as a standard to review other land use applications within these areas.

Conclusions of Law: The County and City conclude that the subject application is for the inclusion of employment lands, for which the City has an identified need. While Policy 9 encourages lands to remain in farm use if they are economically feasible, the proposed UGB amendment is a justified transition of lands from a rural to an urban use to provide for the long term economic needs of the City of Phoenix. The Applicant has proposed continuing to maintain the existing EFU zoning designation for Tax Lot 1300 and the inclusion in the UGB does not immediately render the farm use inoperable, but rather provides a path for the development of the property as an urban use as market conditions and the construction and provision of infrastructure makes such development viable.

10. The City and County acknowledge the importance of protecting agricultural lands. Therefore:

- A) While properties are in agricultural use, the City will apply the below standards when adjacent lands are proposed for urban development:
 - i. To mitigate the potential for vandalism, the development's design should incorporate the use of visible public or semipublic open space adjacent to the agricultural lands.
 - ii. To mitigate nuisances originating from agricultural noise, odors, irrigation run-off, and agricultural spray drift, the development's design should incorporate:
 - a. The use of landscaping and berms where a positive buffering benefit can be demonstrated.
 - b. The orientation of structures and fencing relative to usable exterior space such as patios, rear yards and courts, such that the potential impacts from spray drift, dust, odors, and noise intrusion are minimized.
 - c. The design and construction of all habitable buildings, including window and door locations, should be such that the potential impact of spray drift, noise, dust, and odors upon interior living/working areas will be minimized.
 - d. Physical separation between agricultural lands and urban development shall be utilized to the greatest extent possible to minimize adverse impacts. Site design emphasizing the appropriate use of open space areas, streets, and areas not designed specifically for public recreation or assembly shall be considered.
- B) The City and County mutually agree herewith that the buffering standards established by the Jackson County Regional plan and adopted by the City of Phoenix have or can and will be met, prior to annexation or urban development of lands.
- C) The City and County mutually agree to involve affected Irrigation Districts prior to annexation or when contemplating urban development of lands.

Conclusions of Law: The County and City conclude that the subject properties will be regulated according to the buffering standard adopted by the City in the Phoenix Land Development Code and as adopted through the Regional Problem Solving Process. Future development will be required to demonstrate compliance with such standards. Given the size of the properties and limited quantity of neighboring EFU lands, the County and City conclude that it is feasible to meet the required buffering standards.

11. The City, County, and other affected agencies shall coordinate the expansion and development of all urban facilities and services within the urbanization area. Additionally:

- A) Provisions for urban facilities and services shall be planned in a manner limiting duplication in an effort to provide greater efficiency and economy of operation.:
- B) A single urban facility or service extended into the urbanizable area must be coordinated with the planned future development of all other facilities and services appropriate to that area, and shall be provided at levels necessary for expected uses, as designated in the City's Comprehensive Plan.
- C) The City shall be responsible for adopting and maintaining a public facilities plan for the City and urbanizable area pursuant to OAR 660-11.

- D) When development occurs within the unincorporated urbanizable areas subject to a contract for annexation, or after proclamation of an annexation having a delayed effective date, any or all City services may be extended to these areas, pursuant to ORS 222. 180(2) and Jackson County Land Development Ordinance Section 7.4.1. All associated fees and charges which are applicable within the City shall be applicable to these area's and shall be paid to the City pursuant to City regulations.

Conclusions of Law: The County and City conclude that the above are procedural directions for the City once the subject properties have been included in the UGB and that the City has adopted a Conceptual Plan as part of the UGB amendment process, which served an important role in coordinating the City, County, and local service providers.

12. Provision of City sewer and water services may only occur beyond the Urban Growth Boundary after approval by the provider agency and Jackson County, and when a "danger to public health", as defined by ORS 431.705(4) exists. The services thus authorized shall serve only the area in which the danger exists and shall provide a level of service consistent with the county's comprehensive plan designation.

Conclusions of Law: The County and City conclude that the subject application is for a UGB amendment and that Policy 12 is not applicable, as the subject application does not propose or contemplate any extension of City sewer or water services beyond the UGB.

13. Long-range transportation and air quality planning for the urbanizable area shall be a joint City/County process coordinated with all affected agencies.

Conclusions of Law: The County and City conclude that a Concept Plan, including the major elements of the transportation network, is being adopted concurrently with the subject application for a UGB amendment and that this satisfies the requirement for long range transportation and air quality planning for the lands in PH-1a.

14. All county road construction and reconstruction resulting from new development, redevelopment, or land division in the urbanizable area shall be to urban standards, except that the term "reconstruction" does not include normal road maintenance by the county.

Conclusions of Law: The County and City conclude that the subject application does not contemplate any new development, redevelopment, or land division at this time. Should any new county road construction be necessary at the time of development, it shall be to the standards required by the relevant regulatory authority.

15. All county road construction and reconstruction resulting from new development, redevelopment, or land division, in the urbanizable area shall be to urban standards, except that the term "reconstruction" does not include normal road maintenance by the County.

Conclusions of Law: The County and City conclude that policy 15 is identical to Policy 14 and that is was likely a drafting error. The conclusions of law under Policy 14 herein above are applicable to both Policies 14 and 15.

16. County maintains county roads within the UGB. County will retain jurisdiction and be responsible for the continued maintenance of these road(s) until annexation by city. When the City annexes properties adjacent to Northridge Terrace, Oak Crest Way and North phoenix Road, City shall also concurrently annex the full road right-of-way. Upon annexation of Northridge Terrace, Oak Crest Way and North phoenix Road the City shall request jurisdiction of the road(s). The request for road jurisdiction shall be regardless of the design standard used to construct the road(s) and regardless of when and how the road(s) became county roads. The transfer shall occur without compensation and city shall not impose other conditions that might otherwise be allowed under ORS 373.270(6). County shall ensure the pavement condition of the road(s) is in good or better condition at the time of the transfer as determined by county's Pavement Management Grading System.

Conclusions of Law: The County and City conclude that the subject application has included a portion of the right of way of Voorhies road for inclusion in the UGB. They further conclude that Policy 16 establishes the framework for maintenance responsibilities and jurisdictional

transfer of roads within the UGB, such as the area of Voorhies proposed for inclusion. In accordance with this policy, the County shall continue to maintain the roads within the UGB until it is annexed into the City.

5.5 City-County Urban Reserve Management Agreement

The County and City conclude that they reviewed the Urban Reserve Management Agreement and that no part of the URMA document functions as an independent approval standard applicable to the subject UGB amendment.

5.6 City-County RPS Plan

This section addresses RPS criteria applicable to the UGB Amendment. RPS criteria that pertains to transportation is addressed in Section 5.7 that is solely focused on transportation related criteria.

Phoenix Comprehensive Plan

Regional Plan Element

Subsection 8 Performance Indicators

8. Conceptual Land Use Plans. A proposal for a UGB Amendment into a designated URA shall include a Conceptual Land Use Plan prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies for the area proposed to be added to the UGB as follows:

Conclusions of Law: The County and City conclude that this is a generally applicable policy that applies to all Urban Reserves in Jackson County. As such, following submittal of the UGB amendment application, the Applicant intends to provide a draft conceptual plan to aid the City in the conceptual planning process step, so that the UGB amendment application can be reviewed and scheduled for hearing. As recognized in the City's Neighborhood Element, PH-1a is comprised entirely of employment land, and the special arrangement of land use designations that would otherwise require more sophisticated and studious planning was simplified. The conceptual plan can feasibly and will be completed prior to or concurrent with the initial UGB amendment hearing in front of either the Board of County Commissioners or the Phoenix City Council. Therefore, the County and City conclude that this requirement is met.

Target Residential Density. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities of Section 8.5 above will be met at full build-out of the area added through the UGB amendment.

Conclusions of Law: The County and City conclude that the subject amendment is for employment lands in accordance with the land use distribution attributed to PH-1a in the adopted RPS and Regional Element, which set aside the lands of PH-1a as 100% employment uses.

Land Use Distribution. The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of a URA, which applies to the following URAs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD-7mid, MD-7n, PH-2, TA-2, TA-4.

Conclusions of Law: The County and City conclude that this is a generally applicable policy that applies to all Urban Reserves in Jackson County. The subject urban reserve, PH-1a, is not

one requiring special attention according to the list herein above. However, as is observed above, PH-1a is designated as 100% employment land in the Regional Plan. The proposed amendment would include lands to meet a need for only employment uses. The adopted Concept Plan proposes only industrial land designations. No other uses are considered with this subject application. Therefore, the County and City conclude that this requirement is met.

Transportation Infrastructure. The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 8.7 above.

Conclusions of Law: The referenced Conceptual Land Use Plan requirement refers to planning required for the urban reserve. The City of Phoenix adopted a Transportation System Plan that includes a rough approximation of road improvements for PH-1a and neighboring PH-1. The Conceptual Plan that Applicant will submit to the City for eventual approval by the County and City can feasibly and will reflect the broader TSP vision. Therefore, the County and City conclude that this requirement can and will be met.

Mixed Use/Pedestrian Friendly Areas. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 2.6 above will be met at full build-out of the area added through the UGB amendment.

Conclusions of Law: The County and City conclude the referenced standard relates to residential development and is therefore not implicated in this application.

9. The following conditions apply to specific Urban Reserve Areas:

PH-1, PH 1a, PH3, PH-5, PH-10. Prior to the expansion of the city of Phoenix Urban Growth Boundary into any Urban Reserve Area to accommodate employment land need, the region shall agree on a mechanism (such as a Regional Economic Opportunities Analysis) to assist the city of Phoenix in justifying the regional need for urban reserve PH-5.

Conclusions of Law: The County and City conclude that the City of Phoenix adopted the Regional Economic Opportunity Study in 2016. The REOS functions as the necessary mechanism to justify regional land needs, as is observed by the successful adoption of a UGB amendment by the City of Phoenix in 2022.

10. Agricultural Buffering. Participating jurisdictions designating Urban Reserve Areas shall adopt the Regional Agricultural Buffering program in Volume 2, Appendix III into their Comprehensive Plans as part of the adoption of the Regional Plan. The agricultural buffering standards in Volume 2, Appendix III shall be adopted into their land development codes prior to a UGB amendment.

Conclusions of Law: The County and City conclude that the southerly lot line of Tax Lot 1300 partially abuts a parcel zoned EFU that is used as a commercial farm operation. There are no present developments near this property line and it is feasible to provide the necessary buffering as required by buffering standards of RPS and the City of Phoenix. Therefore, the County and City conclude that this standard can feasibly be met for any future development.

11. Regional Land Preservation Strategies. Participating jurisdictions have the option of implementing the Community Buffer preservation strategies listed in Volume 2, Appendix V of the Regional Plan or other land preservation strategies as they develop.

Conclusions of Law: The County and City conclude that this policy is optional and that they find it is not appropriate to apply to the subject application.

12. Housing Strategies. Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within 5 years of acknowledgement of the RPS Plan.

Conclusions of Law: The County and City conclude that this policy requires jurisdictions to update their policies and plans to accommodate housing types but does not act as approval

criteria for specific UGB amendments, especially the subject application which seeks to accommodate an employment need.

13. Urban Growth Boundary Amendment. Pursuant to ORS 197.298 and Oregon Administrative Rule 660-021-0060, URAs designated in the Regional Plan are the first priority lands used for a UGB amendment by participating cities.

Land outside of a city's URA shall not be added to a UGB unless the general use intended for that land cannot be accommodated on any of the city's URA land or UGB land.

Conclusions of Law: The County and City conclude that this amendment is for land within an Urban Reserve, specifically PH-1a, and therefore this criterion is met.

14. Land Division Restrictions. In addition to the provisions of Oregon Administrative Rule 660-021-0040, the following apply to lots or parcels which are located within a URA until they are annexed in to a city:

Conclusions of Law: The County and City conclude that this criterion, and its subsections, apply only to land divisions. The subject application is not requesting a land division and therefore this criterion is not applicable.

15. Population Allocation. The County's Population Element shall be updated per statute to be consistent with the gradual implementation of the adopted Plan. If changes occur during the update of the County's Population Element that result in substantially different population allocations for the participating jurisdictions of this Regional Plan, then the Plan shall be amended according to Section 5 of this Chapter of the Plan.

Conclusions of Law: The County and City conclude that this criterion is a requirement of the County to act in response to the implementation of RPS.

16. Greater Coordination with the RVMPO. The participating jurisdictions shall collaborate with the Rogue Valley Metropolitan Planning Organization (RVMPO) to:

17. Future Coordination with the RVCOG. The participating jurisdictions shall collaborate with the Rogue Valley Council of Governments on future regional planning that assists the participating jurisdictions in complying with the Regional Plan performance indicators. This includes cooperation in a region-wide conceptual planning process if funding is secured.

18. Agricultural Task Force. Within six months of acknowledgment of the Greater Bear Creek Valley Regional Plan, Jackson County shall appoint an Agricultural Task Force made up of persons with expertise in appropriate fields, including but not limited to farmers, ranchers, foresters and soils scientists, representatives of the State Department of Agriculture, the State Forestry Department, the State Department of Land Conservation and Development, Jackson County, and a RPS participating city.

The Agricultural Task Force shall develop a program to assess the impacts on the agricultural economy of Jackson County arising from the loss of agricultural land and/or the ability to irrigate agricultural land, which may result from Urban Growth Boundary Amendments. The Agricultural Task Force shall also identify, develop, and recommend potential mitigation measures to offset those impacts. Appropriate mitigation measures shall be applied to Urban Growth Boundary Amendment proposals.

Conclusions of Law: The County and City conclude that these criteria are requirements of the County and other jurisdictions related to the implementation of RPS and are not related to a specific UGB amendment, such as the subject application.

19. For the purposes of UGB amendments, the amount and type of park land included shall be consistent with the requirements of OAR 660-024-0040 or the park land need shown in the acknowledged plans.

Conclusions of Law: The County and City conclude that the subject application is for an employment land need and that no lands planned as parks are part of the application. Therefore, this criterion does not apply to the subject application.

20. Future urban growth boundary amendments will be required to utilize the definition of buildable land as those lands with a slope of less than 25 percent, or as consistent with OAR 660-008-0005(2) and other local and state requirements.

Conclusions of Law: The County and City conclude that the subject property has no slopes exceeding 25%, or otherwise defined as unbuildable by definition of slopes in OAR or other state and local requirements.

5.7 Transportation Planning

Section 5.7 addresses the relevant transportation planning aspects of this UGB amendment.

5.7.1 State of Oregon Criteria

660-024-0020

Adoption or Amendment of a UGB

- (1) All statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows:
- (d) The transportation planning rule requirements under OAR 660-012-0060 need not be applied to a UGB amendment if the land added to the UGB is zoned 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;

Conclusions of Law: The County and City conclude that OAR 66-024-0020 is clear that compliance with TPR need not be determined at the time of UGB amendment if, as in this instance, the land retains its present zoning. Here, the County and City conclude that existing zoning will remain and a demonstration of compliance with TPR may be appropriately deferred. The existing zoning, being RR-5 and EFU, and allowed uses therein would be expected to generate minimal trips compared to an industrial zoning. Prior to development, the subject lands will need to annex into the City of Phoenix and receive a zoning designation consistent with their employment land use and the same will require demonstration of compliance with the TPR.

5.7.2 Jackson County TSP Criteria

4.2.1-R The County will pursue jurisdictional road transfers that improve jurisdictional allocation of facility management responsibilities. Roads accepted by Jackson County in jurisdictional transfers should be paved rural roads for which the County has special maintenance expertise. The County should take all appropriate legal opportunities to negotiate jurisdictional transfer of County roads within urban growth boundaries and city limits.

Conclusions of Law: The County and City conclude that the issue of jurisdiction of roads within the UGB is regulated by the Urban Growth Management Agreement. Therein, it is agreed that the County maintains county roads within the UGB and will retain jurisdiction until annexation by the City. Therefore, the County and City conclude that this requirement has been met.

5.7.3 Greater Bear Creek Valley Regional Plan

4.1.7. Conceptual Transportation Plans. Conceptual Transportation Plans shall be prepared early enough in the planning and development cycle that the identified regionally significant transportation

corridors within each of the URAs can be protected as cost-effectively as possible by available strategies and funding. A Conceptual Transportation Plan for a URA or appropriate portion of a URA shall be prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies, and shall be adopted by Jackson County and the respective city prior to or in conjunction with a UGB amendment within that URA.

4.1.7.1. Transportation Infrastructure. The Conceptual Transportation Plan shall identify a general network of regionally significant arterials under local jurisdiction, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the Region (including intracity and intercity, if applicable).

Conclusions of Law: The County and City conclude that the City of Phoenix has adopted a TSP since the adoption of the Greater Bear Creek Valley Regional Plan. The TSP identifies significant arterials under local jurisdiction, transit corridors, bike and pedestrian paths, and associated projects. Therefore, it is concluded that this criterion is met.

5.7.4 City of Phoenix TSP Criteria

The County and City conclude that they reviewed the City's Transportation System Plan and conclude that no part of the City TSP functions as an independent approval standard applicable to the subject UGB amendment.

6 ULTIMATE CONCLUSION OF LAW

In ultimate summary conclusion, it is found that the comprehensive plan map and UGB amendment can and has been substantiated under each of the relevant local and state approval criteria enumerated and discussed above.

Respectfully submitted,

CSA PLANNING, LTD.



Jay Harland

President

Dated: March 11, 2025

7 APPENDIX OF DETAILED FACTS AND INFORMATION

The following Appendix provides the detailed facts and information relevant to the subject application:

7.1 Application Materials

7.1.1 Jackson County Application Forms

7.1.2 City of Phoenix Application Forms

7.1.3 Technical Memorandum - City of Phoenix Employment Land Needs (Provided at November 18th, 2024 Pre-Application Conference)

7.1.4 Technical Memorandum - UGB Factor Flow Model for Boundary Location Analysis

7.1.5 Memorandum of Understanding for the Joint Management and Future Urbanization of Urban Reserve Area PH-1a

7.2 Subject Property Details

7.2.1 Assessor's Account Information

7.2.2 Lot Creation Documents

7.3 Other Materials

7.3.1 Map of Infrastructure Provided by Medford Water Commission

APPENDIX 7.1.1

JACKSON COUNTY APPLICATION FORMS

JACKSON COUNTY, OREGON**TYPE 4 APPLICATION -
AMENDMENT**

☒ MINOR COMPREHENSIVE PLAN
MAP AMENDMENT ~~AND ZONE CHANGE~~

OR

☐ MINOR ZONE CHANGE, NO PLAN
MAP AMENDMENT REQUESTED

(Please print in black ink, or type all
information except where a signature is required)

Current
Plan Map Designation: Residential & Agricultural
Current Zoning: RR-5 & EFU

Legal description of subject property:

Township 38
Range 1W
Section 05D
Tax Lot(s) 1300 & 1400

OFFICE USE ONLY

File N^o _____

Fee Pd _____

Receipt N^o _____

App. Type: _____

App. Received by _____

Date Received _____

Comp Plan/Zoning: _____

Proposed
Plan Map Designation: City Designation
Proposed Zoning: _____

Date of Tax Lot Creation _____

Acreage _____

Assessor Property Class Code _____

Is the purpose of this application to complete a Measure 49 Approval? ☐ YES ☒ NO

NOTE: Applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency.

PROPERTY OWNER:

At Time Application is Submitted

Name: South Stage LLC

Mailing Address: 3929 Monte Vista Dr

City: Medford

State: OR Zip: 97504

Daytime Phone: _____

E-Mail Address: _____

AGENT:

If Other than Applicant

Name: CSA Planning, Ltd. - Jay Harland

Mailing Address: 4497 Brownridge Ter, Ste 101

City: Medford

State: OR Zip: 97504

Daytime Phone: 541-779-0569

E-Mail Address: jay@csapanning.com

APPLICANT:

If Other than Property Owner

Name: Same as owner

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

E-Mail Address: _____

OTHER:

Specify: _____

Name: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

E-Mail Address: _____

IF AN AGENT, APPLICANT, OR "OTHER" IS ACTING ON BEHALF OF THE OWNER OR PURCHASER, A SIGNED STATEMENT OF OWNER AUTHORIZATION MUST BE SUBMITTED WITH THIS APPLICATION. THIS APPLICATION MUST BE ACCOMPANIED BY AN ACCURATE PLOT PLAN (MAP). SEE USER'S GUIDE FOR ASSISTANCE. THE BURDEN OF PROOF FOR APPROVAL OF AN APPLICATION RESTS WITH THE APPLICANT. YOU MUST PROVIDE DOCUMENTATION REGARDING THE PROPERTY AND APPLICATION CRITERIA IN SUFFICIENT DETAIL AND ACCURACY TO ENABLE THE DEPARTMENT TO FIND THAT YOUR APPLICATION COMPLIES WITH ALL APPLICABLE APPROVAL CRITERIA.

On the following pages, describe how your application complies with the criteria identified as applicable below:

VIII. AMENDMENT PROCEDURES AND INSTRUCTIONS:

- 1) The first step to file an Official Comprehensive Plan and Minor Zoning Map amendment is to schedule a Pre-Application conference. At the conference, staff will provide a copy of the criteria you need to address, as well as comments from agencies and other interested parties. The criteria includes:
 - A) Compliance with the criteria in the Jackson County Land Development Ordinance;
 - B) Compliance with the Jackson County Comprehensive Plan;
 - C) Compliance with the Statewide Planning Goals; and
 - D) Compliance with applicable Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).
- 2) The second step is to complete the Comprehensive Plan Map Amendment and/or Zone Change application. This application may be filed by a property owner or an authorized agent. Please answer all questions in this application as completely as possible. Not all of the questions may apply, and in those cases, please indicate does not apply (N.A.) In order to fully answer some questions, or address the required criteria, you may find it advantageous to answer the questions on a separate sheet of paper, or attach separate support documents to the application form. If so, indicate that there is an attachment, next to the question or criteria.
- 3) All applications receive preliminary review to assure that the application is complete, and sufficient information has been submitted so that the proposal can be processed. There are no statutory processing deadlines when a comprehensive plan amendment is requested. A zone change application consistent with the existing comprehensive plan map designation, where an exception to a Statewide Planning Goal is not required, is subject to statutory processing deadlines and will be processed accordingly.
- 4) The staff report and hearing packet will be mailed to you at least one week prior to the Planning Commission public hearing. Either you or your agent is required to be present. The burden of proof lies with the applicant. You must prove to the Planning Commission that your application meets all the approval criteria. You may present additional evidence or produce witnesses at the public hearing. Any exhibits entered into the record of the public hearing process must remain as part of the official record and are not returnable, unless by prior arrangement.
- 5) Written information submitted as an addendum to the application after the staff report has been prepared, or at the hearing, may result in a postponement or continuance of that hearing to allow for analysis of the newly submitted information.

NOTE: Additional information may be submitted on 8½ 11 inch white paper

II. BASIC PROPOSAL: Specifically identify any comprehensive plan map amendment, zone change, and associated development plan approvals requested. Also specify if an exception to any Statewide Planning Goal is requested, and outline the type and nature of the requested exception(s):

1. Minor UGB Amendment to add approximately 25 acres of land, consisting of approximately 21.8 acres of two tax lots owned by South Stage LLC located northwest of the City of Phoenix with the remainder consisting of Voorhies Road right-of-way and adjacent railroad right-of-way.

2. Amend the City's Comprehensive Plan Map to designated the subject properties as Industrial.

III. **FINDINGS OF FACT PERTAINING TO THE SUBJECT PROPERTY AND SURROUNDING AREA:**

- 1) Describe current and historic use of the subject property:

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- 2) List and describe any improvements that exist on the property:

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- 3) Describe adjacent land uses and size of parcels in the area (up to 1,000 feet of this property boundary) by tax lot:

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

NOTE: Additional information may be submitted on 8½ 11 inch white paper

- 4) Does the subject property have special assessment? Yes X No _____
If yes, acreage assessed: 3.7 Type of special assessment: Farm Use Assessment
- 5) Soil types and conditions:
- A) Does the property contain any of the following:
- i) Agricultural Soil Class I-IV? Yes X No _____ If Yes, please list the Class and acreage for each.
~22.3 acres Map Unit 34B - Type II Irr Soil, ~3.2 acres Map Unit 76A - Type II Irr Soil
- ii) Forest Capability Class 2-6? Yes _____ No X If Yes, please list the Class and acreage for each.

- iii) Significant Aggregate Resources? Yes _____ No X If Yes, please list the quantity and quality of the resource.

- iv) Significant Mineral Resources? Yes _____ No X If Yes, please list the quantity and quality of each resource.

- B) Describe soil types and characteristics: *(drainage, dwelling and road construction suitability, shrink-swell, etc.)*
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 6) Describe the on-site vegetation or landscaping: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 7) Topography: *(i.e. slopes, gullies, drainage patterns)*
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 8) Does the property contain sensitive fish or wildlife habitat? Yes _____ No X If Yes, please explain how conflicts will be mitigated.

NOTE: Additional information may be submitted on 8½ 11 inch white paper

- 9) Does the property contain any identified wetland areas? Yes X No _____ If Yes, please explain how conflicts will be mitigated.

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- 10) Is the property irrigated or does it have access to irrigation: Yes X No _____

If yes, explain: (Acreage irrigated, name of irrigation district or source of water)

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- 11) Please list adjoining properties under the same ownership:

Tax Lot 38-1W-05D-1200

Tax Lot 38-1W-05D-1100

- 12) Is the property subject to flooding or other natural hazards:

None

- 13) What is the existing or proposed water supply? Well X Water Dist. Name _____

Has a well been drilled? Yes X No _____ If well drilled, gallons per minute: 30

- 14) What is the existing or proposed sewage disposal system? Community System _____

On-site System _____, # of lots served _____ Other: (please describe) X

Tax Lot 1400 has connection to RVSS system

- 15) Fire Protection: Medford Rural Fire Protection District 2 (Name of Fire District)

A) Location of nearest fire station: Fire Station #13 - 534 Highland Dr

B) Distance to nearest fire station in miles: 2.6 miles

- 16) Name of School District: Phoenix-Talent School District 4

	Name	Capacity	Curr. Enrollment
Elementary School:	<u>Phoenix Elementary School</u>		
Middle/Jr High School:	<u>Talent Middle School</u>		
High School:	<u>Phoenix High School</u>		

NOTE: Additional information may be submitted on 8½ 11 inch white paper

- 17) Access - Status and classification of roads or other significant transportation facilities on or adjacent to the property. Also indicate whether the crossing over a railroad right-of-way is required to access the subject property: *(attach any supporting traffic studies and statements from the agencies having jurisdiction over any affected transportation facilities).*

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- 18) Minor map amendments in an Area of Special Concern (ASC) are governed by any conditions specified by LDO Chapter 7 or the Ordinance which created the ASC, or both. The following ASCs apply to this property. Please complete the attachments which include the policies and standards for these ASCs.

80-2 Ashland Watershed _____	82-1 WhetstonePark _____	82-2 Bear Creek Greenway _____
90-1 Wildlife Habitat _____	90-2 Eagles/Osprey _____	90-3 Jenny Cr Sucker _____
90-4 Historic Landmarks _____	90-5 Historic Survey _____	90-6 Archeologic Sites _____
90-7 N Fork Rogue River _____	90-8 Groundwater _____	90-9 Scenic Resources _____
90-10 Ecologic/Scientific _____	93-1 Hwy 62 Corridor _____	93-2 Transit Trunk Route _____
2003-1 Goal 11 Exception Areas _____	2003-2 Jackson County Sports Park Noise Overlay _____	

- 19) List previous official land use actions by application number and date:

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- IV. JACKSON COUNTY COMPREHENSIVE PLAN:** As set forth in Section 3.7.3 of the Land Development Ordinance, you must develop adequate findings of fact to show compliance with the Jackson County Comprehensive Plan. Reference applicable Policy numbers here, as provided

NOTE: Additional information may be submitted on 8½ 11 inch white paper

by Staff at the Pre-Application conference, and describe how this request complies with these Goals and the applicable Policies on separate sheets of paper.

- 1) Aggregate and Mineral Resources: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 2) Agricultural Lands: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 3) Citizen Involvement: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 4) Economy: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 5) Energy Conservation: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 6) Environmental Quality: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 7) Forest Lands: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 8) Goal Exceptions: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 9) Housing: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 10) Natural and Historic Resources: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 11) Natural Hazards: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 12) Population: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 13) Public Facilities and Services: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 14) Recreation: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 15) Rural and Suburban Lands: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 16) Transportation: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 17) Urban Lands: See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 18) Mapping Criteria: Information must show that the requested plan/zoning mapping criteria are equally or more appropriate for the subject property. Refer to the Map Designations Element of the Jackson County Comprehensive Plan. Address the mapping criteria for both the existing plan map designation and the requested plan map designation. If a Goal 2 exception to a Statewide Planning Goal is indicated, provide evidence and findings to demonstrate compliance with ORS 197.732, Statewide Planning Goal 2, Part II, and any Oregon Administrative Rules, Chapter 660, found to be applicable for the requested Goal Exception. Each applicable criterion must be addressed in order for this application to be processed.

- V. **STATEWIDE PLANNING GOALS:** In order to approve an Official Comprehensive Plan and Minor Map Amendment, compliance with applicable Statewide Planning Goals must be demonstrated. Statewide Planning Goals 1 through 14 are all applicable to Jackson County. Attach additional sheets as necessary to adequately address the issues.

NOTE: Additional information may be submitted on 8½ 11 inch white paper

- 1) Goal 1, Citizen Involvement: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 2) Goal 2, Land Use Planning: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 3) Goal 3, Agricultural Lands: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 4) Goal 4, Forest Lands: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 5) Goal 5, Open Spaces, Scenic and Historic Areas and Natural Resources: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 6) Goal 6, Air, Water and Land Resources Quality: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 7) Goal 7, Areas Subject to Natural Disasters and Hazards: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 8) Goal 8, Recreational Needs: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 9) Goal 9, Economic Development: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 10) Goal 10, Housing: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 11) Goal 11, Public Facilities and Services: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 12) Goal 12, Transportation: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law
- 13) Goal 13, Energy Conservation: _____
See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

NOTE: Additional information may be submitted on 8½ 11 inch white paper

- 14) Goal 14, Urbanization: (**Note:** *Plan/zone changes within an urban growth boundary must be consistent with the urban growth management agreement policies mutually adopted by the applicable city and Jackson County.*)

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

- VI. JACKSON COUNTY LAND DEVELOPMENT ORDINANCE:** Attach findings to demonstrate the proposed changes are consistent with Section 3.7.3(C) of the Jackson County Land Development Ordinance.

- VII. CONCLUSION AND SUMMARY:** Please use this space to summarize your application. Explain why you believe approval would support the policies of the Jackson County Comprehensive Plan and be in compliance with Statewide Goals.

See Applicant's Volume 1 - Findings of Fact and Conclusions of Law

NOTE: Additional information may be submitted on 8½ 11 inch white paper

VIII. Are you either the owner of the property or do you have written authorization from the property owner to submit this application in their behalf?

Yes ☒ No ☐

PLEASE UNDERSTAND THAT THIS APPLICATION WILL NOT BE OFFICIALLY ACCEPTED UNTIL DEPARTMENT STAFF HAS DETERMINED THE APPLICATION HAS BEEN COMPLETELY FILLED-OUT AND THE MAP HAS BEEN COMPLETED CONSISTENT WITH MAPPING REQUIREMENTS AS SET FORTH WITHIN THE APPLICATION. Unless advised in writing by the Department that the application and/or map is unacceptable, the application will be officially accepted.

THIS APPLICATION IS HEREBY SUBMITTED AND THE STATEMENTS AND INFORMATION HEREIN CONTAINED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT(S)

Please Print Your Name: SEE LIMITED POWER OF ATTORNEY FORM

Your Signature: _____

Please Print Your Name: _____

Your Signature: _____

AGENT: Your Signature: 

Please provide simple directions from Medford on how to get to, and recognize, your site.

Take Highway 99 South, turn right onto S Stage Road. Take left onto Voorhies Road.

Dwelling & Driveway on Tax Lot 1400 located on easterly side of Voorhies Road approximately
500 feet south of intersection of Voorhies and S Stage.

NOTE: Additional information may be submitted on 8½ 11 inch white paper

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lots 1300 and 1400 of Jackson County Assessor map 38-1W-05D.

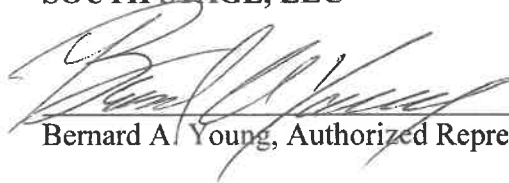
LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of South Stage LLC, the owners and or applicant of the above described real property, and, by this instrument, owners and applicant do hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through Jackson County and City of Phoenix as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned owner and or applicant and shall expire on December 31, 2027, but may be extended by the mutual consent of the parties.

Done and dated this 5th day of March, 2025.

SOUTH STAGE, LLC


Bernard A. Young, Authorized Representative

COST-PLUS BILLING ACCEPTANCE

☐ Application Type _____ ☐ Appointment Date _____

Property Location T 38 R 1W S 05D TAX LOT(S) 1300 & 1400

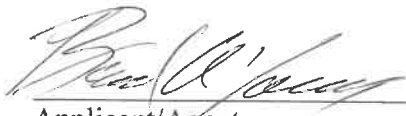
Applicant/Agent/Property Owner must read the following and sign before an application or appointment will be accepted:

Your deposit is not a final payment. Costs associated with a Planning appointment or with the Planning application type listed above are charged on a fee-for-service basis. This type of application requires mapping, historical analysis and other types of intensive research. An appointment may also require similar research. Time required to complete this type of review cannot be precisely anticipated until research begins. Therefore, the actual cost of this application or appointment may be more or less than the average-cost dollar deposit required to initiate the review. Neither failure by the County to notify an applicant of costs in excess of the deposit amount, nor refusal by an applicant to allow completion of the application, excuses payment due toward any Department costs associated with processing your application or appointment.

Dear Development Services Department:

I have read the above notice of possible occurrence of costs in excess of my deposit. I accept and acknowledge that my deposit in the amount of \$ 11,430.00 may not cover the full cost of this application or appointment. I agree to pay the full amount billed by the County for services rendered in this application or appointment per the terms of the billing statement.

Dated this 5th day of March, 2025


Applicant/Agent
BERNARD YOUNG

3929 Monte Vista Dr., Medford, OR 97504
Name, Address, City & Zip of Billing Address

APPENDIX 7.1.2

CITY OF PHOENIX APPLICATION FORMS

TYPE IV APPLICATION

OFFICIAL USE ONLY

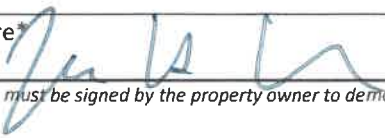
File # _____ Fee Paid _____
 Date Received _____ Receipt # _____
 Received by _____

Location	Site Address 2195 Voorhies Road			Zone RR-5 & EFU
	Township / Range 38-1W-	Section(s) 05D	Tax Lot(s) 1400 & 1300	Overlay(s) None

Contact	Owner	Name South Stage LLC			
		Mailing address 3929 Monte Vista Drive	City Medford	State OR	Zip 97504
		Phone _____	Email _____		
	Applicant	Name South Stage LLC			
		Mailing address _____	City _____	State _____	Zip _____
		Phone _____	Email _____		
	Agent	Name CSA Planning, Ltd.			
		Mailing address 4497 Brownridge Terrace, Ste 101	City Medford	State OR	Zip 97504
		Phone 541-779-0569	Email jay@csaplanning.com		

Project Type	☐ Annexation	☒ Comprehensive Plan Amendment
	☐ Code Amendment	☐ Zoning Map Change
	Brief Description Urban Growth Boundary Amendment for Employment Lands	

Required Submittals	☒ Plot Plan / Site Plan
	☒ Applicant Narrative (addressing all applicable Phoenix Land Development Code requirements)
	☒ Supplemental Information (as necessary)

Consent & Certification	I hereby state that the facts related in the above application and the plans and documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.		
	Signature 	☐ Applicant	☒ Agent

* This application must be signed by the property owner to demonstrate consent. Alternatively, a Letter of Authorization on City letterhead may be accepted.

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lots 1300 and 1400 of Jackson County Assessor map 38-1W-05D.

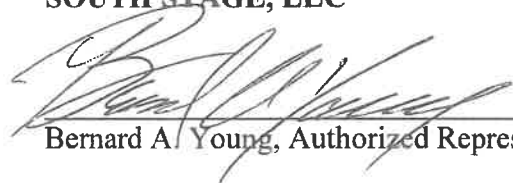
LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of South Stage LLC, the owners and or applicant of the above described real property, and, by this instrument, owners and applicant do hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through Jackson County and City of Phoenix as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned owner and or applicant and shall expire on December 31, 2027, but may be extended by the mutual consent of the parties.

Done and dated this 5th day of March, 2025.

SOUTH STAGE, LLC


Bernard A. Young, Authorized Representative

APPENDIX 7.1.3

TECHNICAL MEMORANDUM - CITY OF PHOENIX EMPLOYMENT LAND NEEDS (PROVIDED AT NOVEMBER 18TH, 2024 PRE-APPLICATION CONFERENCE)



CSA Planning, Ltd

4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Nathan@CSAplanning.net

Technical Memorandum

To: Zac Moody, City of Phoenix

Cc: Jay Harland, CSA Planning

Date: October 17, 2024

Subject: City of Phoenix Employment Land Need

BACKGROUND

The City of Phoenix recently expanded its UGB to include existing urban reserves. As part of the expansion, the City added all of urban reserve PH-3 and most of urban reserve PH-5 to the UGB. The land use mix in the Regional Plan for the portions of PH-5 that was not included in the 2022 UGB are employment land, with a specific condition that the employment land be restricted to industrial zoning¹.

The amount of employment land need used to justify the 2022 UGB amendment was less than the amount of employment land included in the 2022 UGB amendment. Thus, the City's employment land needs are unmet with the land presently in the UGB. The employment needs are recognized and identified in the City's Regional Economic Opportunity Study, Economic Element, and Urbanization Element. The employment land need and its basis are discussed below.

ADOPTED EMPLOYMENT LAND NEEDS

The recent UGB amendment relied upon the 2021 Urbanization Element and 2019 Economic Element when calculating the need for employment lands. These in turn were reliant upon a Regional Economic Opportunity Study.

Regional Economic Opportunity Study

In 2016, the City of Phoenix completed a Regional Economic Opportunity Study ("REOS"). The study recognized a total of 272 acres of land for regional employment needs to be accommodated by the City of Phoenix². The REOS characterizes the distribution of needed parcel sizes and the identified parcel sizes was adopted into the Phoenix Land Use Element in 2020. The table is provided below³:

¹ See, Performance Indicator #9 on Page 17 of the City of Phoenix adopted Regional Plan Element

² See, Pages i, 7, 28, 32, 42, 55, and 63

³ See, Page 23 of the City of Phoenix adopted Land Use Element

Site Size (Range)	Avg. Assumed Size Based on Economic Element Table 4-3	Assumed # Sites Based on Economic Element Table 4-3	Total Gross Acres
50+	67	1	67
20-50	25	4	100
5-20	10	8	80
<5	5	5	25
			272

The REOS recommended “an approach that accommodates proven winners as consistent with site sizing and property pricing, with market emphasis on attracting investment associated with new market niches⁴.” The identified lead sectors include *distribution and transportation services* based in parcels that are 5-20 acres in size. As mentioned elsewhere in the REOS, Jackson County has several transportation advantages and has a opportunity for transportation related sectors (including rail dependent uses)⁵. CSA notes that none of the Phoenix parcels included in the 2022 UGB amendment have rail access.

Economic Element

The City’s Economic Element was adopted in 2019. Its Conclusions Section recognized that in “addition to land needed to satisfy locally generated demand for employment land, the REOS completed in 2017⁶ has identified a need for 272 acres [as Phoenix’s share of the regional need] to meet regional demand for large traded-sector employers seeking larger sites...”

The locally generated demand was calculated in a separate Local Economic Opportunity Analysis (“LEOA”) completed by the City in 2015. The LEOA is referenced in the adopted and acknowledged 2019 Economic Element⁷. Per the Economic Element, the LEOA pointed up the need for 33.43 acres for industrial employment. However, the 2019 Economic Element also recognized that the LEOA did not differentiate between local-serving industrial and regional lands and concludes that “local-serving industrial employment land could be accommodated with PH-5⁸” and the 272 acres of need recognized in the REOS.

Urbanization Element

In 2021, the City adopted a revised Urbanization Element⁹ and initiated an Urban Growth Boundary Amendment. The revised Urbanization Element identified “significant employment land deficiencies” with the need for local serving industrial land to be satisfied coincidentally with the inclusion of the regional lands in PH-5. On page 9 of the Urbanization Element, under the Subsection *Need to Accommodate Employment Land Uses*, it is stated that in “addition to the “local-serving employment land,” there is land needed to meet the needs for economic development generated by the City of

⁴ See, Page 41 of the adopted Phoenix Regional Economic Opportunity Study.

⁵ See, Page 28 of the adopted Phoenix Regional Economic Opportunity Study.

⁶ Every version of the REOS that CSA has found appears to be dated to 2016, so this appears to be a scrivener’s error.

⁷ The Economic Element was adopted on September 3rd, 2019 via Ordinance No. 1006.

⁸ See, Page 33 of the adopted Economic Element.

⁹ The Urbanization Element was adopted on June 7th, 2021 via Ordinance No. 1014 and was acknowledged by DLCD July 2nd, 2021 via File No. 002-20.

Phoenix itself. The Regional Economic Opportunity Study (REOS) also identified a 20-year need for 272 acres of employment land (REOS, p. 42).

The 2022 UGB amendment only included 217 acres of employment land within the City's UGB. The Urbanization Element on page 10 sets forth the City's reasoning in a short discussion. Namely, some land in PH-5 was not recommended for inclusion in the UGB because it was owned by a winery "that has recently invested significant resources in preparing and planning new vineyards and constructing a processing facility." The Urbanization Element indicates the planted vineyards are 32 acres within the PH-5 Urban Reserve and the City, therefore, concluded it was inappropriate to include this land within the UGB amendment due to its existing and expected future use as a winery and vineyard. In addition to the lands in PH-5 devoted to a winery and vineyard an additional 37 acres was not included for locational reasons. On page 10, the Urbanization Element determined that this acreage was not appropriate for inclusion at this time, being located "east of the future north/south collector street" and thus "far from existing public and private utility infrastructure."

On the land supply side of the net additional employment land need calculations, the identified additional net employment land need of 272 acres appears to have included an assumption that the "Helicopter Pad"¹¹ would be removed as part of the 2022 UGB amendment. The "Helicopter Pad" totaled 33 acres and it was not removed as part of the 2022 UGB amendment. Thus, the net additional land need should be reconciled to account for this land remaining in the UGB.

Nothing in the Urbanization Element functioned to *reduce* the identified net additional employment land need of 272 acres for the City of Phoenix UGB. Instead, the Urbanization Element explained why the 2022 UGB did not include specific lands within PH-5.

2022 Urban Growth Boundary Amendment

In 2021, the City initiated an Urban Growth Boundary Amendment that was finalized in 2022¹². The City's findings relied upon to justify the 2022 UGB amendment state that the City added 217 acres of land for employment development. This matches the Urbanization Element and was noted on page 30 of the Findings of Fact and Conclusions of Law as "less than the 272 acres of employment land need identified by the Regional Economic Study."

Conclusions

The City's adopted and acknowledged Economic Element and subsequently adopted and acknowledged Urbanization Element and UGB amendment consistently determined the City's need for net additional employment land need to be 272 acres which was Phoenix's share of the regional employment land need identified in the REOS. This number served as the basis for future analysis of employment land need, including in the adopted Economic Element, the Urbanization Element, and the 2022 Urban Growth Boundary Amendment. As was discussed in the Economic Element and subsequent

¹¹ The "Helicopter Pad" is industrial land on the west side of Phoenix that is access constrained. The specific lands identified in the UGB amendment as the Helicopter Pad are Maplots 381W09CA3000, 381W09C200, 381W09B4901, 381W09B4900, and 381W09C300.

¹² DLCDC issued a letter on December 19th, 2022, stating that Order 001932 approving the UGB amendment by DLCDC had received no objections and was therefore final.

adoptions, the local employment land needs were assumed to be met with the inclusion of 272 acres of regional employment land.

The City included 55 acres less employment land in the 2022 UGB amendment than the identified need. This leaves 55 acres of unmet net additional employment land need. After reconciling for the "Helicopter Pad" lands remaining in the UGB as potential supply, 22 acres of net additional employment land need remain unmet after the 2022 UGB amendment.

CSA Planning, Ltd.



Nathan Emerson

Associate

APPENDIX 7.1.4

TECHNICAL MEMORANDUM - UGB FACTOR FLOW MODEL FOR BOUNDARY LOCATION ANALYSIS



Technical Memorandum

CSA Planning, Ltd

To: City of Phoenix

4497 Brownridge, Suite 101

From: Sai Bhargav Vootkuru

Medford, OR 97504

Date: March 11, 2025

Telephone 541.779.0569

Subject: UGB Factor Flow Model for Goal 14 Boundary Location Analysis

This Technical Memorandum sets forth the technical documentation for a GIS-modeled analysis of potential alternative lands. The model, called the UGB Factor Flow ("model") was developed to complete an initial assessment of potential lands for inclusion in a UGB amendment by applying consistent quantitative and geographic parameters to all tax lots in the study area to create a rank of suitability under the four factors of a Goal 14 Boundary Location Analysis for each priority group set forth in ORS 197A.285.

This Tech Memo is an appendix to the primary analysis document found under Volume 3, which takes the GIS modeling work and adds further analytic review for inclusion suitability based upon tax lot-by-tax lot review of the best-ranked potential lands for inclusion.

1 DATA SOURCES AND SOFTWARE

The CSA initiated a "GIS Project" and compiled the necessary data layers for comprehensive spatial analysis. ArcGIS Pro 3.4, a leading industry-standard Geographic Information System (GIS) software, was selected as the primary tool for data compilation, spatial analysis, and map creation. GIS is a robust geospatial analysis platform, enabling rigorous database development and analytical workflows. All analytical procedures adhered to GIS and land use planning professional best practices.

Below is a list of the key project data sources used by CSA for the analysis.

1. City of Phoenix Staff & Jackson County Contributions:

- a. **Tax Lot Polygons:** These included attributed assessment information, such as ownership and improvement value, and served as a foundational base layer.
- b. **Special Flood Hazard Areas:** Floodplain data was obtained from Jackson County, which was provided by FEMA.
- c. **Urban Growth Boundary:** Data for the City of Phoenix.
- d. **City Limits:** Boundary data for the City of Phoenix
- e. **Sewer Infrastructure:** Data on sewer districts and mains
- f. **Water Infrastructure:** Data on water mains and hydrants.
- g. **Wetlands:** Polygon data of wetlands, lakes and streams
- h. **Winter Range:** Polygon data of winter range
- i. **Schools, Parks, and Hospitals:** Consolidated into a single-point layer

2. **Slopes Data:** Derived from a LiDAR DEM dataset accessed via [DOGAMI](#), identifying slopes >10% within the UGB.
3. **Transportation Networks:** Streets, highways, and rail data downloaded from the [ODOT TransGIS portal](#)
4. **Soils Dataset:** Segregated high- and low-value farmland using the [USGS SSURGO](#) dataset, an authoritative dataset hosted on ArcGIS Living Atlas
5. **Landslides Dataset:** We acquired the SLIDO v3.2 dataset and utilized the Deposits and Scrap Flanks layers.
6. **Electricity Network:** Acquired from the [Homeland Infrastructure Foundation-Level Data \(HIFLD\)](#), hosted on ArcGIS Living Atlas.
7. **Cropland Dataset:** Obtained from the [NASS Cropland Data Layer](#), hosted on ArcGIS Living Atlas
8. **Existing Land Cover:** Sourced from the [USGS National Land Cover Database](#), available via ArcGIS Living Atlas.
9. **Population Density:** Utilized high-resolution (30m x 30m) raster data hosted by [Meta's Data for Good initiative](#), widely used by humanitarian organizations.
10. **Building Footprints:** Leveraged [FEMA's](#) North America-wide USA Structures layer.
11. **Riparian Area:** Although this layer was manually digitized, [the Oregon Department of Fish and Wildlife's](#) (ODFW) fish habitat layer was used as an overlay during the digitization process.
12. **NAIP High-Resolution Imagery:** Used in Machine Learning Agriculture Analysis, provided by [USDA NAIP](#).

The study area is set according to the rules prescribed by ORS 197A.285 and in OAR 660-024-0065. An explanation of the Study Area is found in the Volume 3 document.

2 GOAL 14 FACTORS

2.1 *Factor selection*

In accordance with OAR 660-024-0067, changes to the UGB must evaluate alternative boundary locations consistent with ORS 197A.285, or for the Metropolitan Service District, ORS 197A.355, by applying the Goal 14 Boundary Location Factors, which are as follows:

- **Factor 1:** Efficient accommodation of identified land needs
- **Factor 2:** Orderly and economical provision of public facilities and services
- **Factor 3:** Comparative environmental, energy, economic and social consequence
- **Factor 4:** Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

To effectively define these broader factors, CSA carefully selected a set of sub-factors and tertiary factors that seek to capture the essence of each factor and avoid potential bias. *Table 1* outlines all sub-factors associated with each factor and their corresponding weights. The rationale for selecting these sub-factors and their respective weights is explained below.

2.1.1 Weighting Methodology:

To ensure equal influence among the Goal 14 factors and minimize bias, each factor was allocated **10 units** of weight, totaling **40 units** across. This allocation is distributed among the sub-factors and tertiary factors based on hierarchy (Refer to Table 1 at the end of Section 2) and planning insights to maintain balanced influence and consistency. The hierarchical distribution within each factor ensures that the most critical components receive appropriate weight while maintaining the factor's total influence. This balances internal complexity while retaining clarity in the overall calculation.

2.1.2 Intersection Area Calculation Tool:

A custom-built tool was developed to calculate the percentage of tax lot areas intersected by various datasets. Key datasets include developable acreage, riparian areas, and potential landslide areas. The workflow involves:

- The Intersect Tool overlays the tax lot layer with each constraint dataset.
- Calculating the intersection area in acres for all overlaps.
- Applying the **Dissolve Tool** consolidates intersected areas for each tax lot.
- Attaching the summed intersection area to the original tax lot layer via the unique "MAPTAXLOT" identifier ensures geometric integrity.

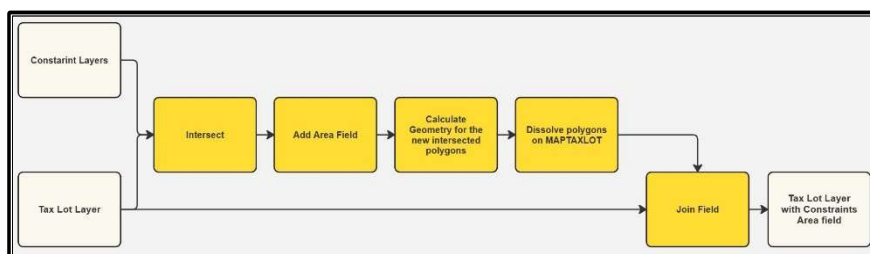


Figure 1: Workflow of intersection area calculation custom tool

2.2 FACTOR 1: Efficient Accommodation of Identified Land Needs:

This factor includes four sub-factors with a total allocation of 10 units, detailed as follows:

Developable Area (5 units): This sub-factor addresses physical barriers and the efficient accommodation of industrial use, which is the focus of this analysis. Industry standards, reflected in the EOA, typically consider slopes below 5% suitable for industrial purposes, but the model analysis uses a 10% threshold as a conservative metric. To quantify this, physical constraints were combined into a single layer, including:

- Special Flood Hazard Area (SFHA) layer,
- Slopes above 10% layer, and
- Wetlands layer.

The combined layer was then used to subtract intersecting areas from each tax lot, resulting in the actual developable area for each tax lot. The process involved:

- a) Using the Merge Tool to consolidate the layers,
- b) Applying the Dissolve Tool to avoid double-counting intersection areas and
- c) Utilizing a custom-built Intersection Area Calculation Tool (Refer to 2.1.2) to calculate the final developable area.

Following multiple model iterations and analytic considerations, the selected approach was to analyze tax lots in the study area for the applicable priority group with at least **3 acres of developable land**. Only these tax lots were processed through the scoring model, with tax lots containing larger developable areas receiving higher rankings.

Distance to UGB (3 units): Proximity to the Urban Growth Boundary (UGB) has historically played a critical role in UGB amendments, particularly in compensating for factors such as infrastructure accessibility and urban connectivity. Proximity also simplifies the inclusion of a property as a contiguous connection must be made to the UGB. The Near tool within ArcGIS Pro was used to calculate the shortest distances from each tax lot to the UGB. Tax lots closer to the UGB were ranked higher, as they were modeled to be more efficient for conversion due to the availability of existing infrastructure.

Distance to Railroads (1 unit): Proximity to rail networks is crucial for industrial growth, as access to rail infrastructure is expected to provide significant benefits. Similar to the UGB analysis, the Near tool was used to measure distances to railroads, with tax lots closer to rail lines receiving higher rankings.

Improvement Value (1 unit): Improvement value, found as an attribute within the tax lot layer provided by the county, indicates the cost of replacing existing improvements. Tax lots with higher improvement values were ranked lower due to associated redevelopment costs.

2.3 FACTOR 2: Orderly and Economic Provision of Public Facilities and Services

This factor evaluates how efficiently tax lots can be served by existing infrastructure, recognizing that infrastructure development is often expensive. It is weighted at 10 units, distributed as follows:

Water (2.5 units): This sub-factor measures the distance to the nearest existing water network. The Near tool was used to calculate distances, and tax lots closer to the water network were ranked higher.

Sewer (2.5 units): This sub-factor measures the distance to the nearest existing sewer network. The Near tool was used to calculate distances, and tax lots closer to the water network were ranked higher.

Powerlines (2.5 units): The electricity dataset provided information on both the distance to powerlines and the voltage carried. This sub-factor includes two tertiary factors:

1. Distance to the nearest powerline (1.25 units)
2. Voltage level of the nearest powerline (1.25 units)

A spatial join was performed between tax lots and the powerlines layer to incorporate both distance and voltage type information. Higher rankings were given to tax lots closer to powerlines and served by lines with high voltage, which is often necessary to support large-lot industrial uses.

Distance to Streets (2.5 units): This sub-factor evaluates the distance from each tax lot to the nearest street to assess connectivity. The dataset included all minor streets and roads across Oregon; however, for our purposes, we only considered arterial and collector road classes for this analysis. Similar to other distance calculations, the Near tool was used to measure distances. Tax lots closer to existing streets were ranked higher, as better connectivity enhances accessibility and reduces development costs.

2.4 FACTOR 3: Comprehensive Evaluation of Environmental, Energy, Economic, and Social Impacts

This factor encompasses the largest number of variables and plays a critical role in assessing the environmental, energy, economic, and social impacts of including each tax lot. However, since Priority Group 1 corresponds to Urban Reserves, a significant portion of planning has already been considered when designating these urban reserves and determining the types of developments allowed for various uses. These considerations align with several variables listed under Factor 3. To account for this, we have reduced the weight of Factor 3 variables from 10 to 5 (applicable only to Priority Group 1). The remaining 5 units have been reallocated to two new factors, which are calculated using the Employment Land percentage and the developable area assigned during the creation of urban reserves (refer to Table 2 for specific values for each urban reserve).

Using these two variables, we multiplied the Employment Land percentage of each urban reserve by its developable area to determine the **allotted developable acreage for employment**. Additionally, the **Employment Land percentage** alone was used to assign values to all parcels within each urban reserve. Of the 5 weights allocated to this adjustment, 2.5 weights were assigned to each of these new factors.

The traditional factor is broadly divided into four sub-factors, each with its own set of tertiary factors.

Environment (2.5 units): This sub-factor assesses the environmental impact of the tax lots:

1. *Riparian Area (0 units):* CSA digitized the boundaries of actual streams and applied a 50-foot buffer for fish-bearing streams, referencing the ODFW Fish Habitat layer. These buffers were merged into a single layer and analyzed with the Tax Lot layer using the Intersection Area Calculation Tool (Refer 2.1.2) to determine each tax lot's riparian area intersect percentage. Lower intersect percentages are preferable to minimize encroachment into riparian or sensitive areas.
2. *Landslides (2.5 units):* The Deposit and Scarp Flank layers from SLIDO v3.2 (as mandated by Division 24 of OAR Chapter 660) were merged into a single layer, and the intersecting area percentage was calculated using the custom Intersection Area Tool in ArcGIS Pro. One key observation is that the majority of Phoenix, located on the west side of Interstate 5 Highway, is covered by deposits

identified in SLIDO v3.2. However, the landslide susceptibility data from the same organization shows no significant areas of concern on the west side. It is important to note that these deposits may have accumulated over centuries and do not necessarily indicate an immediate landslide risk in this area. To address this discrepancy, we recommend revisiting the ordinance to better account for historical deposits and ensure accurate risk assessment.

3. Winter Range (0 units): Following a similar workflow, the percent area intersecting the Winter Range layer was calculated against the Tax Lot layer.

Since no tax lot in the study area intersects with the Riparian Area buffer and Winter Range data layers, we excluded these data points from the ranking. Their inclusion would not provide new information or variations among the tax lots.

Energy (2.5 units): This factor evaluates tax lots for energy efficiency, particularly for future industrial use, assigning a weight of 2.5. This weight is distributed among tertiary factors based on planning insights.

1. Distance to Highways (2 units): Highway connectivity reduces fuel consumption for logistics and supply chain operations, contributing to overall energy efficiency and sustainability in industrial zones. Aerial distances from tax lots to highways were computed instead of driving distances to reduce costs, with the understanding that these measurements are approximate.
2. Distance to Electric Lines (0.5 units): Although previously addressed in Factor 2, this variable is reiterated to underscore its importance, albeit with a reduced weight of 0.5 units, to prevent correlation over-reliance on power availability.

Social (2.5 units): Evaluates the potential social impacts of industrial development on surrounding communities.

1. Residential Zones (0.83 units): To assess the impact of industrial tax lots on residential zones:
 - i. Distance to nearest Residential zone: The distance to the nearest residential zone was calculated. Tax lots located farther from residential zones are ranked higher, as greater separation is expected to reduce potential conflicts.
 - ii. Population Density in Zones: All residential zones within and around the study area were extracted, and population data from Meta's dataset was used to calculate population density (population/acre). This was achieved using the *Zonal Statistics* tool in ArcGIS Pro, dividing the population of each zone by its area. Distance and population density were assigned equal weights of 0.42, with higher rankings given to tax lots farther from less densely populated zones, reducing impacts on densely populated areas.
2. Population within 1/4 Mile of Tax Lot (0.83 units): Using Meta's population dataset, the total population within a 1/4th mile radius of each tax lot was quantified. Lower population values are preferred, as industrial use is less compatible with densely populated areas. Tax lots with higher population values received lower rankings.
3. Distance to Schools/Hospitals/Parks (0.83 units): This factor recognizes the importance of having industrial lands away from sensitive populations. Schools,

parks, and hospitals were combined into a single layer, and the distance to the nearest facility was calculated for each tax lot. Greater distances are ranked higher.

Economics (2.5 units): This sub-factor evaluates the economic impact of tax lots on the local economy, with a total weight of 2.5 distributed based on planning insights.

Existing Commercial Zones: To assess the impact on existing commercial sector, we introduced two tertiary factors:

1. *Distance to Existing Commercial Zones (1 unit):* Proximity to commercial zones falling within and around the study area was prioritized to encourage the growth of industry-related retail, which supports both employment opportunities and product demand. Tax lots closer to commercial zones were ranked higher.
2. *Built Area to Zone Area ratio (1.5 units):* To assess congestion within commercial zones, the ratio of built area to total zone area was calculated to measure development intensity. Higher ratios indicate more congested zones, while lower ratios suggest greater space availability. FEMA's USA Structures dataset was utilized to extract the built area, and the *Summarize Within* tool in ArcGIS Pro was used to calculate the built area-to-zone area ratio for each commercial zone.

Preference was given to tax lots near commercial zones with lower ratios, ensuring sufficient space for industry-related retail expansion and minimizing competition for land resources.

2.5 FACTOR 4: Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

This factor evaluates the impact of selecting a tax lot for industrial use near existing agricultural and forestry activities. It carries a total weight of 10 units, distributed across sub-factors based on planning expertise. Most industrial land uses are not expected to generate conflicts with forestry compared to intensive agriculture. On some level, forestry is an industrial use with lots of heavy equipment, trucks, and other specialized tools. Tree growth is not expected to be affected to a significant degree by proximity to industrial use. Agriculture, however, has more potential to conflict with large industrial uses. This factor was weighted to account for this expectation.

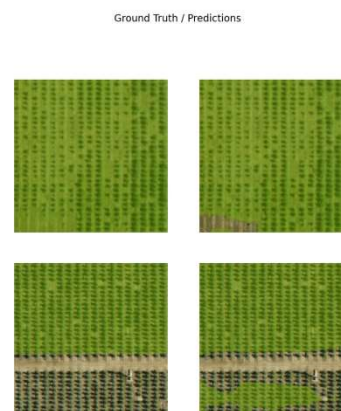
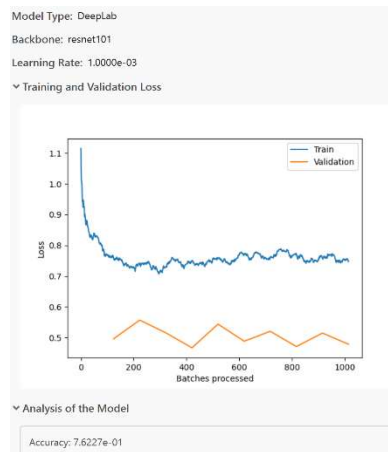


Figure 2

Agricultural Activities (9 units): Due to their significant impact on parcel selection, this sub-factor is allocated **9 units**. Initially, we planned to use the NASS Cropland Dataset to assess existing agriculture. However, due to missing data on the west side of Phoenix, we adopted a different approach, focusing primarily on high-impact agriculture, specifically orchards and vineyards.

We employed a machine learning analysis to distinguish vineyards and orchards from other types of vegetation and agricultural activities. Using ArcGIS Pro's deep learning library, we digitized image chips from NAIP satellite imagery for orchards and vineyards around Medford, Talent, and Phoenix. These image chips were then input into a DeepLab machine learning model architecture (Refer Fig 2,3), which excels in pixel classification and is well-suited to our needs.



The model was trained on these digitized image chips, achieving an accuracy of 76.23%, which is considered good industry-wide. The trained model was then applied to NAIP's high-resolution imagery for the final predictions. The output was a raster layer identifying all orchards and vineyards, which was subsequently converted into a polygon layer.

This polygon layer was used to generate a 0.25-mile buffer, serving as the basis for assessing the impacts of industrial use on parcels in the study area concerning high-impact agriculture. The buffered crop layer and each tax lot in the study area were processed using the Intersection Area Calculation Tool to compute the percentage of farmland within each tax lot, quantifying the extent of each tax lot intersecting agricultural areas. Higher intersection percentages resulted in lower rankings, indicating a more significant potential for conflict with agricultural activities.

Forest Activities (1 unit): This sub-factor evaluates the impact of tax lots on existing forestry activities and is assigned a weight of 1 unit. Following a workflow similar to that used for agricultural activities, the NLCD land cover dataset was utilized to isolate forest land cover pixels, which were then converted into polygons. These polygons were intersected with forestry zones within and around the study area to calculate existing forest activities in these zones which were in turn used to quantify the factors below.

Figure 3

1. Distance to Existing Forest Zones (0.5 units): The distance from each tax lot to the nearest forest zone was calculated, with greater distances ranked higher to minimize potential conflicts with forestry activities.
2. Density of Forest Activities (0.5 units): The percentage of tax lot areas intersecting forestry zones was quantified, with lower intersection percentages preferred to reduce overlap and preserve forestry operations.

2.6 Model Summary: Goal 14 Factor Variables and Weights

The table below summarizes the modeled variables for each Goal 14 factor and the weight assigned to each variable in the UGB Factor Flow Model.

	Sub Factor	Tertiary Factor	Weights	Direction
Factor 1	Developable Acreage (>3 acres)		5	Higher the better
	Lot Improvement Value		1	Lower the better
	Distance to UGB		3	Lower the better
	Distance to Railroads		1	Lower the better
Factor 2	Distance to Water Network		2.5	Lower the better
	Distance to Sewer Network		2.5	Lower the better
	Electricity	Distance to power lines	1.25	Lower the better
		Voltage capacity	1.25	Higher the better
	Distance to arterial and collector roads		2.5	Lower the better
Factor 3	Environment	Riparian Area Intersect	0	Lower the better
		Landslides Area Intersect	2.5	Lower the better
		Winter Range Area Intersect	0	Lower the better
	Energy	Distance to Highways	2	Lower the better
		Distance to power lines	0.5	Lower the better
	Social	Distance to existing residential zones	0.42	Higher the better
		Population density of existing residential zones within UGB	0.42	Lower the better
		Population within 0.5 miles of Tax lot	0.83	Lower the better
		Distance to Schools/Hospitals/Parks	0.83	Higher the better

Table 1: This table summarizes all the factors utilized by the model along with their corresponding weights.

	Economic	Distance to existing commercial zones	1	Lower the better
		Building density of existing commercial zones	1.5	Lower the better
Factor 4	Agriculture Activities	Percent area intersects with a 0.25-mile buffer of high-impact agriculture uses (Orchards, Vineyards)	9	Lower the better
	Forest Activities	Distance to closest Forest zone	0.5	Higher the better
		Forest activity density of the closest forest zone	0.5	Lower the better

3 UGB FACTOR FLOW MODEL

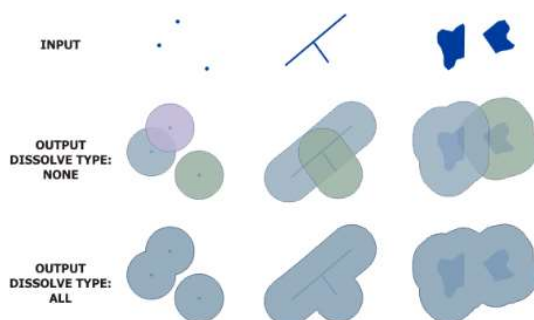
Scoring tax lots for Alternative Lands Analysis has traditionally been a time-consuming and challenging task due to the extensive calculations and numerous factors involved. CSA Planning developed an automation model to streamline this process that systematically analyzes, scores, and ranks individual tax lots while providing a comparative assessment based on each variable's data distribution. The model integrates Python scripting with ModelBuilder, a visual programming language in ArcGIS Pro, to enhance efficiency and reproducibility.

The model ingests data layers corresponding to the factors, performs the necessary spatial analyses to quantify their influence on tax lot scoring, and saves outputs at key workflow stages to a geodatabase for easy debugging and validation. This model functions as a filtering tool to identify and prioritize tax lots with the highest suitability according to the calculated variables and associated weighting. UGB inclusion suitability and ultimate inclusion selections will be further refined with local knowledge and

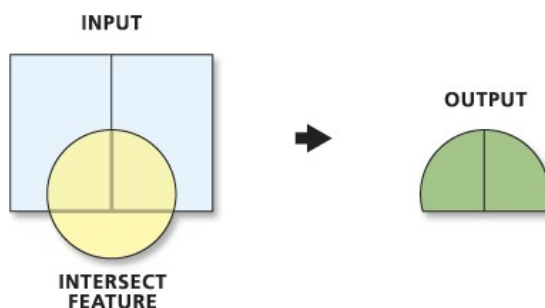
stakeholder input that captures variables and property considerations that are not fully captured by the model variables.

The following section provides descriptions of commonly used ArcGIS Pro tools, which form the foundation of this model (tool definitions and illustrations are sourced from ESRI documentation).

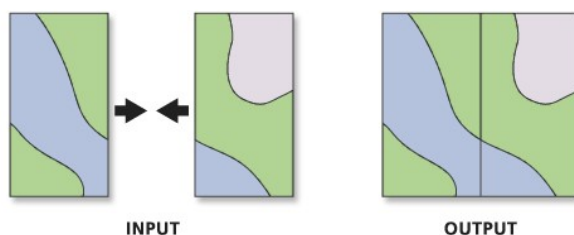
Buffer: Creates buffer polygons around input features to a specified distance.



Intersect: Computes a geometric intersection of the input features. Features or portions of features that overlap in all layers or feature classes will be written to the output feature class.



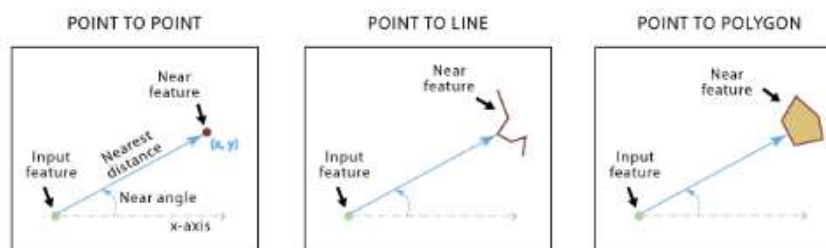
Merge: Combines multiple input datasets into a single, new output dataset.



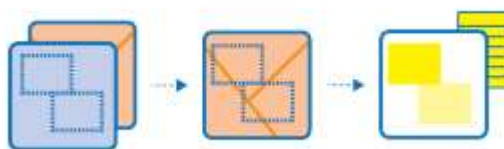
Dissolve: Aggregates features based on specified attributes.



Near: Calculates distance and additional proximity information between the input features and the closest feature in another layer or feature class. Most of the distances in our analysis are calculated using this tool.



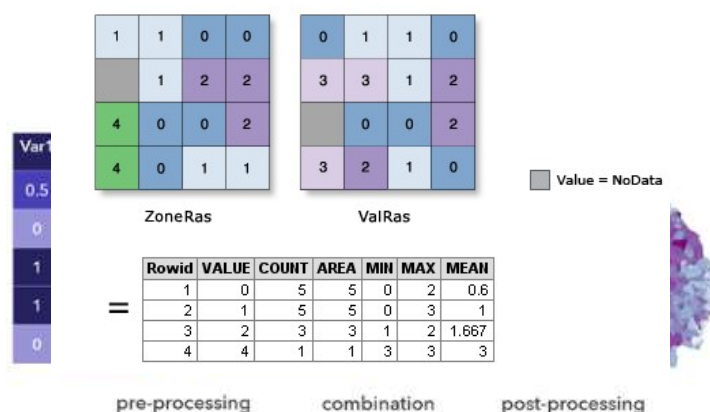
Summarize Within: Overlays a polygon layer with another layer to summarize the number of points, length of the lines, or area of the polygons within each polygon and calculate attribute field statistics about the features within the polygons.



Spatial Join: This tool joins attributes from one feature to another based on their spatial relationship. The target features and the joined attributes from the join features are written to the output feature class. For example, to attach the voltage attributes of the nearest powerlines to tax lots, we used this tool. Additionally, it allows for the calculation of distances between the features during the join process.

Join Field: Permanently joins the contents of a table to another table based on a common attribute field. The input table is updated to contain the fields from the join table. You can select which fields from the join table will be added to the input table.

Zonal Statistics as a Table: Summarizes the values of a raster within the zones of another dataset and reports the results as a table. This tool was used to calculate population-related metrics.



Calculate Composite Index: Combines multiple numeric variables to create a single index. In-depth details on the parameters used are discussed in the model build section.

3.1 UGB Factor Flow Model Explanation:

The UGB Factor Flow Model was developed as a systematic, multi-criteria evaluation tool to assess tax lots for inclusion in the Urban Growth Boundary (UGB) expansion. It integrates spatial analysis techniques with a factor-based scoring system to identify and rank tax lots objectively and efficiently. The model calculates **four sub-indices**—corresponding to the Goal 14 Boundary Location factors—and combines them into a **composite index** that reflects the relative modeled suitability of each tax lot.

The model processes spatial data and calculates sub-indices in the following steps:

3.1.1 Input Data Preparation:

All relevant spatial layers, including tax lots, infrastructure networks, environmental constraints, and socio-economic datasets, are compiled and standardized. Key layers include:

- **Tax lot boundaries** with ownership and acreage information
- **Infrastructure layers:** water lines, sewer systems, electricity, streets
- **Environmental layers:** riparian areas, slopes, flood zones, winter range
- **Social and economic layers:** residential zones, population data, schools, commercial zones

The data is stored and processed in a single geodatabase to ensure spatial and attribute consistency.

3.1.2 Quantifying variables under each factor:

Each of the four primary factors is evaluated through a series of geospatial operations, resulting in four sub-indices when passed through the calculate composite index tool:

- **Factor 1: Efficient Accommodation of Identified Land Needs**

These criteria are normalized, weighted, and combined to produce Factor 1 scores.

- -Developable Area: Constraints such as flood zones, steep slopes (>10%), and wetlands are subtracted from tax lot areas using the *Intersect* and *Dissolve* tools.
- Proximity Analysis: The *Near* tool computes distances to key infrastructure like UGB boundaries and railroads.
- Improvement Value: Tax lots with higher redevelopment costs receive lower scores.

- **Factor 2: Orderly and Economic Provision of Public Facilities and Services**

This factor prioritizes tax lots closer to existing infrastructure, reducing development costs.

- Proximity to Infrastructure: Distances to water, sewer, electricity, and roads are calculated.
- Infrastructure Attributes: Voltage levels are incorporated using *Spatial Join*.

- **Factor 3: Environmental, Energy, Economic, and Social Consequences**

Factor 3 balances environmental preservation, energy efficiency, and social-economic consequences

- Environmental Impact: Intersections with riparian buffers, landslides, and deer winter ranges are calculated to quantify constraints.
- Energy Efficiency: Proximity to highways and powerlines supports energy-efficient industrial use.
- Social Impact: Tax lots are evaluated for distance from residential areas, population density, and sensitive locations like schools and parks.
- Economic Contribution: Proximity to commercial zones and building density within these zones are analyzed.

- **Factor 4: Compatibility with Agricultural and Forest Activities**

- High intense farms around the study area with a 0.25-mile buffer are intersected with tax lots to measure the overlap
- Tax lots impacting high-density agricultural or forest areas receive lower scores.

3.1.3 Composite Index Calculation:

Composite indices combine multiple variables to create a single index, also known as a composite indicator. These indices provide an interpretable metric for subjects that are difficult to measure, such as social vulnerability or industrial suitability. They are widely

used across social and environmental domains to help measure progress toward a goal and facilitate decision-making.

For this analysis, variables were selected based on years of planning knowledge and stakeholder input, resulting in an index tailored to the study area. Each of the four main factors has a separate composite index calculated (sub-indices), which is then merged into an overall index that serves as the primary layer for parcel ranking (Refer to Figure 4). The spatial unit for this index is the **tax lot level**, and the main steps include:

3.1.3.1 Preprocessing variables:

Preprocessing refers to the various data preparation steps that ensure variables are compatible and can be properly combined into an index. It is often the case that an analysis starts with incompatible variables. For example, a social vulnerability index with average income and percent uninsured variables may have different properties that make the variables incompatible.

Variable	Direction	Units	Range
average income	high values are beneficial	dollars	\$30,000 to \$250,000
% uninsured	high values are detrimental	percentages	0 to 100

There are numerous ways to preprocess variables to make them compatible, and this section guides two key concepts: reversing variables to achieve a consistent direction among variables and scaling variables to achieve a consistent unit and range among variables.

- Reverse variables

Consider the objective of the index and how the index should change as each variable increases. For example, an index measuring human development in different countries favors countries that increase health and education variables while also favoring countries that decrease unemployment variables. Consistency in direction among variables is important so that locations with high values represent a common meaning that can be properly aggregated and represented in the index. This is mentioned in *Table 1* as a **Direction** for all the variables used in this analysis.



- Scale variables

Scaling variables to a common unit and range is essential to ensure comparability in a composite index. The **Calculate Composite Index** tool in ArcGIS Pro offers seven scaling methods, including scaling to a common minimum and maximum or standardizing using z-scores. Choosing the appropriate scaling method is critical, as it directly influences the results and often depends on the analysis objectives and the distribution of data points within the variables.

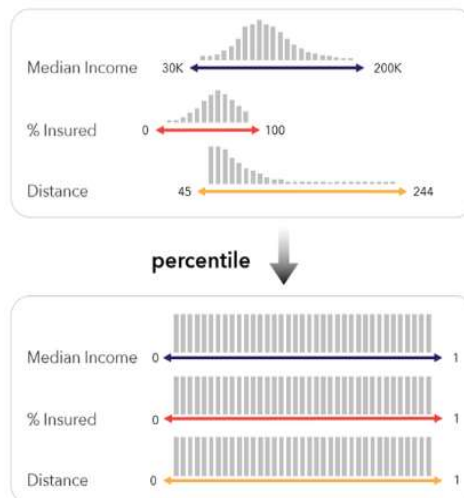
In this analysis, we observed that some variables exhibited highly skewed distributions and outliers. To address this, we selected the **Percentile Scaling** method, which eliminates differences in magnitudes and reflects the relative position of values within a variable. This approach mitigates the impact of outliers and provides a precise ranking of tax lots. However, it does not indicate how much better one parcel performs relative to another—a limitation deemed acceptable for this analysis since ranking precision was prioritized over magnitude comparisons.

This method converts variables into percentiles ranging between **0 and 1**. Percentiles indicate the position of a value relative to others within the variable. The formula used for this calculation is:

$$P = \frac{R - 1}{N - 1}$$

Where R is the ordinal rank (using the minimum rank value in the case of ties), N is the number of values, and P is the resulting percentile.

For example, the absolute difference between two incomes, \$50,000 and \$60,000, maybe modest, but the percentile difference could be significant if many other values lie between them. This method ensures that all variables contribute equitably to the composite index while reducing the disproportionate influence of extreme values.



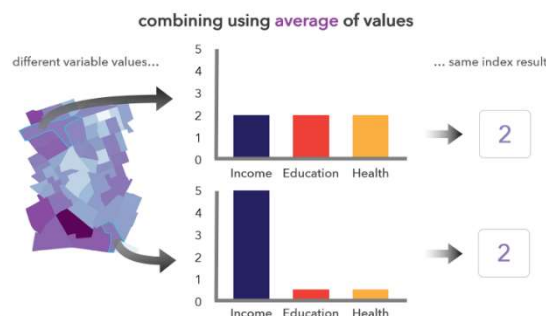
3.1.3.2 Combining variables:

Once variables are preprocessed to a common scale, they are aggregated to create a single composite value. Several aggregation methods are available, including sum, mean, multiplication, and geometric mean. These methods are generally classified into two categories:

- **Additive Methods** (e.g., sum, mean): These methods are compensatory, meaning high values in one variable can offset low values in another.
- **Multiplicative Methods** (e.g., multiplication, geometric mean): These methods are partially non-compensatory, limiting the extent to which high values in one variable can compensate for lower values in another.

When selecting an aggregation method, it is essential to consider the concept of compensability—whether high values in one variable should balance out low values in another.

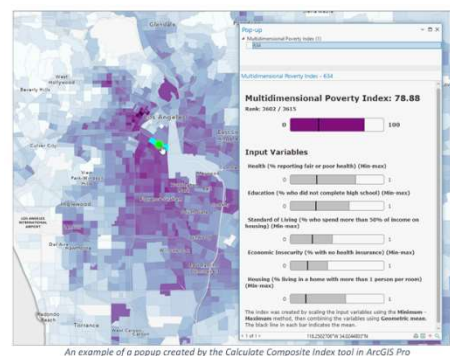
For this study, we adopted an additive method due to its ability to provide a more balanced representation of results. This approach ensures that high values in a variable contribute appropriately to the overall outcome while maintaining the influence of other variables. The additive method aligns with the study's objective of achieving a fair and interpretable assessment of tax lot suitability.



3.1.3.3 Postprocess & visualize the index:

The index scale, ranging from 1 to 100 at both the sub-factor and overall levels, provides a standardized measure for evaluating all tax lots. Depending on the direction of each factor, higher values may indicate either beneficial or detrimental conditions. In this analysis, higher index values represent better suitability for industrial needs.

To assess the index's effectiveness, the first step involves evaluating its distribution using visual tools such as histograms and choropleth maps. These tools help examine the range, average, variation, and overall patterns in the index scores. High and low values can be explored on the map by making selections and identifying specific locations, with particular attention given to outliers to ensure the results are logical and consistent.

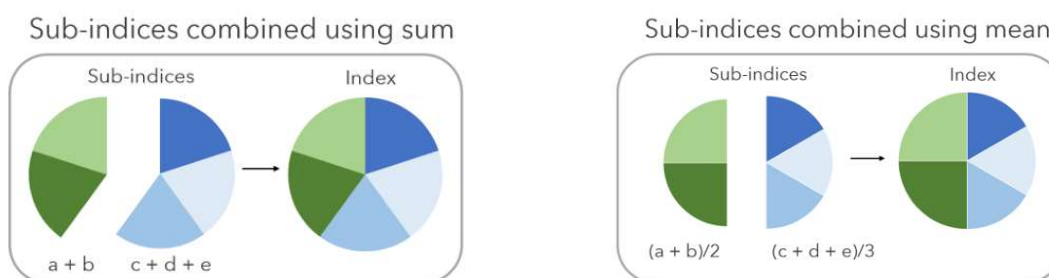


After understanding the general distribution, the next step is to analyze the composition of the index across different locations of interest. This involves verifying whether the variable values contributing to the index make sense for each location. Locations with high index values should be interrogated to identify the variables driving the results, while areas with low values should also be explored to understand the limiting factors. This iterative process ensures that the index is both accurate and meaningful for decision-making.

3.1.3.4 Final Index from Sub-Indices:

Once the four sub-indices are calculated using the defined parameters, they are combined to produce a final index, which determines the overall suitability of tax lots for industrial purposes. The use of sub-indices offers several benefits, including the ability to group variables thematically for each dimension (e.g., infrastructure, environment). This thematic grouping facilitates communication with stakeholders and end-users by clarifying how the index was constructed and identifying which dimensions drive the results. Sub-indices also allow for targeted analysis, as each can be interrogated individually to evaluate its contribution at specific locations.

Since all four sub-indices are already scaled from 1 to 100, scaling is not a primary concern when combining them into the final index. The chosen method for combining sub-indices is additive, where the sum ensures that each variable contributes to the index according to its weight. However, because the dimensions (factors) contain varying numbers of variables, one dimension may contribute more to the overall score than another.



The mean can also be used as an additive method to balance contributions across dimensions, ensuring that each sub-index, rather than the total number of individual variables, contributes equally to the final index. This flexibility allows adjustments to ensure balanced contributions, enabling stakeholders to emphasize dimensions if desired. By combining sub-indices additively, the approach maintains interpretability while achieving a comprehensive representation of parcel suitability.

3.1.3.5 Filtering and Output:

To focus the analysis on tax lots that are most likely to meet land use goals, the following steps are applied:

- Tax lots with **≥ 3 acres of developable area** are pre-filtered using the *Select by Attribute* tool. Only the pre-filtered tax lots with at least 3 acres of developable area were passed through to the model.
- Final tax lots are ranked based on their composite index scores, with higher scores reflecting the relative modeled suitability to meet the land need for large lot industrial uses.
- Outputs, including intermediate layers (e.g., intersected constraints, proximity calculations) and the final ranked tax lots, are stored in a geodatabase to be available for further validation and visualization.

This process ensures that the results are both actionable and transparent, providing a robust foundation for decision-making.

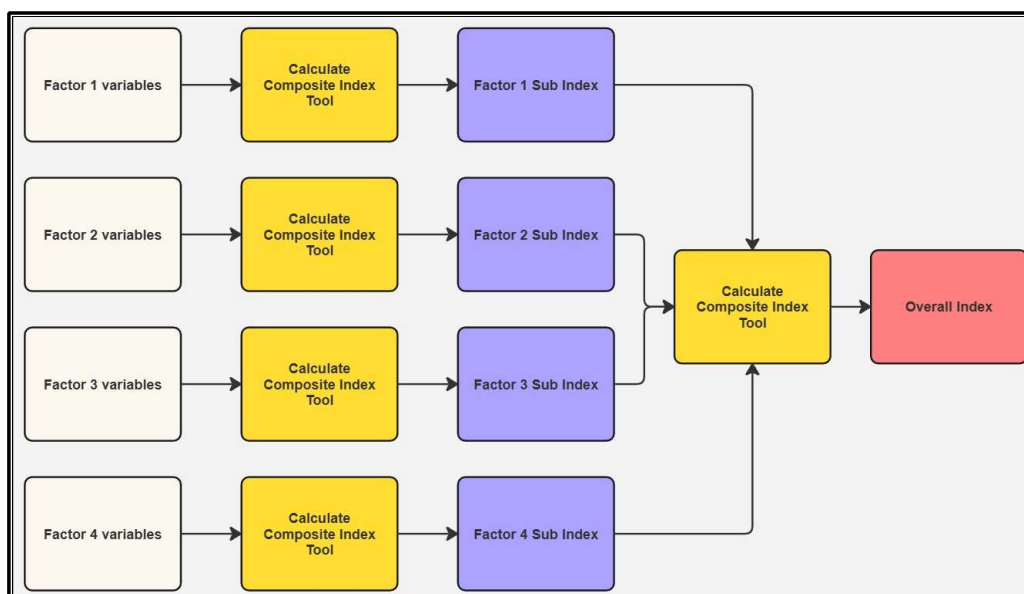


Figure 4: Index Calculation Flow Chart

4 MANUAL QA/QC REVIEW AND SPOT-CHECKING

With over 40 years of experience in planning and geospatial analysis, CSA understands the critical importance of ensuring accuracy and consistency in all stages of spatial modeling. After running the model for each priority group individually, we employ a rigorous manual QA/QC process to validate its outputs.

The model generates a series of intermediate layers that provide granular insights into its functioning. To ensure the model is performing as intended, we randomly select tax lots within each priority group for a detailed review. Using ArcGIS Pro, we integrate all intermediate layers into the map frame and cross-verify the model-assigned scores across various factors.

This in-depth process involves:

1. **Examining Scores:** Verifying the accuracy of scores assigned to each factor at the tax lot level.
2. **Cross-Checking Variables:** Delving deeper into the scoring of individual variables within each factor to identify any discrepancies.
3. **Corrective Measures:** Addressing inconsistencies and recalibrating where necessary to maintain the integrity of the model.

CSA's extensive planning expertise not only enhances the reliability of the QA/QC process but also ensures the outputs align with real-world conditions and objectives. This rigorous manual review, supported by decades of experience, underscores our commitment to delivering high-quality, dependable results in UGB inclusion analysis.

5 CONCLUSION

The UGB Factor Flow Model represents a significant advancement in evaluating and selecting urban growth boundary tax lots. By integrating GIS tools and Python scripting, the model achieves the following:

1. **Efficiency and Reproducibility:** Automating data analysis reduces manual effort and ensures the workflow can be rerun with updated inputs.
2. **Data-driven decision-making:** The model introduces a quantitative evaluation of tax lots based on factors such as infrastructure proximity, developable area, and environmental constraints.
3. **Flexibility:** The model can be adjusted to include additional factors or thresholds, as required by stakeholders, to adapt to alternative planning scenarios.
4. **Comprehensive Outputs:** Final outputs provide planners and decision-makers with a manageable set of tax lots to undertake individual evaluation for UGB inclusion, facilitating informed decisions for urban growth expansion.

In conclusion, the model enhances spatial planning capabilities for UGB amendments by combining technical rigor, automation, and stakeholder-driven priorities into a robust analytical workflow.

6 REFERENCES

Documentation and Illustrations detailing ArcGIS Pro tools and an in-depth review of the composite index tool are sourced from various [ESRI](#) resources.

7 ASSUMPTIONS

The following assumptions were made during the preceding analysis.

1. The zoning information associated with the tax lot layer was found to be inaccurate at times. To address this, zones were recalculated by overlaying the tax lot layer with the zoning layer and assigning zones based on the majority area within each tax lot.

Sai Bhargav

Sai Bhargav Reddy Vootkuru

GIS Analyst

Attachments: Figure 1: Hierarchical chart of factors along with weights

Urban Reserve	Employment Land %	Reasonably Developable	Allotted Developable Acreage for Employment
PH-1a	100	47	47
PH-1	66	412	271.92
PH-5	100	55	55
PH-10	15	39	5.85

Table 2: Urban Reserve Variables

APPENDIX 7.1.5

SIGNED COPY OF MEMORANDUM OF UNDERSTANDING FOR THE JOINT MANAGEMENT AND FUTURE URBANIZATION OF URBAN RESERVE AREA PH-1A

MEMORANDUM OF UNDERSTANDING
FOR THE JOINT MANAGEMENT AND FUTURE
URBANIZATION OF URBAN RESERVE AREA PH-1A

This Memorandum of Understanding (MOU) is entered into by and between the City of Phoenix, Oregon ("Phoenix") and the City of Medford, Oregon ("Medford"), collectively referred to herein as the "Cities".

WHEREAS, ORS 190.110 authorizes cities in Oregon to "cooperate for any lawful purpose, by agreement or otherwise," for the purposes of "performing a duty imposed upon it, in exercising a power conferred upon it or in administering a policy or program delegated to it";

WHEREAS, Phoenix has an Urban Reserve Area identified as PH-1a ("PH-1a"), which is approximately 52 acres in area and is predominantly comprised of rural residential exception lands with one small agricultural parcel having field farming uses. A map of PH-1a is attached hereto as Exhibit A and incorporated herein by this reference. A portion of the northeasterly boundary of PH-1a abuts properties within Medford city limits that have the zoning designations of General Industrial and a "holding zone" designation of SFR-00. Phoenix envisions future potential uses of properties within PH-1a as "Employment Land";

WHEREAS, the Cities acknowledge there is a mapping error consisting of a strip of land that is located within the Medford Urban Growth Boundary ("M-UGB"), and also within PH-1a (the "Mapping Error"), and the Cities desire to resolve the Mapping Error. The area depicting the Mapping Error is set forth in Exhibit B, incorporated herein by this reference;

WHEREAS, the Cities further acknowledge that PH-1a presents jurisdictional complexities for the Cities given historic development patterns, multiple property ownerships, and abutting properties within Medford city limits, and the Cities agree that coordinated planning for development within PH-1a, and including certain abutting parcels within M-UGB, will better support and advance economic development therein; and

WHEREAS, the purpose of this MOU is for the Cities to express their mutual interest and willingness to resolve the Mapping Error and to cooperate on the joint management and future urbanization of the properties within PH-1a; now, therefore,

In consideration of the foregoing recitals, Medford and Phoenix agree to the following:

1. Medford will cooperate with efforts to resolve the Mapping Error in the event that Phoenix initiates an amendment of its Urban Growth Boundary ("P-UGB").
2. In the event Phoenix initiates any P-UGB amendments within the PH-1a area, Phoenix will provide Medford with written notice and opportunity to comment on such P-UGB amendment process.

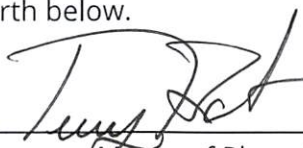
3. The Cities agree to negotiate and enter into a formal Intergovernmental Agreement ("IGA") within 120-days following the approval of a P-UGB amendment into PH-1a. The IGA will specify how the Cities will manage, process and consider proposed developments that straddle the UGB boundaries of both Cities, and will address, without limitation, the following issues:
 - a. A methodology to provide notice and opportunity to comment on land use actions affecting the city that does not have land use jurisdiction for such actions.
 - b. Processes for reviewing streets, driveways and emergency accesses for properties straddling any mapping boundaries between the Cities.
 - c. Procedures for reviewing extensions of public utilities, such as water, sewer, and storm drainage facilities, across any mapping boundaries between the Cities.
 - d. Measures to address issues relating to special lot sizes, setbacks and/or other development restrictions that may apply along any mapping boundaries between the Cities.
 - e. Procedures for review and issuance of any building permits, including related inspection(s), for proposed improvements straddling any mapping boundaries between the Cities.
 - f. A process to resolve any issues that may arise regarding apportionment of System Development Charges ("SDCs") and other fees or charges relating to site improvements or site development that straddles any mapping boundaries between the Cities.
4. Phoenix will take the lead for Transportation System Planning in PH-1a, in coordination with Medford and Jackson County and in compliance with any applicable Transportation Planning Rules and Chapter 5 of the Greater Bear Creek Valley Regional Plan.
5. Prior to an IGA being executed as referenced in section 3, this MOU may be amended at any time by the mutual written agreement of both Cities. To afford the Cities an opportunity to review and consider any proposed amendment(s), each City shall submit proposed amendments to the other at least 30 days before the suggested change is proposed to take place.
6. This MOU may be terminated for convenience by either Medford or Phoenix by providing written notice to the other City not less than 60 days in advance of the proposed termination date.
7. The provisions of this MOU are for the exclusive benefit of the Cities, and not for the benefit of any third person or any other entity. This MOU does not confer any rights, privileges or benefits, express or implied, upon any third person or other entity.

8. This MOU and the Exhibits hereto constitute the entire agreement and understanding between the Cities with respect to the subject matter hereof. Any prior representations, promises, negotiations, correspondence and memoranda between the Cities, either oral or written, relating to the subject matter of this MOU are superseded and replaced in their entirety by this MOU.
9. For convenience, this MOU may be executed in counterparts, and the signatures of each of the signatories may be executed on separate pages which, when attached to this MOU, shall be considered a single agreement and binding on both Cities.

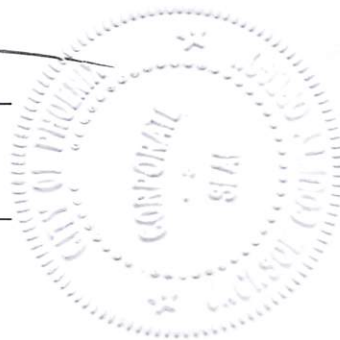
IN WITNESS WHEREOF, the Cities have executed this MOU by their duly authorized representatives on the dates set forth below.

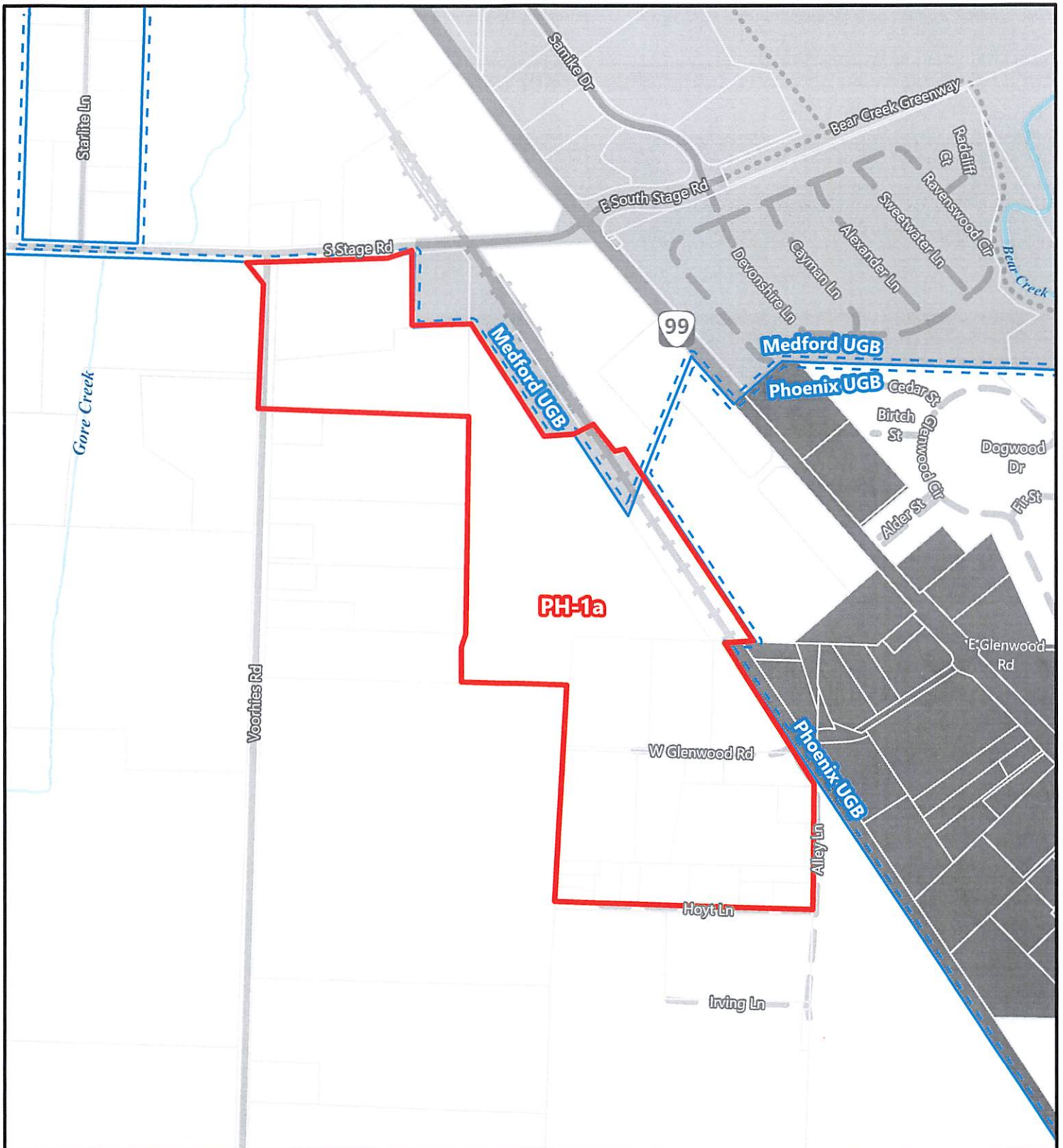


Mayor of Medford
06-06-2024

Date

Mayor of Phoenix
7-15-24

Date

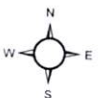


Community & Economic Development Exhibit A - PH-1a Overview

- PH-1a (County GIS)
- Urban Growth Boundary (County GIS)

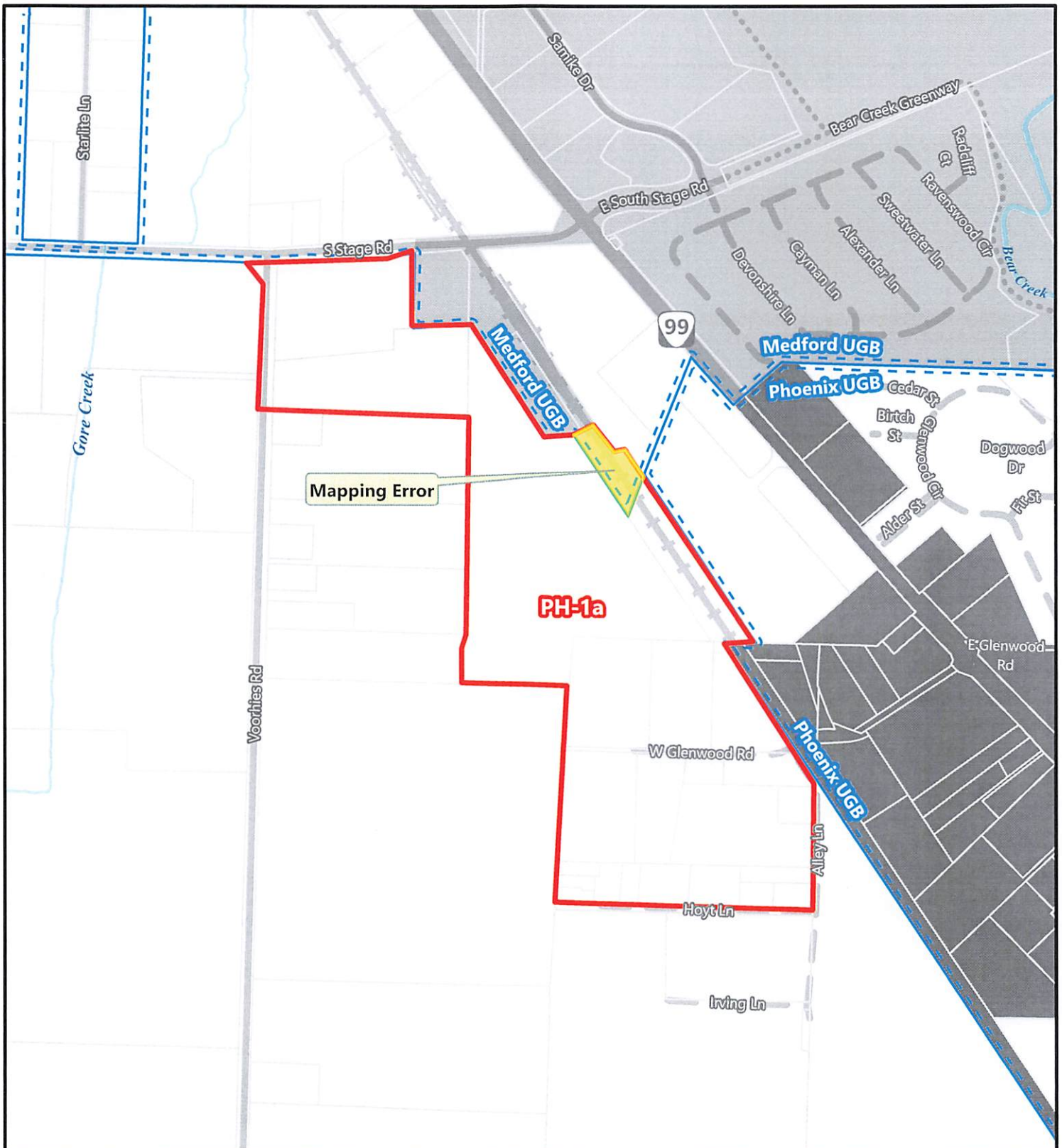
- Phoenix City Limit (Ord 1036 Eff 03/25/2024)
- Medford City Limit (Medford GIS)

0 0.05 0.1
Mi
1 In equals 0.1 Mi



The Land Use Districts shown on this map are for planning purposes only. The City of Phoenix is not responsible for errors or omissions. Every effort has been made to ensure the accuracy of this map. However, there may be inaccuracies due to human or mechanical error or changes in the Land Use District map created by recent land use actions or legislative changes. To verify the zoning designation of a parcel or to report errors, please contact the Planning Department at (541) 535-2050. This product is provided as is, without warranty. In no event is the City of Phoenix liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Created by: Jeff, on 4/3/2024



Community & Economic Development Exhibit B - Mapping Error

- PH-1a (County GIS)
- Urban Growth Boundary (County GIS)

- Phoenix City Limit (Ord 1036 Eff 03/25/2024)
- Medford City Limit (Medford GIS)

0 0.05 0.1
Mi
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Created by: Jeff, on 4/3/2024

APPENDIX 7.2.1

ASSESSOR'S ACCOUNT INFORMATION

Account Sequence	Map TL Sequence	Assessment Year 2023 ▼	Print Window	Close Window
----------------------------------	---------------------------------	------------------------	------------------------------	------------------------------

Assessment Info for Account 1-001808-2 Map 381W05D Taxlot 1300
Report For Assessment Purposes Only Created February 20, 2023

Account Info		Tax Year 2022 Info		Land Info	
Account	1-001808-2	Pay Taxes Online		Tax Code	4-03
Map	381W05D 1300			Acreage	20.35
Taxlot				Zoning	
Owner	SOUTH STAGE LLC	Tax Report	Details	EFU	
Situs Address		Tax Statement	Details	Land Class	
VOORHIES RD PHOENIX-TALENT/COUNTY R		Tax History	Details	RT 16.65 Ac	
		Tax Details	Details	IIIBI 3.70 Ac	
Mailing Address	SOUTH STAGE LLC 3929 MONTE VISTA DR MEDFORD OR, 975049637	Tax Rates	Details	Property Class	550
Appraiser	82			Stat Class	000
				Unit ID	183019-1
				Maintenance Area	4
				Neighborhood	000
				Study Area	14
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (AS 400)

Value Summary Detail (For Assessment Year 2023 - Subject To Change)

Market Value Summary (For Assessment Year 2023 - Subject To Change)

Code Area	Type	Acreage	RMV	M5	MAV	AV
4-03	LAND	16.65	\$ 374,110	\$ 374,110	\$ 190,090	\$ 190,090
4-03	LAND	3.70	\$ 101,490	\$ 0	\$ 0	\$ 0
Value History		Total:	\$ 475,600	\$ 374,110	\$ 190,090	\$ 190,090

Specialy Assessed Value Summary (For Assessment Year 2023 - Subject To Change)

Code Area	Type	Acreage	SAV	MSAV	AV
4-03	LAND	3.70	\$ 6,908	\$ 2,418	\$ 2,418
		Total:	\$ 6,908	\$ 2,418	\$ 2,418

Total (Market + Specialy Assessed) Value Summary (For Assessment Year 2023 - Subject To Change)

Code Area	RMV	M5	MAV	AV
4-03	\$ 475,600	\$ 381,018	\$ 192,508	\$ 192,508

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS

(See new portal) (See new portal) [Portal](#)

Account Comments

7/26/05 DISQUALIFIED 15.05 ACRES FROM FARM USE ASSESSMENT DUE TO FARMLAND CURRENTLY LYING IDLE OR NO LONGER IN A QUALIFYING FARM USE. 5.30 ACRES REMAIN IN FARM CLASS IIIBI #74 >>>07/08/10 DISQUALIFIED 5.30 ACRES DUE TO THE FARMLAND CURRENTLY LYING IDLE OR NO LONGER IN A QUALIFYING FARM USE. #74>>> 09/21/12 GRANTED FARM USE SAV FOR 3.70 ACRES, NEW PEAR ORCHARD. CHNGD PROP CL. #162>>>

Exemptions / Special Assessments / Notations / Potential Liability

Notations

Description	Tax Amount	Year Added	Value Amount
FARM LAND-POTENTIAL LIABILITY		2012	
POT'L ADD'L TAX LIABILITY ORS 308A.083	2454.06	2010	
POT'L ADD'L TAX LIABILITY ORS 308A.083	10778.79	2005	
CARTOGRAPHIC ACTIVITY		2003	

Location Map

County of Jackson, OR, Bureau of Land Management, State of Oregon DOT, State of Oregon GEO, Esri, Canada, Esri, HERE, Garmin I... Powered by Esri

[Close Window](#) [Print Window](#)

Account Sequence	Map TL Sequence	Assessment Year 2023 ▼	Print Window Close Window																												
Assessment Info for Account 1-082129-9 Map 381W05D Taxlot 1400 Report For Assessment Purposes Only Created February 20, 2023																															
Account Info Account: 1-082129-9 Map: 381W05D 1400 Taxlot: Owner: SOUTH STAGE LLC Situs Address: 2195 VOORHIES RD PHOENIX-TALENT/COUNTY R Mailing Address: SOUTH STAGE LLC 3929 MONTE VISTA DR MEDFORD OR, 975049637 Appraiser: 154		Tax Year 2022 Info Pay Taxes Online Tax Report Details Tax Statement Details Tax History Details Tax Details Details Tax Rates Details																													
		Land Info Tax Code: 4-03 Acreage: 5.00 Zoning Land Class UNK 5.00 Ac Property Class : 401 Stat Class : 133 Unit ID: 183010-1 Maintenance Area: 4 Neighborhood: 000 Study Area: 14 Account Status: ACTIVE Tax Status: Assessable Sub Type: NORMAL																													
Sales Data (AS 400) ± Value Summary Detail (For Assessment Year 2023 - Subject To Change) ± Market Value Summary (For Assessment Year 2023 - Subject To Change)																															
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Code Area</th> <th>Type</th> <th>Acreage</th> <th>RMV</th> <th>M5</th> <th>MAV</th> <th>AV</th> </tr> </thead> <tbody> <tr> <td>4-03</td> <td>LAND</td> <td>5.00</td> <td>\$ 313,810</td> <td>\$ 313,810</td> <td>\$ 132,450</td> <td>\$ 132,450</td> </tr> <tr> <td>4-03</td> <td>IMPR</td> <td>0.00</td> <td>\$ 93,700</td> <td>\$ 93,700</td> <td>\$ 95,530</td> <td>\$ 95,530</td> </tr> <tr> <td colspan="2">Value History Details</td> <td>Total:</td> <td>\$ 407,510</td> <td>\$ 407,510</td> <td>\$ 227,980</td> <td>\$ 227,980</td> </tr> </tbody> </table>				Code Area	Type	Acreage	RMV	M5	MAV	AV	4-03	LAND	5.00	\$ 313,810	\$ 313,810	\$ 132,450	\$ 132,450	4-03	IMPR	0.00	\$ 93,700	\$ 93,700	\$ 95,530	\$ 95,530	Value History Details		Total:	\$ 407,510	\$ 407,510	\$ 227,980	\$ 227,980
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Value History Details		Total:	\$ 407,510	\$ 407,510	\$ 227,980	\$ 227,980																									
Improvements																															
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ACCOUNT PHOTO	3	1	PDF																												
SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal																												
± Improvement Comments Appraisal Maintenance 2014 - INVENTORY REVIEW																															
± Account Comments																															
(1) SEG CREATED FROM TL 6500 +5.00 ACRES 02/02/01: ADDED HOME SITE WITH VIEW PER #95 01/17/02: NO START OF PLANNED ADDITION TO BUILDING. - #95>>>9/24/13 DELETE VIEW #154>>>																															
± Exemptions / Special Assessments / Notations / Potential Liability																															
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Notations</th> <th>Description</th> <th>Tax Amount</th> <th>Year Added</th> <th>Value Amount</th> </tr> </thead> <tbody> <tr> <td colspan="5">READ BEFORE DATA ENTERING EXCEPTION</td> </tr> <tr> <td></td> <td></td> <td></td> <td>2006</td> <td></td> </tr> </tbody> </table>				Notations	Description	Tax Amount	Year Added	Value Amount	READ BEFORE DATA ENTERING EXCEPTION								2006														
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READ BEFORE DATA ENTERING EXCEPTION																															
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County of Jackson -OR, Bureau of Land Management, State of Oregon, State of Oregon DOI, State of Oregon GZO, Esri, Canada, Esri, HERE, Garmin, I... Powered by Esri																															
Close Window Print Window																															

APPENDIX 7.2.2

LOT CREATION DOCUMENTATION

NN-

02 58600

AFTER RECORDING RETURN TO

South Stage LLC & Reter Fruit LLC
 Grantor's Name and Address
South Stage LLC
 Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Until requested otherwise, send all tax statements to (Name, Address, Zip):

NO CHANGE

SPACE RESERVED
FOR
RECORDER'S USE

3
 AmeriTitle 020669
 STATE OF OREGON,
 County of _____ ss.

I certify that the within instrument was received for record on _____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy.

FILE NO. 2002-55-PLA

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that SOUTH STAGE, LLC and RETER FRUIT, LLC

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto SOUTH STAGE, LLC

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in JACKSON County, State of Oregon, described as follows, to-wit:

AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

AmeriTitle WAS REQUESTED TO RECORD THIS INSTRUMENT AS AN ACCOMMODATION. IT HAS NOT BEEN EXAMINED FOR SUFFICIENCY OR ITS EFFECT UPON THE TITLE.

** LOT LINE ADJUSTMENT DEED

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ _____. However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☒ the whole (indicate which) consideration. (The sentence between the symbols ®, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on OCTOBER 29, 2002; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

SOUTH STAGE, LLC

BY *Bernard A. Young, Jr.*
 BERNARD A. YOUNG, JR.
 MANAGER

STATE OF OREGON, County of JACKSON ss.

This instrument was acknowledged before me on _____, by _____

This instrument was acknowledged before me on OCTOBER 29, 2002, by BERNARD A. YOUNG JR.as MANAGERof SOUTH STAGE, LLC

J.L. Hofmann
 Notary Public for Oregon
 My commission expires 06-10-06

02 58600

RETER FRUIT, LLC

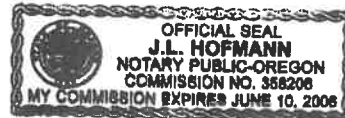
BY: [Signature]
MONTY PENWELL, MEMBER

BY: [Signature]
SANDRA TIPTON, MEMBER

STATE OF OREGON)
) ss
County of JACKSON)

On this 1ST day of NOVEMBER, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named MONTY PENWELL AND SANDRA TIPTON, AS MEMBERS OF RETER FRUIT, LLC, known to me to be the identical individual(s) described in and who executed the within instrument and acknowledged to me that THEY executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by official seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission expires: 06/10/06



2

02 58600

EXHIBIT "A"

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

NOV 01 2002

2:30 PM
[Signature]
COUNTY CLERK

**PROPERTY LINE ADJUSTMENT DESCRIPTION SHEET
TRACT #1
RETER FRUIT, LLC, GRANTOR
SOUTH STAGE, LLC, GRANTEE**

Lot 1 of PEPPER AND TAYLOR SUBDIVISION recorded September 28, 1923 in Volume 5 of Plats at Page 16, of the Official Records of Jackson County Oregon. Located in the Northeast One-quarter of Section 8, and the Southwest One-quarter of Section 5, Township 38 South, Range 1 West, of the Willamette Meridian, Jackson County, Oregon.

TOGETHER WITH: a portion of that certain real property described as Parcel 7 in Document Number 98-52229, recorded August 24, 1998, in the Official Records of Jackson County, Oregon, the exterior boundary of said portion being more particularly described as follows:

Beginning at the northwest corner of Donation Land Claim Number 45, of said township, range and sections; thence South 00°13'15" West, along the west line of said claim, a distance of 200.00 feet; thence leaving said claim, North 89°59'14" East, a distance of 1266.84 feet; thence North 02°06'00" East, a distance of 200.13 feet to north line of said claim; thence along said north line, North 89°48'01" West, a distance of 461.38 feet to the southwest corner of Donation Land Claim Number 40, of said township, range and sections; thence continuing along said north line, South 89°51'59" West, a distance of 812.03 feet to the True Point of Beginning.

EXEPTING THEREFROM: all that certain real property within the right-of-way of Voorhies Road, a public road, Jackson County, Oregon.

Containing 20.81 Acres, More or Less.

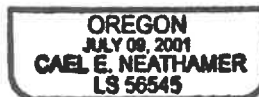
Basis of Bearings for the description is Survey Number 10236, filed in the office of the Jackson County Surveyor. Bearings applied between found monuments at the Centerline of Voorhies Road.

Prepared By: Neathamer Surveying, Inc.
304 South Central Avenue
Medford, Oregon 97501
Phone: (541) 732-2869
FAX: (541) 732-1382

Date: October 15, 2002



Carl E. Neathamer



RENEWAL DEC. 31, 2002

SOUTH STAGE, LLC.
3929 MONTE VISTA DR.
MEDFORD, OREGON 97504

17548

03 09615

17 AFTER RECORDING RETURN TO:

ameriTitle 030104

10
10
11

Grantor:
Bernard A. Young, Jr.

Grantee:
South Stage, LLC

When Recorded, Return To:
Gregory T. Hornecker
717 Murphy Road
Medford, OR 97504

Mail Tax Statements To:
South Stage, LLC
3929 Monte Vista Drive
Medford, OR 97504

 **AmeriTitle** WAS REQUESTED TO
RECORD THIS INSTRUMENT AS
AN ACCOMMODATION. IT HAS NOT
BEEN EXAMINED FOR SUFFICIENCY
OR ITS EFFECT UPON THE TITLE.

BARGAIN AND SALE DEED

I, Bernard A. Young, Jr., Grantor, hereby convey to South Stage, LLC, Grantee, the real property situated in Jackson County, Oregon, and more particularly described as:

Parcel No. 1 of Partition Plat No. P-83-1992 of the Records of
Jackson County, Oregon, filed August 24, 1992, Index Volume 3,
Page 83, County Survey No. 13119.

There is no dollar consideration paid for this transfer.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

UNDER CERTAIN CIRCUMSTANCES, A PERSON WHO PERFORMS CONSTRUCTION RELATED ACTIVITIES MAY CLAIM A LIEN UPON REAL PROPERTY AFTER A SALE TO THE PURCHASER FOR A TRANSACTION OR ACTIVITY THAT OCCURRED BEFORE THE SALE. A VALID CLAIM MAY BE ASSERTED AGAINST THE PROPERTY THAT YOU ARE PURCHASING EVEN IF THE CIRCUMSTANCES THAT GIVE RISE TO THAT CLAIM HAPPENED BEFORE YOUR PURCHASE OF THE PROPERTY. THIS INCLUDES, BUT IS NOT LIMITED TO, CIRCUMSTANCES WHERE THE OWNER OF THE PROPERTY CONTRACTED WITH A PERSON OR BUSINESS TO PROVIDE LABOR, MATERIAL, EQUIPMENT OR SERVICES TO THE PROPERTY AND HAS NOT PAID THE PERSON OR BUSINESS IN FULL.

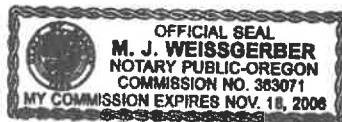
03 09615

DATED this 14 day of ^{February}~~January~~, 2003.


Bernard A. Young, Jr.

STATE OF OREGON)
) ss.
County of Jackson)

On this 14 day of ^{February}~~January~~, 2003, appeared before me Bernard A. Young, Jr., known to me to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

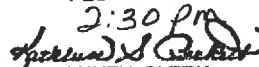



NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/18/06

HAUSER\KRA\LLC & LLP\South Stage, LLC\Voorthies Road (BSD).wpd

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

FEB 18 2003

2:30 PM

COUNTY CLERK

Edwards Surveying & Land Planning Inc.

DARREL W. EDWARDS
OREGON REG. 741
ARIZONA REG. 9746



DAVID A. EDWARDS
OREGON REG. 2339

REGISTERED LAND SURVEYORS
823 WEST 8TH ST.
MEDFORD, OREGON 97501
(503) 776-2313 • (503) 471-7059

SURVEY NUMBER

13119

SURVEY NARRATIVE TO COMPLY WITH CHAPTER 209, PARAGRAPH 205, OREGON REVISED STATUTES

SURVEY FOR: James & Sharon Ward
51 South Stage Road
Medford, OR 97501

LOCATION: In the Southeast 1/4 of Section 5, Township 38 South,
Range 1 West of the Willamette Meridian in Jackson
County, Oregon.

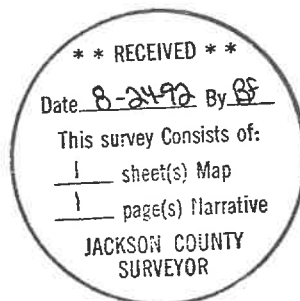
PURPOSE: A Minor Land Partition creating two separate tax lots.

PROCEDURE: Used found monuments as shown on the accompanying plat
for control. Location on the West line of D.L.C. No.
40 determined from Recorded Survey No. 1814 and survey
by the Jackson County Department of Public Works in
April 1941. Set new property corners as shown on the
accompanying plat. Set 5/8 inch by 24 inch steel pins
with yellow plastic caps stamped "DW EDWARDS-PLS 741."

BASIS OF
BEARINGS: Recorded Survey No. 1814.

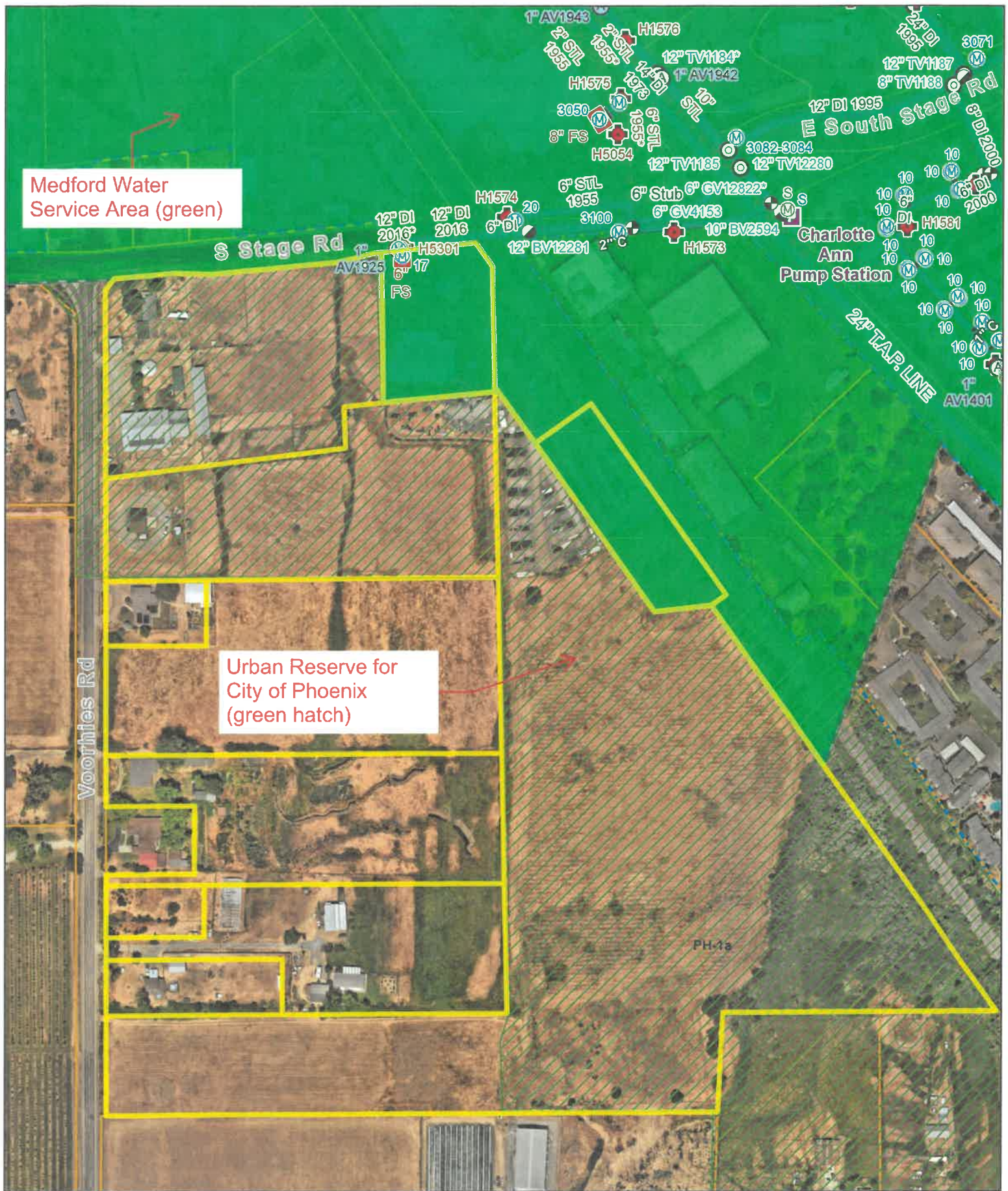
EQUIPMENT: Nikon NTD-4 Semi-automatic Theodolite/E.D.M.

DATE
COMPLETED: July 28, 1992

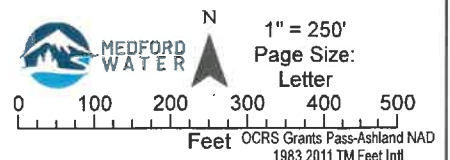


APPENDIX 7.3.1

MAP OF INFRASTRUCTURE PROVIDED BY MEDFORD WATER COMMISSION



Medford Water Facilities Service Area in Question

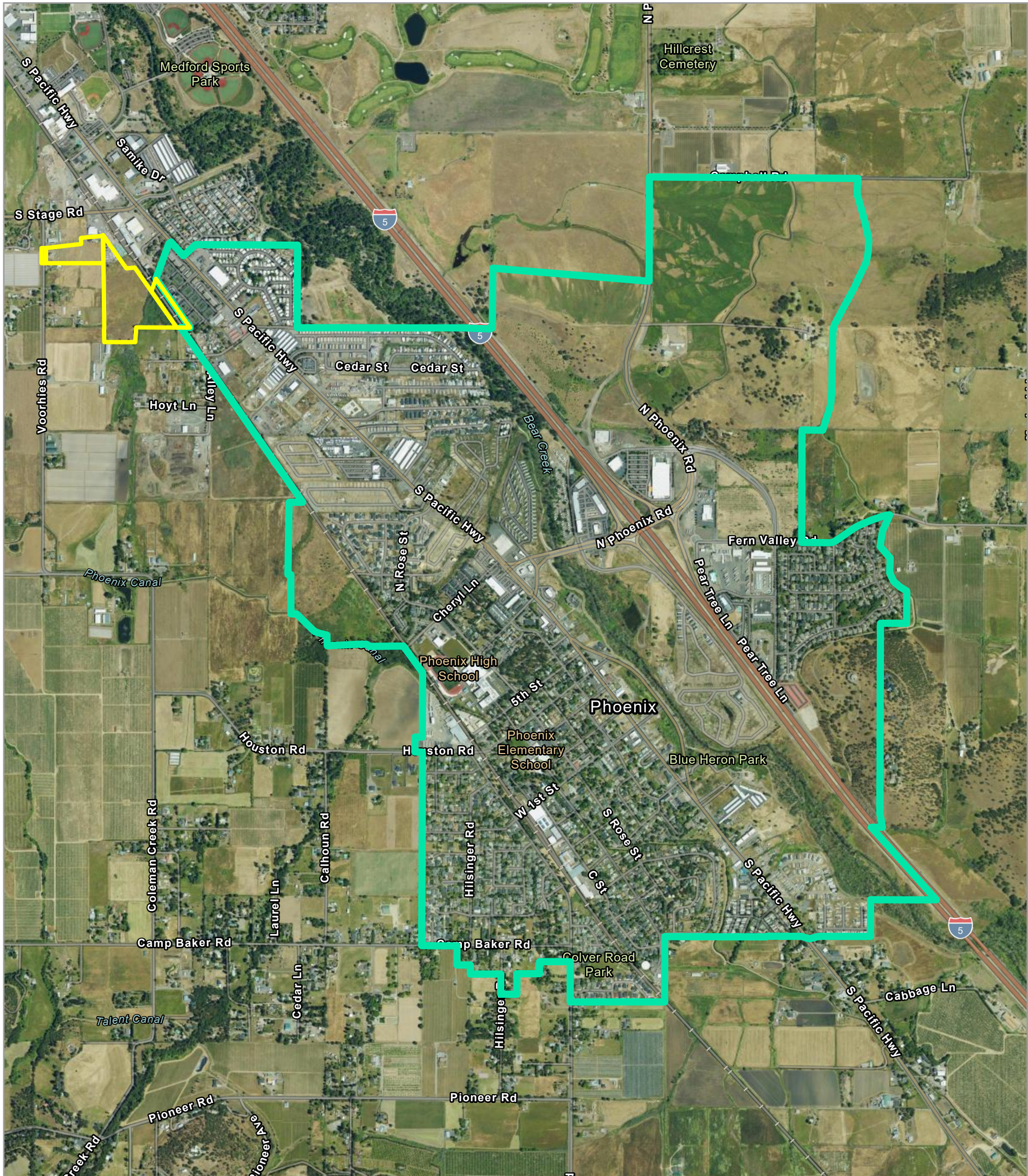


Volume 2 Atlas

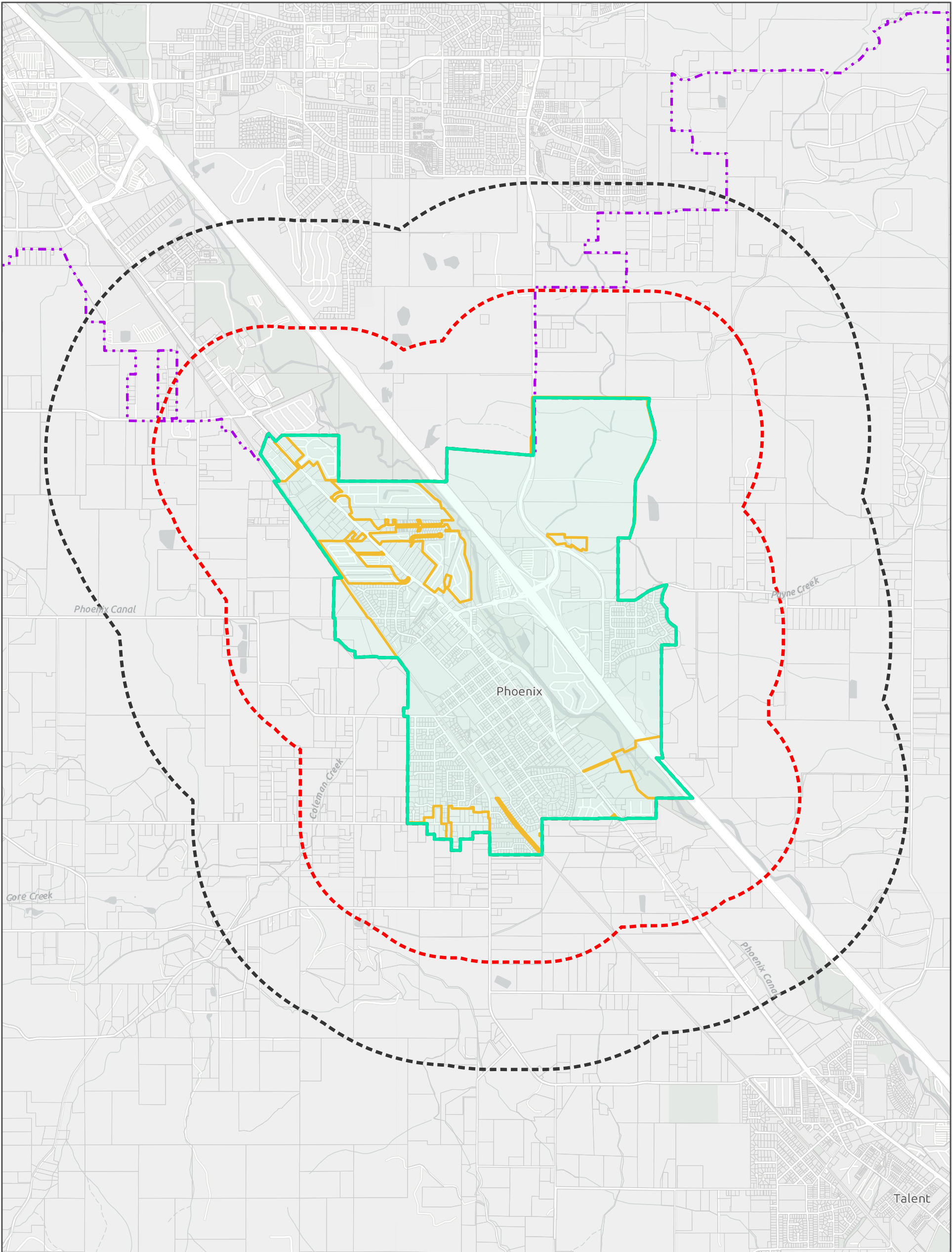
Phoenix Industrial Park

Urban Growth Boundary

Amendment Application



South Stage LLC



STUDY AREA BUFFERS

Map Features

- City Limits

Phoenix UGB

Medford UGB

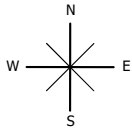
Half mile buffer

One mile buffer

Taxlots

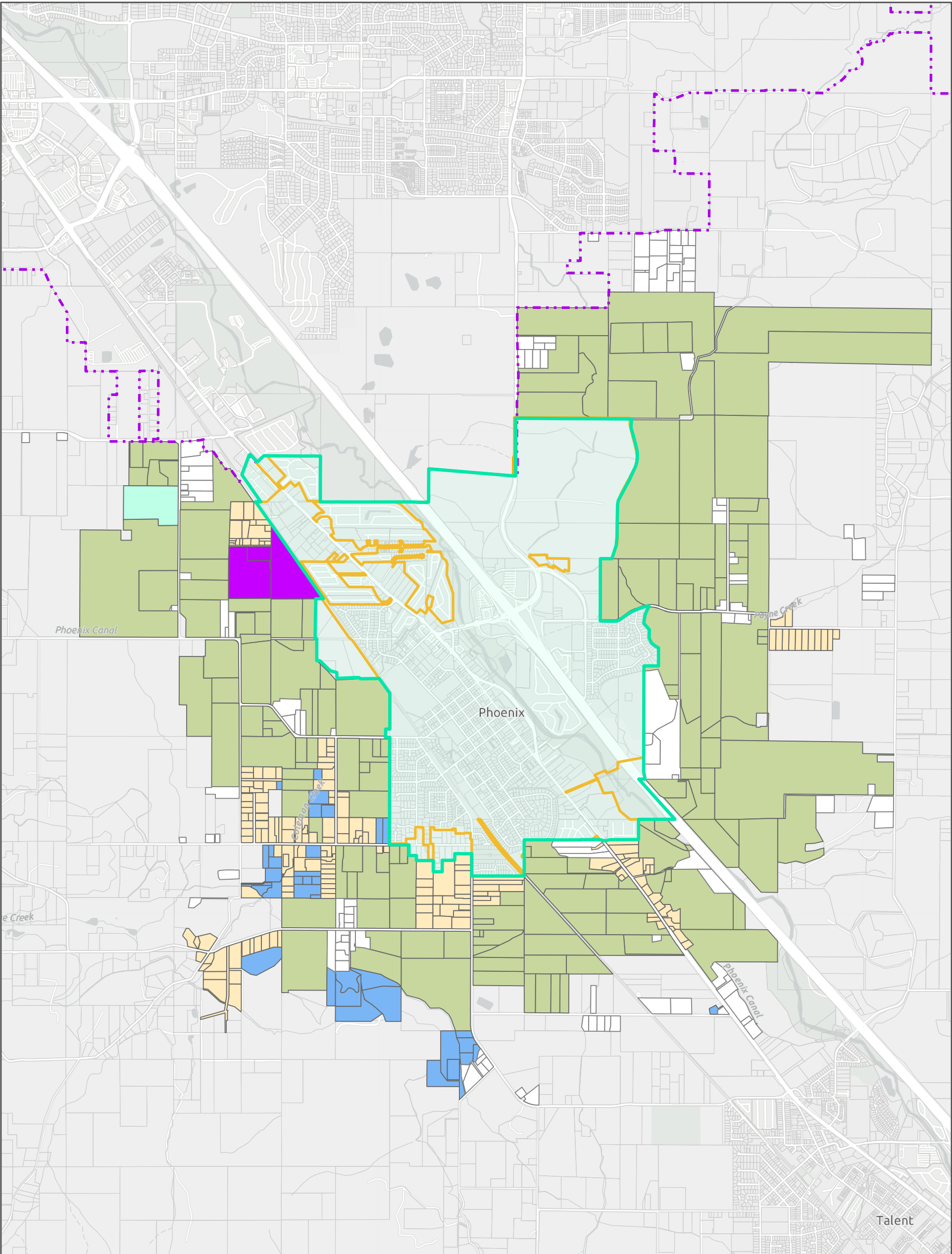
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: City of Phoenix, Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 1/29/2025



0 3,000 US Feet





STUDY AREA ZONING

Map Features

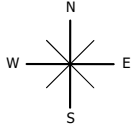
- City Limits
- Phoenix UGB
- Medford UGB
- Taxlots

- Study Area Zoning
- EFU
 - LI
 - LU
 - RR_00

- RR_2_5
- RR_5

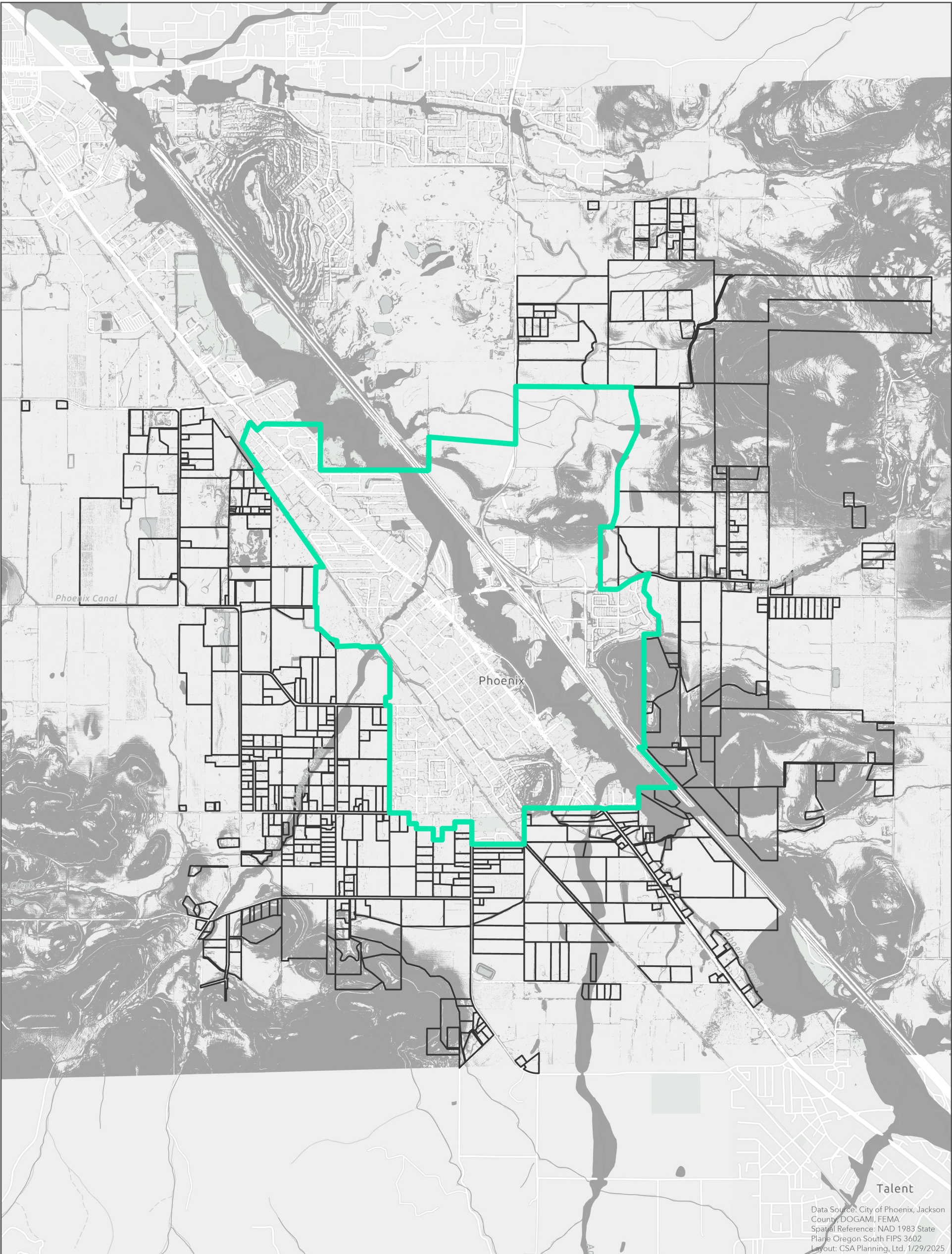
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: City of Phoenix, Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 1/29/2025



0 3,000 US Feet





Data Source: City of Phoenix, Jackson County, DOGAMI, FEMA
Spatial Reference: NAD 1983 State Plane Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 1/29/2025

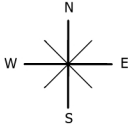
CONSTRAINTS MAP

Map Features

-  Phoenix UGB
-  Constraints Area
-  Study Area

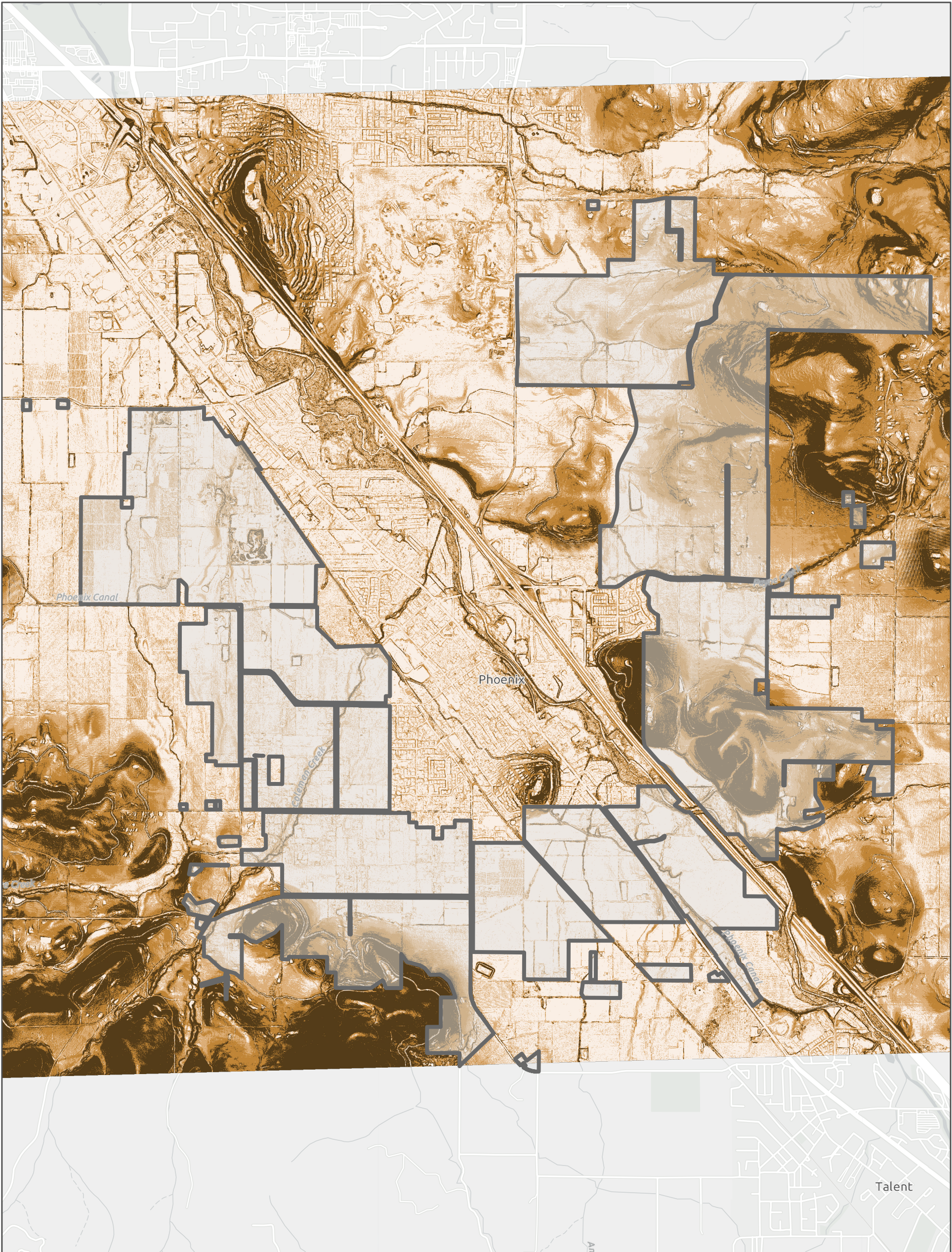
Goal 14 - Boundary Location Analysis South Stage LLC

The constraints layer is created by combining slope (>10%), wetlands, and flood zones into a single dissolved layer.



0 3,000 US Feet





SLOPE MAP

Map Features

 Study Area Outline

Slope Percent (%)

 0 - 5

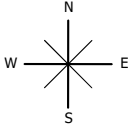
 5 - 10

 10 - 20

 20+

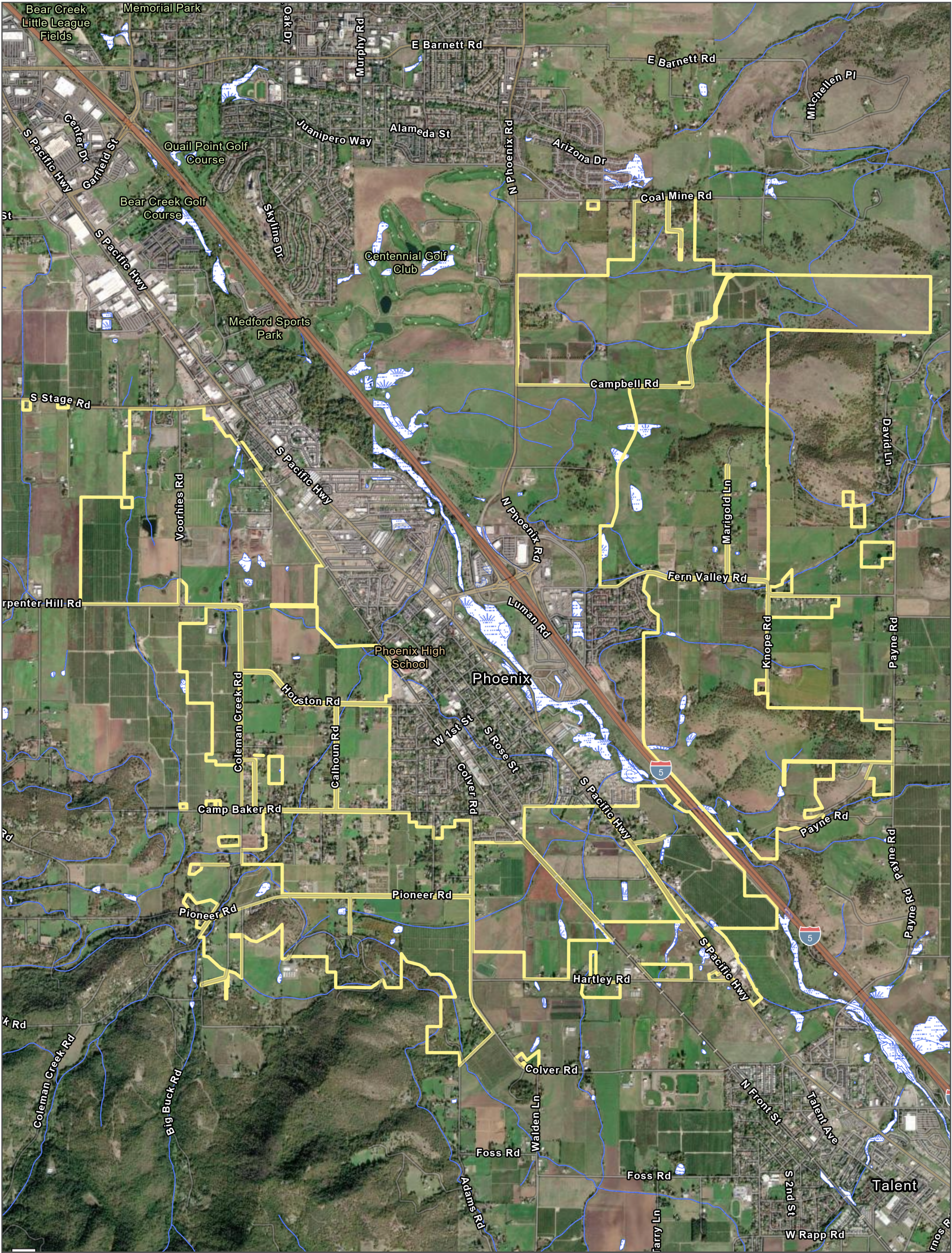
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: Jackson County, DOGAMI
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/04/2025



0 3,000 US Feet



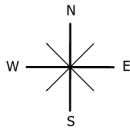
WETLANDS MAP

Map Features

-  Study Area Outline
-  Wetlands

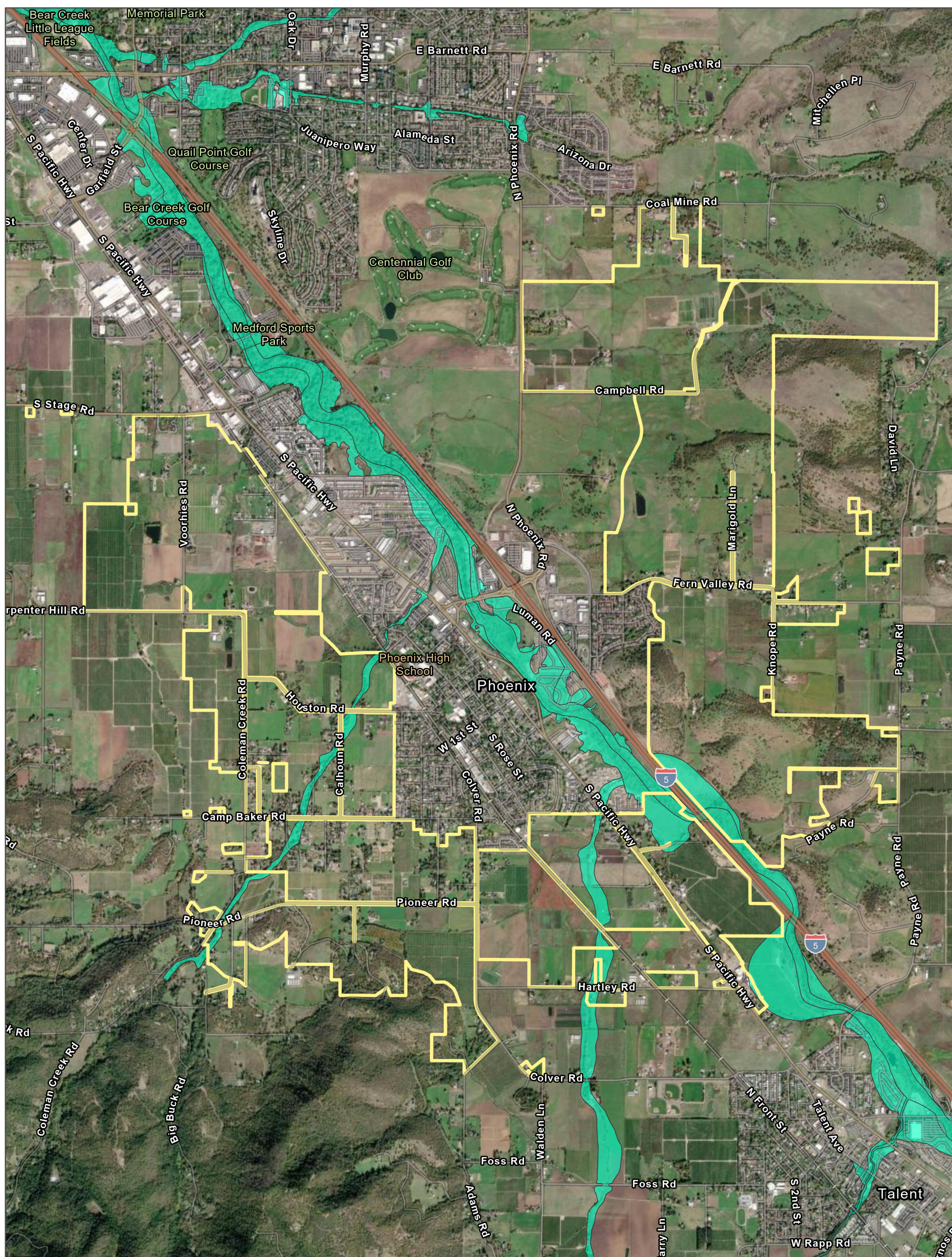
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025



0 3,000 US Feet

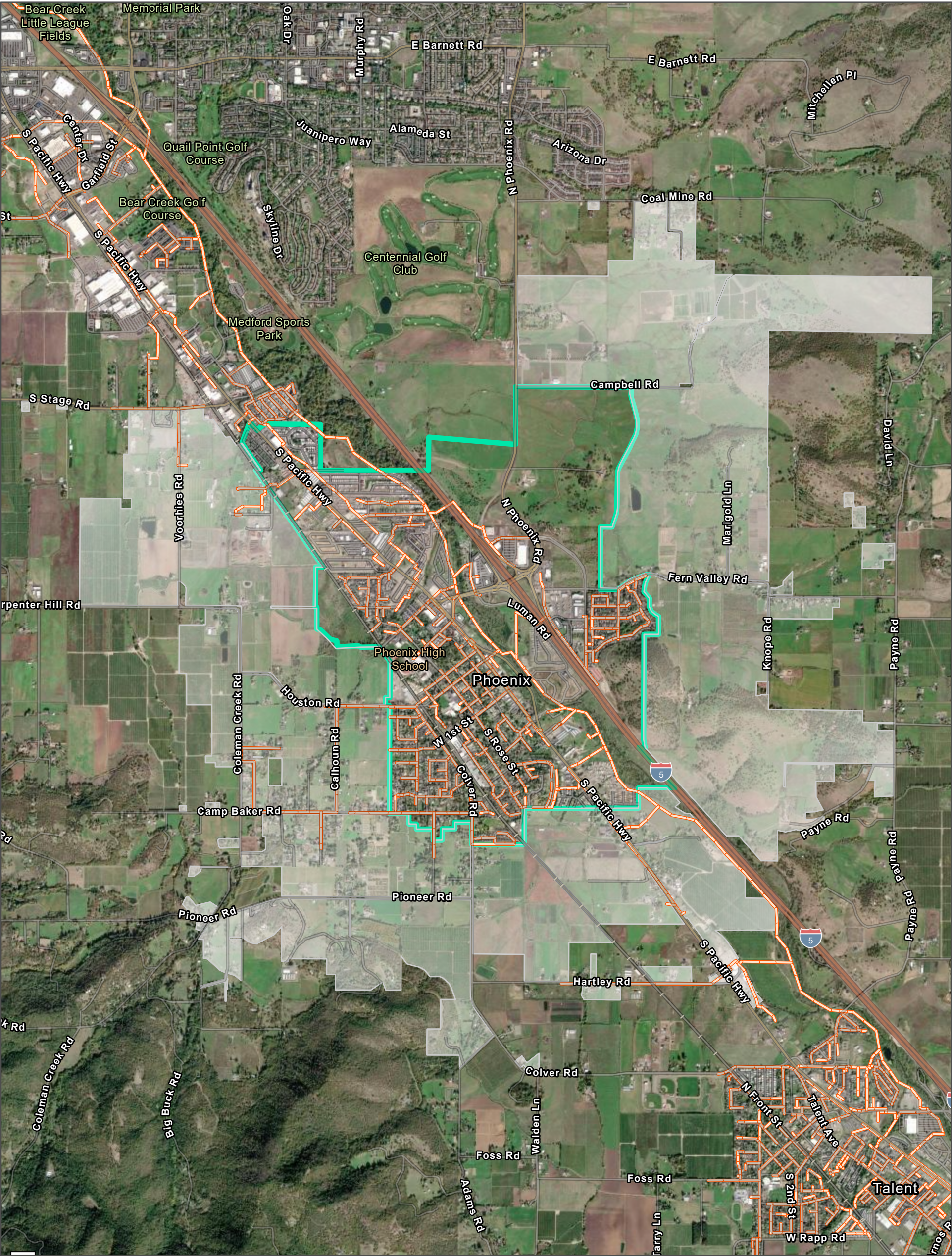




Map Features

Goal 14 - Boundary Location Analysis

South Stage LLC



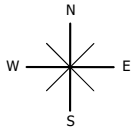
SEWER NETWORK MAP

Map Features

-  Phoenix UGB
-  Sewer Lines
-  Study Area Outline

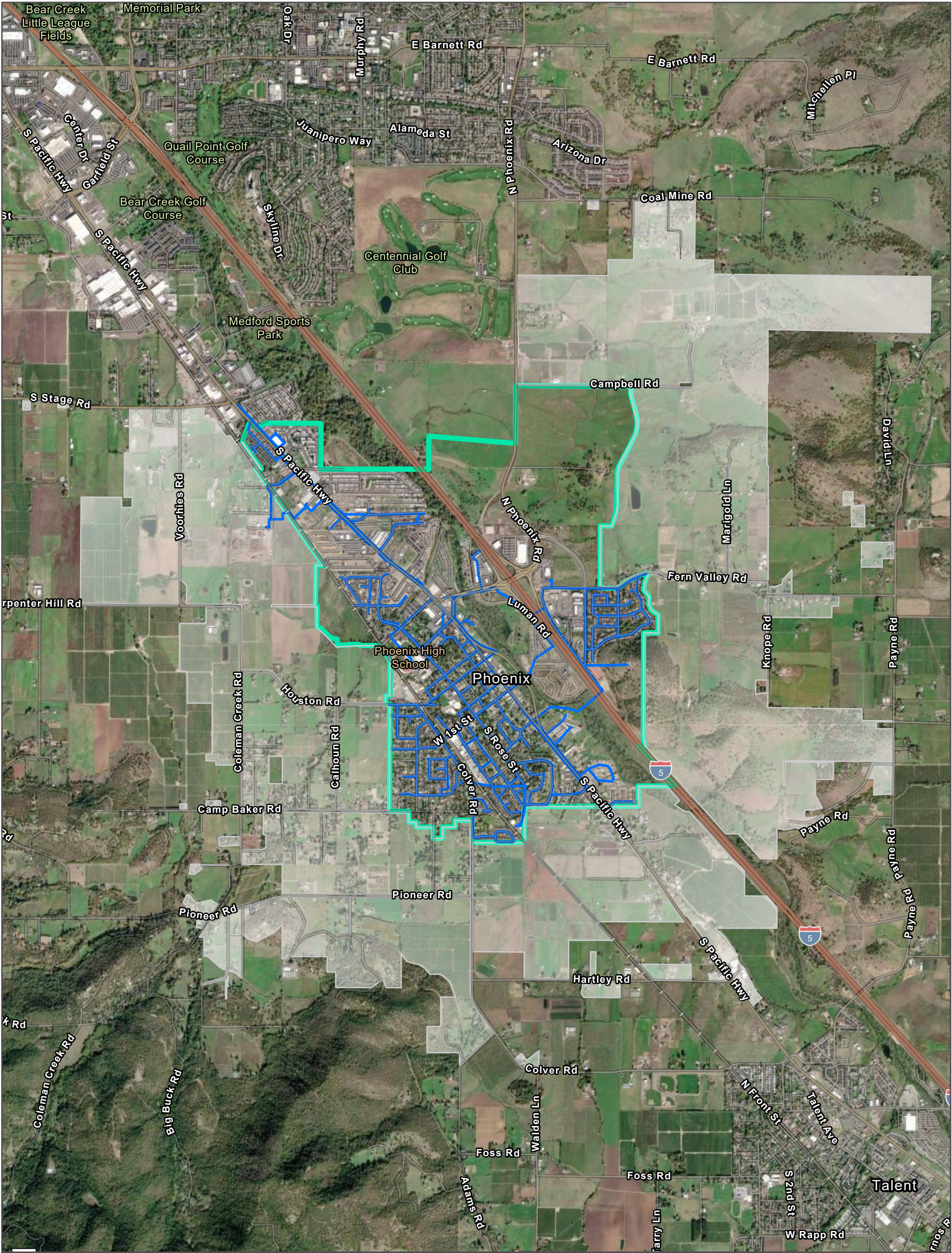
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: City of Phoenix, Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025



0 3,000 US Feet





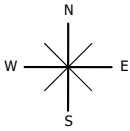
WATER NETWORK MAP

Map Features

-  Study Area Outline
-  Water Lines
-  Phoenix UGB

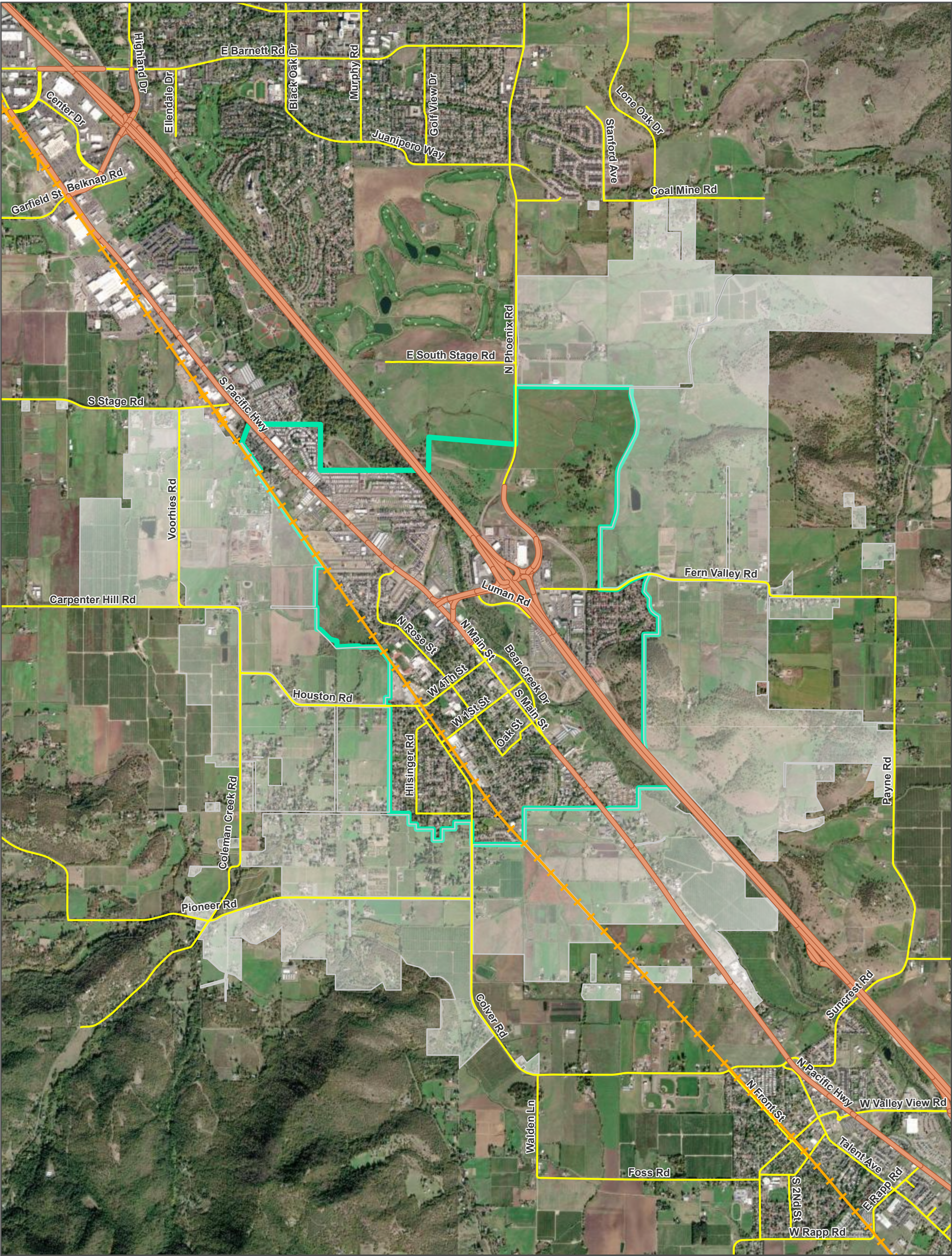
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: City of Phoenix, Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025



0 3,000 US Feet





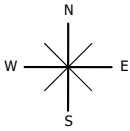
TRANSPORTATION INFRASTRUCTURE MAP

Map Features

- Study Area Outline
- Phoenix UGB
- Roads (Arterials & Collectors)
- ODOT Rail Roads
- ODOT Highways

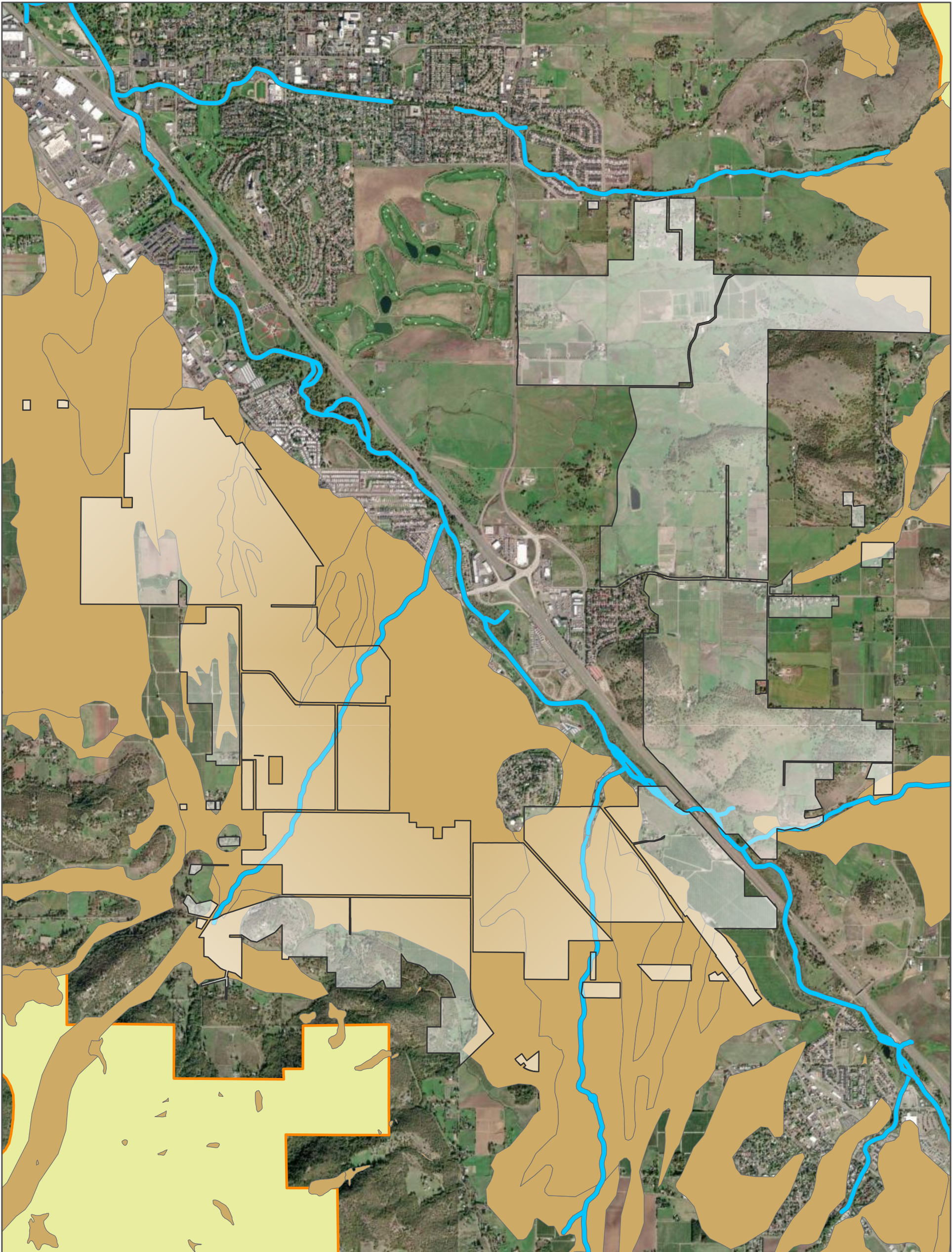
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: ODOT, City of Phoenix
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025



0 3,000 US Feet





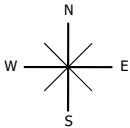
ENVIRONMENTAL MAP

Map Features

- | | |
|--|---|
|  Study Area Outline |  Winter Range |
|  Riparian Area |  Landslide Deposit |

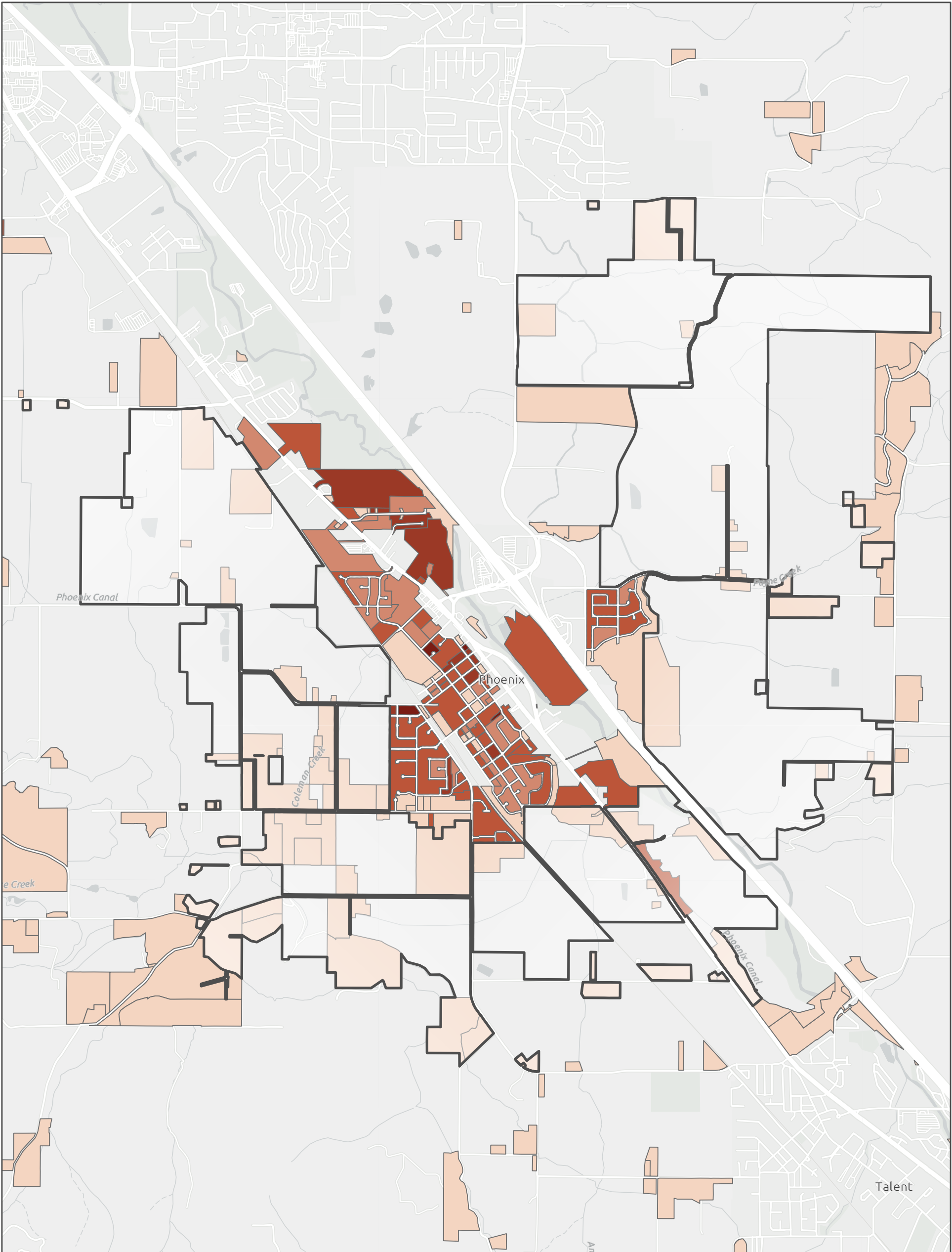
Goal 14 - Boundary Location Analysis South Stage LLC

Data Source: Jackson County, DOGAMI
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025



0 3,000 US Feet





RESIDENTIAL POPULATION DENSITY MAP

 Study Area Outline

Map Features

Population Density (pop/acre)

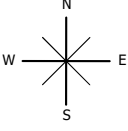
	0 - 5
	5 - 10
	10 - 15
	15 - 20
	20+

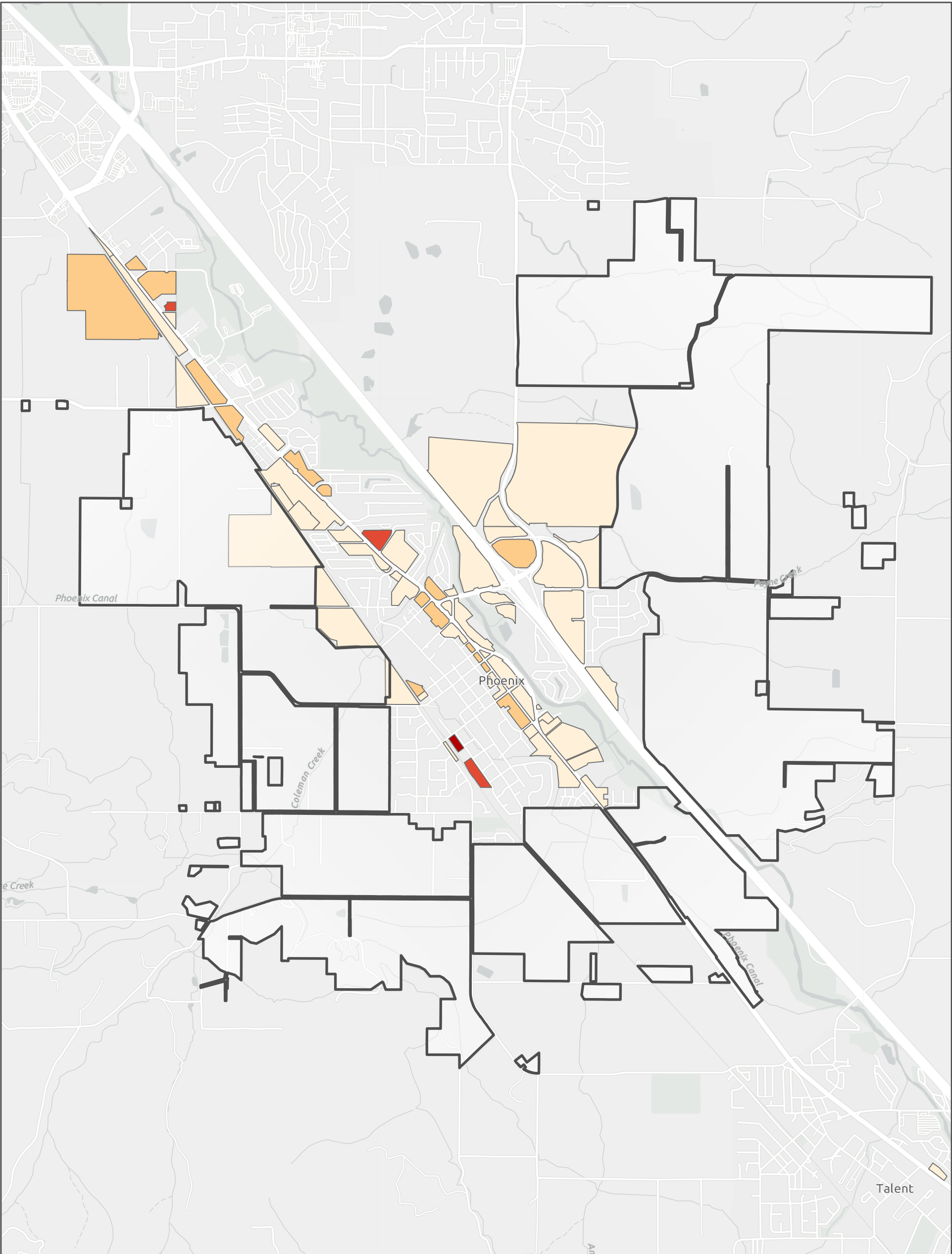
Goal 14 - Boundary Location Analysis

South Stage LLC

Data Source: City of Phoenix, Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025

0 3,000 US Feet





COMMERCIAL BUILDING DENSITY MAP

Map Features

 Study Area Outline

Occupied Percent (%)

 0 - 20

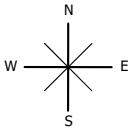
 20 - 40

 40 - 60

 60+

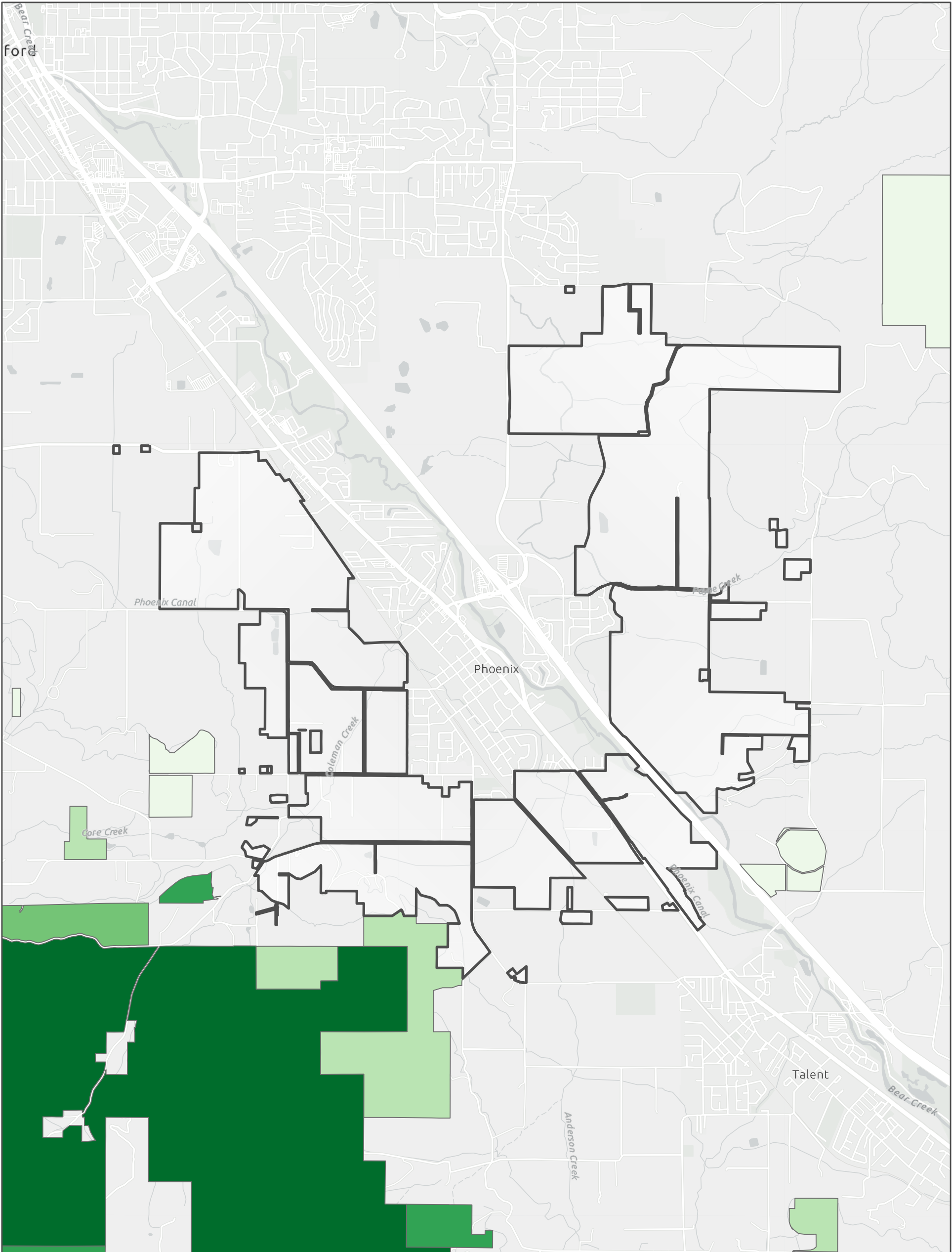
Goal 14 - Boundary Location Analysis
South Stage LLC

Data Source: City of Phoenix, FEMA
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025



0 3,000 US Feet



EXISTING FOREST COVERAGE BY ZONE

Map Features

 Study Area Outline

Forest Occupied Percent (%)

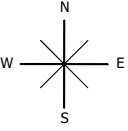
	0 - 20
	20 - 40
	40 - 60
	60 - 80
	80+

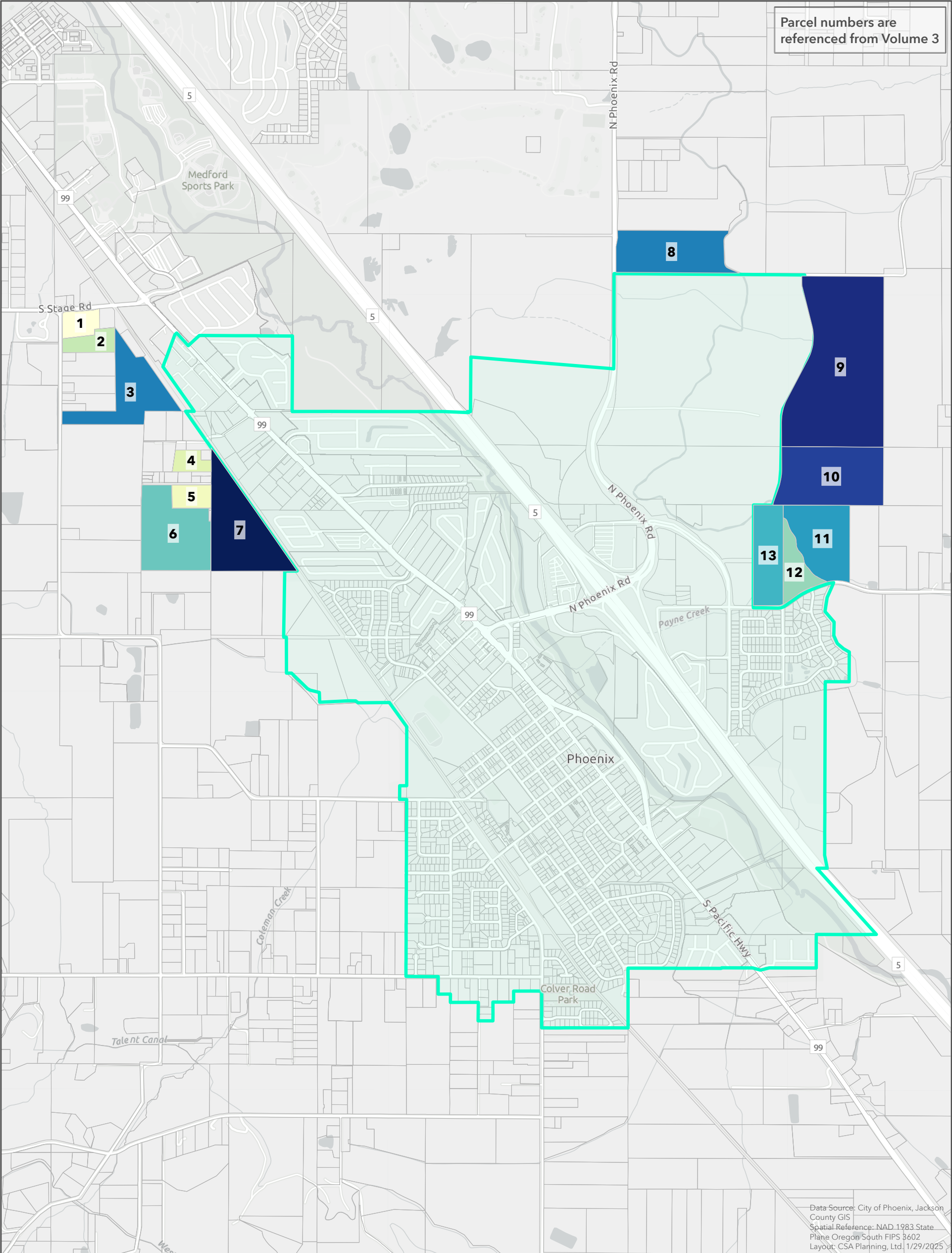
Goal 14 - Boundary Location Analysis

South Stage LLC

Data Source: Jackson County, USGS NLCD
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025

0 3,000 US Feet

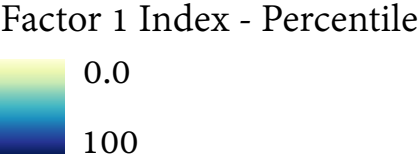




PRIORITY GROUP 1 - FACTOR 1 (EFFICIENT ACCOMMODATION OF NEED) INDEX

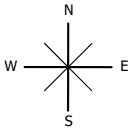
Map Features

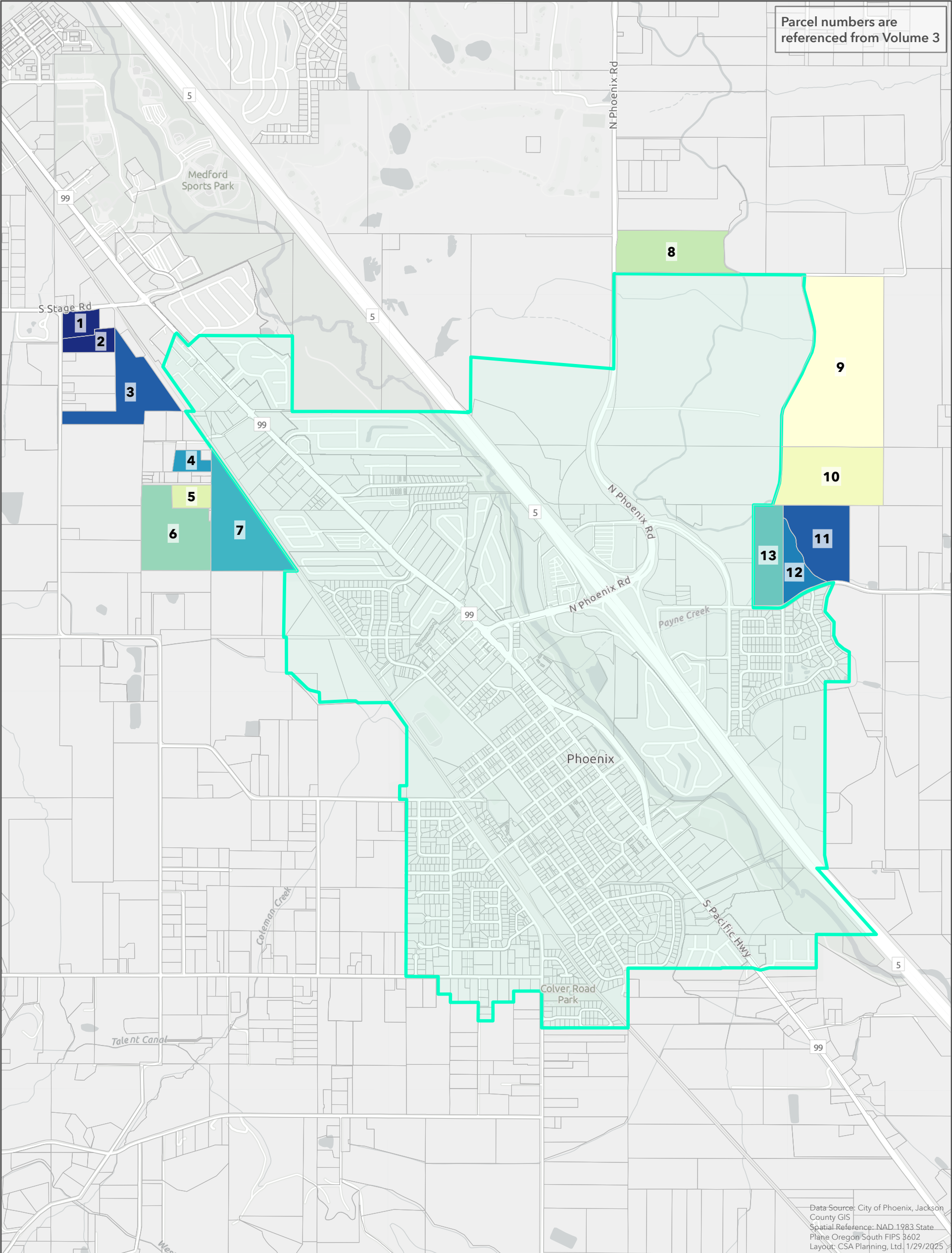
- Urban Growth Boundary
- Tax Lots



Goal 14 - Boundary Location Analysis
South Stage LLC

The Factor 1 Index - Percentile represents a parcel's relative position compared to others across all variables associated with Factor 1. A higher percentile value indicates that the parcel is more suitable for industrial development.





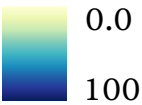
PRIORITY GROUP 1 - FACTOR 2 (PROVISION OF FACILITIES AND SERVICES) INDEX

Map Features

 Urban Growth Boundary

 Tax Lots

Factor 2 Index - Percentile

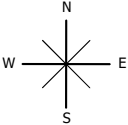


0.0
100

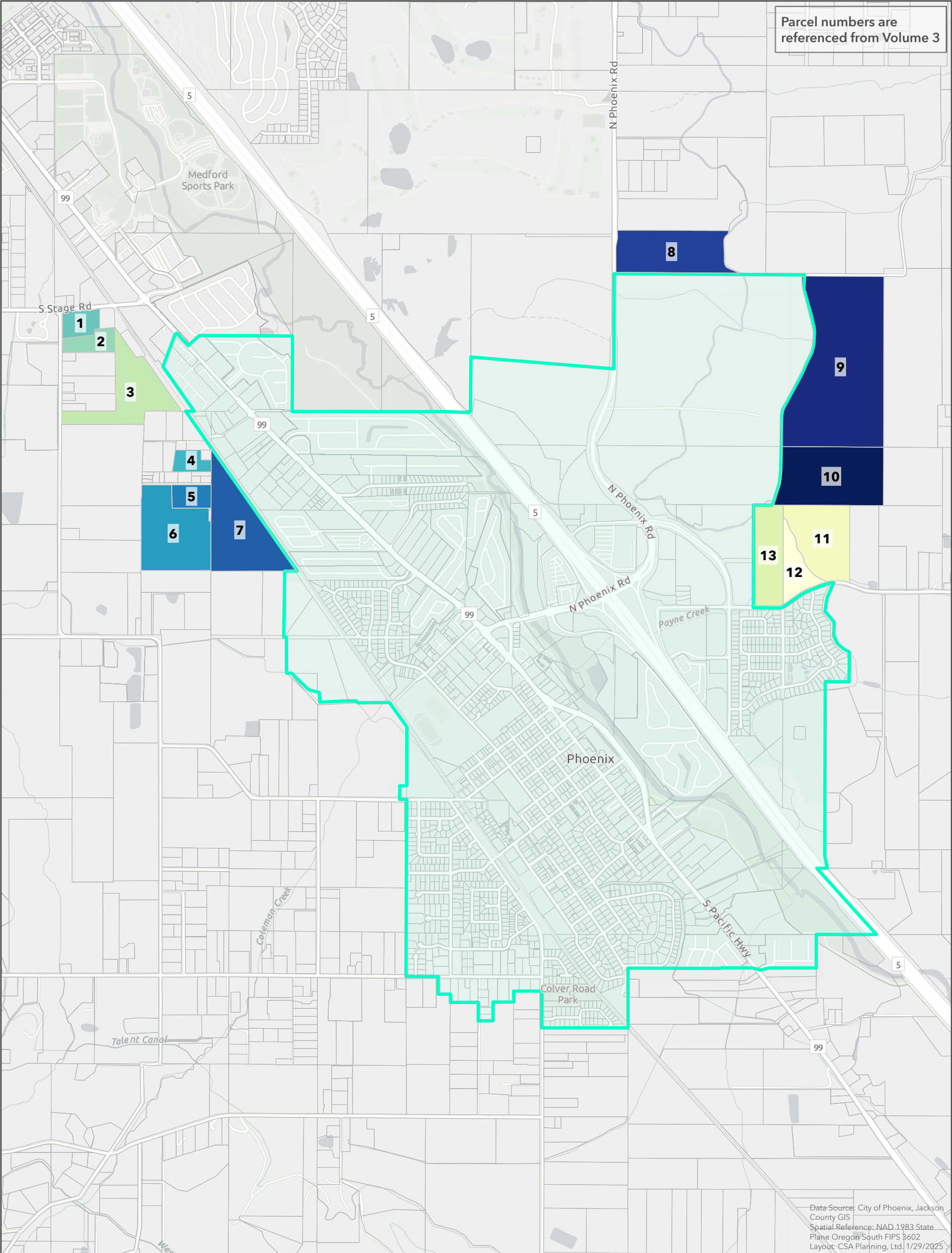
Goal 14 - Boundary Location Analysis

South Stage LLC

The Factor 2 Index - Percentile represents a parcel's relative position compared to others across all variables associated with Factor 2. A higher percentile value indicates that the parcel is more suitable for industrial development.



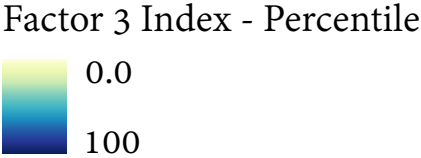




PRIORITY GROUP 1 - FACTOR 3 (COMPARATIVE ESEE CONSEQUENCES) INDEX

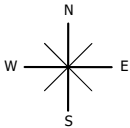
Map Features

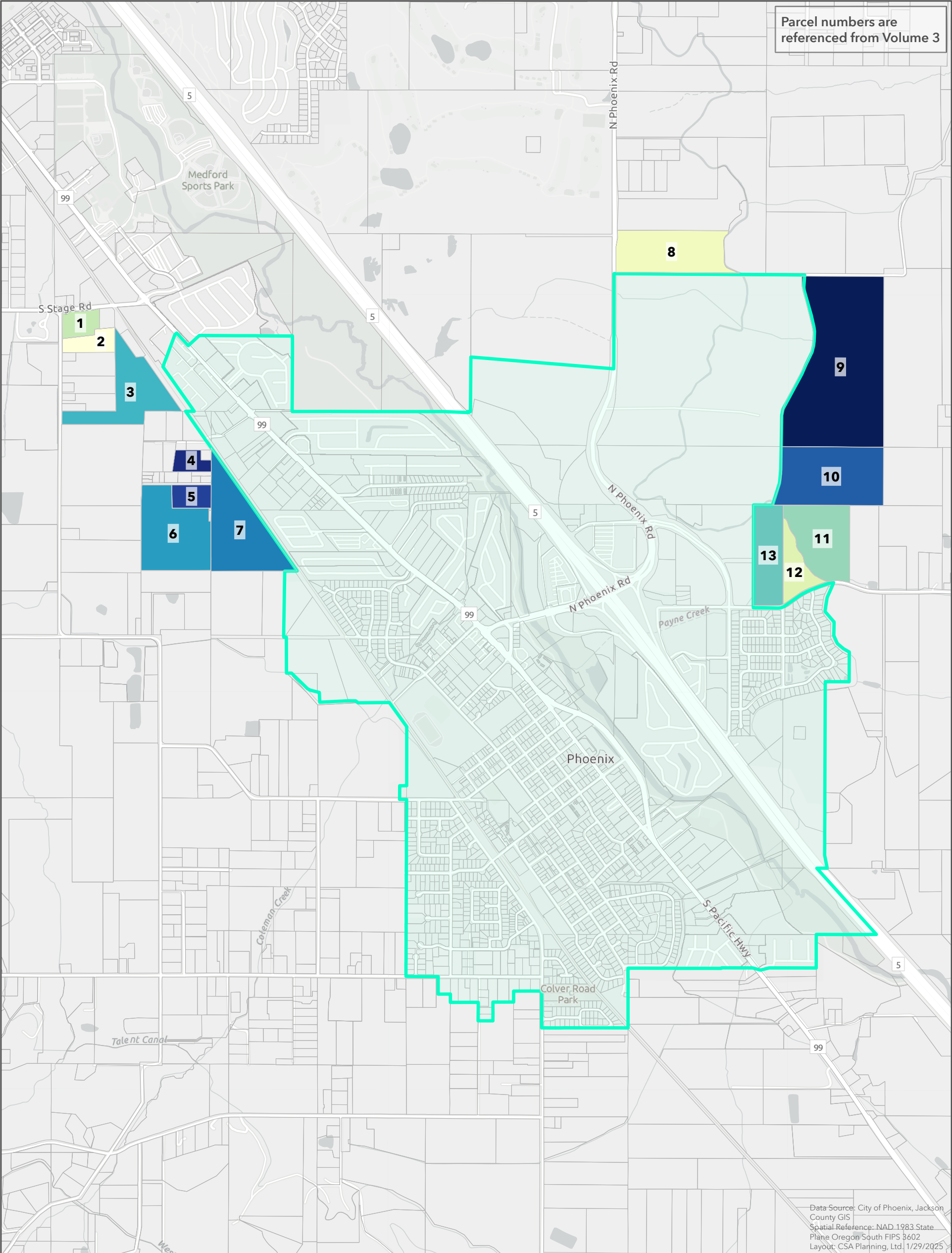
- Urban Growth Boundary
- Tax Lots



Goal 14 - Boundary Location Analysis
South Stage LLC

The Factor 3 Index - Percentile represents a parcel's relative position compared to others across all variables associated with Factor 3. A higher percentile value indicates that the parcel is more suitable for industrial development.





PRIORITY GROUP 1 - FACTOR 4 (COMPATABILITY WITH FARM & FOREST) INDEX

Map Features

Urban Growth Boundary

Tax Lots

Factor 4 Index - Percentile

0.0

100

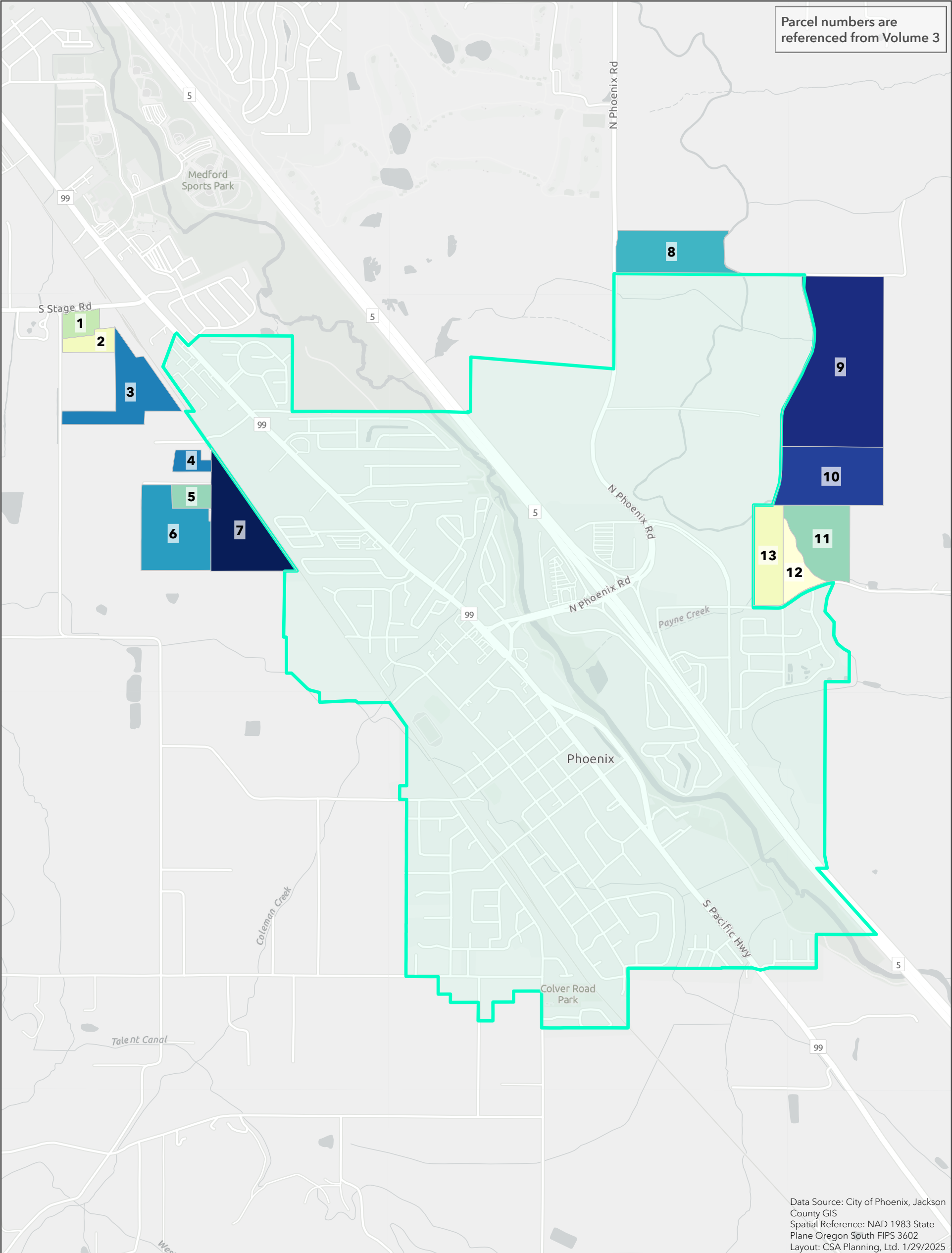
Goal 14 - Boundary Location Analysis

South Stage LLC

The Factor 4 Index - Percentile represents a parcel's relative position compared to others across all variables associated with Factor 4. A higher percentile value indicates that the parcel is more suitable for industrial development.

0

2,000 US Feet



PRIORITY GROUP 1 - FINAL INDEX

Map Features

 Urban Growth Boundary

 Tax Lots

Final Index - Percentile



0.0

100

Goal 14 - Boundary Location Analysis

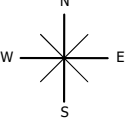
South Stage LLC

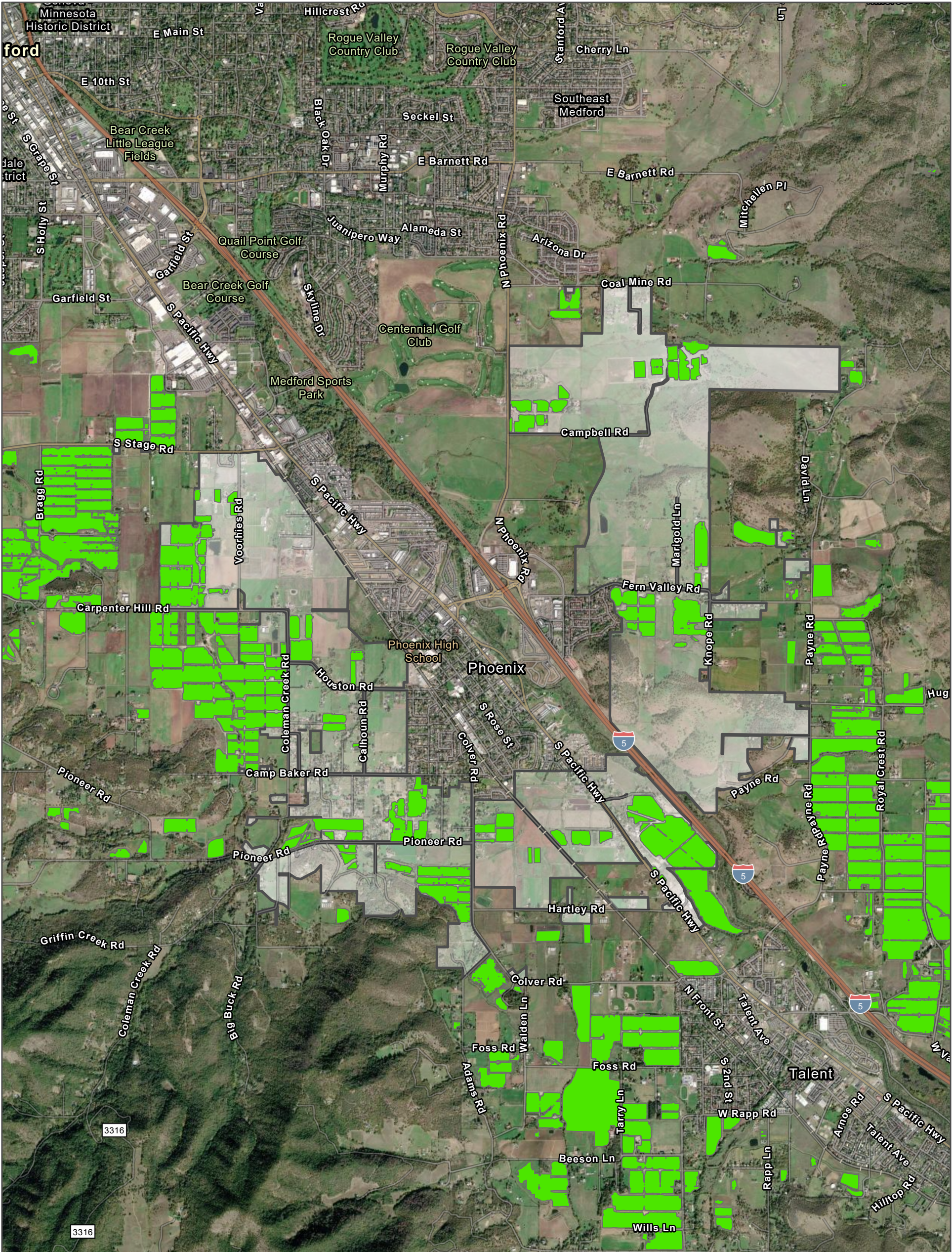
The Final Index - Percentile reflects a parcel's relative position compared to others across all variables associated with the four factors. A higher percentile value signifies that the parcel is more suitable for large-lot industrial development.

0



2,000 US Feet





HIGH IMPACT FARMS

Map Features

 Study Area Outline

 Orchards/Vineyards

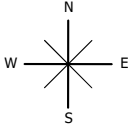
Goal 14 - Boundary Location Analysis

South Stage LLC

Data Source: USDA NAIP
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 02/06/2025

03,000 US Feet







PROPOSED INCLUSION AREA

Map Features

Phoenix UGB

Medford UGB

Included Area

Taxlots

Emergency Access

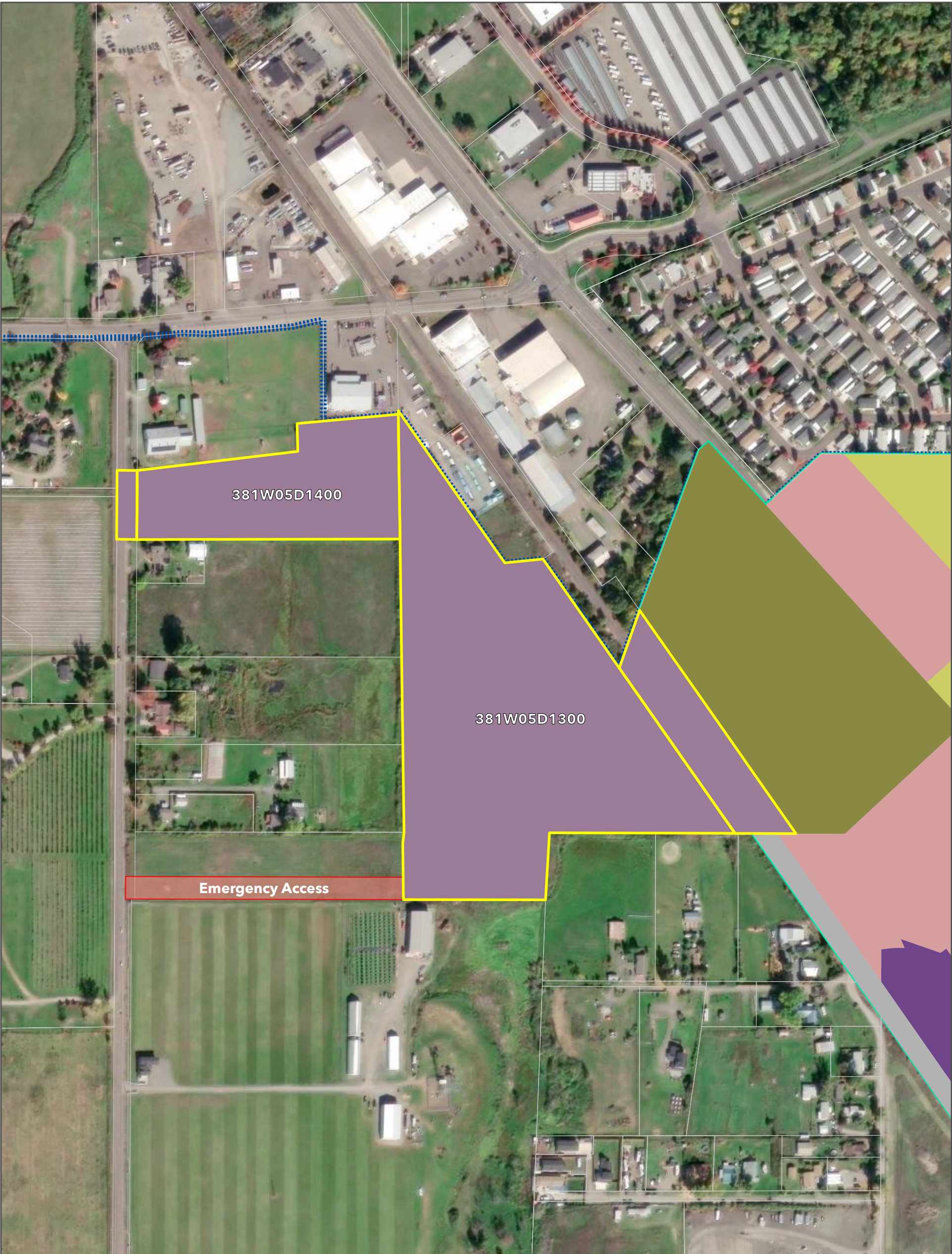
Goal 14 - Boundary Location Analysis

South Stage LLC

Data Source: City of Phoenix, Jackson County
Spatial Reference: NAD 1983 State Plane
Oregon South FIPS 3602
Layout: CSA Planning, Ltd. 3/3/2025

0

360 US Feet



PROPOSED INCLUSION AREA COMPREHENSIVE PLAN

Phoenix UGB

Medford UGB

Included Area

Taxlots

Emergency Access

Phoenix Comprehensive Plan

Commercial

High Density Residential

Industrial

Medium Density Residential

Railroad

Goal 14 - Boundary Location Analysis

South Stage LLC

Data Source: City of Phoenix, Jackson County

Spatial Reference: NAD 1983 State Plane

Oregon South FIPS 3602

Layout: CSA Planning, Ltd. 3/6/2025

0

360 US Feet

Volume No. 3

Phoenix Industrial Park Urban Growth Boundary Amendment Application

Boundary Location Analysis

South Stage LLC

March 11, 2025



CSA Planning, Ltd

www.csaplanning.com

4497 Brownridge, Ste 101

Medford, OR 97504-9173



March 11, 2025

City of Phoenix
112 W 2nd St
Phoenix, OR 97535

Jackson County
10 South Oakdale Room 100
Medford, OR 97501

CSA Planning, Ltd

4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114
nathan@CSAplanning.net

RE: *Volume 3 Boundary Location Analysis Applying OAR 660 Division 24*

Dear Phoenix City Council and Jackson County Board of Commissioners,

This document constitutes Applicant's ***Volume 3 Boundary Location Analysis Applying OAR 660 Division 24*** submittal for the requested Urban Growth Boundary Amendment in the City of Phoenix, Oregon. The Volume 3 document has the following fundamental components:

- Land Need Analysis
 - Determination of Needed Lands
 - Comparison of Land Need to Current UGB Supply
- UGB Expansion Sites Alternatives Analysis
 - Study Area Determination
 - Analysis of Priority Lands
 - Application of the Goal 14 Boundary Location Factors using both a Quantitative and Qualitative Method
- Alternative UGB Expansion Sites Conclusions

This document includes data and analysis prepared by land use planners with demonstrated expertise in the State of Oregon and directed by the analysis requirements of OAR 660 Division 24 and ORS 197A.285. On this basis, the data and analysis presented herein constitute facts upon which a reasonable person can base land use decisions addressing an employment land need for a City of Phoenix Urban Growth Boundary Amendment.

The required analysis is complex and some technical and analytical choices are needed. Where such choices were necessary, this document employs methods that attempt to evaluate alternative lands based upon the best available data and CSA's understanding of proper application of the rule. Volume 3 strikes a balance between rigorous methodology and analysis to comply with Division 24 but presented in a manner that is understandable to the lay reader.

Respectfully Submitted,

CSA Planning, Ltd.

A handwritten signature in blue ink, appearing to read 'Nathan Emerson', is written over a horizontal line.

Nathan Emerson
Associate

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1 INTRODUCTION

1.1 Purpose of Phoenix UGB Evaluation

Cities over 2,500 population, such as Phoenix, are charged with maintaining a sufficient supply of buildable land within its Urban Growth Boundary to meet demand for residential, employment and other urban land needs. Among those needs are employment land. Phoenix was a participant in the Regional Problem Solving Process that created the present day Urban Reserves. These Urban Reserves were set aside to provide for future specific land needs of the City of Phoenix. This Volume 3 Analysis is being undertaken in support of such needs, primarily the need for local-serving employment lands.

UGB evaluations can be performed by applying one of two administrative rules – OAR 660 Division 24 and OAR 660 Division 38. The analysis in this Volume 3 employs the methods set out in the OAR 660 Division 24 rule.

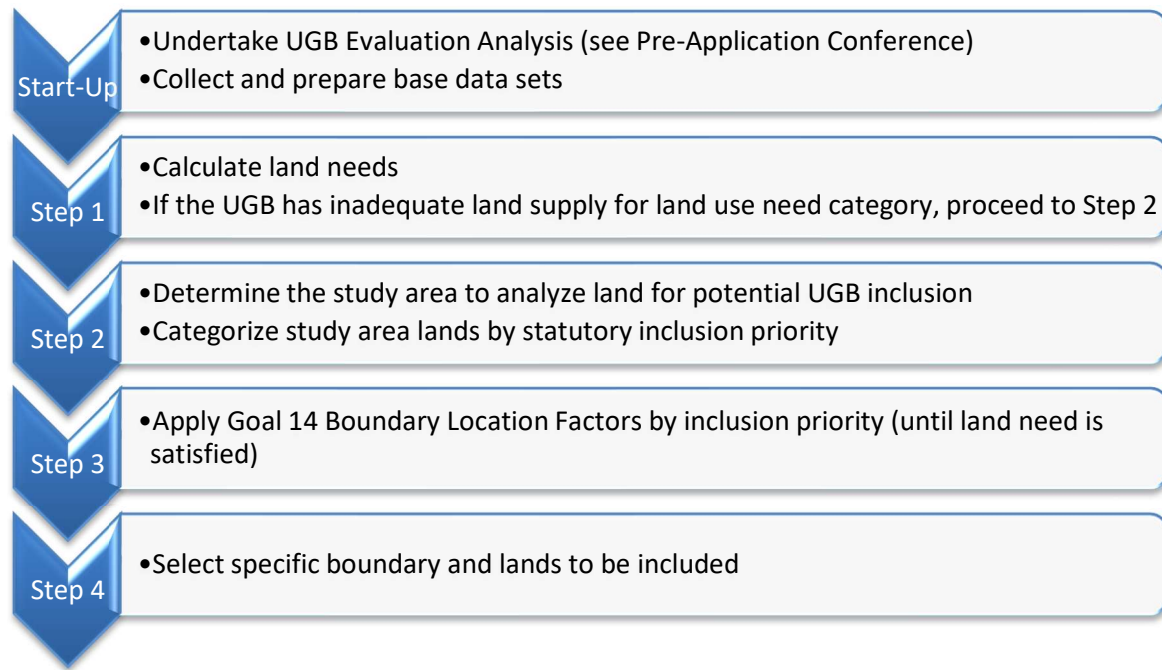
1.2 OAR 660 Division 24 Organization

Division 24 can generally be understood as split into four steps. The first step is the determination of land needs. If it is found there is need for a land need for a specific use over the twenty-year planning horizon, such as a school facility in the case of this amendment, the lands within the UGB must be first examined for suitability of accommodating the need.

If it is determined that there is insufficient land to accommodate urban land needs for projected population growth over a twenty-year period, the second step is to identify an adequate study area outside the UGB to evaluate potentially suitable lands for inclusion in the UGB using the methodology in the rule. The third step is to apply the Goal 14 Boundary location factors to lands in the study area to determine potential boundary amendment configurations. The final step is to select lands most appropriate for inclusion in the UGB.

The Flow Chart below illustrates the Division 24 UGB evaluation process:





1.2.1 Analysis Range Choices

The structure of Division 24 has a few distinct points at which a choice must be made about the scope of lands to be incorporated within the study. Where such options have been provided by the Rule, this analysis has erred on the side of being conservative, choosing not to exclude lands where they could conceivably be excluded. Where such choices are made, they are explained within this text.

1.3 Scope of Analysis

Volume 3 includes the two fundamental components of the UGB amendment process – the Land Need Analysis (Start-Up and Step 1 in the above flow chart) and the Boundary Location Analysis (Steps 2 through 4 in the above flow chart).

Land needs are determined first and must be based on the appropriate 20-year population forecast. For employment lands, the determination of a 20-year need must comply with OAR Chapter 660, Division 9. After determining needs, Division 24 requires an inventory of lands inside the UGB to determine if there is adequate development capacity to accommodate the established needs.

If there is still a need after the inventory of lands within the UGB, the next step of the Division 24 rule involves the application of the Goal 14 Boundary Location Factors and the Priority Lands Statute. This Volume 3 analysis includes the alternative lands analysis elements required by Division 24.

1.4 GIS Analysis Methodology

1.4.1 General Approach and Data Sources

ArcGIS Pro is a Geographic Information System (GIS) and was chosen as the primary mechanism for compiling the inventory and performing the study area and boundary location analysis. GIS is a strong spatial analysis tool that supports rigorous database development and analysis. This analysis used GIS and land use planning professional best practices in all analytic procedures.

Site requirements for the identified employment need that are the subject of this amendment include both qualitative and quantitative dimensions, and therefore the analysis necessarily has subjective components. To obtain quality results that would be expected to be reasonably repeatable, the analysis in this Volume 3 includes methodology explanations throughout so that the technical reader can follow and understand the analytic approaches at each step.

1.4.2 Physical Features Data

Topography throughout the study area may be described as gently sloped to flat with a steep hill to the south and southeast which overlaps some of the lands evaluated in this analysis. Bear Creek runs southeast to northwest through the study area and through the center of the City of Phoenix. The study area includes areas on both the west and east sides of Bear Creek.

Candidate lands with significant portions of their property covered by 100-year floodplain and / or wetlands were identified. The entire study area was also examined for all reasonably available data indicating presence of fault and landslide activity. Volume 2 Atlas Page 4 depicts the combined identified environmental constraints in the study area. The individual constraints are depicted on Atlas Pages 5 through 7.

1.5 Public Facilities Data

Public facilities include roads, storm drain, sewer, water and power. A comprehensive inventory of all known public facilities for the entire study area are illustrated and categorized throughout the accompanying Volume 2 Atlas. An integral part of evaluating candidate lands for consistency with Goal 14 boundary location requirements includes an assessment of public facilities and services. Goal 14 requires an orderly and economic provision of public facilities and services when establishing or amending an Urban Growth Boundary.

Jackson County, the City of Phoenix, and publicly available data from Rogue Valley Sewer Services (RVSS) provided GIS data used to create the maps on Atlas Pages 8-10. The maps depict locations of key public facilities, such as roads and sewer. Most of the lands outside the UGB are not presently served by water, sewer and storm drain facilities. RVSS does have a few sewer lines outside the UGB that serve several properties adjacent to the City of Phoenix. Appendix Page 7.3.1 also show some additional water infrastructure that was used as part of the analysis, but lies outside of the jurisdiction of the City of Phoenix.

S Pacific Hwy and Interstate 5 runs through the center of Phoenix and the study area, connecting the City to the regional network and beyond.

1.5.1 Improvement and Use Inventory

For all portions of this study that rely upon GIS data, lot sizes were derived using GIS area calculation tools. Improvements were inventoried using GIS building footprints reconciled with



Jackson County Assessment improvement records. Market values, assessed values, improvement values, land values, and descriptions of improvements were taken from Jackson County Assessment records.

The analysis also used building footprints or polygons and Jackson County Assessor's improvement data to help determine development status of properties. Additionally, lands were examined on a lot-by-lot basis using aerial photographs to determine actual land area dedicated to buildings, accessory improvements (such as parking lots and driveways), wetlands, floodplain, floodway, and steep slopes.

1.5.2 Land Use Planning Data

The land use planning data used in the analysis is based upon GIS layers obtained from the City of Phoenix and the Jackson County. These layers consist of data such as Comprehensive Plan Map designations and Zoning Map designations. CSA attempted to utilize the latest digital versions of all land use planning data and elements for the analysis.

2 LAND NEED ANALYSIS

This portion of the analysis is split into two parts. The first part determines if there is a need for employment uses and the quantity of lands needed to satisfy such a use if it is established. The second part is an examination of lands within the existing UGB. This second portion of the analysis will identify individual sites and determine if they could accommodate the land needs calculated in the first part.

2.1 Land Need and Quantity

In 2016, the City of Phoenix established a need for a total of 272 acres of employment lands in the Regional Economic Opportunity Study. This need was subsequently adopted into the Economic Element and Urbanization Element of the Comprehensive Plan in 2019 and 2021 respectively. The need was recognized as both serving the regional employment needs and local-serving industrial.

In 2022, the City of Phoenix expanded its UGB to include existing urban reserves. As part of the expansion, the City added all of urban reserve PH-3 and most of urban reserve PH-5 to the UGB. PH-5 was brought into the UGB as primarily employment lands, the need for which was justified using the 272 acres adopted throughout the comprehensive plan.

Subsequently, the City adopted a Neighborhood Plan in the Neighborhood Element of the Comprehensive Plan for PH-5 via Ordinance 1044. The Element states that "217 acres (75%) of the 289 acres of land added to the UGB are intended to be used primarily for industrial/employment development. 217 acres of the land in Phase I must be allocated to the Employment Subdistrict." As noted on Page 15 of the Findings of Fact attached to Ordinance 1044, the 217 acres are "somewhat less than the 272 acres of employment need identified by the Regional Economic Opportunity Study, however, Phoenix chose to take a more measured approach to development to ensure that public infrastructure can be extended to employment areas added to the UGB."

The amount of employment land need accommodated in the 2022 UGB amendment (217 acres) was less than the amount of stated and adopted employment land need in the 2022 UGB amendment (272 acres). Thus, the City's adopted and recognized 20-year employment land needs are unmet with the land presently in the UGB. The employment land need and its basis are discussed below.



2.1.1 Adopted Employment Land Needs

The UGB amendment relied upon the 2021 Urbanization Element and 2019 Economic Element when calculating the need for employment lands. These in turn were reliant upon a Regional Economic Opportunity Study. The individual elements are discussed in more detail below.

Regional Economic Opportunity Study

In 2016, the City of Phoenix completed a Regional Economic Opportunity Study (“REOS”). The study recognized a total of 272 acres of land for regional employment needs to be accommodated by the City of Phoenix. The REOS characterizes the distribution of needed parcel sizes and the identified parcel sizes was adopted into the Phoenix Land Use Element in 2020. The table is provided below:

Site Size (Range)	Avg. Assumed Size Based on Economic Element Table 4-3	Assumed # Sites Based on Economic Element Table 4-3	Total Gross Acres
50+	67	1	67
20-50	25	4	100
5-20	10	8	80
<5	5	5	25
			272

The REOS recommended “an approach that accommodates proven winners as consistent with site sizing and property pricing, with market emphasis on attracting investment associated with new market niches.” The identified lead sectors include *distribution and transportation services* based in parcels that are 5-20 acres in size. As mentioned elsewhere in the REOS, Jackson County has several transportation advantages and has an opportunity for transportation related sectors (including rail dependent uses). None of the PH-5 parcels included in the 2022 UGB amendment have rail access.

Economic Element

The City’s Economic Element was adopted in 2019. Its Conclusions Section recognized that in “addition to land needed to satisfy locally generated demand for employment land, the REOS completed in 2017 has identified a need for 272 acres [as Phoenix’s share of the regional need] to meet regional demand for large traded-sector employers seeking larger sites...”

The locally generated demand was calculated in a separate Local Economic Opportunity Analysis (“LEOA”) completed by the City in 2015. The LEOA is referenced in the adopted and acknowledged 2019 Economic Element. Per the Economic Element, the LEOA pointed up the need for 33.43 acres for industrial employment. However, the 2019 Economic Element also recognized that the LEOA did not differentiate between local-serving industrial and regional lands and concludes that “local-serving industrial employment land could be accommodated with PH-5” and the 272 acres of need recognized in the REOS.

Urbanization Element

In 2021, the City adopted a revised Urbanization Element concurrently with an Urban Growth Boundary Amendment. The revised Urbanization Element identified “significant employment land deficiencies” with the need for local serving industrial land to be satisfied coincidentally with the inclusion of the regional lands in PH-5. On page 9 of the Urbanization Element, under the Subsection *Need to Accommodate Employment Land Uses*, it is stated that in “addition to the *local-serving* employment land,” there is land needed to meet the needs for economic development



generated by the City of Phoenix itself. The REOS also identified a 20-year need for 272 acres of employment land (REOS, p. 42).

The 2022 UGB amendment only included 217 acres of employment land within the City's UGB. The Urbanization Element on page 10 sets forth the City's reasoning in a short discussion. Namely, some land in PH-5 was not recommended for inclusion in the UGB because it was owned by a winery "that has recently invested significant resources in preparing and planning new vineyards and constructing a processing facility." The Urbanization Element indicates the planted vineyards are 32 acres within the PH-5 Urban Reserve and the City, therefore, concluded it was inappropriate to include this land within the UGB amendment due to its existing and expected future use as a winery and vineyard. In addition to the lands in PH-5 devoted to a winery and vineyard an additional 37 acres was not included for locational reasons. On page 10, the Urbanization Element determined that this acreage was not appropriate for inclusion at this time, being located "east of the future north/south collector street" and thus "far from existing public and private utility infrastructure."

On the land supply side of the net additional employment land need calculations, the identified additional net employment land need of 272 acres appears to have included an assumption that the "Helicopter Pad" would be removed as part of the 2022 UGB amendment. The "Helicopter Pad" totaled 33 acres and it was not removed as part of the 2022 UGB amendment. Thus, the net additional land need should be reconciled to account for this land remaining in the UGB.

Nothing in the Urbanization Element functioned to *reduce* the identified net additional employment land need of 272 acres for the City of Phoenix UGB. Instead, the Urbanization Element explained why the 2022 UGB amendment did not include specific lands within PH-5.

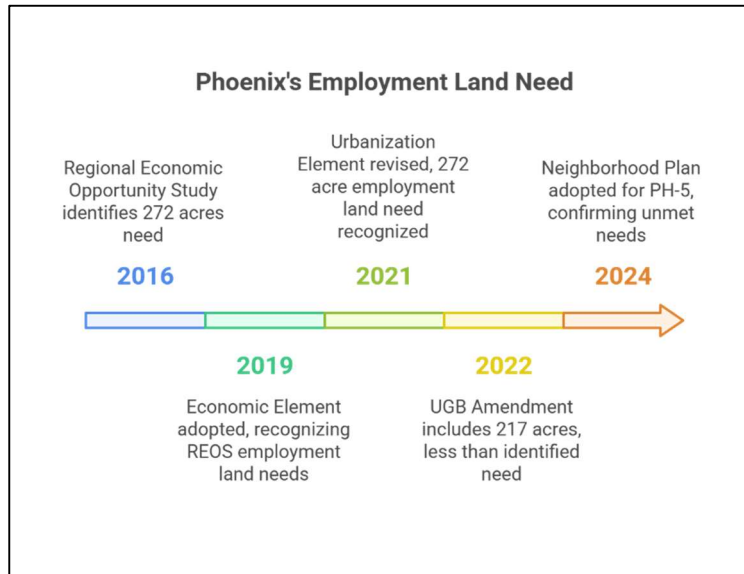
2022 Urban Growth Boundary Amendment

In 2021, the City initiated an Urban Growth Boundary Amendment. The amendment was successfully adopted and became effective in December of 2022. The City's findings relied upon to justify the 2022 UGB amendment state that the City added 217 acres of land for employment development. This matches the Urbanization Element and was noted on page 30 of the Findings of Fact and Conclusions of Law as "less than the 272 acres of employment land need identified by the Regional Economic Study."

2024 Neighborhood Plan in Neighborhood Element

The City recently adopted a neighborhood plan for the PH-5 urban reserve area. It was recognized that not all the employment lands necessary to meet the need were included in the recent UGB amendment. Instead, findings of fact attached to the adopting ordinance note that "somewhat less than the 272 acres of employment need identified by the Regional Economic Opportunity Study, however, Phoenix chose to take a more measured approach to development to ensure that public infrastructure can be extended to employment areas added to the UGB. The City will add more employment lands from PH-5 as the lands within the UGB are developed."





Employment Land Need Conclusions

The City's adopted and acknowledged Economic Element and subsequently adopted and acknowledged Urbanization Element and UGB amendment consistently determined the City's need for net additional employment land need to be 272 acres which was Phoenix's share of the regional employment land need identified in the REOS. This number served as the basis for future analysis of employment land need, including in the adopted Economic Element, the Urbanization Element, and the 2022 Urban Growth Boundary Amendment. As was discussed in the Economic Element and subsequent adoptions, the local employment land needs were assumed to be met with the inclusion of 272 acres of regional employment land. Crucially, nothing in the Economic Element, Urbanization Element, 2022 UGB Amendment, or the subsequently adopted Neighborhood Plan for PH-5 calculated a *reduced need* for Employment Lands.

Therefore, the City included 55 acres less employment land in the 2022 UGB amendment than the identified need. This leaves 55 acres of unmet net employment land need. After reconciling for the "Helicopter Pad" lands staying in the UGB as potential supply, 22 acres of net additional employment land need remain unmet after the 2022 UGB amendment. UGB amendments are not required to be overly precise in terms of acreage, as such precision does not occur in the real world where the overlap of property lines, topography, access, and jurisdictional control do not neatly overlap in a regulatory efficient manner. Assuming some lands would be consumed to provide for basic infrastructure such as roads, an inclusion of around 20-25 unconstrained buildable acres can, and is, determined to be appropriate.

2.2 Inventory of Lands within the UGB to Accommodate Need

The 2022 UGB amendment adopted by the City of Phoenix and Jackson County addressed the ability of land within the UGB to accommodate the identified need. Prior to expanding the UGB, the City conducted a comprehensive inventory of lands within the existing UGB to determine if identified land needs could be reasonably accommodated, as required by OAR 660-024-0050(1).

The City's Urbanization Element synthesized findings from the Economic Element and the Employment Buildable Lands Inventory that categorized lands into developed, partially vacant, and vacant. It then accounted for constraints, such as topographic challenges and infrastructure limitations. Based upon their analysis, the lands within the UGB would leave a need for both regional and local serving employment lands as discussed herein above. Of the identified need for 272 acres of employment land, at least 22 acres remains unsatisfied as discussed in Section 2.1 above.

The Applicant adopts the conclusions of the City's adopted 2022 UGB amendment, Urbanization Plan, Employment Buildable Lands Inventory, REOS, and Economic Element. CSA has not identified any factors that would fundamentally change the demand assumptions from the analysis that was completed and upon which the 2022 UGB amendment was based, the adopted and acknowledged plan provisions support the proposition that there remains identified employment land needs for which a portion remains unsatisfied.

3 ACTIONS RELEVANT TO GOAL 14 SINCE THE 2022 UGB AMENDMENT

Since 2022, there have been several actions undertaken in the City of Phoenix that are relevant to Goal 14 and considerations of urbanization. Most of these actions are logical follow-ups from the 2022 UGB amendment. They are summarized herein below:

Annexation AN23-02: In the summer of 2023, the City initiated an effort to annex land within the area of the 2022 urban growth boundary amendment. The effort was voluntary and limited to those property owners who wished to be added to the City. The annexation included most of the lands in urban reserve PH-5 and a select number of lands in urban reserve PH-3. In total, 353 acres were added to the City.

Annexation AN24-01: In 2024, the City followed up the voluntary annexation with a second effort targeting 253 acres of unincorporated "islands" within City limits. This annexation effort was implemented under island annexation authority rather than through property owner consent. The majority of these properties were located in PH-3 that had remained outside City boundaries during the 2023 voluntary process. The annexation was effective immediately for non-residential properties while residential properties received a three year delay until 2027.

Almeda Fire Recovery: At the time of the initiation of the 2022 UGB amendment, the City was just beginning to recover from the 2020 Almeda fire, which destroyed thousands of residential and commercial structures in Phoenix and Talent. The City has since seen substantial reconstruction and even new development within the boundaries of the Almeda fire. Homes have been rebuilt, businesses reconstructed, and new ventures launched. A short, but non-exhaustive list, of development since 2022 includes the following:

- Black Bird
- Garrison's Furniture
- Golf Garage
- The Phoodery
- Dollar General
- Reconstruction of most of the City's single family residential units



- Pacific Flats Multifamily

According to the City's list of recent projects, multiple applications have been made for new multi-family developments on top of those already under construction or completed. Because of the success the City has had in rebuilding and initiating new development, considerable employment land has been developed over the last several years for a City the size of Phoenix

Dissolution of the Charlotte Ann Water District: In 2023, the Charlotte Ann Water District voted to dissolve. The District had approximately 200 meter hookups, serving customers located primarily in PH-3. The District voted to dissolve because of financial challenges resulting from a water line relocation instigated by work ODOT was conducting on Highway 99. The vast majority of users were annexed into the City of Phoenix following the above discussed rounds of annexation.

The recovery and development activity, coupled with the successful annexations of most of the portions of the recently expanded UGB, supports Phoenix's continued growth and is consistent with the projections from previous planning efforts.

4 PRELIMINARY STUDY AREA MAPPING

The methodology for determining the preliminary study area is narratively described in Division 24 in section 660-024-0065. The methodology is somewhat prescriptive but does require geospatial analysis and some application of discretion. In subsection (1) of the rule, the following categories are required for inclusion in the preliminary study area for cities that have a population of less than 10,000:

- a) All lands in the city's acknowledged urban reserve, if any;
- b) All lands within ½ mile of the acknowledged UGB
- c) All exception areas contiguous to an exception area that includes land within the distance specified in subsection (b) and that are within one mile
- d) Other lands at the discretion of the City that exceed the distances in (b) or (c) above.

Using a GIS application, CSA applied the foregoing criteria to create an initial map of Study Areas to meet the requirements of subsection (1), see Atlas Pages 1 and 2.

The following subsection of the rule, subsection (2), does not apply to the subject application as it only concerns UGB amendments initiated prior to January 1, 2016.

The next subsection of the rule, subsection (3), allows a City to reduce the study area if the primary purpose of the UGB amendment is to accommodate a particular industrial use or public facility that requires specific site characteristics. Although the proposed UGB amendment is for an employment use, it is not based upon a need for a "particular" industrial use nor is it based upon a need to accommodate a public facility. Therefore, the study area is determined to be not reduceable under the referenced subsection (3).

Similarly, subsection (4) of the rule allows for further exclusion of lands from the preliminary study area if they meet certain criteria. However, this is an optional step and entirely discretionary. Applicant declines to disqualify any further lands from the initial study map. The same qualities that may disqualify lands relate directly to the Goal 14 boundary analysis requirements, and as such, are analyzed therein under Section 5 of this document. For example, the orderly and economic provision of facilities and services is one of the four factors requiring analysis under Goal 14.



After declining to disqualify any lands, the initial Study Area consists of many hundreds of acres of land. The next subsection of the rule, subsection (5), requires adjusting the lands included in the study area if it is not twice the amount of land required to satisfy the land needs calculated according to OAR 660-024-0040 Land Need. The study area consists of lands that total approximately 3,500 acres. The land need, as calculated herein Section 2.1 and herewith incorporated into this analysis, is deemed to be ~25 acres. Thus, no adjustment is required under subsection (5).

According to subsection (6) of the rule, the lands left after disqualifying areas under subsection (3) and (4) and further adjusted to account for minimum acreage under subsection (5) are considered the study area for further analysis under subsequent sections of Division 24. Because no adjustments were made, the initial study area remains identical to those lands identified after step (2). These lands are found on Atlas Pages 1 and 2.

The remaining subsection of 660-024-0065 provides clarification as to what lands may be disqualified under the foregoing subsection (4), and is thus not implicated in this analysis.

5 FIRST PRIORITY LANDS EVALUATION FOR UGB INCLUSION

ORS 197A.285(2)(c)(A) designates as first priority for inclusion in the UGB land that is designated urban reserve land under ORS 195.245 in an acknowledged comprehensive plan. This prioritization was updated in 2023 with the passage of House Bill 2003 in the Oregon Legislature. The statutory priority schema is set out in Division 24 at OAR 660-024-0067(2)(a)¹. However, the schema under OAR has not been updated to reflect the prioritization of urban reserve land that was updated via House Bill 2003. At the time of the writing of this application, DLCD was in the process of updating the relevant rules, but that work is not expected to be completed until the beginning of 2026. ORS is controlling when OAR conflicts with established statute.

The City of Phoenix has established Urban Reserves, including PH-1a, which is host to the subject property. As shown on Atlas Page 2, the Study area included urban reserve, exception lands, a small area zoned Limited Use (which is assumed to be non-resource), and resource lands. The lands in the Study Area that fall under the first priority categorization are the lands evaluated for inclusion suitability in this Section and can be seen on Atlas Page 3.

5.1 First Priority Goal 14 Evaluation Group Ranking Analysis

5.1.1 Identification of First Priority Lands

As discussed herein above, the first priority lands are those within an acknowledged Urban Reserve area. In Phoenix, these include lands within Urban Reserves PH-1, PH-1a, PH-5, and PH-10. The first priority lands total approximately 287 acres (not including adjacent rights of way). Given that the total UGB land needs for the proposed amendment are approximately 25 acres examining lands on an individual parcel level is appropriate to the need. The first priority lands can be found on Atlas Page 3.

5.1.2 Goal 14 Boundary Location Ranking Methodology

If more land of a priority is deemed suitable under the foregoing analysis than is needed to meet the established need, the Division 24 rule requires criteria in Section 660-024-0067(7) to be applied to these lands to determine which to include in the UGB. As mentioned here above, the suitable lands of the first priority are hundreds of acres and exceeds the calculated land need, which totals ~25 acres.

To determine which of these lands are appropriate for inclusion, the rule requires applying first the Boundary Location Factors (“Factors” henceforth) of Statewide Planning Goal 14 and then applying applicable criteria in the comprehensive plan and land use regulations acknowledged prior

¹ Where only a portion of a parcel is within an urban reserve but otherwise not identified as a first priority of land by Division 24, the portion of the parcel outside of the urban reserve boundary has not been identified as a first priority land.

to initiation of the UGB evaluation or amendment. The Factors are not independent criteria, and all factors must be balanced when conducting the analysis.

The Factors of Goal 14 are as follows:

- Factor 1: Efficient accommodation of identified land needs;
- Factor 2: Orderly and economic provision of public facilities and services;
- Factor 3: Comparative environmental, energy, economic and social consequences; and
- Factor 4: Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

To effectively apply the Goal 14 factors, CSA employed a rigorous and innovative approach that integrates a quantitative geostatistical analysis followed by a thorough qualitative assessment at the tax lot level². As a first step, CSA utilized a suitability model based upon measurable Goal 14 factors to rank tax lots. The model served as a quantitative analysis to serve as a “reasonableness” check on the most promising tax lots before turning to the second step, a further detailed, qualitative analysis. This two-step process streamlined evaluation of thousands of acres of Study Area and ensured that the selected tax lots were rigorously vetted to meet the specific requirements for employment land needs. Each step is discussed in more detail below.

Quantitative Filter: CSA created a suitability model to estimate the best situated tax lots for inclusion under the Goal 14 Boundary Location factors. The model examines each factor individually before creating a composite index. Tax lots with less than 3 acres of developable land³ were excluded, on the basis that these are too small individually to accommodate industrial employment needs and too small to be easily assembled into a tract consisting of multiple parcels large enough to suit an industrial site requirement. The supporting documentation for CSA’s model, UGB Factor Flow, is provided in Appendix A. As explained in the documentation, the purpose of this model is to apply consistent parameters that represent the boundary location factors quantitatively to rank the relative suitability for inclusion to meet the identified land needs. The underlying analytical premise in the model is that Tax Lots that rank very low relative to the other lands in that priority tranche are likely to be less suitable to meet the land needs for one or more basic reasons.

Most UGB amendment study areas involve relatively large numbers of tax lots, even within a priority group like Urban Reserve first priority. In the proposed amendment, the number of lands over a few acres in the first priority group is limited to only 13 tax lots. Because of the relatively low number of tax lots and the design of the model, it is appropriate to think of the model as a method of systematic comparison between the tax lots, highlighting relative strengths and weaknesses.

The model index outputs for each factor are found at Appendix B, Atlas Pages 15-18. The final output is found in Appendix B, Atlas Page 19.

² This analysis uses the term tax lot and parcel interchangeably, but the basic unit of analysis is the tax lot as found in Jackson County GIS data sources unless otherwise specifically noted.

³ See Appendix 7.1.4 for a detailed explanation of methodology, but constrained land included areas in a Special Flood Hazard Area (SFHA), with slopes greater than 10%, or encumbered by a wetland.



Qualitative Analysis: CSA made a conservative analytic choice to qualitatively analyze all Tax Lots with a detailed property-by-property suitability evaluation with unconstrained acreage of at least 3 acres. The analytic logic is the qualitative analysis should result in similar outcomes as the quantitative analysis, with the lower ranked tax lots in the model being the least suitable for inclusion in the UGB in the qualitative analysis.

The qualitative analysis considers site specific conditions and relates them to the site requirements for employment land needs. Models struggle to adequately capture all property opportunities and limitations, especially for a land need like employment uses which will have no real world demand in the market if site requirements are not met and could be satisfied by other sites in other communities. As such, the quantitative suitability analysis is one framework to evaluate properties using objective data before engaging in the laborious and more subjective process of looking at each property one-by-one and determining its suitability to meet a large lot industrial land need.

The qualitative analysis relies upon CSA's decades of experience with the development of industrial and other employment lands and reflects CSA's understanding of both barriers and opportunities that commonly occur with such development.

In the qualitative analysis, the impacts to existing services with UGBs must be considered as well as the capacity of public facilities and the need for new transportation facilities. The public facilities in Factor 2 are prescribed by Section 660-024-0067(9) as "water, sanitary sewer, storm water management, and transportation facilities."

To apply the Factors, each parcel was examined in turn for the four boundary location factors. Below are some of the Factor criteria on which the groups were evaluated:

- Factor 1: Lot size, access to rail network, existing improvements, distance from UGB, physical development barriers such as steep slopes, floodplain, or wetland, fit with existing development patterns and regional plan consistency.
- Factor 2: Each of the public services was evaluated for such factors as distance from existing infrastructure, any known issues providing service as noted in an adopted facility master plan, and local connectivity.
- Factor 3:
 - Economic: Alignment with existing or planned business developments, complementing current services and market offerings.
 - Environment: Potential conflicts with Goal 5 resources, parks, wildfire hazards, open spaces.
 - Social: Qualitative assessment of impact on rural aesthetic and quality of life, congestion impacts, fit with existing uses with an emphasis on higher density residential uses.
 - Energy: Access to rail, which is a more efficient way to ship industrial products and inputs.
- Factor 4: Characterization of abutting resource uses and known potential conflicts, distance from resource farm and forestry uses.



After examining each parcel in detail in the qualitative analysis, a final analysis is conducted by synthesizing the quantitative and qualitative results and determining which parcels may be appropriate to accommodate the identified need.

5.2 Discussion and analysis of Goal 14 factors by each Parcel

The following is an in depth discussion of the Goal 14 factors on a tax lot by tax lot basis. Because tax lot numbers can have duplicative components and are unwieldy, the tax lots have been assigned a parcel number for ease of reference. Where a Parcel # is referenced, that reference means also the tax lot in the chart below:

Parcel #	Tax Lot
1	38-1W-05D-1000
2	38-1W-05D-1400
3	38-1W-05D-1300
4	38-1W-08AA-300
5	38-1W-08AA-1300
6	38-1W-08-401
7	38-1W-09B-4600
8	38-1W-03-1500
9	38-1W-03-1604
10	38-1W-10-100
11	38-1W-10-800
12	38-1W-10-700
13	38-1W-10-600

Some cost estimates are provided for water and sewer service when those services are not immediately in the vicinity of a parcel. These costs are based upon unit costs taken from the City of Medford Sewer Master Plan and the Medford Water Commission Water Distribution System Facility Plan⁴. The beginning year varies between the two plans, with the Sewer Master Plan last updated in 2024 and the Water Plan in 2017. Therein, the unit cost per linear foot of 12 inch main is \$320 and \$192, respectively. No attempt was made to account for the recent period of inflationary pressure or to assess whether costs might be reduced when a sewer line extension was done in concern with a water line extension. Instead, these estimates are just that, estimates, that can provide a general sense of infrastructure feasibility and have been based upon an adopted plan from a neighboring jurisdiction.

5.2.1 Parcel #1 - 38-1W-05D-1000

Parcel #1 is a ~4.72 acre parcel located at the southeast corner of Voorhies Road and S Stage Road. The property is immediately to the north of Tax Lot 1400 and part of the same urban reserve, PH-

⁴ These sources were used because they are local, relatively recent, and available.

1a. It is zoned RR-5 and developed with Rogue Wolf Acres, a small family farm that has sheep, horse boarding, and sells fresh eggs.

5.2.1.1 Efficient Accommodation of Identified Land Needs

Located in an established urban reserve on flat ground that is immediately adjacent to higher order streets. There are no identified wetlands, floodplains, or significant slopes located on the parcel. The parcel by itself is too small to accommodate the identified, but it could potentially be combined with Tax Lots 1300 and 1400 to serve as one coherent ~25 to ~30 acre block. It is adjacent to other employment uses, offering some potential economic synergies. Unlike other parcels, it is not directly adjacent to the Phoenix UGB. Instead, it abuts the Medford UGB to the north and the corporate limits of the City of Medford to the east. It does have an existing dwelling and substantial quantities of farm structures and improvements, including recent additions such as solar panels. The existing use would need to be discontinued or development of some of the parcel would need to be avoided.

5.2.1.2 Orderly and Economic Provision of Facilities and Services

Good access to improved higher order roads. According to an RVSS basin drawing there is a sewer lateral extended to the property. Water and power both run along S Stage Road and would presumably be available for future development. If the property were to be included as part of a larger group of properties, there would presumably be enough area to accommodate stormwater detention facilities. The property is located within Fire District #2 and would likely remain so after inclusion. The City of Phoenix would provide police service after annexation.

5.2.1.3 Comparative ESEE Consequences

- **Economy:** The property abuts other employment lands and there may be some economic synergies with existing uses. Provision of infrastructure would appear to be affordable and feasible. There are existing uses on the parcel that would presumably need to be discontinued.
- **Environmental:** The parcel does not have any identified Goal 5 resources and development is unlikely to create unusual environmental consequences.
- **Social:** The area has been designated as an Urban Reserve and abuts City limits, meaning comparatively less disruption to existing rural patterns. Direct access to a higher order streets means less disruption to local traffic patterns.
- **Energy:** The group is close to jobs and services and has good access to Highway 99 and potentially a railroad siding if included with adjacent Parcels #2 and #3.

5.2.1.4 Compatibility with Nearby Agricultural and Forest Resource Uses

In general, the property is generally compatible with farm and forestry uses. Lands to the east and south are developed or designated as urban reserve. To the north, across S Stage Road, are lands zoned General Industrial. Farmlands do exist to the west, but these are separated from the subject property by Voorhies Road. The nearest farmland, located at Maplot 38-1W-05C-1800, has had a series of commercial employment oriented uses and is not presently engaged in commercial farm activities.



5.2.2 Parcels #2 and #3 – 38-1W-05D 1400 & 1300

Parcels #2 and #3, identified respectively as maplots 38-1W-05D-1400 and 38-1W-05D-1300, are located to the northwest of the City of Phoenix. Parcel #2 is 5 acres in size and is adjacent to the northwesterly portion of Parcel #3. Parcel #3 is ~25 acres in size and located to the southeast of Parcel #2. Approximately 3.7 acres of Parcel #3 are located outside of Urban Reserve PH-1a. For the boundary location analysis, Parcel #2 and #3 are considered together, as they have enough acreage to satisfy the identified need together, are adjacent, and share a common ownership. The tract has split zoning, with Parcel #2 zoned RR-5 and Parcel #3 zoned EFU.

Parcel #2 is developed with a single family dwelling structure that was constructed in 2001. Most of the parcel is used as pasture. Parcel #3 has no permanent structures and is used as pasture.

Both parcels have frontage on Voorhies Road, with Tax Lot 1400 having approximately 205 feet and Tax Lot 1300 having approximately 220 feet. Both have existing culverted driveways. The section of Voorhies Road along the parcels is paved but does not have shoulders, sidewalks, or curb.

5.2.2.1 Efficient Accommodation of Identified Land Needs

Very similar to its neighbor Parcel #1, this tract is located in an established urban reserve on flat ground that is immediately adjacent to higher order streets. It is adjacent to other employment uses, offering some potential economic synergies. It is not directly next to the UGB, but is only separated by approximately 50 linear feet of CORP right of way. There are no floodplains or areas of steep slopes, but the southeasterly corner of Parcel #3 appears to include ~3 acre of wetland. This area is relatively isolated, and it does not appear likely that it would prevent development of the rest of the parcel.

5.2.2.2 Orderly and Economic improvements Provision of Facilities and Services

The subject properties front upon Voorhies Road, which is a County maintained Rural Major Collector. According to an RVSS basin drawing, there is an existing 8" sewer main that runs in Voorhies Road across the frontage of Tax Lot 1400. A lateral was extended to serve the house on Tax Lot 1400 that was constructed in 2001. Water and power both run along S Stage Road and would presumably be available for future development. Extension of water service across Maplot 38-1W-05D-1100 would be estimated to cost approximately \$60,000⁵. There would presumably be enough area to accommodate stormwater detention facilities. The property is located within Fire District #2 and would likely remain so after inclusion. The City of Phoenix would provide police service after annexation. The property is next to the CORP and an existing siding, providing a unique asset for employment uses that might require rail. The extension of the street network through the parcels would provide the foundation for an expanded transportation network on the west side of the railroad, ultimately providing access to PH-1 as well as PH-1a. The proposal would also provide a new emergency access to properties located west of the railroad on W Glenwood Road and Alley Lane, which are currently limited to a one substandard road with a private railroad crossing.

⁵ See discussion of cost estimates in Section 5.2.

5.2.2.3 Comparative ESEE Consequences

- **Economy:** The property abuts other employment lands and there may be some economic synergies with existing uses. Provision of infrastructure would appear to be affordable and feasible. The parcels front upon the CORP and have access to a railroad siding.
- **Environmental:** State wetland maps show the southeast corner of the property as having some wetland areas. Aerial imagery and a site visit conducted by the Applicant's agent corroborate the likely presence of some wetlands in this area. The wetlands are concentrated in the southeasterly corner, which reduces the overall impact on the amount of developable area on the property. Aside from potential wetlands, there are no other Goal 5 resources that appear to be located on the property.
- **Social:** The area has been designated as an Urban Reserve and is near both the UGB and City limits of the City of Phoenix, meaning comparatively less disruption to existing rural patterns. Direct access to a higher order street means less disruption to local traffic patterns.
- **Energy:** The property is next to the CORP. Rail transport is generally more energy efficient than trucking, especially for bulk goods. If the property were developed with employment uses that were dependent on rail transport for either inputs or finished products, it could lower emissions.

5.2.2.4 Compatibility with Nearby Agricultural and Forest Resource Uses

The southerly portion of the tract is bordered by an EFU zoned parcel to the south, identified as Maplot 38-1W-08-100. The parcel is actively farmed and appears to have been used for both the production of cannabis and for grass hay or alfalfa. Most of the property borders the portion of Tax Lot #1300 that is outside of the urban reserve and is not proposed for inclusion. The portion adjacent to the area proposed for inclusion is developed with several farm structures. According to permit records, the largest building next to the property line is a ~7,200 square foot metal agricultural building used to store farm equipment and hemp. The northeasterly corner of the parcel is otherwise occupied by open space that appears to have wetland characteristics based upon an examination of aerial imagery. This northeasterly area does not appear to be farmed. In addition to the open space and farm uses, the property is home to a cell tower. In summary, the areas of Maplot 38-1W-08-100 next to the proposed UGB inclusions are occupied by a large metal building used for the storage of equipment and hemp and undeveloped wetlands. Given the relative low intensity and sensitivity of the farm uses, proper urban site design, buffering, and development standards should be able to help ameliorate potential conflicts with employment uses which are generally more compatible with farm uses than residential uses.

5.2.3 Parcel #4 - 38-1W-08AA-300

A 3.64 acre property zoned RR-2.5 located off Alley Lane. Like Parcels #1-#3, it is within Urban Reserve PH-1a. Parcel #4 is located west of the CORP railroad, south of W Glenwood Road. The property is developed with multiple residential structures, with at least 4 noted on the assessor summary. The dwellings are concentrated on the easterly portion of the property, near the driveway. The westerly ~2.75 acres are used for a myriad farm uses, including row crops and pasture in the past. The property also contains accessory residential and farm structures.



5.2.3.1 Efficient Accommodation of Identified Land Needs

Parcel #4 is generally flat and does not appear to contain major areas of wetlands, flood plain, or steep slopes. The parcel is separated from the Phoenix UGB and corporate limits, which are located approximately 100 feet to the east. Access is taken from Alley Lane, which appears to be either a private drive or access easement. Access to Alley Lane comes from W Glenwood Drive and requires a private railroad crossing that is minimally improved. The private crossing involves navigating a sharp turn onto Alley Lane that may not meet industrial standards. Alley Lane and W Glenwood Drive are minimally improved and are unlikely to be sufficient for the trips generated by additional employment uses. The parcel is too small to accommodate the identified need by itself and the assembly of additional parcels is likely to be difficult given the high level of parcelization surrounding Parcel #4.

5.2.3.2 Orderly and Economic Provision of Facilities and Services

The property already has access to both water and sanitary sewer services. A 6" water line runs along Alley Lane and it is connected to an 8" sewer line that runs through the center of the parcel. Other services would presumably generally be available, as the entirety of the reserve abuts City limits and residential areas with services. Given the small size of the parcel, the accommodation of stormwater detention facilities may be more challenging. As discussed above, the provision of an adequate transportation network connection would be problematic, as Parcel #4 (and all parcels on Alley Lane) relies upon a substandard private railroad crossing as the only access. On Page 4-124 of the Regional Problem Solving Plan (RPS), an examination of PH-1 states "discussions the City has had with railroad representatives indicates that to accommodate industrial traffic, the crossing would need to be upgraded, and additional right-of-way acquired at costs of over \$1 million."

5.2.3.3 Comparative ESEE Consequences

- **Economy:** The property is surrounded by residentially developed properties and is zoned RR-2.5. If the property were included in the UGB, it would lack possible synergies or economies of scale that would accrue to lands better located within a commercial or industrial district.
- **Environmental:** The impacts are expected to be minor, as there are no recognized Goal 5 resources, such as historic, environmental, or cultural resources on the property.
- **Social:** The inclusion of this property would be expected to have some negative impacts, as it is located in the center of residentially developed properties, and it is too small to likely buffer employment uses from adjacent conflicting uses.
- **Energy:** The property is not near a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.3.4 Compatibility with Nearby Agricultural and Forest Resource Uses

In general, the property is generally compatible with farm and forestry uses. The property is not immediately adjacent to any lands that are zoned for resource use. Some of the nearby residential uses do have minor or accessory farm uses, but these are relatively minor and unlikely to be at a commercial scale.



5.2.4 Parcel #5 – 38-1W-08AA-1300

Parcel #5 is approximately 4.66 acres and is zoned Light Industrial. Like Parcel 4, it is located west of the CORP railroad and south of Glenwood Drive. It is developed with a light industrial use. Past permitting records indicate it has been approved for an equipment storage yard, marijuana processing and most recently as a marijuana wholesale business. Landscape buffering was installed as part of one of the past land use approvals. Access is taken from Alley Lane.

5.2.4.1 Efficient Accommodation of Identified Land Needs

The parcel is too small to accommodate the identified need by itself. It is next to Parcel #6 and Parcel #7, both of which are 25+ acres, and it could form a single, contiguous developable tract either. Parcel #5 is flat and does not appear to have any wetlands or floodplains. It is approximately 350 feet away from the City of Phoenix municipal boundary and the UGB. The intervening distance is across Parcel #7. Access is taken from Alley Lane, which appears to be either a private drive or access easement. Access to Alley Lane comes from W Glenwood Drive and requires a private railroad crossing that is minimally improved. The private crossing involves navigating a sharp turn onto Alley Lane that may not meet industrial standards. Alley Lane and W Glenwood Drive are minimally improved and are unlikely to be sufficient for the trips generated by additional employment uses.

5.2.4.2 Orderly and Economic Improvements Provision of Facilities and Services

The property already has access to water and sanitary sewer services. A 6" water line runs along Alley Lane and the property has a connection to a 6" sewer line that runs through the center of the parcel. Other services would presumably generally be available, as the parcel is close to City limits and residential areas with services. Given the smaller size of the parcel, the provision of stormwater detention facilities may be more challenging. As discussed above, the provision of an adequate transportation network connection would be problematic, as Parcel #5 (and all parcels on Alley Lane) relies upon a substandard private railroad crossing as the only access. On Page 4-124 of the RPS, an examination of PH-1 states "discussions the City has had with railroad representatives indicates that to accommodate industrial traffic, the crossing would need to be upgraded, and additional right-of-way acquired at costs of over \$1 million."

5.2.4.3 Comparative ESEE Consequences

- **Economy:** The property abuts other employment lands and there may be some economic synergies with existing uses. Except for transportation, the provision of infrastructure would appear to be affordable and feasible. There is an existing employment use on the property, which potentially lowers the overall positive economic impacts on the City.
- **Environmental:** The impacts are expected to be minor, as there are no recognized Goal 5 resources, such as historic, environmental, or cultural resources on the property.
- **Social:** The property is already zoned and developed for Light Industrial uses, which means that nearby parcels would likely expect uses of at least such intensity to be occurring. Parcels to the north are zoned RR-2.5, but are buffered by ~30' driveway and the landscape buffering that was required in a previous land use action.
- **Energy:** The property is not adjacent to a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail

connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.4.4 Compatibility with Nearby Agricultural and Forest Resource Uses

In general, Parcel #5 is generally compatible with farm and forestry uses. The property is not immediately adjacent to any lands that are zoned for resource use. Some of the nearby residential uses do have minor or accessory farm uses, but these are relatively minor and unlikely to be at a commercial scale.

5.2.5 Parcel #6 – 38-1W-08-401

Parcel #6 is approximately 25 acres and is zoned Light Industrial. Like Parcel #4 and #5, it is located west of the CORP railroad and south of Glenwood Drive. Two other small parcels, totaling ~0.10 acres, share ownership with the parcel and are part of a common tract. For the purposes of this suitability analysis, they are part of the same property. Parcel #6 is developed with a light industrial use. Google Maps indicates it is the home of Oregon Garden Warehouse and Rogue Soil. Past permitting records indicate it has been approved for a bark recycling business. Access is taken from Alley Lane.

5.2.5.1 Efficient Accommodation of Identified Land Needs

The parcel is feasibly large enough to accommodate the identified need. Parcel #6 is mostly flat, but the southern portion of the parcel appears to have some wetlands according to both the Department of State Lands database and the National Wetlands Inventory. Another 5 or so acres are noted as having hydric soils. Parcel #6 is approximately 600 feet away from the City of Phoenix municipal boundary and the UGB. The intervening distance is across Parcel #7. Access is taken from Alley Lane, which appears to be either a private drive or access easement. Access to Alley Lane comes from W Glenwood Drive and requires a private railroad crossing that is minimally improved. The private crossing involves navigating a sharp turn onto Alley Lane that may not meet industrial standards. Alley Lane and W Glenwood Drive are minimally improved and are unlikely to be sufficient for the trips generated by additional employment uses. The property is already being used for an employment use, thus the land does not really function as new supply for employment land even if the future uses were more intensive the existing use would be displaced.

5.2.5.2 Orderly and Economic Provision of Facilities and Services

The property already has access to water and sanitary sewer services. A 6" water line runs along Alley Lane and the property has a connection to an 8" sewer line. Other services would presumably generally be available, as the parcel is close to City limits and residential areas with services. There would presumably be enough area to accommodate stormwater detention facilities. As discussed above, the provision of an adequate transportation network connection would be problematic, as Parcel #6 (and all parcels on Alley Lane) rely upon a substandard private railroad crossing as the only access. On Page 4-124 of the RPS, an examination of PH-1 states "discussions the City has had with railroad representatives indicates that to accommodate industrial traffic, the crossing would need to be upgraded, and additional right-of-way acquired at costs of over \$1 million."

5.2.5.3 Comparative ESEE Consequences

- Economy: The property abuts other employment lands and there may be some economic synergies with existing uses. Except for transportation, the provision of infrastructure



- would appear to be affordable and feasible. There is an existing employment use on the property, which potentially lowers the overall positive economic impacts on the City.
- **Environmental:** State wetland maps show the property as having some wetland areas and larger areas of hydric soils. However, these areas appear to have been actively used for light industrial uses over the years and the City of Phoenix does not have an official map of delineated wetlands. An onsite investigation by a wetlands professional would be necessary to make any positive or dispositive determinations. Aside from potential wetlands, there are no other Goal 5 resources that appear to be located on the property.
 - **Social:** The property is already zoned and developed for Light Industrial uses, which means that nearby parcels would likely expect uses of at least such intensity to be occurring. Parcels to the north are zoned RR-2.5, but are buffered by ~30' driveway.
 - **Energy:** The property is not adjacent to a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.5.4 Compatibility with Nearby Agricultural and Forest Resource Uses

Lands to the west and south of Parcel #6 are both zoned EFU. Based upon aerial imagery and Applicant's familiarity with the area, the lands to the west (identified as Maplots 38-1W-08-300 and 301) have been intensively cultivated with cannabis in the recent past. Prior to the cannabis use, the property was used to produce grass hay or alfalfa. The lands to the south (identified as Maplot 38-1W-08-705, 704 and 702) have likewise been used for a mixture of cannabis production, grass hay or alfalfa, and pastureland for grazing. Parcel #6 is already zoned for light industrial uses and is actively engaged in commercial operations, which may reduce the expected impact on neighboring uses. Grazing and hay/alfalfa are generally less intensive farm uses, and access would not be shared. Proper site design, buffering, and development standards should be able to help ameliorate potential conflicts.

5.2.6 Parcel # 7 - 38-1W-09B-4600

Totaling approximately 27.5 acres, Parcel #7 is located between Parcels #5 and #6 and the City of Phoenix to the east. Its easterly boundary is the CORP railroad, which is located within the corporate limits of the City of Phoenix and within the UGB. It is zoned Light Industrial but has no improvements and no apparent active uses, industrial or otherwise.

5.2.6.1 Efficient Accommodation of Identified Land Needs

The parcel is feasibly large enough to accommodate the identified need. It is flat and does not appear to contain either mapped wetlands or floodplain. Parcel #7 is immediately adjacent to the Phoenix UGB and the CORP railroad. Access is taken from Alley Lane, which appears to be either a private drive or access easement. Access to Alley Lane comes from W Glenwood Drive and requires a private railroad crossing that is minimally improved. The private crossing involves navigating a sharp turn onto Alley Lane that may not meet industrial standards. Alley Lane and W Glenwood Drive are minimally improved and are unlikely to be sufficient for the trips generated by additional employment uses.



5.2.6.2 Orderly and Economic improvements Provision of Facilities and Services

Water lines under the City of Phoenix jurisdiction run through the middle of the parcel and along Alley Lane. An 8" sewer line is located approximately 350 to the west and would presumably be available at the cost of approximately \$100,000⁶. Other services would presumably generally be available, as the parcel is close to City limits and residential areas with services. There would presumably be enough area to accommodate stormwater detention facilities. As discussed above, the provision of an adequate transportation network connection would be problematic, as Parcel #7 (and all parcels on Alley Lane) relies upon a substandard private railroad crossing as the only access. On Page 4-124 of the RPS, an examination of PH-1 states "discussions the City has had with railroad representatives indicates that to accommodate industrial traffic, the crossing would need to be upgraded, and additional right-of-way acquired at costs of over \$1 million." Unlike other parcels along Alley Lane, there is a sufficiently long frontage of ~2,200 feet along CORP that a railroad siding is feasible.

5.2.6.3 Comparative ESEE Consequences

- **Economy:** The property abuts other employment lands and there may be some economic synergies with existing uses. Except for connection to the road network, the provision of infrastructure would appear to be affordable and feasible. The property also has frontage along CORP, which is a relatively rare asset for a property in the southern half of the Rogue Valley.
- **Environmental:** The impacts are expected to be minor, as there are no recognized Goal 5 resources, such as historic, environmental, or cultural resources on the property.
- **Social:** The property is already zoned for Light Industrial uses, which means that nearby parcels would likely expect uses of at least such intensity to be occurring. Parcels to the west are zoned RR-2.5, but are buffered by Alley Lane, which would provide some buffering from employment uses.
- **Energy:** The property is next to the CORP. If access to the railroad were achieved, rail transport is generally more energy efficient than trucking, especially for bulk goods. If the large industrial use were dependent on rail transport for either inputs or finished products, it could lower emissions. It could also reduce congestion, lowering energy consumption, but it is unclear that road congestion is a problem in the surrounding area.

5.2.6.4 Compatibility with Nearby Agricultural and Forest Resource Uses

Parcel #7 is bordered by EFU zoned lands to the south in the form of two parcels (Maplots 38-1W-09B-5100 and 38-1W-09B-5000) forming a single farm tract owned by Wayne Gagich. The farmed area on the tract consists of approximately 24 acres and is actively farmed and appears to be used primarily as pastureland for grazing of cattle. Immediately to the south of the tract is an unimproved right of way for Dano Way. Beyond this right of way are more lands owned by Wayne Gagich. Practically, the lands to the south make up approximately 60 acres of coherent lands used for the grazing of cattle. Grazing is generally a less intensive farm use and access would not be shared. The lands are already near the light industrial use located on Parcel #6 and not too distant from the

⁶ See discussion of cost estimates in Section 5.2.

CORP tracks. Proper site design, buffering, and development standards should be able to help ameliorate potential conflicts.

5.2.7 Parcel #8 - 38-1W-03-1500

Parcel #8 is ~23.5 acres and is located to the northeast of City of Phoenix, at the northeast corner of the intersection of N Phoenix Road and Campbell Road. It is owned by RMA Farms, which also owns the parcels to the north and east. The combined tract is home to Padigan Winery. Parcel #8 is planted with ~11.5 acres of wine grapes and has a ~9,000 square foot winery processing facility along with several wind machines. It also has a parking lot that serves as overflow parking for the tasting room on the property to the north. The Jackson County Assessor estimates the real market value of the property to be ~\$2.5 million.

5.2.7.1 Efficient Accommodation of Identified Land Needs

The property is immediately next to the City of Phoenix UGB. Although it is mostly flat and devoid of topographic constraints, it is for all intents and purposes developed. The existing farm investments and structures are substantial enough to lower the odds of redevelopment for the foreseeable future. This is reflected in the City's 2022 UGB amendment, which left out this specific property because of its active use as a winery. Access to a railroad is infeasible.

5.2.7.2 Orderly and Economic Provision of Facilities and Services

The nearest water and sanitary sewer mains are significantly distanced from the property, being located approximately 0.70 miles away in the right of way of Grove Road. Using this round number, the approximate cost⁷ of a 12" sewer extension to the corner of the property would be around ~\$1.1 million. The same number for the water line extension is approximately \$700,000. The intervening area was brought into the UGB in 2022 and presumably both sanitary sewer and water mains will be extended eventually along North Phoenix Road as the lands added to the UGB develop. The property has frontage on N Phoenix Road, an arterial, and Campbell Road, which is a local road in the Phoenix TSP. The recently adopted neighborhood plan for the City of Phoenix shows Campbell Road as a "Major" street and it will presumably be upgraded to accommodate traffic for the rest of the employment areas in the UGB. The parcel is large enough to presumably provide storm water facilities.

5.2.7.3 Comparative ESEE Consequences

- **Economy:** The property is near other employment land, but it is closest to lands that have an open space or a low density residential comprehensive plan designation. Given the high estimated costs, the provision of infrastructure would appear to be dependent upon development in the rest of the lands in PH-5 recently added to the UGB. There is an existing economic use on the property, which potentially lowers the overall positive economic impacts to the City.
- **Environmental:** The impacts are expected to be minor, as there are no recognized Goal 5 resources, such as historic, environmental, or cultural resources on the property.

⁷ See discussion of cost estimates in Section 5.2.

- Social: Lands to the south have open space and low density residential comprehensive plan designation. Campbell Road does provide some buffering to these lands, but removing an existing farm use and creating new industrial or employment uses may have conflicts with these planned uses.
- Energy: The property is not adjacent to a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.7.4 Compatibility with Nearby Agricultural and Forest Resource Uses

The group abuts significant quantities of EFU lands. However, all these lands are within the Medford UGB, within the corporate limits of Phoenix, or part of the same tract as Parcel #8. Lands to the west are used as grazing lands, but they are within the City of Medford UGB and likely will be developed with urban uses in the near to medium term. The adjacent lands to the east and north are both zoned EFU, but they are part of the same tract as Parcel #8. Presumably, if Parcel #8 is developed it will be done because the impact to the remainder of the tract was reasonable to accommodate. Lands to the south are developed with agricultural uses, but the lands are within the City of Phoenix corporate boundaries and presently zoned as Holding Zone (H-Z). Overall, the parcel appears to be compatible with nearby agricultural and forest resource uses.

5.2.8 Parcel #9 - 38-1W-03-1604

According to Jackson County records, Parcel #9 and Parcel #10 constitute a single legal unit of land that was adjusted into its present shape by a property line adjustment found at JCDS File No. 439-22-00082-SUB. However, Parcels #9 and #10 are both sufficiently large to provide enough land to accommodate the proposed land need and therefore are evaluated independently. A UGB amendment would not need to include the entirety of the legal parcel, particularly if the total acreage could not be justified by the need.

Parcel #9 is noted as 74 acres by the Jackson County Assessor and is located along Campbell Road. Campbell Road is shown as a local road in the adopted TSPs of Jackson County and the City of Phoenix. Parcel #9 is zoned EFU and part of Urban Reserve PH-5. Parcel #9 is part of a larger tract owned by the Arrowhead Ranch Holding Company. Most of the tract was included in the City of Phoenix UGB when it was amended in 2022. The parcel has been used pasture for grazing and has limited improvements such as fencing and water troughs. The property was considered for inclusion during the 2022 UGB amendment but was not included due to its being far from existing public and private infrastructure.

5.2.8.1 Efficient Accommodation of Identified Land Needs

The property is immediately next to the City of Phoenix UGB. It has some areas of steep slopes along the easterly boundary and some potential wetlands. However, it has sufficient area (about 23 acres) near Campbell Road that is unconstrained and can likely accommodate the identified need. There is no feasible access to a railroad.

5.2.8.2 Orderly and Economic improvements Provision of Facilities and Services

Parcel #9 takes access from Campbell Road, which the recently adopted neighborhood plan for the City of Phoenix shows as a “Major” street and it will presumably be upgraded to accommodate traffic for the rest of the employment areas in the UGB. The nearest water and sanitary sewer mains



are in Grove Road near its intersection with Fern Valley Road or along Fern Valley Road to the south. The costs would be at least those estimated Parcel #8, plus the cost of the additional infrastructure to travel an additional extension of ~2,500 feet to the east along either Campbell Road or a future road in the Neighborhood Plan. The intervening area was brought into the UGB in 2022 and presumably at some point both sanitary sewer and water mains will be extended as lands added to the UGB develop. Extension from Fern Valley Road would require the inclusion of intervening lands in the UGB, a goal exception to extend urban services across resource lands that are between Parcel #9 and Fern Valley Road, or both. The parcel is large enough to presumably provide storm water facilities.

5.2.8.3 Comparative ESEE Consequences

- **Economy:** Some portions of property that are further from Campbell Road are near other employment lands and there may be some future economic synergies with these lands that are presently undeveloped. Given the high estimated costs, the provision of infrastructure would appear to be dependent upon development in the rest of PH-5 recently added to the UGB.
- **Environmental:** State wetland maps show the property as having some wetland areas. Aerial images indicate the presence of water. These areas are in the middle of the parcel but there is sufficient area near Campbell Road to accommodate the identified need without presumably affecting the wetland areas.
- **Social:** The area that appears most buildable, located next to Campbell Road, is adjacent to lands within the City of Phoenix that are designated as Low Residential or Park & Open Space on the Comprehensive Plan. Being adjacent to low density residential uses or open space may cause some conflicts with employment uses.
- **Energy:** The property is not near a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.8.4 Compatibility with Nearby Agricultural and Forest Resource Uses

Lands to both the east and north are zoned EFU. The parcels nearest to the most buildable area abutting Campbell Road are Maplots 38-1W-03-103, 104, and 1800. Each of them appears to be actively farmed. Tax Lots 103 and 104 are to the north, across Campbell Road. They have each been used to provide pasture for grazing of cattle and may be rotated with grass hay or alfalfa. Tax Lot 1800 is to the east of Parcel #9. A large barn and associated paddocks are located near the property line, along with two residential dwellings and associated accessory structures. The primary farm use appears to be the grazing of cattle. An employment use on Parcel #9 would represent an intensification and change of use, but the abutting uses are relatively low intensity. Proper site design, buffering, and development standards should be able to help ameliorate potential conflicts.

5.2.9 Parcel #10 – 38-1W-10-100

According to Jackson County records, Parcel #9 and Parcel #10 constitute a single legal unit of land that was adjusted into its present shape by a property line adjustment found at JCDS File No. 439-22-00082-SUB. Parcels #9 and #10 are both sufficiently large to provide enough land to



accommodate the proposed land need and therefore are evaluated independently. A UGB amendment would not need to include the entirety of the legal parcel, particularly if the total acreage could not be justified by the need.

Parcel #10 is noted as ~31 acres by the Jackson County Assessor. It is not immediately next to an existing road. It is zoned EFU and part of Urban Reserve PH-5. Parcel #10 is part of a larger tract owned by the Arrowhead Ranch Holding Company. Most of the tract was included in the City of Phoenix UGB when it was amended in 2022. The parcel has been used as pasture for grazing and has a pond. Parcel #10 was considered for inclusion during the 2022 UGB amendment but was not included due to its being far from existing public and private infrastructure.

5.2.9.1 Efficient Accommodation of Identified Land Needs

The property is immediately next to the City of Phoenix UGB. The pond takes up approximately 3 acres near the center of the property and there is an area of steep slopes in the northeasterly part of the parcel, but it appears to have enough area to accommodate the identified land need. It is not adjacent to an existing road and would need to secure access through an adjacent parcel. There is no feasible access to a railroad.

5.2.9.2 Orderly and Economic Provision of Facilities and Services

Parcel #10 has no immediate access to an existing road, but the adopted neighborhood plan shows a “Major” street running along its westerly frontage. The nearest water and sanitary sewer mains are in Grove Road near its intersection with Fern Valley Road or along Fern Valley Road to the south. The costs of water and sewer extension would be presumably somewhat less than those estimated Parcel #8, but would require additional infrastructure costs to travel an additional ~2,500 feet in a future road in the Neighborhood Plan. The area next to North Phoenix was brought into the UGB in 2022 and presumably both sanitary sewer and water mains will be extended along North Phoenix Road as the lands added to the UGB develop. Extension of sewer or water from Fern Valley Road would require the inclusion of intervening lands in the UGB or a goal exception to extend urban services across lands zoned EFU. The property is large enough to presumably accommodate the necessary storm water infrastructure.

5.2.9.3 Comparative ESEE Consequences

- **Economy:** The property abuts other employment lands and there may be some economic synergies with future development. Given the high estimated costs, the provision of infrastructure would appear to be dependent upon development in the rest of the lands in PH-5 recently added to the UGB.
- **Environmental:** The property has an existing pond. The pond is located near the middle of the parcel, which may complicate development. However, it is a relatively small proportion of the property.
- **Social:** Lands to the south in PH-10 were predominantly designated for residential uses in the Regional Problem Solving process and Parcel #10 is adjacent to these lands. If Parcel #10 was included, the proximity is ameliorated by the fact that the lands in PH-10 would remain outside the UGB boundary and presumably Parcel #10 would develop first.
- **Energy:** The property is not near a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the

tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.9.4 Compatibility with Nearby Agricultural and Forest Resource Uses

Lands to the south and east are zoned EFU. The parcels to the southwest are Parcels #11 - #13 discussed herein below in greater detail. The parcel to the southeast, identified as Maplot 38-1W-11B-200, is a ~12 acre parcel that is actively farmed with row crops. Signs located on the parcel's frontage indicate that pumpkins are at least one of the crops grown on the property. In addition to crop production, the parcel has a mixture of sheds and hoop houses. The property to the east of Parcel #10, identified as Maplot 38-1W-10-3500, is approximately 17.5 acres and is developed with a single family dwelling and a barn. The easterly 2/3rds of the property are used as pasture for grazing. None of the abutting parcels would share an access with Parcel #10, if the area recently brought into the UGB is developed with the road network in the Neighborhood plan. Proper site design, buffering, and development standards should be able to help ameliorate potential conflicts

5.2.10 Parcel #11 – 38-1W-10-800

Parcel #11 is a ~20 acre parcel zoned EFU and located within Urban Reserve PH-10. It is located to the east of the UGB and approximately 250 feet east of the intersection of Fern Valley Road and Meadow Valley Drive. The parcel has an existing residential dwelling that was constructed in 1900. In addition to the dwelling, the property has a barn and outdoor storage areas. It maintains a special farm assessment and has approximately 18 acres of fields used for the production of grass hay or alfalfa. Payne Creek runs along the frontage of the property and the Medford Canal forms the westerly boundary of the parcel.

5.2.10.1 Efficient Accommodation of Identified Land Needs

The property is not quite large enough to accommodate the identified need, but could potentially be combined with lands to the west or the north. The Phoenix UGB is located directly across Fern Valley Road. The land is relatively flat and free of mapped wetlands or floodplains. Access is taken from Fern Valley Road. The entirety of PH-10 is approximately 43 acres and only 15% of the land is designated for employment uses in the adopted Regional Element.

5.2.10.2 Orderly and Economic improvements Provision of Facilities and Services

Both a water and sewer main are located in Fern Valley Road near the boundary of Parcel #11 and would presumably be available for development. The property has good access to a higher order street in Fern Valley Road, which is classified as a Collector in the Phoenix TSP. The portion of the road within the UGB is improved with bike lanes, sidewalks, and curbs. The parcel is presumably large enough to provide stormwater detention facilities. Fern Valley is classified as a Collector in the Phoenix TSP and the portion within the UGB is improved with bike lanes, sidewalks, and curbs. The property is located within Fire District #2 and would likely remain so after inclusion. The City of Phoenix would provide police service after annexation.

5.2.10.3 Comparative ESEE Consequences

- Economy: The property does not abut other developed or urbanized employment lands, although lands to the north in PH-5 were primarily set aside as employment lands in the Regional Problem Solving process. Provision of infrastructure would appear to be affordable and feasible.



- Environmental: Payne Creek runs across the frontage of the property. Access to the property relies upon a bridge that appears wide enough for only a single vehicle to cross the creek, which would presumably need to be improved or replaced if the parcel were developed.
- Social: The parcels to the west are located in the PH-10 urban reserve, like Parcel #11, which is predominantly set aside for residential uses. To the south and west are low density residentially developed lands within the City of Phoenix.
- Energy: The property is not near a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.10.4 Compatibility with Nearby Agricultural and Forest Resource Uses

Lands to the west, north, and east are all zoned EFU. The lands to the north consist of Parcel #10, discussed already. Lands to the west are Parcel #12, which is discussed below. The parcel to the east is Maplot 38-1W-11B-200, which is a ~12 acre parcel that is actively farmed with row crops. Signs located on the parcel's frontage indicate that pumpkins are at least one of the crops grown on the property. In addition to crop production, the parcel has a mixture of sheds and hoop houses.

5.2.11 Parcel #12 – 38-1W-10-700

Parcel #12 is a ~7.75 acre parcel zoned EFU and located within Urban Reserve PH-10. It is located to the east of the UGB at the intersection of Fern Valley Road and Meadow Valley Drive. The parcel has an existing residential dwelling that was constructed in 1961. In addition to the dwelling, the property has a barn and a green house. It maintains a special farm assessment and has approximately 4.5 acres of fields used for a mixture of grass hay or alfalfa, orchard, and row crops. Payne Creek runs near the front of the property and separates the dwelling from the farmed areas of the property. The Medford Canal forms the easterly boundary of the property.

5.2.11.1 Efficient Accommodation of Identified Land Needs

The property is not large enough to accommodate the identified need but could potentially be combined with neighboring lands. Payne Creek appears to be the only significant topographic constraint on the property. The Phoenix UGB is located directly across Fern Valley Road. The land is relatively flat and free of mapped wetlands or floodplains. Access is taken from Fern Valley Road. Fern Valley is classified as a Collector in the Phoenix TSP and the portion within the UGB is improved with bike lanes, sidewalks, and curbs. PH-10 is approximately 43 acres and only 15% of the land is designated for employment uses in the adopted Regional Element.

5.2.11.2 Orderly and Economic Improvements Provision of Facilities and Services

Both a water and sewer main are in Fern Valley Road along the boundary of Parcel #12 and would presumably be available for development. The property has good access to a higher order street in Fern Valley Road, which is classified as a Collector in the Phoenix TSP. The portion of the road within the UGB is improved with bike lanes, sidewalks, and curbs. The parcel is undersized, and the provision of stormwater facilities would limit the amount of development possible on an already undersized parcel. The property is located within Fire District #2 and would likely remain so after inclusion. The City of Phoenix would provide police service after annexation.



5.2.11.3 Comparative ESEE Consequences

- **Economy:** The property does not abut other developed or urbanized employment lands, although lands to the north in PH-5 were primarily set aside as employment lands in the Regional Problem Solving process. Provision of infrastructure would appear to be affordable and feasible.
- **Environmental:** Payne Creek crosses the property near its frontage. Development would require creating a crossing suitable for employment uses.
- **Social:** The parcels to the west and east are located in the PH-10 urban reserve, like Parcel #12, which is predominantly set aside for residential uses.
- **Energy:** The property is not near a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.11.4 Compatibility with Nearby Agricultural and Forest Resource Uses

The parcel is sandwiched between lands zoned EFU to the west, east, and north. All these lands are considered for inclusion for the subject application for a UGB amendment and located within an urban reserve. They will all presumably be developed at urban level intensities in the future. The description of farm uses occurring on each parcel can be found under the entries for Parcels #10, #11, and #13.

5.2.12 Parcel #13 – 38-1W-10-600

Parcel #13 is a ~15.25 acre parcel zoned EFU and located within Urban Reserve PH-10. It is located on the border of the corporate limits of the City of Phoenix at the intersection of Fern Valley Road and Breckinridge Drive. The parcel has an existing residential dwelling that was constructed in 2022. In addition to the dwelling, the property has a barn and accessory farm buildings. Although it appears to have been farmed in the past, the Assessor removed the property from special farm assessment in 2024 due to lack of farm activity. Payne Creek runs near the front of the property and separates the dwelling from the farmed areas of the property.

5.2.12.1 Efficient Accommodation of Identified Land Needs

The property is not large enough to accommodate the identified need but could potentially be combined with neighboring lands. Payne Creek divides the southerly most 2 acres from the remainder of the property. Another ~2.5 acres are mapped as potential wetlands by the State of Oregon. The corporate limits of the City of Phoenix, and therefore the UGB, run along the westerly lot line of Parcel #13. Access is taken from Fern Valley Road. The entirety of PH-10 is approximately 43 acres and only 15% of the land is designated for employment uses in the adopted Regional Element.

5.2.12.2 Orderly and Economic Provision of Facilities and Services

Both a water and sewer main are in Fern Valley Road along the boundary of Parcel #13 and would presumably be available for development. The property has good access to a higher order street in Fern Valley Road, which is classified as a Collector in the Phoenix TSP. The portion of the road within the UGB is improved with bike lanes, sidewalks, and curbs. An additional right of way near the midpoint of the Parcel #13 has been dedicated on the adjacent property to the west, potentially



providing a local road network should development occur. The provision of stormwater facilities would presumably be possible on site. The property is located within Fire District #2 and would likely remain so after inclusion. The City of Phoenix would provide police service after annexation.

5.2.12.3 Comparative ESEE Consequences

- **Economy:** Lands to the west are within the City of Phoenix and predominantly zoned for Commercial Highway (C-H). There may be some economies of scale or positive synergies that could be found with these lands. Provision of infrastructure would appear to be affordable and feasible.
- **Environmental:** Payne Creek runs across the southerly portion of the property. Development would require creating a crossing suitable for employment uses.
- **Social:** The parcels to the east are in the PH-10 urban reserve, like Parcel #12, which is predominantly set aside for residential uses.
- **Energy:** The property is not near a railroad. Rail is generally the most energy efficient way to transport goods, particularly bulk products. In the absence of a rail connection, the tax lot is not expected to be more or less efficient than any other employment use dependent upon road transport.

5.2.12.4 Compatibility with Nearby Agricultural and Forest Resource Uses

The parcel is bordered by lands zoned EFU to the east and north. These lands are considered for inclusion for the subject application for a UGB amendment and located within an urban reserve. They will all presumably be developed at urban level intensities in the future. The description of farm uses occurring on each parcel can be found under the entries for Parcels #10 and #12.

5.3 Application of Comprehensive Plan Regulations

Per Division 24, the analysis of which lands to add to the UGB requires the application of applicable criteria in the acknowledged comprehensive plan and land use regulations acknowledged prior to the initiation of the UGB amendment after performing a Boundary Locations Analysis.

The Phoenix comprehensive plan has elements which affect this subject amendment. Chief amongst them is the acknowledged Regional Problem Solving Process, which was adopted in the City of Phoenix Comprehensive Plan as the Regional Plan Element. This Element has adapted distributions of uses for each of the adopted Urban Reserves. These were mentioned as part of the foregoing analysis of the lands that are located within Urban Reserve PH-10. The identified RPS distributions place limitations upon the types of uses and acreages allowed urban reserves.

The primary effect of this distribution is to make the inclusion of lands in PH-10 infeasible for the identified need. The proposed use table for PH-10 is reproduced below:

Figure PH.9

PH-10 Urban Reserve By Existing and Potential Land-Use Type						
Gross Acres: 43	Reasonably Developable: 39	Residential	Aggregate	Resource	Open Space / Parks	Employment Land
Existing Plan				100%		
Proposed Uses		85%				15%



As illustrated on the table, only 15% of the land is proposed as employment lands. Given the total size of the urban reserve is 43 gross acres, the maximum number of gross acres available for employment lands is only ~6.5 acres, far less than the identified need.

5.4 First Priority Lands Qualitative Results

Based on the preceding, there are a number of factors that stand out amongst the lands. Chief amongst them are transportation barriers noted by RPS and the land distributions assigned to each Urban Reserve by RPS. The following matrix illustrates the incidence of these factors:

Inclusion Considerations				
Parcel	Compliant with RPS Land Use Distribution	Transportation Facility Barriers	Close to the UGB	Sufficient Unconstrained Land to Meet Need
#1	Y	N	Y	N
#2 & #3	Y	N	Y	Y
#4	Y	Y	Y	N
#5	Y	Y	Y	N
#6	Y	Y	Y	Y
#7	Y	Y	Y	Y
#8	Y	N	Y	Y
#9	Y	N	Y	Y
#10	Y	N	Y	Y
#11	N	N	Y	Y
#12	N	N	Y	N
#13	N	N	Y	Y

Parcel #1 is too small, by itself, to provide sufficient unconstrained land to meet the identified need. It could be included as part of a tract with Parcels #2 and #3 and would provide a direct connection to S Stage Road.

Parcels #4 - #7 are all dependent on a single transportation facility that is acknowledged as being substandard. As was identified in the adopted RPS, to accommodate industrial traffic the crossing “would need to be upgraded and additional right-of-way acquired at costs of over \$1 million.” This may be desirable, but it is a significant impediment to the efficient urbanization of these lands. Moreover, most of these lands are already zoned for industrial employment uses in the County. If it was cost-effective to make upgrades to the existing access to support more intensive employment development, there are not many regulatory barriers to doing so.

Parcels #11 - #13 have many positive attributes, but their inclusion would directly conflict with the land use distribution adopted through RPS. As noted above, employment lands in Urban Reserve PH-10 are limited to 15% of the acreage. This would only provide an estimated ~6 or so acres, far too few to accommodate the identified need.

These impediments, be they physical, infrastructure related, or regulatory, are sufficient to render the parcels as unlikely to accommodate the identified need in an efficient manner. Therefore, these parcels should not be considered for inclusion without prior concrete steps taken by the City to mitigate the impediments.

The remaining lands, consisting of Parcels #2 and #3 on the westerly side of Phoenix, and Parcels #8, #9, and #10 on the easterly side, each have strengths and weaknesses. However, none of them appear to be fatal flaws, and all of them could likely accommodate the identified need.

Parcels #2 and #3 are large enough to accommodate the need, have access to necessary services, and, although there are some wetlands, have enough constraint free area for development. Lands to the west are zoned for rural residential uses and generally developed with single family dwellings. They are part of a longstanding urban reserve set aside for industrial development and have a unique asset in access to CORP and enough space for a siding. In addition, the inclusion of these lots could provide transportation system benefits by providing a secondary access to lands to the southeast that does not require updates to a private rail crossing. These lands to the southeast include other industrial lands in PH-1. Over the long term, this makes their development and inclusion in the City more feasible while providing safety benefits in the near term.

Parcel #8 fronts a developed transportation corridor, is large enough to accommodate the identified need and has no or few geographic or environmental constraints that would limit development. It is further from the necessary services than Parcels #2 and #3, but the adjacent parcels are in the UGB and presumably these services will be extended in the future. Were the services extended to the parcel without intervening development or subsidies, the costs to provide a water and sewer main over thousands of feet in the right of way of a regional arterial would be expected to be substantial. Parcel #8 is already developed with a vineyard and parking lot serving the abutting tasting room that presumably required considerable capital expenditure. The previous adopted UGB amendment in 2022 excluded Parcel #8 due to its status as an active vineyard. In addition to its existing development and use, Parcel #8 would be separated from the other employment designated areas in the UGB by lands that have an open space and low density residential comprehensive plan designation.

Parcel #9 has more environmental constraints and is further still from necessary services. It, like Parcel #10 to the south, was not included in the 2022 UGB amendment because of its distance from infrastructure. It is, however, adjacent to the UGB and presumably these services will be provided eventually. Campbell Road is the only access point, but the neighborhood plan shows future planned major streets reaching the parcel. Despite existing constraints, there appears to be enough land next to Campbell Road to accommodate the identified need. This area is next to lands in the UGB designated for low density residential uses on the comprehensive plan and it is also next to actively farmed EFU parcels in the other direction, although the existing uses do not appear to be particularly intensive.

Parcel #10 is like Parcel #9, but located further to the south. As noted in Section 5.2.9, it is not a separate legal parcel from Parcel #9. Despite the presence of a pond, it does contain enough land to accommodate the need and could be included separately in the UGB. Like Parcel #9, it was not included in the 2022 UGB amendment because of its distances from existing infrastructure. It has no existing access at this point in time, but the neighborhood plan shows future planned major streets reaching the parcel. Areas in adjacent UGB are designated for employment uses, so there may be some future synergies as these lands develop. Parcels to the south are located in Urban Reserve PH-10, which is predominantly set aside for residential uses. Lands to the east are zoned EFU and actively farmed, but primarily with low intensity farm uses.

Any of the first priority parcels in PH-1a and PH-5 could likely accommodate the identified need for employment lands. There are strengths and weaknesses to each, but no characteristic or fact that would generally cause them to be inadequate.



5.5 First Priority Lands Quantitative Results

As shown on the maps found in Atlas Pages 15-18, the quantitative results more or less mirror the qualitative analysis, with the important caveat that they were not able to take into account several of the impediments. Parcels #7, #9, #10, #3, #4, #6, and #8 ranked as the top half of the parcels respectively, see Atlas Page 19 for a depiction of these results.

As discussed in preceding Section 5.4, Parcels #4, #6 and #7 have an existing transportation deficiency that makes them unlikely to accommodate the identified land need (the necessity of a new public railroad crossing). This fact was not included as a quantitative factor in the UGB Flow Factor Model and was established during a thorough examination of the facts on the ground and the background documentation and adopted regulations pertaining to the first priority lands.

The other top ranking parcels are those identified as appropriate for inclusion in the qualitative analysis. Their relative strengths and weaknesses generally match those identified by the qualitative analysis. For example, Parcels #9 and #10 are generally far away from existing infrastructure networks, leading to a lower score in Factor 2. On the contrary, they are generally free from constraints such as wetlands, slopes or floodplain and have enough land for development, leading to high scores on Factor 1.

6 PRIORITY 2 EXCEPTION AND NONRESOURCE LANDS REVIEW

ORS 197A.285(2)(c)(B) states that if land under subparagraph (A) of this paragraph is inadequate to accommodate the amount of land needed, the City shall evaluate lands within the study area that is subject to an acknowledged exception under ORS 197.732 or land that is nonresource land. Because there is sufficient first priority land to accommodate the identified need, further analysis of the second priority land is not unnecessary.

7 PRIORITY 3 MARGINAL LANDS REVIEW

ORS 197A.285(2)(c)(C) states that if land under subparagraphs (A) and (B) of this paragraph is inadequate to accommodate the amount of land needed third priority land may be included. Third priority lands are lands that are designated as marginal land under ORS 197.247. Because there is sufficient first priority land to accommodate the identified need, further analysis of the third priority land is not unnecessary. Moreover, Jackson County contains no land designated marginal land.

8 PRIORITY 4 RESOURCE LANDS REVIEW

ORS 197A.285(2)(c)(D) states that if land under subparagraphs (A) to (C) of this paragraph is inadequate to accommodate the amount of land needed fourth priority land may be included. Fourth priority lands are lands that designated for agriculture or forest uses in the acknowledged comprehensive plan that is not predominantly high-value farmland, as defined in ORS 195.300, or does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service. Because there is sufficient first priority land to accommodate the identified need, further analysis of the fourth priority land is not unnecessary.



9 PRIORITY 5 RESOURCE LANDS REVIEW

ORS 197A.285(2)(c)(E) states that if land under subparagraphs (A) to (C) of this paragraph is inadequate to accommodate the amount of land needed fourth priority land may be included. Fourth priority lands are lands that designated for agriculture or forest uses in the acknowledged comprehensive plan that is not predominantly high-value farmland, as defined in ORS 195.300, or does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service. Because there is sufficient first priority land to accommodate the identified need, further analysis of the fourth priority land is not unnecessary.

10 ALTERNATIVE SITES RESULTS

All study lands were thoroughly evaluated consistent with priority lands statute ORS 197A.285 to be considered for inclusion within the City of Phoenix Urban Growth Boundary with the purpose of satisfying an identified need for employment lands.

Based upon the candidate lot evaluation, using both quantitative and qualitative methods described herein above, an Urban Growth Boundary expansion for approximately ~25 acres of employment lands could include Parcels #2 and #3 as a tract or one of Parcels #8, #9, and #10. The possible inclusion of each of these lands represents a reasonable and appropriate balance of the four boundary location factors of Statewide Planning Goal 14 and the comprehensive plan and adopted land use regulations in effect at the time of the initiation of this subject amendment. If the City has a desire to expand employment opportunities on the west side of Phoenix after opportunities were expanded on the east side through the 2022 UGB amendment and to create opportunities for rail dependent employment and to start the process of extend streets for safety and circulation and other infrastructure west of the railroad tracks, then Parcels #2 and #3 are the obvious choice.

EXHIBIT “B”

**CITY OF PHOENIX
PHOENIX, OREGON**

RESOLUTION NO.1148

**A RESOLUTION ADOPTING A CONCEPTUAL LAND USE PLAN FOR URBAN RESERVE
AREA PH-1A AND A CONCEPTUAL TRANSPORTATION PLAN FOR URBAN RESERVE
AREAS PH-1 & PH-1A.**

WHEREAS, the City received an application for a quasi-judicial Urban Growth Boundary (UGB) expansion to add a portion of PH-1a to the City's UGB; and

WHEREAS, the performance indicators adopted as a part of the Regional Plan Element in the Comprehensive Plan, require the City to adopt conceptual land use and transportation plans for areas added to the City's urban reserve through the Regional Problem Solving (RPS) process, before these lands can be considered for UGB expansion; and

WHEREAS, City staff has coordinated the development of a conceptual land use plan for PH-1a and a conceptual transportation plan for both PH-1 & PH-1a with CSA Planning, Ltd., agents for the quasi-judicial UGB amendment application; and

WHEREAS, as required by the Regional Plan Element, these plans were prepared in collaboration with the Rogue Valley Metropolitan Planning Organization (RVMPO); and

WHEREAS, upon receiving recommendations for approval from both the TAC and the PAC, the RVMPO Policy Committee provided a letter dated August 26, 2025, affirming that Phoenix followed the requirements of the Regional Plan to prepare its conceptual plans in collaboration with the RVMPO.

NOW THEREFORE, BE IT RESOLVED,

Section 1. The City of Phoenix adopts a Conceptual Land Use Plan for Urban Reserve Area PH-1a as Exhibit "A" to this resolution.

Section 2. The City of Phoenix adopts a Conceptual Transportation Plan for Urban Reserve Area PH-1a and Urban Reserve Area PH-1 as Exhibit "B" to this resolution.

PASSED AND APPROVED by the City of Phoenix, Oregon, this 15th day of September 2025.

Al Muelhoefer, Mayor

ATTEST:

Rosa Van Gordon, City Recorder

EXHIBIT “C”

CITY OF PHOENIX URBANIZATION ELEMENT



Comprehensive Plan

URBANIZATION ELEMENT

June 7, 2021 (Ordinance No. 1014)
Acknowledged by DLCD July 2, 2021
DLCD File Number 002-20

Amended November 17, 2025 (Ordinance No. XXXX)

CITY OF PHOENIX URBANIZATION ELEMENT

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CITY OF PHOENIX URBANIZATION ELEMENT

Summary

Statewide Planning Goal 14 and Urbanization

According to Oregon's Statewide Planning Goals and Guidelines, urbanization is process by which rural lands are developed for urban uses at greater intensities and densities than are found in rural areas outside of population centers. Urban land uses are familiar to anyone, and the concept of urban density or intensity of those uses is as well. This is particularly true for communities throughout Oregon, which manage the process of urbanization through the use of "Urban Growth Boundaries" (UGB).

The mechanism itself is quite simple to understand, even if the process for establishing and changing UGBs is not: lands within a UGB are intended to be developed for housing, employment, and other functions that we would expect to find in towns and cities; lands outside of a UGB are intended to be used for agriculture, forestry and other resource-based activities (known collectively as "Resource Lands") or preserved as natural wildlands. Statewide Planning Goal 14: Urbanization is intended to

[...] provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

According to OAR 660-015-0000(14), establishing or amending an Urban Growth Boundary must be based on several factors:

1. "Demonstrated need to accommodate long range urban population, consistent with a 20-year forecast [...]" ; and
2. "Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space [...]" .

The location of the UGB itself must address

1. "Efficient accommodation of identified land needs";
2. "Orderly and economic provision of public facilities and services";
3. "Comparative environmental, energy economic, social consequences" of the boundary's location; and
4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB."

Consistent with OAR 660-015-0000(14), this Urbanization Element addresses the City's need for urban land during the 20-year period from 2019 to 2039.

History of Urbanization in Phoenix

Phoenix devised its first Urban Growth Boundary in July 1978 followed by its first Comprehensive Plan and Land Development Code several years thereafter. At the time, it was estimated that 1,033 acres were in the Urban Growth Boundary, of which less than half were in the City's political boundary. Both the 1998 Land Use Element and the recently adopted updated Land Use Element found the number of acres within Phoenix's UGB to be around 1,090 acres. Both of those documents utilized more accurate Geospatial Information Systems and methods to measure Phoenix's UGB.

The original UGB has been amended several times, but only to address very minor discrepancies. The Boundary has not been modified in any substantial way to address a demand for urban land for residential, employment,

CITY OF PHOENIX URBANIZATION ELEMENT

or other urban uses in 40 years. Phoenix has changed during this period of time. Although population growth has slowed considerably from its average annual growth rate of 5.5 between 1960 and 1980, it has nevertheless continued to grow, and its supply of developable residential land has steadily diminished—particularly residential land better suited to medium and higher density housing types. This is documented in the recently updated Housing and Land Use Comprehensive Plan Elements. This is true for employment land as well. The Land Use Element found that, “between 1998 and 2019, 72% of Phoenix’s nearly 200 developable employment land acres were developed leaving only 55.6 acres [...]” (p. 8).

The portion of urban land committed to the various land use categories has remained relatively stable since the UGB was established, but the development status of that land has changed significantly. According to the Land Use Element, 34% of the UGB was considered to be “developable” in 1998. That shrank to just under 10% by 2019 (Land Use Element, p. 7). As stated in its recently adopted Economic Element, prior to the 2022 UGB amendment, Phoenix had no developable industrial-designated land remaining within its UGB, and readily developable (land that is not “partially-vacant” or “redevelopable”) commercial land close to the center of the community (Commercial and City Center designated land) was in short supply as well.

Prior to updating many of the components of its Comprehensive Plan, the City of Phoenix participated in Regional Problem Solving along with five other cities and Jackson County. The resulting long-range plan considered regional population and employment growth over a 50-year planning period and prescribed a number of ways to manage that growth. In doing so, that plan (which was adopted by Phoenix and other participating jurisdictions into their own comprehensive plans) identified Urban Reserve Areas in accordance with OAR 195.137-145. The Urban Reserve Areas were assessed based on the relative superiority of their characteristics for urbanization compared to other lands. Lands designated as URAs were found to be generally better suited to more efficient urban development, while their conversion from resource land (or lands that were underdeveloped in some instances) posed fewer and less severe negative consequences. Similar to the locational criteria for Urban Growth Boundaries, each URA was analyzed using the following criteria:

1. Efficient Accommodation of Identified Needs: relatively speaking, could the URA better accommodate needed housing and employment land development than other candidate lands.
2. Orderly and Economic Provision of Public Facilities and Services: relatively speaking, could the URA be reasonably served by urban infrastructure and services.
3. ESEE Consequences: what is the overall impact of urbanization of a URA given all of the economic, social, environmental, and energy benefits and costs of urbanization.
4. Compatibility of the Proposed Urban Uses with Nearby Agriculture and Forest Activities Occurring on Farmland and Forest Land Outside the Urban Growth Boundary.

Having completed this process, lands within URAs are considered to be “first priority lands” according to OAR 660-021-0060. These are the lands into which a city would expand its Urban Growth Boundary.

The Regional Plan also establishes several “Performance Indicators” that govern development of existing unincorporated UGBs and any URA lands that become a part of an expanded UGB. Most notably, the performance indicators establish minimum residential densities; a minimum amount of development in “mixed-use/pedestrian-friendly areas”; and preparation of conceptual transportation and land use plans demonstrating consistency with preferred land use distributions. Consistent with Performance Indicator 9, the City of Phoenix also completed a Regional Economic Opportunity Study that is the “mechanism” which provides the justification for expansion of employment lands to meet regional employment needs. This study was used to prepare conceptual land use and transportation plans. Altogether, these plans describe three different scenarios for the urbanization of URAs PH-5 and PH-10.

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Urban Growth Boundary Locational Criteria

OAR 660-024-0065 defines the criteria that must be applied in determining the location of an Urban Growth Boundary. The process described in this administrative rule requires that cities identify a “preliminary study area” and, subsequently, a “study area.” The preliminary study area must include

- Urban reserves;
- Lands within one-half a mile of the City’s acknowledged UGB; and
- Exception lands “contiguous to exception” lands within one-half mile of the acknowledged UGB.

In this case, Phoenix (along with five other cities in the “Greater Bear Creek Valley”) established urban reserves through Regional Problem Solving. According to OAR 660-021-0030(2), lands designated as urban reserves have been selected “based upon the locational factors of Goal 14 [...]” Division 21-0060 further defines urban reserves as the first lands to be included in a city’s Urban Growth Boundary. Appendix 2 of the Regional Plan Element of the Phoenix Comprehensive Plan thoroughly and comprehensively documents the process and factors considered in designating Phoenix’s Urban Reserve Areas (URAs). The preliminary and final study areas were identified and evaluated through this effort.

Having identified Urban Reserve Areas and completed the analysis required to establish first priority lands for inclusion in its UGB, Phoenix will use the following criteria when determining exactly which parts of which Urban Reserve Areas are most consistent with the “Urbanization Factors” described below, and best meet the City’s need for urban land that will provide housing, employment, and other urban services and amenities for its residents and businesses. These factors include

- Contiguity with the Phoenix’s acknowledged political boundary or acknowledged UGB;
- Suitability of particular lands to meet the unique requirements of particular types of needed urban land. Suitability means the ability of natural features and characteristics of land to accommodate and support a particular urban use, such as its parcelization at the time of inclusion into the City’s UGB and the degree to which it can achieve parcelization that best accommodates an urban land use or uses through lawful land division and other land use entitlement processes.
- Access to existing urban infrastructure and facilities, and the relative benefit of inclusion of particular lands for the future orderly provision of public facilities and the extent to which inclusion supports further long term economically sustainable operation of those facilities. Relative benefits include consideration of the extent to which inclusion of lands within the City’s UGB will avoid unnecessary costs in the future; and
- Consistency with Conceptual Land Use and Transportation Plans and all applicable Regional Plan Performance Indicators and other relevant comprehensive plan elements.

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Urbanization Factors for 2022 UGB Amendment

Need to Accommodate Residential Land Uses

Summary

Demand for residential land was determined through the 2017 Housing Needs Analysis, adopted by the City in 2018 along with an updated Housing Element. That report analyzed the need for different types of housing based on Phoenix's community profile. Based on the 2018 population projections from Portland State University's Population Research Center, Phoenix can expect 902 new residents by the year 2039. At an average household size of 2.22 people/household, Phoenix will need to develop 417 dwelling units.¹

To meet the identified land needs for residential and employment lands, Phoenix modified its UGB in 2022. The amendment added lands from Urban Reserve Areas PH-3 and PH-5. It also removed roughly 50 acres of Hillside Residential land. Prior to amending the UGB, two scenarios were evaluated in order to determine how best to provide adequate housing for Phoenix's residents over the next 20 years. The following is that analysis.

The first scenario provided a "baseline" or "business as usual" scenario and relied on assumptions that are more consistent with historical residential development patterns in Phoenix which have produced a housing inventory that is 75% single family detached homes. The following table summarizes future deficiencies in Phoenix's inventory of buildable residential lands during the 20-year planning period, from 2019-2039, based on the residential density assumptions used in the 2017 Housing Needs Analysis:

Table 1

Comp Plan Designation	Percentage of residential type	Capacity of Existing Buildable Residential Land	Needed Dwelling Units	Surplus or Deficit of Dwelling Units by Comp Plan Designation	Gross Acres Surplus or Deficit
Low Density Residential	61%	97	255	-135	-28.04
Medium Density Residential	15%	56	63	-7	-0.98
High Density Residential	19%	14	79	-55	-7.68
Residential Hillside	5%	44	21	23	7.71
		167	417	-174	-36.41
Avg density (DU/gross acre)					4.77

¹The 2017 HNA used the previous PSU projection which was significantly higher than the 2018 projection. All calculations for residential land need and sufficiency were updated with the newest projection. Calculations replicated the methods used in the HNA.

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	Density assumptions DU/gross acre	Gross to net factor	DU/net acre
Low Density Residential	4.80	0.25	6
Medium Density Residential	7.20	0.25	9
High Density Residential	18.40	0.25	23
Residential Hillside	3.00	0.25	3.75

Table 1: Phoenix Residential Land Capacity and Housing Sufficiency, Baseline Scenario
Data and analysis by Red Arrow PDR LLC and RVCOG, 2020

The figures in Table 1 were generated based on the housing mix and “needed” average densities described in the Housing Needs Assessment which promoted modest increases to historical average densities and shift in housing type mix. Several important conclusions can be drawn from this approach, some of which are discussed in greater detail in the next subsection which addresses the update to the 2016 Residential Buildable Lands Inventory.

1. The 2016 inventory of buildable residential land was inadequate to meet demand for housing that would typically be found in any of its residential comprehensive plan designations except for Residential Hillside where there was a surplus.
2. The needed average residential densities used in the calculations would not result in development that meets Regional Plan Performance Indicator 5 Committed Residential Density for the period between 2010- 2035 or the period between 2036-2060. As shown in Table 1, the residential density for development across its residential comprehensive plan designations would average 4.77 dwelling units/acre, far below the committed average residential densities proscribed by the Regional Plan.

Table 2

Comp Plan Designation	Percentage of residential type	Capacity of Existing Buildable Residential Land	Needed Dwelling Units	Surplus or Deficit of Dwelling Units by Comp Plan Designation	Gross Acres Surplus or Deficit
Low Density Residential	50%	97	209	-111	-18.53
Medium Density Residential	25%	56	104	-49	-4.87
High Density Residential	25%	14	104	-91	-4.53
Residential Hillside	0%	44		-44	-7.33
		167	417	-250	-35.26

Avg density
(DU/gross acre) 7.20

	Density assumptions DU/gross acre	Gross to net factor	DU/net acre
Low Density Residential	6.00	0.25	7.5
Medium Density Residential	10.00	0.25	12.5
High Density Residential	20.00	0.25	25
Residential Hillside	6.00	0.25	7.5

Table 2: Phoenix Residential Land Capacity and Housing Sufficiency, Preferred Scenario
Data and analysis by Red Arrow PDR LLC and RVCOG, 2020

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The figures in Table 2 were generated based on the housing mix that more closely fits the needs and the resources of Phoenix's changing population as described in the 2017 Housing Needs Assessment. Fifty (50) percent of future residential development is assumed to be lower density (LDR), most likely detached single family homes with some attached single-family homes. The average density for this category was also increased from 4.8 du/gross acre to 6 du/gross acre. More homes would be built in the Medium Density Residential-designated land. According to the "preferred scenario", twenty-five (25) percent of future residential development would consist of single family attached townhomes, small single-family detached homes (e.g. cottages), duplexes, triplexes, and quads. Average density is assumed to be slightly higher than has been observed of existing medium density development in Phoenix (increasing from 7.2 dwelling units/gross acres to 10 dwelling units/gross acre), but consistent with medium density development that has occurred in Phoenix over the last 5 years. The final twenty-five (25) percent of future residential development would occur on High Density Residential-designated land. Again, it is assumed that average density for this category would increase slightly too, moving from 18.4 to 20 dwelling units/gross acre. The increased average densities are consistent with more recent development in Phoenix and are similar to those found in other communities throughout the region. With an average planned density of 7.2 dwelling units/acre, this scenario would meet the Regional Plan performance indicator for committed residential density for the 2015-2035 period, nearly meeting the minimum committed residential density for the following planning period from 2036-2060. For these reasons, which are discussed in greater detail below, this scenario was used to determine the geography of the modified UGB.

Residential Buildable Land Inventory 2020 Update

Phoenix's Residential Buildable Land Inventory was completed in 2016 and incorporated into the Housing Needs Analysis completed by ECONorthwest in 2017. Although the pace of development has been slower in Phoenix than in some other communities in the region, residential construction has continued and less land is now available for residential development than in 2016. The Land Use Element also found a dwindling supply of developable land in most land use categories—residential and employment. Even in 2016, Phoenix lacked any single large tracts of developable residential land that were relatively free of development and environmental constraints. Nearly all of its undeveloped residential land is located east of I-5 and is difficult to develop for a variety of reasons that are discussed below. Other than its inventory of Hillside-Residential designated land, Phoenix's developable residential land consisted primarily of the vacant portions of "Partially Vacant" properties. This in itself is problematic, because although state statute and administrative rules require that cities include the "vacant" portion of partially vacant land in residential buildable land inventories, such properties do not often subdivide and accommodate additional dwellings. For many homeowners with larger residential lots (larger than half an acre) enjoying additional private open space or the opportunity to construct accessory buildings is usually more appealing than acting as a developer to subdivide their property and build another home in what was once their larger than average backyard. Unsurprisingly, the vacant portion of a partially vacant property often remains just that—vacant. Those lands are, nevertheless, accounted for in the original RBLI and its 2020 update.

Planning Department staff at the City of Phoenix began the process of updating the RBLI in 2018.. Further analysis and parcel-by-parcel review of 2016 data revealed several important things:

1. Not including Hillside Residential properties east of I-5, the availability of "Partially Vacant" property for development declined. In fact, 13 of 33 Partially Vacant (Unconstrained) properties were further developed to the point where any vacant portion of the property was insufficient to accommodate further development or have been determined to be "developed" upon closer inspection of site development configuration and constraints. Configuration and constraints in this instance include large accessory buildings, insufficient access, etc. All told, the updated RBLI identified roughly 26 acres of Partially Vacant residential property (the 2016 RBLI identified roughly 28), of which 15 acres were identified as the vacant or "buildable" portion. Roughly 21 acres were "vacant" according to the 2016 RBLI, representing a 29% loss in developable land in this category.

Very few vacant residential properties (that are not the "vacant" portion of a Partially Vacant property) were available for development. In fact, there were only about 6 acres of Vacant Low Density Residential (LDR) designated land available for development, and virtually no High-Density Residential land (0.40

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acres in fact). There were only 6.70 acres of Medium Density Residential land available for development.

2. Excluding Hillside Residential land, only 28.74 acres of developable residential land remained within Phoenix's UGB. This figure included all Vacant and Partially vacant land with a residential comprehensive plan designation. This also accounted for any development constraints like steep slopes or riparian areas that may reduce the amount of development that can occur on these lands or prevent it entirely. Based on "needed" average residential densities used in the Housing Needs Analysis (see pages 49-50), these lands could accommodate 97 dwellings on LDR land; 56 dwellings on MDR land; and only 14 dwellings on HDR land. This left significant deficiencies in each category.

Residential Land Development Efficiency

Demand for residential land can be met through greater land use efficiency within the City's current Urban Growth Boundary and/or through its modification (expansion). Efficiency has been a goal for the City of Phoenix and is mentioned throughout its Comprehensive Plan. The shift from a housing inventory dominated by single family detached housing to one that better balances that housing type with medium and higher density housing types has long been contemplated within the City's long-range planning documents.

With the adoption of its Housing Element, the City of Phoenix committed itself to further pursuing strategies to achieve these objectives and promote more efficient use of developable residential land within its existing Urban Growth Boundary. Most notably, the Phoenix Land Development Code was amended in 2018 to allow the development of any type of residential building in each of its three residential zones. The three zones implement each of the three residential Comprehensive Plan or "Future Land Use" designations. Although the City now allows any residential building type to be constructed within any of its three residential zones, minimum and maximum densities still apply which ensures that the lower density residential R-1 zone will remain relatively lower density at around 4 units/gross acre or 5 units/net acre; the medium density R-2 residential zone will remain relatively medium density at around 10 units/gross acre or 12 units/net acre; and the high density R-3 residential zone will remain relatively high density at 18 units/gross acre or 23 units/net acre. Although these policies may not appreciably increase the City's overall density and the overall number of dwelling units because there are relatively few infill opportunities remaining within the Phoenix UGB and (especially) its current jurisdictional boundary, they will allow for incremental improvements in diversity of housing options available to a broader range of the City's residents.

The adopted Land Use Element also established several policies that further support a wider range of housing options and greater land use efficiency including:

- Policy 5.1. Continue to implement residential land use regulations that allow for different housing types within residential neighborhoods while focusing higher density housing types in closer proximity to existing and future public infrastructure and facilities, public transportation, and activity centers. Apply "transect" planning and similar principles in order to identify areas best suited for lower density and higher density residential development.
- Policy 5.2. Evaluate the costs and benefits of removing certain rural residential lands from the City's Urban Growth Boundary in order to achieve greater land use efficiency, particularly those lands designated as "Hillside Residential" and those located on the south side of Camp Baker Road, that are not likely to develop or redevelop at urban densities and would be relatively costly to the City to serve.
- Policy 5.4. Consider removal of "Hillside Residential" designation from the Comprehensive Plan and Map and revise relevant sections of the Phoenix Land Development Code to better regulate development of residential lands with slope constraints.

The configuration of the UGB depicted by Exhibit A removed approximately 50 acres of Hillside Residential designated land from the City's UGB. This had several benefits including a more efficient land development pattern and supports Land Use Element Policy 5.1 and Housing Element Goals 1, 2, and 3. To accommodate the need for residential land over the 2019-2039 planning period, the UGB expanded into PH-5 and included approximately 51 acres of residential land located east of North Phoenix Road on the south side of Campbell Road. The land in this location was selected as it was shown to be most readily serviceable with water and sewer, and the investments in water and sewer infrastructure at this location will provide the greatest benefit

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to the water and sewer facilities in the area of PH-5 and PH-10. Initially, the City considered adding only 36 acres of residential land near the southeast corner of North Phoenix and Campbell Road, but this UGB orientation would have resulted in inefficient development of needed infrastructure for water, sanitary sewer and transportation. This small addition of acreage provides the opportunity to connect the new north/south collector street on the east side of PH-5 to Campbell Road. This connection helps to facilitate the construction of a well-planned network of streets into PH-5 and it will likely help in providing water and sanitary sewer infrastructure into PH-5. For these reasons, a small amount of additional residential land was added to provide for better efficiency in development.

In total, 44.76 acres of residential land were added from PH-5 (see Table 5 in Conclusions), which is 9.5 acres more than the 35.26 acres that was shown to be needed through the Housing Element (see Table 2 above). However, the number provided by the Housing Element is an estimate and is not intended to represent an exact, to the acre, statement of land need. It is important that the City balance the information from the Housing Element with UGB location requirements, including efficiency of land use and the ability to serve urbanization with necessary public facilities. The removal of approximately 50 acres of Hillside Residential designated land, and the addition of approximately 45 acres of generally unconstrained land for residential development, will result in a net reduction of approximately 5 acres of residential land to accommodate the need for residential development through 2039.

In total, 44.76 acres of residential land, equaling approximately 47% of the Regional Plan allocation of residential land in PH-5 (22% residential according to the Regional Plan, p. 13) was added to the modified UGB. This land was assigned a mix of Low-Density, Medium-Density and High-Density Residential designations, generally consistent with Table 2 above. A Neighborhood or Special Area Plan, consistent with Policy 2.1, was adopted prior to annexation and development.

Based on the adopted Neighborhood or Special Area Plan, this land will eventually receive a mix of R-1, R-2 and R-3 zoning (as defined by the Phoenix Land Development Code), in order to meet the required minimum density of 7.2 DU/gross acre. The ratios of residential land types may change as density is likely to play a role in determining the types of dwellings developed in each zone. Although the list of housing types permitted in each zone is the same and includes standard single-family detached homes, smaller single family detached, single family attached, duplex, triplex, accessory dwelling, and multi-family residential buildings, the minimum and maximum density standards differ between the residential zones.

In the aftermath of the September 8, 2020 Alameda Fire, the City of Phoenix adopted Land Development Code text amendments to permit residential development in the Commercial Highway zone. This was done to help encourage the redevelopment of Commercial Highway properties located both north and south of the City Center District that were impacted by the fire; to provide an immediate supply of vacant land for high-density residential development; and to aide in addressing Comprehensive Plan goals for providing housing across all income levels.

Although these changes will help to intensify uses within the existing Urban Growth Boundary - increasing the efficiency of land uses – as well as help in meeting the immediate need for housing in Phoenix, they are not viewed as changing the need for residential lands outside of the existing UGB. Although this text amendment may provide for some additional high-density housing within the existing urban area, the approximately 5 acres of R-3 residential land identified in Table 2 above was included in the expanded UGB. This was done to provide for high-density residential development within areas added to the UGB. Without this area for high-density housing, this area will struggle to meet regional obligations for both density and mixed- use/walkable neighborhoods.

Need to Accommodate Employment Land Uses

As documented by the Land Use Element, land designated for employment uses by the Comprehensive Plan has been relatively stable since the 1998 update of that element. Approximately 21 acres were lost through conversion to other urban uses (probably “Roads” associated with the Fern Valley Interchange project). Most of the City’s developable employment land is designated “Interchange Business” and located

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around the Exit 24 Interchange. Prior to the 2022 UGB amendment, the City had no developable land remaining for industrial employment development. There was also relatively little developable land remaining in “Commercial” and “City Center” categories: 2.70 acres in the City Center designation and only 11 acres in the Commercial designation. The amount of land in the “Commercial” designation included the vacant remnants of “Partially Vacant” land of developed sites that are unlikely to develop. Only 1.50 acres of Commercial-designated land was Vacant and developable. For the purposes of comparison, this amount of land would accommodate a small office building, freestanding retail commercial building (e.g. a restaurant), or a contractor’s office with shop and storage space.

The City’s Economic Element concludes that even after applying the most ambitious land use efficiency measures, Phoenix would not have enough employment land, neither commercial nor industrial, to meet future “local” demand. More specifically, Phoenix had an approximately 22-acre shortage of industrial designated employment land. It also had an approximately 18-acre shortage of “Public Employment” designated land. It had a surplus of 39 acres of commercial designated employment (again, these lands are mostly located on “Interchange-Business” designated lands).

Across the entire UGB, Phoenix would be short 1.82 acres of employment land, the deficit attributable to the lack of Public Employment and Industrial land. At first glance, it seemed that Phoenix could accommodate the supply deficiencies in its Public Employment and Industrial lands by simply re-designating its Commercial land. That strategy, however, was not feasible due to two factors. First, Industrial land uses tend to require larger sites, and the Economic Element and Employment Buildable Land Inventory (EBLI) finds that:

[...] Phoenix will need 89 employment sites to accommodate the projected 1,106 jobs that Phoenix could capture over the next 20 years. In an ideal world where the land development needs of an employer are met perfectly by available, Phoenix would be able to meet most of that overall needs (sic) within its current UGB. A closer look, however, reveals that even under such ideal circumstances, the current supply of employment land within the City’s UGB is deficient approximately 10 employment sites in the 1-2 acre category. (p. 30)

Second, Phoenix’s supply of available employment land was located around the Fern Valley Interchange and designated “Interchange Business.” Lands within this designation are intended to “provide services and goods for the traveling public [...] such businesses are commonly known as ‘destination’ retail, and include a truck stop and dealership, auto repair/service stations, restaurants, hospitality, storage and distribution facilities, offices, and regional/national retailers. These uses, as a group, generate significant traffic volumes because they draw and depend on customers from a large trade area who will generally drive to reach these destinations” (p. 15). Rather than replace these uses with lower traffic generating industrial uses, and eventually create a development pattern where higher traffic generating retail uses are located further away from the interchange, the existing location of I-B lands was comparatively more efficient. It was, therefore, not recommended that Industrial and Public Employment lands assume the location of lands that are currently designated I-B. This left Phoenix with a 20-year projected deficit of 22 acres of Industrial employment land and 18.44 acres of Public Employment land.

In addition to “local-serving employment land,” that is the land needed to meet the needs for economic development generated by the City of Phoenix itself, the Regional Economic Opportunity Study (REOS) identified a 20-year need for 272 acres of employment land (REOS, p. 42). Demand was based on extrapolation of the 10-year OED Rogue Valley employment forecast which projected nearly 30,000 new jobs over the next 20 years, across Jackson and Josephine Counties.

The REOS analyzed two separate scenarios assessing the prospects for specific industries that have been successful in the local economy and those that are currently underrepresented (p. 39). The preferred scenario was a hybrid of the two. The types of uses contemplated for PH-5 include small to mid-size distribution firms; mid to large advanced manufacturing firms; and traded sector financial, professional, scientific, technical and health service operations (REOS, p. 41). PH-5 could be developed, at least in part, as a multitenant business

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park. Opportunities to locate within such an environment are known to be extremely limited.² Other employment users would locate on larger, individual tracts of land.

This strategy is designed to achieve several important benefits, most notably

- Greatest focus on traded sector employers rather than service sector employers;
- Complementary rather than competitive role with respect to the Central Point (CP-1B) freeway site which is anticipated to be oriented to large scale, land-extensive transportation and distribution uses;
- Also complementary to Medford's MD-5 area (directly adjoining PH-5) which is anticipated to be developed for a greater mix of commercial office and retail as well as institutional uses and possibly phased to follow and build-on initial PH-5 absorption due to closer proximity to the Fern Valley Road interchange with I-5. (p. 41)

In 2022, the City modified the UGB to facilitate achievement of this strategy 217 acres of employment land were added to the City's UGB from PH-5. These are gross acres, that is they include all existing and future right-of-way and other public facilities and infrastructure.³ A 32-acre parcel north of Campbell Road was not included in the modified UGB. That land is owned by a winery that has recently invested significant resources in preparing and planting new vineyards and constructing a processing facility. The owners of the winery never responded to inquiries made by the City regarding potential inclusion of these lands in the UGB, and given the significance of recent and ongoing business investments the City has concluded that the property owners are not interested in such an opportunity. Approximately 37 acres of future employment land, located east of the future north/south collector street, was also not included in the modified UGB at that time. This land is located far from existing public and private utility infrastructure and will require the development of a significant amount of land prior to being developable.

Assuming that 25% of the gross acreage is committed to use for public facilities (mostly roads), roughly 163 "net" acres would be available for development. Some of this land will be lost to environmental constraints that are discovered through the development due diligence process. Soil conditions, existence of wetlands and other environmentally sensitive lands that have not already been identified will result in some additional loss of developable land, but the exact extent of this impact cannot be known or determined at this time. For the purposes of this Urbanization Element, these lands are assumed to be relatively unconstrained to the extent that they are relatively flat and are not traversed by any known natural surface bodies of water with the exception an approximately 3-acre pond in the southeastern corner of PH-5. This pond is identified as "wetland" by the National Wetland Inventory.

The need for 22 acres of local-serving industrial employment land and 18 acres of local-serving public employment land were assumed to be satisfied within the gross acres of employment land in PH-5. Need for local-serving employment land was not, therefore, added to the need for regional-serving employment land.

By adding 217 acres of employment land to the UGB in 2022, the City still had 55 acres of employment land less than the identified need of 272 acres.

Employment Land Development Efficiency

The 2022 UGB amendment originally proposed removing 33 acres of employment land currently inside the UGB. The employment land known as the "Helicopter Pad" cannot be easily developed due to transportation constraints. However, this land was ultimately retained after coordination with Jackson County.

²The lack of locations within business park settings was identified as early as 2007 by the Bear Creek Valley EOA that was completed during Regional Problem Solving. The REOS demonstrates that this has not changed.

³Recent GIS analysis of PH-5 and 10 done during the preparation of the Urbanization Element revealed a discrepancy in the actual size of PH-5 when compared with the Regional Plan (RP). The RP determined that there are 427 total acres in PH-5, when in fact there are roughly 433. Land use allocations in the RP dictate that 66% of the land in PH-5 is to be developed for employment; 22% is reserved for residential development; and the remaining 12% is to be used for Open

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Space (as defined within the Regional Plan). Sixty-six percent (66%) of 433 acres is 285.

Open Space Land Uses

Land use allocations in the Regional Plan dictate that that 66% of the land in PH-5 is to be developed for employment; 22% is reserved for residential development; and the remaining 12% is to be used for Open Space (as defined within the Regional Plan). Approximately 27 acres of open space land were identified on the portions of PH-5 to be included in the revised UGB. This represents approximately 52% of the roughly 52 acres of open space that must eventually be designated across all portions of PH-5. It is anticipated that much of the remaining open space will be provided along the east and northeast boundaries of PH-5 to provide for required buffering between urban uses and agricultural lands.

Transition from Urban Containment Boundary to Urban Growth Boundary

The area immediately north of Phoenix city limits along Highway 99, known as PH-3, is mostly developed with a mix of both residential and employment (commercial and industrial) land uses. This approximately 250-acre area is fully contained between the barriers of the railroad right-of-way on the west, Bear Creek and Interstate 5 on the east, the City of Medford on the north, and Phoenix on the south. This area is part of the Jackson County Urban Containment Boundary and is zoned for a variety of urban-density classifications which mostly reflect current uses and housing densities.

The Regional Plan Element lists the following Goal 14 implications of this area:

- 1) Urbanization in this area is not necessarily optimally efficient.
- 2) This area was largely developed before any planning or zoning at the county level.
- 3) Urban efficiency is challenged by the condition and standards of the existing pattern of urbanization.
- 4) Urban public facilities, while present, do not meet current standards.
- 5) Improvement of Highway 99 is the responsibility of the Oregon Department of Transportation.
- 6) ODOT faces many challenges brining this section of Highway up to modern standards, including the many and diverse property ownerships.
- 7) Improvements to the public water system in the area will involve absorption of the Charlotte Anne Water District into the City of Phoenix.

By adding PH-3 to its UGB in 2022, Phoenix has better controls on the planning for land use and public facilities improvements in this area. During the regional planning process, Jackson County expressed a desire to have PH-3 added to the Phoenix UGB so that these planning considerations, along with eventual jurisdictional control, could transition from Jackson County to the City of Phoenix. PH-3 was annexed into the City after the 2022 UGB amendment, with some of the lands subject to a delayed annexation taking effect in 2027.

As this area is almost entirely developed, with approximately 69% of the land used for residential development and approximately 31% of the land used for employment, the inclusion of this area into the UGB was not expected to help in addressing any of the City's demonstrated land need over the 20-year planning period. Lands will be given the City of Phoenix land use designation that most closely matches the existing Jackson County zoning for the property. Much of this area was impacted by the Almeda Fire and is currently involved in reconstruction and redevelopment. However, the redevelopment of PH-3 is expected to replace those uses lost to the fire and not to provide any substantial additional capacity for future residential or employment uses. Likewise, the redevelopment of this area, whether within the City's UGB or outside of it, is not expected to produce any additional demand on existing facilities, including transportation⁴, drinking

⁴Jackson County requires at least a 20-foot building setback (depending on zone) along the Highway 99 corridor through PH-3 much like the 15-foot setback required by the Oregon 99 Setback Overlay Zone in the Phoenix Land Development Code. The purpose of these setbacks is to reduce the disruption and cost caused by future widening of these segments of Oregon 99. The City of Phoenix shall amend its Land Development Code to add applicable portions

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water, sanitary sewer, or storm drainage, as the future uses will replace the uses lost and the intensity of uses provided for within the existing Jackson County zoning is generally equivalent to the uses that could be developed under similar Phoenix zoning.

Orderly Provision of Public Facilities

The Comprehensive Plan includes a Transportation System Plan that was recently updated in 2016; a Public Facilities Element, adopted in 1998; and a Parks Master Plan, adopted in 2017. These three comprehensive plan components (supplemented by several other long-range infrastructure and land use planning documents) address the provision of urban infrastructure and services essential to land development at urban intensities.

In the context of the Need to Accommodate Residential Land Uses and Need to Accommodate Employment Land Uses sections of this chapter, three types of infrastructure will be most affected by projected population growth and economic development: the transportation system, sanitary sewer and drinking water. Other infrastructure is sufficient to meet the needs of residents and businesses currently and in the future (over the next 20 years).

Public Utilities and Services

Transportation

Phoenix updated its Transportation System Plan in 2016. This document assessed the current condition of the City's transportation network and identified capital improvement and other projects to accommodate projected transportation needs of its residents and businesses. It did not consider the urbanization of rural lands as they are included in an expanded Urban Growth Boundary, but did identify two "tier-two", unfunded projects for PH-5 and 10. That work, which focused specifically on the future urbanization of PH-5 and PH-10, was conducted separately when the City, supported by a Transportation and Growth Management grant, contracted with the Rogue Valley Council of Governments to develop Conceptual Transportation and Land Use plans. Those plans were intended to ensure regional coordination of transportation facilities and to measure the adequacy of existing facilities in meeting the transportation needs of an urbanized PH-5 and 10. North Phoenix Road is the only "higher order" street that directly serves PH-5; Fern Valley Road provides access to PH-10. I-5 Exit 24 and OR-99, which is the primary commercial corridor that currently serves Phoenix, were also addressed by these plans. Five different preliminary land use development and transportation scenarios were analyzed by ODOT's Transportation Analysis Unit (TPAU). Two of the three scenarios were found to impact existing transportation facilities to the extent that they were not considered further (Phoenix URA Screening Level Analysis Technical Memorandum, May 27, 2016). The three remaining scenarios were analyzed in greater detail.

Modeling demonstrated that under existing conditions, the buildout of PH-5 with a projected employment base of approximately 1,800 workers and the addition of approximately 1,000 households would create significant traffic impacts on several facilities. Mitigation was identified for each of these impacts, and most impacts and mitigation strategies were shared by all three scenarios. Technical Memorandum #5 also evaluated the consequences of building out each of the three scenarios if the proposed "South Stage Extension" were not constructed. If SSE were not built, Grove and Fern Valley Road would experience additional congestion, requiring mitigation (mostly construction of additional dedicated righthand turn lanes at intersections). The SSE was not found to significantly impact freeway area traffic. In other words, not building the SSE will not significantly increase congestion within the freeway area (p. 11)

of PH-3 to the Oregon 99 Setback Overlay, retaining the 20-foot building setback for these properties, prior to State acknowledgement of a UGB amendment which includes PH-3.

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Hillside Residential lands that were removed from the UGB with this Urbanization Element update would also require a Goal 14 exception if they were to be developed. Several hundred feet of road would need to be constructed just to reach any future residential development. Residential development in PH-5, by contrast will not require a Goal 14 exception and would be much more efficient by serving more individual residences than could ever be built on the Hillside Residential land.

Sanitary Sewer

Phoenix is served by the Rogue Valley Sanitary Sewer district which provides for the collection of wastewater and transmission of that wastewater to a regional treatment facility. The collection system (which in this document means “collection” pipes, “trunk lines”, and “interceptors”) is considered to be adequate for the amount of effluent generated by existing residences and businesses. While developing the Conceptual Land Use and Transportation plans for PH-5 and 10, representatives from RVSS stated that the collection system has enough capacity to serve urban development in those areas as well.

Existing collection infrastructure is available to the edge of the existing Urban Growth Boundary in the vicinity of Home Depot and the Lazy Boy Showroom furniture store and could be extended in order to service development that occurs in an expanded UGB. Existing collection systems serving development on the east side of I-5 cross the highway, flowing west to the 36-inch RVSS regional interceptor that runs along Bear Creek.

Access and capacity for the Hillside Residential land that was removed from the UGB with this Urbanization Plan update is questionable, but would likely be more expensive given the lack of nearby connections. Long term operations and maintenance would also likely be more expensive.

There are three separate sewer basins located in the areas of PH-5 and PH-10. One sewer basin will drain into the existing sewer connections serving the areas of the Phoenix Hills subdivision and the Petro Stopping Center. This basin includes all of PH-10 and the southeastern corner of PH-5. Connection to this sewer basin will likely require the extension of the sewer main in Pear Tree Lane (at the western terminus of Fern Valley Road), along Fern Valley Road approximately ¼ mile, to connect to the southwest corner of PH-10. From there, the sewer main would need to be extended across Payne Creek to provide sewer service to much of PH-10 and the southeast corner of PH-5. The second sewer basin will drain to the existing sewer infrastructure near Home Depot and Lazy Boy Showroom. This basin covers only the southwest portion of PH-5. The third sewer basin will drain to a new crossing under I-5 and connect to the 36-inch RVSS regional interceptor. This basin includes all of the northern portions of PH-5 (more than 50% of PH-5) and large portions of MD-5 in Medford. Development of sewer connections in this sewer basin will require coordination with RVSS, the City of Medford, the City of Phoenix, and property owners in both Phoenix and Medford, but this coordinated effort will help to facilitate development on hundreds of acres of land in both Phoenix and Medford.

Drinking Water

The 1998 Comprehensive Plan Public Facilities Element assessed Phoenix’s water system under 2008 demand projections. It summarized improvements that had been made to the system while identifying need for others. Many of the recommended improvement projects, including the Medford Water Commission Water intertie project, have been completed. The City also completed upgrades to its SCADA system in 2016, improving its ability to efficiently manage its existing storage facilities.

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The City completed a “Water Master Plan Update” in 2019. This study evaluated conditions in 2025, 2040, and 2070. Future growth areas (Urban Reserves Areas) were included in the analysis. Based on these assumptions, the study provides a number of recommendations to address identified system deficiencies. Development in northeast Phoenix (PH-5 and 10) and/or inclusion of PH-3 in its UGB and, eventually, its political jurisdiction would enable the City to eliminate one of its two pump stations (Experiment Road) and associated legacy transmission line, thus eliminating significant ongoing operations and maintenance expenses (ES-3). The City has sufficient storage capacity, but should construct a new 3.0MG reservoir to meet future demand conditions by 2040. Ideally, this reservoir would be located in PH-5, but there are other options. The new reservoir would simplify operations and reduce operations and maintenance expenses associated with the Shop Reservoirs and Experiment Station Road supply system (ES-4, 5).

The City is also in the process of adopting a TAP Water Master Plan. That plan identifies the need to provide additional water to Phoenix through the TAP water system. The plan recommends connecting to the Medford Water Commission water system in the southeast corner of Medford and extending a water line along North Phoenix Road to connect to the existing TAP system along Hwy 99 in Phoenix. This line would be helpful in three ways: 1) It would provide water the areas of PH-5 and PH-10; 2) it would provide additional water to Phoenix as it would augment the TAP water line currently in place; and 3) it would provide redundancy in the TAP system. If something were to happen to the exiting TAP line along Hwy 99, this new TAP line in North Phoenix Road could still provide water to Phoenix, Talent and Ashland.

Providing water to the Hillside Residential land removed by the 2022 UGB amendment would have been difficult and expensive given the location and size of the current east side reservoir and the topography that any new supply lines would cross. Long term operations and maintenance would likely be more expensive when compared with residential development in PH-5.

Stormwater

The City of Phoenix owns and operates its own stormwater management system. In older parts of the City, the collection and conveyance system consisted of open roadside ditches and former irrigation channels. Over time, the City has constructed new collection and conveyance facilities, usually as it constructs and reconstructs roads. Phoenix now manages stormwater under a joint Municipal Separate Storm Sewer System (MS4) that is administered by RVSS. Water quality treatment features (bioswales, detention/retention basins, etc.) are typically installed during development and located onsite. In some cases, however, stormwater treatment facilities are regional in nature, serving an entire residential subdivision, for example. All of these facilities are required to meet the standards and specifications of the Rogue Valley Stormwater Design Manual, which strongly encourages the use of Low Impact Development stormwater management measures. This approach, which seeks to minimize disruption to the natural hydrological cycle, can reduce stormwater runoff and improve water quality. Stormwater collection, conveyance, and storage facilities are always constructed with the development that these improvements serve.

Private Utilities

Electric

Phoenix is served by Pacific Power and Light. Service is adequate for the needs of development within the City's current UGB and PH-3 and could accommodate the full buildout of PH-5.

Natural Gas

Avista provides natural gas to Phoenix and other communities in the Rogue Valley. A large transmission line connecting the Rogue Valley with the supplies in eastern Oregon runs in close proximity to the eastern boundary of PH-5 but does not encroach into it. Avista has been upgrading service lines to individual properties throughout the City and area of PH-3 over the past several years. Natural gas is available in sufficient quantities to serve development in PH-5.

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Efficient Use of Land within the Existing Urban Growth Boundary

Land use efficiency can be measured in several different ways. Most obviously, it can be measured in the density or intensity of the use on a given area of land. In this sense, development that concentrates more economic activity and provides more services and amenities on each and every square foot of land is more efficient. Land use efficiency might also be measured in terms of economic efficiency; efficient land use is that which generates the most benefits at the least cost. Both of these concepts are considered here.

As mentioned above, the City of Phoenix has taken actions over the past several years to improve land use efficiency with its UGB. These measures are described above in “Need to Accommodate Residential Uses”. Following a steady trend toward greater residential density that has been observed over the past several decades, the City has amended its Land Development Code to allow for greater range of housing types within its residential zones.

The modified UGB will also shift residential development in Phoenix from a pattern that has favored single family detached homes to the exclusion of other housing types. According to the 2017 Housing Needs Analysis, “only about 1% [of Phoenix’s housing stock] is single-family attached (e.g., townhouses). In comparison, these housing types account of 22% of Jackson County’s housing stock, and 34% of Medford’s” (p. 11). The HNA concludes, “One of City’s key challenges in future housing development will be to encourage multifamily development, as a way to provide a wider range of housing options” (p. 11). As demonstrated by Table 2, residential development in PH-5 would be 50% Lower Density Residential (which will include some single family attached housing), 25% Medium Density Residential (townhouses, duplexes, triplexes, cottage clusters, and quadplexes), and 25% High Density Residential (quadplexes and higher number unit multifamily buildings). Density in each of these comprehensive plan designations will also need to move a little higher in order to meet Regional Plan Committed Residential Density targets.

As discussed throughout this document, the proposed UGB removes certain employment and residential lands from its UGB in order to develop more efficiently. Specifically, approximately 50 acres of Hillside Residential is removed from the UGB, replaced by a little more than 7 acres of land in PH-5 (Table 2). The same number of dwellings will be constructed on much less land, preserving more land for agricultural uses, and ensuring that the City is responsible for maintaining no more infrastructure than is necessary to support development. In these ways, removing the Hillside Residential lands from the City’s UGB was more efficient than that offered by the UGB’s current configuration.

Environmental, Social, Energy, and Economic (ESEE) Considerations

The Environmental, Social, Energy, and Economic considerations for the potential urbanization of PH-5 was addressed through Regional Problem Solving and the Regional Plan. The impacts of adding PH-3 to the UGB were also reviewed but were found to be negligible given the fact that PH-3 has been previously urbanized outside of an incorporated city. The process and its findings are documented in Appendix 2 of the Regional Plan. The subject lands are a part of Area PH-A and, along with PH-B and PH-C, comprised a broad study area of 3,720 acres of which 1,872 acres passed a “course filtering” process and were included “for further study” (p. Regional Plan Element, p. 32). The conclusions reached through further consideration of ESEE Consequences for PH-5 are summarized in the following:

1. Selection of lands within a quarter mile of the City’s existing UGB and lands within ½ mile of North Phoenix Road is “expected be positive as this land is well situated to service regional economic development needs [...] Such economic development would also have beneficial impacts on general fund revenues that would accrue to the City of Phoenix” (p. 33). These conclusions are further supported by the Regional Economic Opportunity Study that determined that PH-5 presents a singular economic development opportunity along the I-5 corridor, from at least Redding, California to Eugene, Oregon.

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Considering various factors including interstate transportation access, site size and development characteristics and conditions, that study found that there simply is no alternative for the development of large site employment development within this geography and probably beyond.

The Regional Plan also contemplates a transportation network within PH-5 and 10 “which includes an urban transportation corridor which, through PH-10, will ultimately connect Fern Valley Road to North Phoenix Road as an alternative connection to southeast Phoenix from Medford that is separate and distinct from North Phoenix Road” (p. 12). This network could better improve trip distribution that might otherwise focus impacts on highway interchanges and the segment of I-5 between Phoenix and Medford.

2. Positive social consequences “will also result from employment land generating needed fund revenues” (p. 33). Additionally, the Conceptual Land Use and Transportation plans propose a development pattern of mixed use, walkable neighborhoods. All three scenarios locate housing in close proximity to employment, recreation, and urban service destinations, thus promoting opportunities for active transportation and a full-service community. According to the Regional Plan, “efficient arrangements of urban land residential and employment opportunities support community vitality over time [...] This area has a great opportunity to integrate proximal residential and employment opportunities which will enable people to walk and bicycle from home to work” (p. 12).
3. “The comparative environmental consequences of Urban Reserves in this area are not expected to be appreciably different than other potential areas” (p. 33). More efficient transportation systems and networks and the efficient arrangement of urban land uses is expected “to be positive, primarily from an air quality perspective” (p. 12).

Environmentally sensitive lands in PH-5 includes wetlands identified in the National Wetland Inventory.. It is possible, and even likely, that wetlands will be discovered as more thorough investigation is conducted through future development processes. The City will, as it has in the past, work closely with the Department of State Lands and the Department of Environmental Quality to ensure that development complies with state and federal wetland regulations. One wetland identified in the NWI that is located at the southeastern corner of PH-5 will be included in the modified UGB. The wetland, which is 3.32 acres including a 25-foot buffer.

4. Due to its location and immediate access to the regional transportation network, the development of PH-5 for employment “can be expected to have comparative energy benefits over other potential urban reserve areas” (p. 33). Efficient urbanization and development patterns “can translate into positive energy consequences through job-housing balance and alternative transportation opportunities over time” (pp. 12-13). The Economic Element, one of the long-range planning documents upon which the Urbanization Element is built, advocates for “employment/population parity” (p. 104).

2025 Minor UGB Amendment

The 2022 UGB amendment only included 217 acres of employment land within the City’s UGB. The City’s total employment land need of 272 acres is recognized and identified in the City’s Regional Economic Opportunity Study, Economic Element, and Urbanization Element.

The Urbanization Element above sets forth the City’s reasoning for not including all 272 acres in the 2022 UGB. Namely, some land in PH-5 was not recommended for inclusion in the UGB because it was either under cultivation as a winery or distant enough from infrastructure to not warrant inclusion at time of the 2022 UGB amendment.

The identified employment land need of 272 acres included an assumption that the “Helicopter Pad ” would be removed as part of the 2022 UGB amendment. The “Helicopter Pad” totaled 33 acres and it was not removed as part of the 2022 UGB amendment after coordination with Jackson County. The City included 55 acres less employment land in the 2022 UGB amendment than the identified need. This leaves 55 acres of unmet net additional employment land need. After reconciling for the “Helicopter Pad” lands remaining in the UGB as potential supply, 22 acres of net additional employment land need remain unmet after the 2022

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UGB amendment.

In 2025, a quasi-judicial minor UGB amendment was initiated to include an additional ~25 gross acres to accommodate this need and provide the remainder of necessary employment lands. The lands are located in the PH-1a urban reserve and located off of Voorhies Road. The amendment application included all necessary components under Oregon state law and administrative rules, including the necessary study area and boundary location analysis under Division 24. The City coordinated with the RVMPO to adopt a Conceptual Land Use and Transportation Plan and finalized the amendment in XXX, of XXXX.

Conceptual Land Use and Transportation Plans

Regional Plan Performance Indicators 7 and 8 require that prior to expansion of an Urban Growth Boundary into an Urban Reserve Area, a city must first prepare “Conceptual Land and Transportation Plans” (p. 16). Pursuant to this requirement, the City of Phoenix prepared such plans with the assistance of RVMPO and ODOT’s Transportation Planning Unit (TPAU) under a Transportation and Growth Management grant. The Conceptual Land Use and Transportation Plans for PH-5 and 10 presented and analyzed three individual scenarios, each slightly different in configuration. They were adopted by Phoenix City Council resolution on February 21, 2017 (Exhibit B). The modified UGB presented with this updated Urbanization Element is substantially consistent with these plans, with minor changes based on infrastructure development, which are discussed below. The plans considered development impacts on “regionally significant transportation corridors” (Regional Plan Element, p. 16). The plans were prepared in collaboration with “the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County and other affected agencies” (p. 16). Documentation of this is provided in a letter from the RVMPO Policy Advisory Committee dated January 24, 2017 and addressed to then City Manager, Jamie McLeod-Skinner.

The City adopted a revised conceptual plan for PH-5, through Resolution No. 1068 (Exhibit D), which places residential land near the corner of North Phoenix Road and Campbell Road to make it more readily available for development as water and sanitary sewer facilities are extended. Also, the North Phoenix Concept Plan shows a number of commercial zoning designations. Per the Regional Plan, all employment portions of PH-5 must be designated as industrial. A new industrial zone must be created for the PH-5 employment areas and the requirements/allowances of this new industrial zone are contained in the revised Land Use Element. The network of higher-order streets has been revised slightly between the North Phoenix Concept Plan and the revised conceptual plan for PH-5 based on topography and future development plans, but these minor changes should have no effect on the functioning of the transportation system in the vicinity.

The City also adopted a Conceptual Transportation and Land Use Plan for the URA known as PH-3 through Resolution No 1069 (Exhibit E). Unlike all other URAs added through the Regional Problem Solving (RPS) process, PH-3 is comprised entirely of exception lands within an urban containment boundary. The conceptual plans were intended to act as a long-range planning tool to identify and preserve major transportation corridors and to determine future amounts of respective land use categories. However, since PH-3 was previously urbanized, the major transportation routes (Hwy 99 and the Bear Creek Greenway Trail) and urban land use designations have already been identified, developed and assigned. This being the case, the adopted conceptual plan merely reflects the existing patterns for both transportation and land use.

Subsequent to the 2022 UGB amendment, the City received an application for the addition of ~25 acres of employment lands in PH-1a. The Conceptual Plan followed the same process as the Conceptual Plans for PH-3 and PH-5, including coordination with RVMPO. The coordination process with RVMPO resulted adjustments to the Conceptual Transportation Plan for the Urban Reserve Areas. The City adopted a Conceptual Transportation and

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Land Use Plan for PH-1a and connected PH-1 through Resolution No. 1148 (Exhibit F).

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Goals and Policies

Goal 1

Maintain adequate land within the City's Urban Growth Boundary to provide for needed urban development as determined by other Comprehensive Plan Elements, particularly the Regional Plan, Housing, Economic, and Parks and Recreation Elements, and in compliance with Statewide Planning Goals.

Policy 1.1

In order to meet residential, employment, and other urban land development needs in the most efficient manner possible, certain lands have been removed from the City's UGB. These include approximately 50 acres of Hillside Residential land.

Goal 2

Ensure efficient urban development patterns that comply with Regional Plan performance indicators.

Policy 2.1

Neighborhood or Special Area Plans shall be submitted to and approved by the City using a Type IV Land Use decision process, and adopted into the City's Comprehensive Plan as a separate Element, prior to or simultaneously with a request to annex any lands included in the City's UGB that have been designated as Urban Reserve Areas (URA) by the Regional Plan. At minimum, these plans shall demonstrate the following:

1. Consistency with the arrangement of proposed land uses and urban infrastructure (e.g. transportation network) depicted by applicable Conceptual Land Use and Transportation plans that have been adopted for that particular URA;
2. Compliance with applicable Regional Plan performance indicators, especially indicators 3-10.
3. Safeguards against parcelization and land uses which are inconsistent with the purpose of PH-5 as a regional employment center.
4. Conformance with all other applicable goals and policies of the City's Comprehensive Plan.

Policy 2.2

The City shall develop land use regulations that ensure the availability of tracts of land within PH-5 suitable for development by larger, traded-sector employers consistent with the findings and conclusions of the Economic Element, the Local Economic Opportunity Analysis, and the Regional Economic Opportunity Analysis.

In particular, these regulations shall be consistent with the parcelization depicted in Policy 6.1 of the Land Use Element, based on Table 4-3 of the Economic Element. Amendments of its Land Development Code necessary to effectively implement this policy shall be adopted by the City prior annexation of any lands in PH-5.

Policy 2.3

Upon annexation, lands in PH-5 with an employment comprehensive land use plan designation, such as "Industrial", shall receive the new zoning designation outlined in the Restricted Land Uses in PH-5 portion of the Land Use Element, consistent with Regional Plan Performance Indicator 9.

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Policy 2.4

All proposed amendments to the Comprehensive Plan or Land Development Code that would have the effect of altering the commitment of employment lands in PH-5 for the purpose of creating the South Valley Employment Area as described by the Regional Plan and the City's Regional Economic Opportunity Study shall require amendment of the Regional Plan in accordance with Section 11, Corrective Measures and Plan Adjustments, Regional Plan Amendments.

Policy 2.5

The City shall review its Land Development Code to identify barriers to compliance with Regional Plan Residential Committed Densities and consistency with the projected densities and dwelling units as described in Table 2: Phoenix Residential Land Capacity and Housing Sufficiency, Preferred Scenario. The City shall adopt any necessary amendments of its Land Development Code prior to annexation of any residential designated lands in PH-5.

Goal 3

Provide urban infrastructure sufficient to meet the needs for future development of the next 20 years.

Policy 3.1

The City shall update the Comprehensive Plan Public Facilities Element in order to incorporate the findings and recommendations of its recently completed Water System Master Plan.

Policy 3.2

The City shall investigate funding mechanisms for capital improvements and ongoing operations and maintenance of public facilities and infrastructure required for planned development within its UGB, especially infrastructure supporting development of PH-5.

Goal 4

Implement economic development strategies to support buildout of employment lands in PH-5 according the City's long-range plans, including the Regional Economic Opportunity Study.

Policy 4.1

The City shall collaborate with regional partners, particularly SOREDI, to actively market PH-5 development opportunities to large footprint, traded-sector employers in target industries identified by the REOS and other regional economic development studies such as the One Rogue Regional Economic Development Strategy.

Policy 4.2

The City shall explore the feasibility and benefits of developing portions of PH-5 through public-private-partnerships with property owners. Community support and participation may consist of less direct means, such as development incentives, or more direct means, such as construction of infrastructure.

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Conclusions

Based on underlying long-range planning documents, including but not limited to its Housing Element, Economic Element, Regional Plan Element and Parks and Recreation Master Plan, the City of Phoenix Urban Growth Boundary was modified in order to meet the needs of its residents and employers for urban land. The amended Comprehensive Land Use Map, included in this Urbanization Element as Appendix A, depicts the City's Urban Growth Boundary modified to meet these needs following the adoption of a UGB amendment in 2022.

The changes adopted in 2022 to the UGB are depicted by the map in Appendix A and are summarized in the following:

1. The modified UGB included lands from PH-3 and PH-5 Urban Reserve Areas.
2. 50.05 acres of Hillside Residential-designated land in the southeast corner of its current UGB are removed from the modified UGB and their estimated residential holding capacity is transferred to new UGB areas in PH-5. Parcels removed from the UGB are identified in the following table:

Jackson Co. Map Taxlot #	Total Acres (Jackson Co. Assessor)
381W10 1800	22.31
381W10 1801	20.72
381W15A 1400	1.45
381W15A 1500	5.18
381W15A 1300	0.39

50.05 acres

Table 3: Hillside Residential Lands to be Removed from Phoenix UGB

3. ~33 acres of employment land, commonly known as the "Helicopter Pad", were originally proposed for removal, but ultimately remained in the UGB after coordination with Jackson County. These lands, which are identified below, totaled approximately 33 acres, not all of which are buildable.

Jackson Co. Map Taxlot #	Total Acres (Jackson Co. Assessor)
381W09CA3000	9.04
381W09C200	11.83
381W09B4901	5.01
381W09B4900	5.52
381W09C300	1.61

Table 4: General Industrial Lands Originally Slated to be Removed, but Ultimately Remained Within Phoenix UGB

4. The following amounts of urban land are included in the modified UGB to meet demonstrated demand for residential and employment development and open space:

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Table 5: Land Included in Modified UGB by General Land Use Category

Jackson Co. Map Taxlot #	URA	Residential Total Acres	Employment Total Acres	Open Space Total Acres	Total Acres Included in Modified UGB
381W10100	PH-5	0	38.97	2.62	41.59
381W10101	PH-5	0	6.80	.21	7.01
381W031600	PH-5	44.76	95.35	17.79	157.90
381W04500	PH-5	0	36.59	6.30	42.89
381W04502	PH-5	0	9.03	0	9.03
381W09A103	PH-5	0	4.55	0	4.55
381W09A100	PH-5	0	3.07	0	3.07
381W10103	PH-5	0	2.64	0	2.64
381W09A105	PH-5	0	1.00	0	1.00
381W09A101	PH-5	0	9.20	0	9.20
		44.76	207.2	26.92	278.88

5. The following lands from URA PH-3 are added in order to transition this area of urban development from an Urban Containment Boundary to the City's UGB:

Jackson Co. Map Taxlot #	URA	Residential Total Acres	Employment Total Acres	Total Acres Included in Modified UGB
381W09B1700	PH-3		4.74	4.74
381W09B1800	PH-3		4.37	4.37
381W04C1100	PH-3		3.89	3.89
381W09B5200	PH-3		3.37	3.37
381W09B2700	PH-3		3.03	3.03
381W04C900	PH-3		3.00	3.00
381W09B3600	PH-3		2.40	2.40
381W09A1400	PH-3		2.37	2.37
381W09A1600	PH-3		2.14	2.14
381W05D3200	PH-3		2.00	2.00
381W05D3300	PH-3		2.00	2.00
381W09A1500	PH-3		1.95	1.95
381W09A1300	PH-3		1.86	1.86
381W04C1000	PH-3		1.85	1.85
381W09A1200	PH-3		1.81	1.81
381W05D3000	PH-3		1.76	1.76
381W09A1100	PH-3		1.76	1.76
381W04C700	PH-3		1.39	1.39
381W04C800	PH-3		1.31	1.31
381W04C1300	PH-3		1.26	1.26
381W05D2800	PH-3		1.07	1.07

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381W09B2800	PH-3		1.05	1.05
381W05D2600	PH-3		1.01	1.01
381W09B4200	PH-3		0.99	0.99
381W09B3000	PH-3		0.98	0.98
381W09B1500	PH-3		0.94	0.94
381W09B3100	PH-3		0.93	0.93
381W09B800	PH-3		0.89	0.89
381W04C600	PH-3		0.86	0.86
381W09B900	PH-3		0.86	0.86
381W09B3800	PH-3		0.80	0.80
381W09B3400	PH-3		0.79	0.79
381W05D2900	PH-3		0.76	0.76
381W09B4100	PH-3		0.66	0.66
381W09B1400	PH-3		0.61	0.61
381W09B3900	PH-3		0.61	0.61
381W09B3300	PH-3		0.52	0.52
381W04C499	PH-3		0.41	0.41
381W09B1402	PH-3		0.40	0.40
381W09B1900	PH-3		0.37	0.37
381W04C1200	PH-3		0.36	0.36
381W09B2100	PH-3		0.34	0.34
381W09B2500	PH-3		0.34	0.34
381W05D2500	PH-3		0.33	0.33
381W09B4000	PH-3		0.32	0.32
381W04C1400	PH-3		0.29	0.29
381W05D2700	PH-3		0.29	0.29
381W09B3500	PH-3		0.27	0.27
381W09B4500	PH-3		0.19	0.19
381W09B2801	PH-3		0.15	0.15
381W09B5301	PH-3		1.72	1.72
381W09B5300	PH-3		1.61	1.61
381W09B3700	PH-3		2.63	2.63
381W09B3200	PH-3		2.23	2.23
381W09B3202	PH-3		1.10	1.10
381W09B3201	PH-3		0.98	0.98
381W04C500	PH-3	0.08		0.08
381W04603	PH-3	32.31		32.31
381W04C400	PH-3	18.42		18.42
381W09A805	PH-3	14.12		14.12
381W09A1000	PH-3	11.61		11.61
381W09B1600	PH-3	10.56		10.56
381W09B1401	PH-3	6.72		6.72

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381W09B1501	PH-3	6.25		6.25
381W09A804	PH-3	5.21		5.21
381W09B201	PH-3	4.80		4.80
381W09B200	PH-3	4.13		4.13
381W04601	PH-3	3.97		3.97
381W09A810	PH-3	3.11		3.11
381W04C300	PH-3	2.49		2.49
381W09A806	PH-3	0.80		0.80
381W09A803	PH-3	0.74		0.74
381W09B2000	PH-3	0.69		0.69
381W09A701	PH-3	0.60		0.60
381W09B100	PH-3	0.59		0.59
381W09B2400	PH-3	0.25		0.25
381W09B2300	PH-3	0.20		0.20
381W09B2402	PH-3	0.17		0.17
381W09A809	PH-3	0.14		0.14
381W09B2401	PH-3	0.13		0.13
381W09B2200	PH-3	0.11		0.11
381W09B2403	PH-3	0.11		0.11
381W09B2201	PH-3	0.10		0.10
381W09B2203	PH-3	0.09		0.09
381W09A401	PH-3	0.05		0.05
381W05D3500	PH-3	8.13		8.13
381W05D3100	PH-3	1.94		1.94
381W05D3400	PH-3	1.66		1.66
381W09AB300	PH-3	6.71		6.71
381W09B600	PH-3	5.53		5.53
381W09AB200	PH-3	4.28		4.28
381W09BA100	PH-3	1.55		1.55
381W09BA200	PH-3	1.26		1.26
381W09B300	PH-3	0.84		0.84
381W09BA2000	PH-3	0.39		0.39
381W09BA400	PH-3	0.36		0.36
381W09A1890	PH-3	0.35		0.35
381W09AB3300	PH-3	0.29		0.29
381W09AB1800	PH-3	0.28		0.28
381W09BA1900	PH-3	0.25		0.25
381W09BA90000	PH-3	0.25		0.25
381W09BA50000	PH-3	0.24		0.24
381W09BA70000	PH-3	0.24		0.24
381W09BA80000	PH-3	0.23		0.23
381W09BA300	PH-3	0.21		0.21

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381W09BA1800	PH-3	0.21		0.21
381W09AB1900	PH-3	0.19		0.19
381W09AB3312	PH-3	0.17		0.17
381W09AB3313	PH-3	0.17		0.17
381W09BA700	PH-3	0.17		0.17
381W09BA701	PH-3	0.17		0.17
381W09AB400	PH-3	0.16		0.16
381W09AB500	PH-3	0.16		0.16
381W09AB600	PH-3	0.16		0.16
381W09AB700	PH-3	0.16		0.16
381W09AB800	PH-3	0.16		0.16
381W09AB2800	PH-3	0.16		0.16
381W09AB2900	PH-3	0.16		0.16
381W09AB3000	PH-3	0.16		0.16
381W09AB3100	PH-3	0.16		0.16
381W09AB3200	PH-3	0.16		0.16
381W09AB3301	PH-3	0.16		0.16
381W09AB3314	PH-3	0.16		0.16
381W09AB3325	PH-3	0.16		0.16
381W09BA1600	PH-3	0.16		0.16
381W09AB900	PH-3	0.15		0.15
381W09AB1000	PH-3	0.15		0.15
381W09AB1100	PH-3	0.15		0.15
381W09AB1200	PH-3	0.15		0.15
381W09AB2400	PH-3	0.15		0.15
381W09AB2500	PH-3	0.15		0.15
381W09AB2600	PH-3	0.15		0.15
381W09AB2700	PH-3	0.15		0.15
381W09AB3302	PH-3	0.15		0.15
381W09AB3303	PH-3	0.15		0.15
381W09AB3304	PH-3	0.15		0.15
381W09AB3305	PH-3	0.15		0.15
381W09AB3306	PH-3	0.15		0.15
381W09AB3307	PH-3	0.15		0.15
381W09AB3311	PH-3	0.15		0.15
381W09AB3315	PH-3	0.15		0.15
381W09AB1300	PH-3	0.14		0.14
381W09AB1400	PH-3	0.14		0.14
381W09AB1500	PH-3	0.14		0.14
381W09AB1600	PH-3	0.14		0.14
381W09AB2000	PH-3	0.14		0.14
381W09AB2100	PH-3	0.14		0.14

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381W09AB2200	PH-3	0.14		0.14
381W09AB2300	PH-3	0.14		0.14
381W09AB3308	PH-3	0.14		0.14
381W09AB3309	PH-3	0.14		0.14
381W09AB3310	PH-3	0.14		0.14
381W09AB3316	PH-3	0.14		0.14
381W09AB3317	PH-3	0.14		0.14
381W09AB3318	PH-3	0.14		0.14
381W09AB3319	PH-3	0.14		0.14
381W09AB3320	PH-3	0.14		0.14
381W09AB3321	PH-3	0.14		0.14
381W09AB3322	PH-3	0.14		0.14
381W09AB3323	PH-3	0.14		0.14
381W09AB3324	PH-3	0.14		0.14
381W09BA60000	PH-3	0.14		0.14
381W09BA50003	PH-3	0.02		0.02
381W09BA50005	PH-3	0.02		0.02
381W09BA50007	PH-3	0.02		0.02
381W09BA50001	PH-3	0.02		0.02
381W09BA60001	PH-3	0.02		0.02
381W09BA60002	PH-3	0.02		0.02
381W09BA70001	PH-3	0.01		0.01
381W09BA70005	PH-3	0.01		0.01
381W09BA70008	PH-3	0.01		0.01
381W09BA70003	PH-3	0.01		0.01
381W09BA70007	PH-3	0.01		0.01
381W09BA70006	PH-3	0.01		0.01
381W09BA70004	PH-3	0.01		0.01
381W09BA70002	PH-3	0.01		0.01
381W09BA80007	PH-3	0.01		0.01
381W09BA80003	PH-3	0.01		0.01
381W09BA80005	PH-3	0.01		0.01
381W09BA80006	PH-3	0.01		0.01
381W09BA80002	PH-3	0.01		0.01
381W09BA80001	PH-3	0.01		0.01
381W09BA80004	PH-3	0.01		0.01
381W09BA80008	PH-3	0.01		0.01
381W09BA90007	PH-3	0.01		0.01
381W09BA90004	PH-3	0.01		0.01
381W09BA90001	PH-3	0.01		0.01
381W09BA90005	PH-3	0.01		0.01
381W09BA90002	PH-3	0.01		0.01

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381W09AB1700	PH-3	0.01		0.01
381W09BA90006	PH-3	0.01		0.01
381W09BA90008	PH-3	0.01		0.01
381W09BA90003	PH-3	0.01		0.01
381W09BA50002	PH-3	0.00		0.00
381W09BA50004	PH-3	0.00		0.00
381W09BA50006	PH-3	0.00		0.00
381W09BA50008	PH-3	0.00		0.00
		172.60	76.92	249.52

6. The 2022 UGB amendment included 55 acres less of employment land than were identified as the combined regional and local need. After reconciling for the “Helicopter Pad” lands remaining in the UGB as potential supply, 22 acres of net additional employment land need remain unmet after the amendment. Therefore, a UGB amendment was initiated in 2025 to include an additional ~25 acres of gross land to the UGB to meet the remaining unmet need for employment land.

Following public hearings before the City in which certain lands were determined to best meet the identified need through a boundary location analysis, the following lands and adjacent rights of way from PH-1a were added:

Jackson Co. Map Taxlot #	URA	Residential Total Acres	Employment Total Acres	Total Acres Included in Modified UGB
381W05D1300	PH-1a		20.35	20.35
381W05D1400	PH-1a		5.00	5.00

Exhibits

CITY OF PHOENIX URBANIZATION ELEMENT

Exhibit A: City of Phoenix Urban Growth Boundary, Adopted 2022

Exhibit B: PH-5 and PH-10 Conceptual Land Use and Transportation Plans

Exhibit C: RVMPO Comments on Future Growth of Areas PH-5 and PH-10

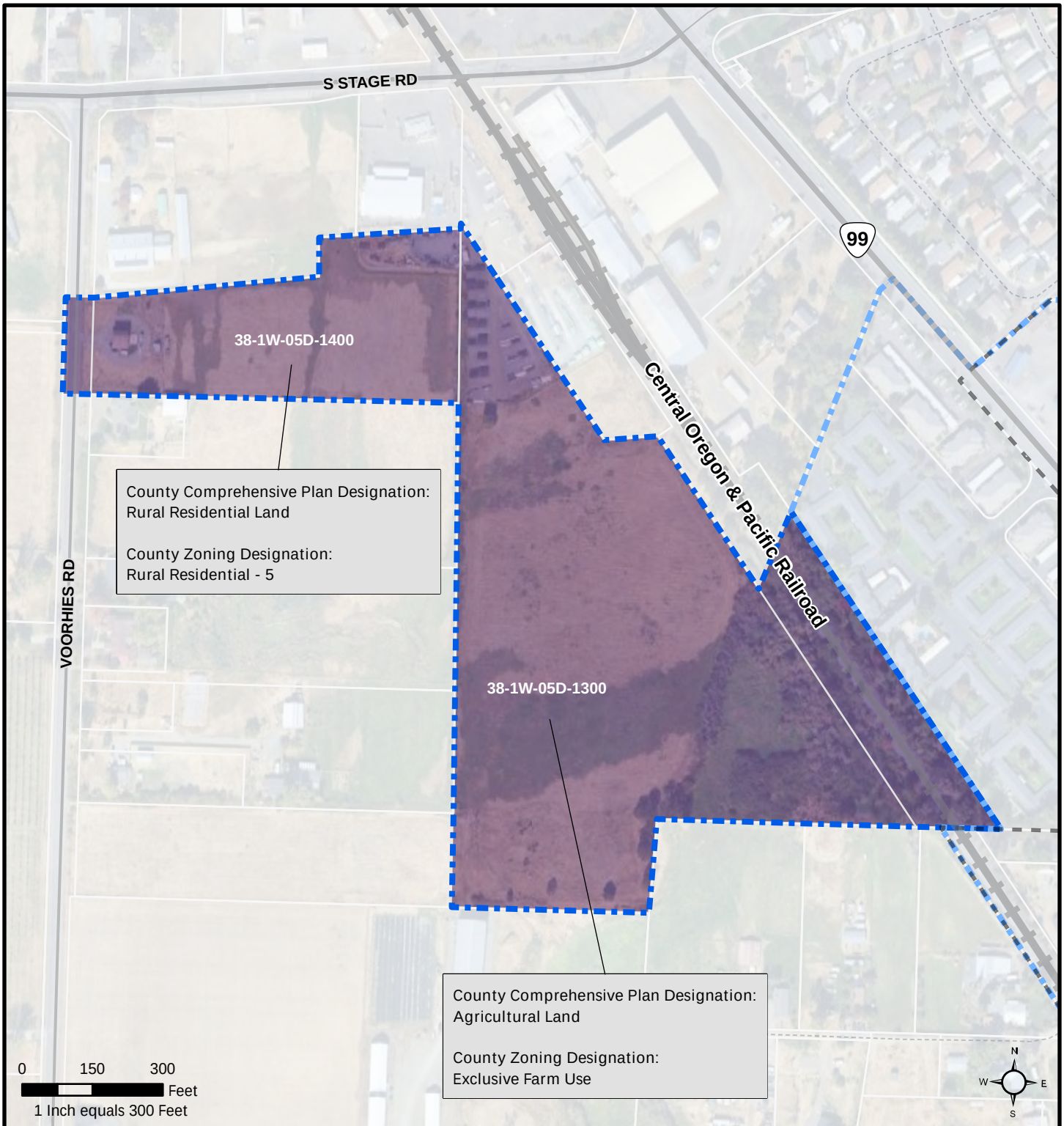
Exhibit D: Revised Conceptual Land Use and Transportation Plan for PH-5

Exhibit E: Conceptual Land Use and Transportation Plan for PH-3

Exhibit F: Conceptual Land Use and Transportation Plan for PH-1a and PH-1

CITY OF PHOENIX URBANIZATION ELEMENT

EXHIBIT “D”



Community & Economic Development
Urban Growth Boundary Amendment, File # CP25-01
Approximately 24.5 acres



Urban Growth Boundary, Existing



City Limit



Urban Growth Boundary, Amendment



Comprehensive Plan Map: Industrial

The datasets shown on this map are for planning purposes only. The City of Phoenix is not responsible for errors or omissions. Every effort has been made to insure the accuracy of this map. However, there may be inaccuracies due to human or mechanical error or changes in the Land Use District map created by recent land use actions or legislative changes. To verify the zoning designation of a parcel or to report errors, please contact the Planning Department at (541) 535-2050. This product is provided as is, without warranty. In no event is the City of Phoenix liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

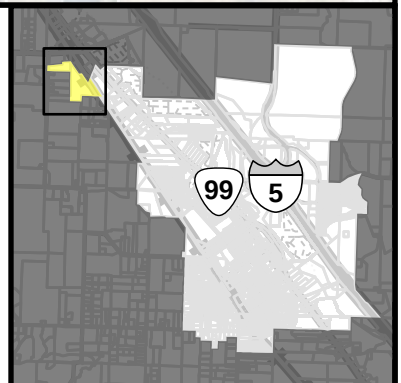


EXHIBIT “E”



**BEFORE THE PHOENIX PLANNING COMMISSION
STATE OF OREGON, CITY OF PHOENIX**

**IN THE MATTER OF A COMPREHENSIVE PLAN)
AMENDMENT TO ADD 24.5 ACRES TO THE CITY OF)
PHOENIX URBAN GROWTH BOUNDARY (UGB),)
LOCATED WITHIN URBAN RESERVE AREA PH-1A,) **RECOMMENDATION**
AND AMENDMENTS TO THE URBANIZATION ELEMENT OF) **FOR APPROVAL**
THE COMPREHENSIVE PLAN TO ACCOUNT FOR THE)
CHANGES TO THE UGB APPROVED IN 2022 AND THE)
CURRENT APPLICATION. PLANNING FILE NO. CP25-01)**

RECITALS:

1. Pursuant to Chapter 197 and 227 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, City of Phoenix's Comprehensive Plan (PCP) and Land Development Code (LDC) have been acknowledged by the Oregon Land Conservation and Development Commission (LCDRC).
2. On October March 12, 2025 an application for a quasi-judicial minor map amendment was submitted by CSA Planning, Ltd (Agent) on behalf of South Stage LLC (Applicant). The application was deemed complete for the purposes of City review on August 1, 2025.

PROCEEDURAL FINDINGS:

1. A notice of the proposed amendment was provided to DLCD on August 22, 2025, 52 days prior to the first evidentiary hearing with the City of Phoenix Planning Commission. A notice was sent to affected property owners and agencies on September 15, 2025. A notice was published on Wednesday September 17, 2025 in the Rogue Valley Times that a first evidentiary hearing was scheduled before the Phoenix Planning Commission on Monday October 13, 2025 at 6:30 p.m. at the Phoenix Civic Center, 220 North Main Street, Phoenix, Oregon.
2. A public hearing was held on October 13, 2025 before the Phoenix Planning Commission at the Phoenix Civic Center, 220 North Main Street, Phoenix, Oregon and via a web conference. At this hearing, the Planning Commission deliberated to the decision reflected in this recommendation.
3. Now, therefore,
The City of Phoenix Planning Commission finds, concludes, and RECOMMENDS as follows:

SECTION 1. FINDINGS OF FACT:

Based upon the evidence and arguments presented, the Planning Commission makes the following findings of fact with respect to the application:

- 1.1 The Planning Commission finds that the proper legal notice was sent to affected agencies and property owners on September 15, 2025. Legal notice was published in the Wednesday September 17, 2022 edition of the Rogue Valley Times.
- 1.2 The Planning Commission finds that a Staff Report was prepared for the initial public hearing.
- 1.3 The Planning Commission finds that a public hearing was held to consider the evidence on these matters on October 13, 2025.

SECTION 2. LEGAL FINDINGS:

- 1.1 To recommend approval of the comprehensive plan amendment, the Planning Commission must find that the amendment is in conformance with Chapter 4.7 of the LDC as well as any applicable Oregon Revised Statutes, Oregon Administrative Rules and policies within the PCP.
- 1.2 The Planning Commission adopts the findings in the Staff Report including all exhibits as a basis for this recommendation. These findings demonstrate that the application is in compliance with applicable approval criteria.
- 1.3 The deliberations held on October 13, 2025 resulted in a motion to recommend approval of the application.

SECTION 3. CONCLUSIONS:

Based on the evidence and arguments included in the record, the Planning Commission concludes that the proposed amendment to the City of Phoenix Comprehensive Plan is justified and in compliance with the applicable provisions of the City of Phoenix Land Development Code.

SECTION 4. RECOMMENDATION:

The City of Phoenix Planning Commission hereby recommends that the City Council approve file CP25-01.

This recommendation for APPROVAL adopted this 13th day of October 2025, at Phoenix, Oregon.

Terry Helfrich
Acting Planning Commission Chair

Date

ATTEST

Zac Moody
Community Development Director

Date