

## Chapter 2.9 – Trip Budget Overlay Zone

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### Amendments

2.9 – Ord. No. XXX

#### **2.9.1 – Purpose**

The Purpose of the Trip Budget Overlay Zone is to foster development in the vicinity of the Fern Valley Interchange in a way that maintains uncongested traffic conditions that meet State of Oregon mobility performance standards applicable to the interchange, North Phoenix Road, Fern Valley Road, and OR99. This Chapter implements the Fern Valley Interchange Area Management Plan trip budget measures which apply to the Trip Budget Overlay Zone of the Land Use District map.

#### **2.9.2 – Definitions**

A. The following definitions apply to this section:

1. **Net Developable Area.** The total land area of a parcel minus the area of: existing development;; irrigation canals including a 10-foot wide buffer from the top of the canal; land with slopes of 35 percent or greater; land within the banks of Bear Creek including a 50-foot wide buffer from the top of the bank and land for streets and roads as approved pursuant to this Code.
2. **PM peak-hour trips.** Motor Vehicle trips to or from a parcel between 4 PM and 5 PM on weekdays exclusive of pass-by and diverted link trips.
3. **Parcel Budget.** The number of PM peak-hour trips listed for a parcel in the parcel budget ledger as adopted by resolution of the City Council.

#### **2.9.3 – Limitation on Motor Vehicle Trip Generation**

A. Development constructed in the Trip Budget Overlay Zone of the Land Use District Map must comply with the requirements of this Chapter, as well as requirements of other chapters of this Land Development Code except subsection 2.4.3.E, Traffic, of Chapter 2.4, Commercial Highway.

All development on each parcel in the Trip Budget Overlay Zone may generate PM peak-hour trips up to the amount allocated in the Parcel Budget Table plus any Trip Bank allocation approved pursuant to Section 2.9.5, provided that the total trips generated does not exceed the maximum number of trips for the Trip Budget Overlay Zone as identified in Section 2.9.7.

#### **2.9.4 – Traffic Impact Study**

All new development and applications for land use approvals within the Trip Budget Overlay Zone must include a traffic impact study that Oregon Department of Transportation has reviewed and approved.

#### **2.9.5 – Approval of Trip Generation Above Parcel Budget Numbers**

A parcel with insufficient allocated trips to accommodate proposed development may access PM peak-hour trips from the Trip Bank through the following process:

- A. Through a Site Design Review or Conditional Use Permit, the City may authorize development on a parcel to generate up to ten more PM peak-hour trips per net developable acre than in the Parcel Budget for the parcel only if:
  1. The number of additional PM peak-hour trips is no more than the remaining balance of Trip Bank PM peak-hour trips at the time of issuance of the Site Design Review Approval, as recorded in the Trip Budget Ledger maintained pursuant to Section 2.9.7 of this Chapter; and
  2. The Community Development Director deducts the additional PM peak-hour trips from the remaining balance of Trip Bank PM peak-hour trips in the Trip Budget Ledger maintained pursuant to Section 2.9.7 of this Chapter.
- B. The applicant shall submit a Traffic Impact Study prepared in accordance with Section 2.9.4, demonstrating:
  1. The parcel's allocated Parcel Budget trips and the number of trips the proposed development would generate;
  2. The shortfall between allocated trips and proposed trip generation;
  3. That the proposed development meets all other requirements of the Land Development Code;
- C. The City shall evaluate the request for Trip Bank allocation through a Site Design Review issued pursuant to Chapter 4.2, Development Review and Site Design Review;
- D. If the requested number of trips is available in the Trip Bank ledger, and the development otherwise meets City standards, the City shall issue approval with conditions requiring:
  1. A covenant limiting future development on the parcel to the allocated trips (Parcel Budget plus Trip Bank allocation) recorded in Jackson County land title records; and
  2. Confirmation in the Trip Budget Ledger of the deduction from Trip Bank balance;
- E. The total number of trips that may be authorized in the Trip Budget Overlay Zone shall not exceed the maximum established in Section 2.9.7, regardless of Trip Bank allocations.

#### **2.9.6 – Additional Uses for Which a Conditional Use Permit is Required**

In addition to the uses identified in Table 2.4.2 of Chapter 2.4 as conditionally permitted uses in the Commercial Highway District, the following uses shall require a conditional use permit in the Trip Budget Overlay Zone: Retail sales and service less than 30,000 square feet of gross leasable area; high-turnover sit-down restaurants; fast-food restaurants without drive-up, drive-in, or drive-through facilities; gyms; and daycare centers.

### 2.9.7 – Approval of Increase in Primary PM Peak-Hour Motor Vehicle Trips

- A. The maximum number of new PM peak-hour motor vehicle trips that may be generated in the Trip Budget Overlay Zone is 2,219 trips. This maximum may only be increased through a Legislative Amendment to this Chapter in coordination with the Oregon Department of Transportation, as provided below.
- B. The City may increase the maximum PM peak-hour motor vehicle trips above 2,219 only if the capacity of the OR99/North Phoenix Road intersection is increased, or if other improvements in the roadway system divert traffic away from the intersection. Any proposed increase shall be reviewed by the City as a Legislative Amendment to Chapter 2.9 of the Phoenix Land Development Code. The Oregon Department of Transportation must concur with the number of PM peak-hour motor vehicle trips proposed to be added and their disposition.

### 2.9.8 - Trip Bank

- A. Opening Balance. Upon enactment of this Chapter, the number of PM peak-hour trips in the Trip Bank is 294.
- B. Deductions from the Trip Bank. The City shall deduct from the Trip Bank balance PM peak-hour trips the City awards to a parcel pursuant to Section 2.9.8 of this Chapter.
- C. Additions to the Trip Bank
  - 1. The City may add PM peak-hour trips to the Trip Bank only by the number of trips that:
    - a. The total number of trips in the column labeled “trip generation from future development” in the Trip Budget Ledger declines because of reductions in calculated net developable land.
    - b. The addition of lanes to the intersection of OR 99 and North Phoenix Road over and above the lanes shown in Figure 2.9.1 adds to the capacity of the intersection.
    - c. Are diverted away from the intersection of OR 99 and North Phoenix Road by other improvements in the roadway system that have been constructed and are in operation.
  - 2. The number of PM peak-hour trips the City adds to the Trip Bank under subsections 1.b and 1.c of this Section may be no more than the number the ODOT approves in writing.

### 2.9.9 – Recordkeeping, Monitoring, and Evaluation

The Community Development Department shall maintain a Trip Budget Ledger in which following records are maintained:

- A. The number of new PM peak-hour motor vehicle trips in the Trip Budget Overlay Zone at the time of ordinance adoption, i.e. 2,219 trips.
- B. The total number of PM peak-hour motor vehicle trips in the overlay at the time of ordinance adoption, i.e. 2,959 trips.
- C. For each tax lot in the Trip Budget Overlay at the time of ordinance adoption, or added to the Trip Budget Overlay Zone by partition, subdivision, or expansion:
  - 1. The map and tax lot number from the records of the Jackson County Department of Assessment and Taxation;
  - 2. The number of trips in the tax lot’s parcel budget as shown in the Parcel Budget Table
  - 3. The number of PM peak-hour trips authorized to be generated by the City of Phoenix development approval; and
  - 4. The balance of unused PM peak-hour trips within the tax lot’s parcel budget.

- D. The number of trips added to the amount of allowable growth in PM peak-hour trips through the OR 99/North Phoenix Road intersection because of the addition of capacity to the intersection, or from the addition of other improvements in the roadway system that divert traffic away from the intersection as described in Section 2.9.7.
- E. The Trip Budget Ledger is a public document and shall be available for public review at the Community Development Department.

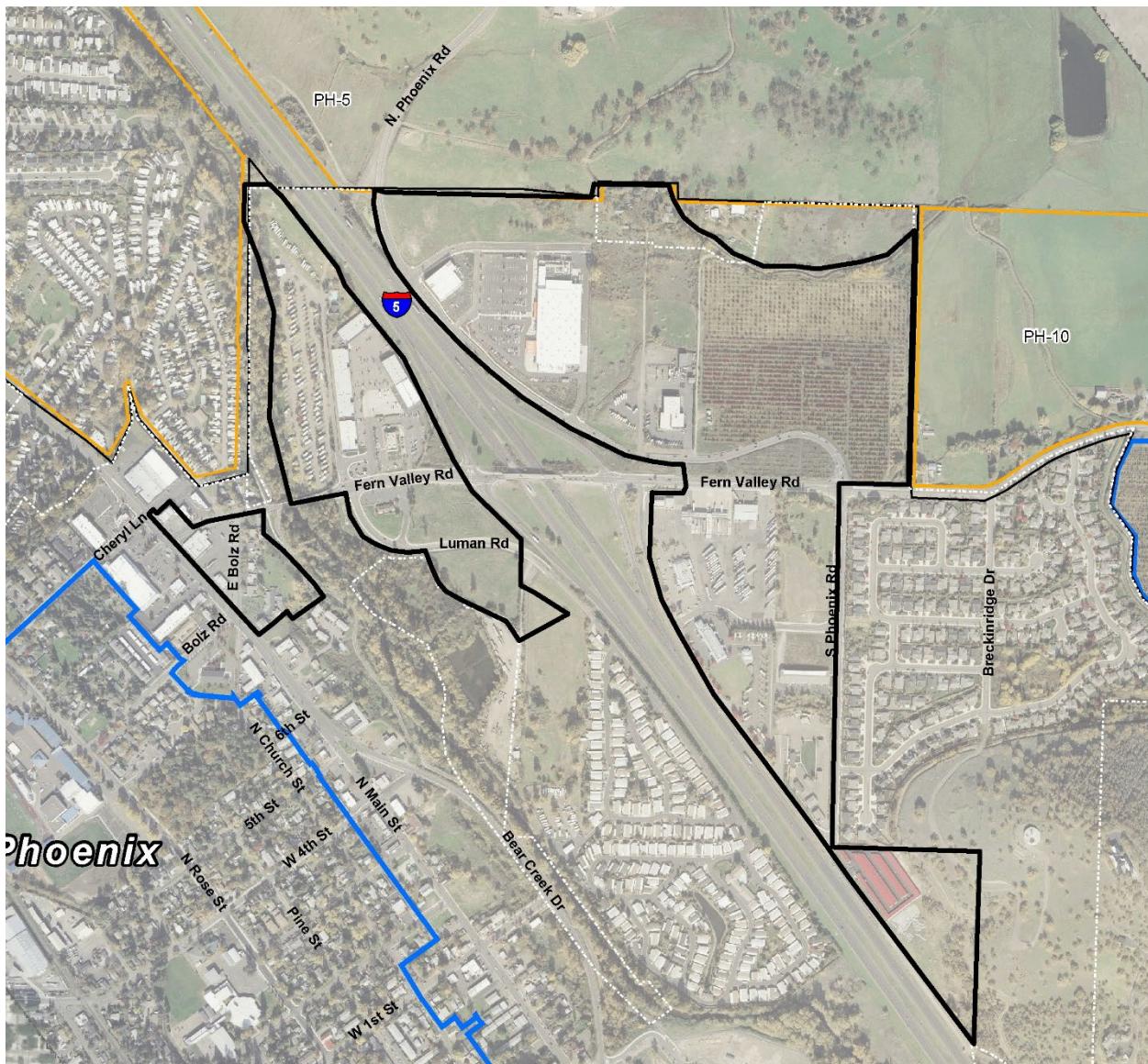


Figure 1: Trip Budget Overlay