

CITY OF PHOENIX

URBAN RENEWAL PLAN

**Phoenix Urban Renewal Agency
June, 2005**

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ACKNOWLEDGEMENTS

This urban renewal plan was prepared with funding assistance from a grant by the Department of Land Conservation and Development. The Mayor and City Council appointed a Citizen Advisory Committee to oversee the preparation of the plan, and provide a forum for citizen involvement in all phases of preparation of the plan. The Advisory Committee gave generously of their time and provided excellent direction on all key issues involved in preparing the plan. Members of the Citizen Advisory Committee are:

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100. INTRODUCTION

The Phoenix urban renewal plan follows from two earlier studies done for the City of Phoenix. The first was a 1997 City Center Plan. The 1997 Center City Plan focused on the redevelopment of an area bounded roughly by Main, Bear Creek, Sixth, and Oak as a new “Town Center” for Phoenix. The 1997 study provided design visions for mixed use developments in center city Phoenix, but did not include recommendations on implementation. To further the 1997 effort, Phoenix undertook a market and implementation study in 2001. That study provided information on the market potential for development in the center city area of Phoenix, recommendations on capital improvements needed to promote the development vision for center city, and suggested long and short-range financing strategies. The financing strategy included a brief renewal feasibility study. This renewal plan and report incorporates and builds upon key components of the 1997 and 2001 studies.

The Phoenix Urban Renewal Plan consists of Part One - Text and Part Two - Exhibits. The Phoenix City Council acts as the Urban Renewal Agency of the City of Phoenix, Oregon. This Plan has been prepared pursuant to Oregon Revised Statute (ORS) Chapter 457, the Oregon Constitution, and all applicable laws and ordinances of the State of Oregon and City of Phoenix respectively. All such applicable laws and ordinances are made a part of this Plan, whether expressly referred to in the text or not.

This Urban Renewal Plan for the Phoenix Urban Renewal Area was approved by the City Council of the City of Phoenix on ___ by Ordinance No. ___.

200. CITIZEN PARTICIPATION

This renewal plan was developed in a series of six public meetings. The meetings were conducted by a citizens urban renewal advisory committee, appointed by the mayor and City Council. Meeting topics included basic information on urban renewal and tax increment financing, development of project goals and objectives, development of a list of project activities, and a thorough review of the revenues, costs, and tax impacts of carrying out the project.

The Phoenix Planning Commission met to review the Plan on August___ 2005. The Phoenix City Council scheduled a public hearing on adoption of this Plan on August _____, 2005. Additional notice on City Council adoption of the Plan was provided, as required by ORS 457.120.

This plan includes land currently outside the corporate limits of Phoenix. As required by ORS 457.105, this plan was approved by the Jackson County Commission, by resolution dated August _____, 2005

300. BOUNDARY DESCRIPTION

The boundary of the renewal area is shown in Exhibit 1, attached to this plan. A legal description of the project boundary is included as Attachment "A" of this plan. If inconsistencies exist between Exhibit 1 and Attachment A, Attachment A governs.

400. RELATIONSHIP TO LOCAL OBJECTIVES

The purpose of this Renewal Plan is to eliminate blighting influences found in the Renewal Area, to implement goals and objectives of the City of Phoenix Comprehensive Plan, and to assist in meeting the City's economic development objectives through redevelopment of key sites, property rehabilitation, improving infrastructure in the renewal area, and assisting with the construction of needed public facilities.

The Urban Renewal Advisory Committee developed the following list of goals for the urban renewal plan.

1. Encourage private development.
2. Maintain, remodel, and construct public parks and open spaces.
3. Make transportation improvements.
4. Improve and repair utilities
5. Implement the City Center plan.
6. Support redevelopment of Bicentennial Park.
7. Rehabilitate existing buildings.
8. Make a gateway to the city.
9. Implement streetscape plan.
10. Assist public facilities including City Hall and City Center.

500. PROPOSED LAND USES

A. Land Use Plan

The use and development of land in the Renewal Area shall be in accordance with the regulations prescribed in the Phoenix Comprehensive Plan, Zoning Ordinance, Sign Ordinance, Subdivision Ordinance, City Charter, or any other applicable local, county, state or federal laws regulating the use of property in the Urban Renewal Area.

B. Plan and Design Review

The Urban Renewal Agency shall be notified of any Comprehensive Plan/Zoning amendment application, building permit, conditional use or other development permits requested within the Area. Redevelopers, as defined in this Plan, shall comply with the Redevelopers Obligations, Section 800 of this Plan.

600. OUTLINE OF DEVELOPMENT

The Urban Renewal Project consists of activities and actions which treat the causes of blight and deterioration in the Phoenix Urban Renewal Area. Project activities further are intended to implement the design and vision of the City Center Plan. Project activities include:

- Providing infrastructure upgrades to service new development in the project area.
- Constructing a new street to service a mixed use development between Main and Bear Creek Drive
- Providing incentives to new building investments in the project area.
- Providing incentives for the repair and rehabilitation of deficient structures in the project area.
- Contributing to funding a new public building in the renewal area
- Installing traffic signals to improve safety and pedestrian access in downtown Phoenix.

Section 700 provides further description of each urban renewal project to be undertaken within the Urban Renewal Area.

700. DESCRIPTION OF PROJECTS TO BE UNDERTAKEN

In order to achieve the objectives of this Plan, the following activities will be undertaken on behalf of the City by the Urban Renewal Agency in accordance with applicable federal, state, county, and city laws, policies, and procedures. The Renewal Agency may fund these activities in full, in part, or seek other sources of funding for them.

701 PUBLIC IMPROVEMENTS

Public improvements include the construction, repair, or replacement of sidewalks, streets, parking, parks and open spaces, pedestrian amenities, water, sanitary sewer and storm water facilities and other public facilities necessary to carry out the goals and objectives of this plan.

701A Public Parks and Open Spaces

The Renewal Agency may participate in funding the design, acquisition, construction or rehabilitation of public spaces, or parks or public facilities within the urban renewal area. Projects to be undertaken include:

- Bicentennial Park Conversion
- Bear Creek Drive Underpass Trail

701B Street, Curb, and Sidewalk Improvements

Improvements within the renewal area will require the construction of new street, curb, and sidewalks within the project area. The Renewal Agency may participate in funding sidewalk and roadway improvements including design, redesign, construction, resurfacing, repair and acquisition of right-of way for curbs, streets, and sidewalks, and pedestrian and bicycle paths. Projects to be undertaken include:

- Improvements to street, curb and sidewalk on Main Street
- Construct a new street between Bear Creek Drive and Main, 1st and 3rd to serve civic center mixed use development.

701C Public Utilities

The development proposed for the renewal area will require the replacement and construction of water, storm and sanitary sewer facilities, environmental. These improvements include

- New sewer lines 1st to 3rd Street
- New sewer line Bear Creek Drive to 1st St.
- New water line 1st to 3rd Street
- New water Line, Bear Creek Drive to 1st St.
- Storm water detention and treatment facility
- Storm water system upgrades & replacements identified in Phoenix Capital Improvements Program

701D Streetscape Projects

This activity will enable the Renewal Agency to participate in activities improving the visual appearance of the project area.. These improvements may include decorative paving and lighting, street trees and planters, street furnishings and street signs. Areas designated for streetscape improvements include

- Main Street
- S. Bear Creek Drive
- 1st Street
- 4th Street

701E Pedestrian and Bicycle Improvements

These activities will improve pedestrian and bicycle safety and connections in the renewal area. These improvements include:

- Pedestrian crossings on Main Street at 1st and at 4th
- Pedestrian crossing on Bear Creek Drive at 1st and at 4th
- Traffic signals on Main Street at 1st, at 4th
- Traffic signals on Bear Creek Drive at 1st, at 4th

701F Other Public Facilities

To further redevelopment of the area, and renewal project objectives, the Agency may participate in development of public facilities. The extent of the Agency's participation in funding such facilities will be based upon an Agency finding on the benefit of that project to the renewal area, and the importance of the project in carrying out Plan objectives. Potential public facilities to be funded include:

- Relocation of City Hall

702 PRESERVATION AND REHABILITATION

This activity will enable the Renewal Agency to help improve the condition and appearance of buildings in the project area, and encouraging infill and reuse in the project area. The Renewal Agency may participate, through loans, grants, or both, in maintaining and improving exterior and interior conditions of properties within the renewal area.

703 DEVELOPMENT AND REDEVELOPMENT

The Renewal Agency also is authorized to provide loans, or other forms of financial assistance to property owners wishing to develop or redevelop land or buildings within the renewal area, or to persons desiring to acquire or lease buildings or land from the Agency. The Agency may make this assistance available as it deems necessary to achieve the objectives of this Plan.

704 PROPERTY ACQUISITION AND DISPOSITION

In order to carry out the objectives of this Plan, the Renewal Agency is authorized to acquire land or buildings for public and private development purposes. The procedures for acquiring and disposing of property are described in Sections 800 and 900 of this Plan.

705 BELOW MARKET INTEREST RATE LOANS AND INCENTIVES

The Agency, with funds available to it, may promulgate rules, guidelines and eligibility requirements for the purpose of establishing below-market or market rate loan programs, or other financial incentives to advance the goals and objectives of the Phoenix Urban Renewal Plan. Loans or incentives provided by the Agency may be used for voluntary rehabilitation of buildings, façade improvements, provision of amenities on private property in compliance with adopted design guidelines and standards, construction of new buildings, pre-development assistance, connecting to Agency-provided underground electrical and communication systems, or other activities approved by the Agency.

706 PLAN ADMINISTRATION

Tax increment funds may be utilized to pay indebtedness associated with preparation of the urban renewal plan, to carry out design plans, miscellaneous land use and public facility studies, engineering, market, and other technical studies as may be needed during the course of the urban renewal plan. Project funds also may be used to pay for personnel and other administrative costs incurred in management of the renewal plan.

800. PROPERTY ACQUISITION PROCEDURES

The Renewal Agency is authorized to acquire property within the renewal area. Property acquisition, including limited interest acquisition, is hereby made a part of this Plan and may be used to achieve the objectives of this Plan. All acquisition of property will require an amendment to the plan as set forth in Section 1100 of this Plan.

A. Acquisition requiring City Council approval.

Acquisitions described in Section 800A1, and A2 of this plan will require an amendment to this Plan as set forth in Section 1100B 2 of this Plan. The City Council shall ratify the amendment to this Plan by resolution. City Council ratification is required for Renewal Agency acquisitions for the following purposes:

1. Acquisition of land for development by the public or private sector.
2. Acquisition for any purpose that requires the use of the Agency's powers of eminent domain.

B. Acquisition not requiring City Council approval.

Land acquisition not requiring City Council ratification requires a minor amendment to this Plan as set forth in Section 1100 C2 of this Plan. The minor amendment to the Renewal Plan may be adopted by the Renewal Agency by Resolution. The Agency may acquire land without Council ratification where the following conditions exist:

1. Where it is determined that the property is needed to provide public improvements and facilities as follows:
 - a. Right-of-way acquisition for streets, alleys or pedestrian ways;
 - b. Right of way and easement acquisition for water, sewer, and other utilities
 - c. Public parks, open space or parking uses.
2. Where the owner of real property within the boundaries of the area wishes to convey title of such property by any means, including by gift.

C. Properties to be acquired

At the time this plan is prepared, no properties are identified for acquisition. If plan amendments to acquire property are approved, a map exhibit shall be prepared showing the properties to be acquired and the property will be added to the list of properties to be acquired. The list of properties acquired will be shown in this section of the Plan. The map

exhibit shall be appropriately numbered and shall be included in Part Two as an official part of this Urban Renewal Plan.

900. REDEVELOPER'S OBLIGATIONS

Redevelopers within the Urban Renewal Area will be subject to controls and obligations imposed by the provisions of this Plan. Redevelopers also will be obligated by the following requirements:

1. The Redeveloper shall develop or redevelop property in accordance with the land-use provisions and other requirements specified in this Plan.
2. The Renewal Agency may require the redeveloper to execute a development agreement acceptable to the Renewal Agency as a condition of any form of assistance by the Renewal Agency. The Redeveloper shall accept all conditions and agreements as may be required by the Renewal Agency.
3. The Redeveloper shall submit all plans and specifications for construction of improvements on the land to the Renewal Agency or its designated agent, for review and approval prior to distribution to reviewing bodies as required by the City.
4. The Redeveloper shall commence and complete the development of such property for the use provided in this Plan within a reasonable period of time as determined by the Agency.
5. The Redeveloper shall not affect any instrument whereby the sale, lease, or occupancy of the real property, or any part thereof, is restricted upon the basis of age, race, color, religion, sex, marital status, or national origin.

1000. RELOCATION

The Agency will provide relocation assistance to all persons or businesses displaced by project activities. Those displaced will be given assistance in finding replacement facilities. All persons or businesses which may be displaced will be contacted to determine such relocation needs. They will be provided information on available space and will be given assistance in moving. All relocation activities will be undertaken and payments made, in accordance with the requirements of ORS 281.045-281.105 and any other applicable laws or regulations.

Relocation payments will be made as provided in ORS 281.060. Payments made to persons displaced from dwellings will assure that they will have available to them decent, safe, and sanitary dwellings at costs or rents within their financial reach. Payment for moving expense will be made to residences and businesses displaced. The Phoenix Renewal Agency may contract with Oregon Dept. Of Transportation (ODOT), or other appropriate agencies or parties for assistance in administering its relocation program.

1100. PLAN AMENDMENTS

It is anticipated that this Renewal Plan will be reviewed periodically during the execution of the Project. The plan may be changed, modified, or amended as future conditions

warrant. Types of Plan amendments are:

A. Substantial Amendments

Substantial Amendments are solely amendments:

- Adding land to the urban renewal area that is in excess of one percent of the existing area of the Plan.
- Increasing the maximum amount of indebtedness that can be issued or incurred under the Plan.

Substantial Amendments shall require the same notice, hearing and approval procedure required of the original Plan, including public involvement, consultation with taxing districts, presentation to the Planning Commission and adoption by the City Council by non-emergency ordinance after a hearing notice of which is provided to individual households within the City of Phoenix

B. Amendments requiring Council approval

1. The addition of improvements or activities which represent a substantial change in the purpose and objectives of this Plan, and which cost more than \$500,000. The \$500,000 amount will be adjusted annually from the year 2005 according to the "Engineering News Record" construction cost index for the Northwest area.
2. Acquisition of property for purposes specified in Section 800A1 and 800A2 of this plan.

The City Council may approve these amendments by resolution.

C. Minor Amendments.

Minor amendments may be approved by the Renewal Agency in resolution form. Such amendments are defined as:

1. Amendments to clarify language, add graphic exhibits, make minor modifications in the scope or location of improvements authorized by this Plan, or other such modifications which do not change the basic planning or engineering principles of the Plan.
2. Acquisition of property for purposes specified in Section 800B of this plan.
3. Addition of a project substantially different from those identified in Sections 700 of the Plan or substantial modification of a project identified in Section 700 if the addition or modification of the project costs less than \$500,000 in 2005 dollars.
4. Increases in the urban renewal area boundary that are less than one percent of the existing area of the Plan.

1200. MAXIMUM INDEBTEDNESS

The maximum indebtedness authorized under this plan is fourteen million, six hundred thousand dollars (\$14,600,000). This amount is the principal of indebtedness, and does not include interest or indebtedness incurred to refund existing indebtedness.

1300. FINANCING METHODS

A. General

The Urban Renewal Agency may borrow money and accept advances, loans, grants and other forms of financial assistance from the federal government, the state, city, county or other public body, or from any sources, public or private for the purposes of undertaking and carrying out this Plan. In addition, the Agency may borrow money from, or lend money to a public agency in conjunction with a joint undertaking of a project authorized by this Plan. If such funds are loaned, the Agency may promulgate rules and procedures for the methods and conditions of payment of such loans. The funds obtained by the Agency shall be used to pay or repay any costs, expenses, advances and indebtedness incurred in planning or undertaking project activities or in otherwise exercising any of the powers granted by ORS Chapter 457.

B. Tax Increment Financing

This urban renewal plan will be financed in whole, or in part, by tax increment revenues. The ad valorem taxes levied by all taxing districts in which all or a portion of the Phoenix Urban Renewal Plan is located shall be divided as provided in section 1c, Article IX of the Oregon Constitution and ORS 457.420 to 457.460.

C. Prior Indebtedness

Any indebtedness permitted by law and incurred by the Urban Renewal Agency or the City in connection with preplanning for this Urban Renewal Plan shall be repaid from tax increment proceeds generated pursuant to this section.

1400. DEFINITIONS

The following definitions will govern the construction of this Plan unless the context otherwise requires:

"Area" means the area included within the boundaries of the Phoenix Urban Renewal District.

"Bonded Indebtedness" means any formally executed written agreement representing a promise by a unit of government to pay to another a specified sum of money, at a specified date or dates at least one year in the future.

"City" means the City of Phoenix, Oregon.

"City Council" means the City Council of the City of Phoenix, Oregon.

"Comprehensive Plan" means the City's Comprehensive Land Use Plan and its implementing Ordinances, policies and development standards.

"County" means the County of Jackson, State of Oregon.

"Displaced" person or business means any person or business who is required to relocate as a result of action by the Urban Renewal Agency to vacate a property for public use or purpose.

"Disposition and Development Agreement" means an agreement between the Urban Renewal Agency and a private developer which sets forth the terms and conditions under which will govern the disposition of land to a private developer.

"Exhibit" means an attachment, either narrative or map, to the Urban Renewal Plan for the Phoenix Urban Renewal Area, Part Two - Exhibits.

"ORS" means Oregon Revised Statute (State Law) and specifically Chapter 457 thereof.

"Plan" means the Urban Renewal Plan for the Phoenix Urban Renewal Area, Parts One and Two.

"Planning Commission" means the Planning Commission of the City of Phoenix, Oregon.

"Project, Activity or Project Activity" means any undertaking or activity within the Renewal Area, such as a public improvement, street project or other activity which is authorized and for which implementing provisions are set forth in the Urban Renewal Plan.

"Report" refers to the report accompanying the urban renewal plan, as provided in ORS 457.085 (3)

"Redeveloper" means any individual or group acquiring property from the Urban Renewal Agency or receiving financial assistance for the physical improvement of privately or publicly held structures and land.

"State" means the State of Oregon.

"Text" means the Urban Renewal Plan for the Phoenix Urban Renewal Area, Part One - Text.

"Urban Renewal Agency" means the Urban Renewal Agency of the City of Phoenix, Oregon.

"Urban Renewal Area", "Phoenix Urban Renewal Area", or "Renewal Area" means the geographic area for which this Urban Renewal Plan has been approved. The boundary of the Renewal Area is described in Exhibits made a part of this plan.

Phoenix Urban Renewal Plan

Phoenix, Oregon

Part Two-Exhibits

EXHIBITS

Exhibit 1 Map of Plan Boundary

ATTACHMENTS

Attachment A Boundary Description

