



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT



January 30, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Roseburg Plan Amendment
DLCD File Number 011-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without text.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: February 13, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.625 (1), 197.830 (2), and 197.830 (9) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS ADOPTED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Leslie C. Wilson, City of Roseburg

<paa> ya

FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION

JAN 25 2006

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

LANDS CONSERVATION AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: City of Roseburg Local File No.: CPA-05-9 / AN-05-5 / ZC-05-7

Date of Adoption: January 23, 2006 Date Mailed: January 25, 2006

Date the Notice of Proposed Amendment was mailed to DLCD: August 4, 2005

- Comprehensive Plan Text Amendment X Comprehensive Plan Map Amendment
Land Use Regulation Amendment X Zoning Map Amendment
New Land Use Regulation X Other: Annexation

Summarize the adopted amendment. Do not use technical terms. Do not write See Attached. Annexation of public lands into city limits and change from County Comp Plan (Industrial - Farm Forest) to City (Public, Semi-Public) and change Zoning from County Farm Forest (FF) and Farm Grazing (FG) to City Public Reserve (PR)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write Same. If you did not give notice for the proposed amendment, write N/A. On DLCD notice 1, the area was given as 30± acres. The area has been confirmed at 88.9± acres, including Right of Way.

Plan Map Changed from: IN/FF to Public

Zone Map Changed from: FF/FG to PR

Location: Sunshine Park (Sunshine Rd & Diamond Lake Blvd) Acres Involved: 88.9± acres

Specify Density: Previous: Zero New: Zero

Applicable Statewide Planning Goals: 1, 2, 5, 6, 8, 12, 14

Was an Exception Adopted? Yes: No: X

DLCD File No.: 011-05 (14581)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:
Affected State or Federal Agencies, Local Governments or Special Districts: City of Roseburg, Douglas County, ODOT, Dixonville Water Dist, Roseburg Urban Sanitary Authority, Douglas Fire District No 2

Local Contact: Leslie C. Wilson, Community Planner

Area Code + Phone Number: (541) 440-1177

Address: 900 SE Douglas Ave.

City: Roseburg

Zip Code+4: 97404

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:
**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** of the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. Need More Copies? You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 3219

AN ORDINANCE DECLARING THE ANNEXATION OF 88.9± ACRES OF LAND KNOWN AS SUNSHINE PARK PROPERTY AND DIAMOND LAKE BLVD (NORTH UMPQUA HIGHWAY) PUBLIC RIGHT-OF-WAY ALL LAYING INSIDE THE ROSEBURG URBAN GROWTH BOUNDARY; WITHDRAWING PROPERTY FROM DOUGLAS COUNTY FIRE DISTRICT 2; AND A QUASI-JUDICIAL AMENDMENT TO THE ROSEBURG COMPREHENSIVE PLAN AND ZONING MAPS FOR PUBLIC LAND KNOWN AS SUNSHINE PARK; AND DIRECTING THE FILING OF A TRANSCRIPT WITH THE SECRETARY OF STATE.

THE CITY COUNCIL OF THE CITY OF ROSEBURG, OREGON, finds:

1. The proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals.
2. This matter came before the Roseburg Planning Commission as a City (Owner) Consent Annexation, Comprehensive Plan Map Amendment, and Zone Change.
3. The consent annexation petition complies with provisions of ORS Chapter 222.170.
4. The subject properties are contiguous to the City limit boundary and therefore a logical extension of that boundary.
5. The territory to be annexed is a part less than the entire area of a rural fire protection district - Douglas County Fire District No. 2.
6. The annexation and withdrawal of the property from the Douglas County Fire District No. 2 is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies, and it is in the best interest of the City that the area be annexed and withdrawn.
7. The City is willing to assume the responsibilities and indebtedness previously contracted by the District proportionate to the part of the District that have been annexed to the City upon the effective date of the withdrawal.
8. That the Roseburg Urban Area Comprehensive Plan was adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.

9. That the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, establishes procedures for hearing Comprehensive Plan Amendment applications.
10. That the Planning Commission received an application (File Nos. AN-05-5, CPA-05-9, & ZC-05-7) and held a Quasi-Judicial public hearing after due and timely notice.
11. The proposal includes annexation of lands and change in Comprehensive Plan Map and Zone designation for said lands.
12. The subject lands are currently designated in the Roseburg Urban Area Comprehensive Plan as Industrial and Farm Forest (IN/FF) and upon annexation will cause a change to Public (Public).
13. The subject lands are currently zoned County - Farm Forest/Farm Grazing (FF/FG) and upon annexation will cause a change to City - Public Reserve (PR).
14. All public facilities and services are within distance of serving the subject property.
15. That the following criteria exist:
 - a. The rezoning will conform with the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.
 - b. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION I. The foregoing findings are hereby approved and incorporated herein.

SECTION II. The subject real property known as Sunshine Park and Diamond Lake Blvd (North Umpqua Highway) legally described in Exhibits "A", attached hereto and incorporated herein, is annexed to the City of Roseburg as a part thereof.

SECTION III. This annexation, comprehensive plan map amendment, and zone change has been processed pursuant to Roseburg Land Use and Development Ordinance No. 2363.

SECTION IV. The City Council hereby adopts as its own the Findings of Fact and Decision Document of the Planning Commission dated November 22, 2005 and incorporates that document herein as shown in Exhibits "B" & "C".

SECTION V. This annexation is made pursuant to the provisions of ORS 222.170, and pursuant to the written consent of the owners of the land, which consent has been filed with the Recorder and governing body of the City of Roseburg.

SECTION VI. The subject property is hereby withdrawn from Douglas County Fire District No. 2 on the effective date of the annexation. The City shall assume the obligations referred to in ORS 222.520(2) and shall commence the procedure for division of assets provided in ORS 222.530. The particulars of said assumption of liabilities and division of assets shall be accomplished hereafter as provided in an Intergovernmental Agreement between the City and Douglas County Fire District No. 2 dated June 10, 1991.

SECTION VII. The Recorder of the City of Roseburg shall make and submit to the Douglas County Assessor and the Oregon Department of Revenue the required legal description of the territory annexed and an accurate map showing the annexed territory as required by ORS 308.225.

SECTION VIII. The City Council hereby amends the Roseburg Comprehensive Plan Map by applying the Public/Semi Public (Public) designation to subject Parcels, as shown in Exhibit "A" attached hereto and made part of this ordinance.

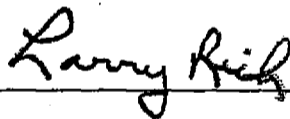
SECTION IX. The City Council hereby amends the Roseburg Zoning Map by applying the City Public Reserve (PR) zoning to subject Parcels, as shown in Exhibit "A" attached hereto and made part of this ordinance.

SECTION X. The Recorder of the City of Roseburg shall make and submit to the Secretary of State of Oregon for filing, copies of all ordinance and all other instruments required so to be filed with the Secretary of State to evidence the annexation and to advise the effective date thereof; the effective date shall be the date upon which papers are filed with the Secretary of State.

PASSED BY THE CITY COUNCIL THIS 23rd DAY OF JANUARY 2006.

APPROVED BY THE MAYOR THIS 23RD DAY OF JANUARY 2006.

Mayor



ATTEST:


Acting Recorder

EXHIBIT B

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF ROSEBURG**

In the matter of the)
application of City of)
Roseburg - Sunshine Park)
and North Umpqua Highway)
(Diamond Lake Boulevard))
for an Annexation of)
Territory into City of)
Roseburg for approximately)
61.13± acres, for that area)
located between current City)
Limits to the West; and, the)
Roseburg Urban Growth)
Boundary to the East.)

FINDINGS OF FACT
AND DECISION

FILE NO. AN-05-5

Finding No. 1

This matter came before the Planning Commission for public hearing on October 17, 2005 in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.

Finding No. 2

The applicant made said request in due format as provided by the City of Roseburg, applicable to annexation of territory.

Finding No. 3

The subject properties are adequately described and applicable to annexation of territory

The subject parcels are described as:

1. Tax Lot 00100 is identified as a 25.22± acre parcel located in Section 15C in Township 27 South, Range 05 West Willamette Meridian and further identified as Tax Accounts R67290 and R67304.
2. Tax Lot 00100 is identified as a 16.97± acre parcel located in Section 15D in Township 27 South, Range 05 West Willamette Meridian and further identified as Tax Account R67353.
3. Tax Lot 00104 is identified as a 40.71± acre parcel located in Section 15D in Township 27 South, Range 05 West Willamette Meridian and further identified as Tax Account R67346.

4. Tax Lot 00105 is identified as a 6.00 ± acre parcel located in Section 15D in Township 27 South, Range 05 West Willamette Meridian and further identified as Tax Accounts R118450 and R118451.
5. Tax Lot 00200 is identified as a 1.00 ± acre parcel located in Section 15D in Township 27 South, Range 05 West Willamette Meridian and further identified as Tax Account R67318.
6. All public right-of-way, commonly known as North Umpqua Highway, between current Roseburg City Limits and current (Easterly) Roseburg Urban Growth Boundary.

Finding No. 4

Notice of the Quasi-Judicial public hearing was mailed to affected property owners a minimum of 20 days before the public hearing and notice was given by publication in the News Review, a newspaper of general circulation, at least 10 days prior to the date of the hearing.

The Commission identifies the following, Oregon Revised Statute Chapter 222, as that relevant section of State Law, which allows annexation of property into a municipal boundary:

ORS 222.120

Procedure without election by city electors; hearing; ordinance subject to referendum.

- (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.
- (2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.
- (3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.
- (4) After the hearing, the city legislative body **may**, by an ordinance containing a legal description of the territory in question:

- (a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;
 - (b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or
 - (c) Declare that the territory is annexed to the city where the Department of Human Services, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.
- (5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.
- (6) The ordinance referred to in subsection (4) of this section is subject to referendum.
- (7) For the purpose of this section, ORS 222.125 and 222.170, "owner" or "landowner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land. [Amended by 1953 c.220 §2; 1955 c.51 §1; 1961 c.511 §1; 1967 c.624 §14; 1971 c.673 §2; 1985 c.702 §8; 1987 c.818 §11; 1993 c.18 §39]

ORS 222.125

Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation. [1985 c.702 §3; 1987 c.738 §1]

Simply stated, the annexation may take place when owner(s) consent and if electors reside the majority consent. This application is a Consent Application made by the owner with no elector living on the property.

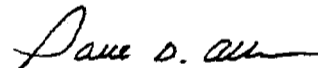
Proposed Finding No. 5

All owners of record have consented and no electors reside on the subject properties.

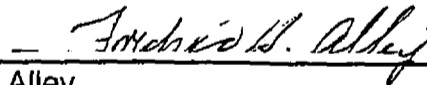
DECISION

In consideration of the foregoing findings of fact and conclusions, the Planning Commission supports a recommendation to the City Council, **APPROVAL** of Planning File AN-05-5, a Petition for Annexation for subject lands described herein.

DATED THIS 22ND DAY OF NOVEMBER, 2005



Paul Allen, Chairman



Fred Alley
Community Development Director

Planning Commission Members:

Paul Allen - Chairman
Chris Clark
Ron Hughes
Don Metzger
Samuel Sweet
Ingrid Weisenbach

Absent Jim Gamble

ORDINANCE NO. 3219 - PAGE 8 - EXHIBIT "B"

EXHIBIT C

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF ROSEBURG**

In the matter of the application of)
City of Roseburg for a)
Comprehensive Plan Map)
Amendment from County)
Industrial and Farm Forest)
(IN/FF) to Public (PR) and)
Zoning from Farm Forest)
(FF)/Farm Grazing (FG) for City)
owned lands within the Urban)
Growth Boundary; and, further)
described as Tax Lot 00100 in)
Section 15C, Tax Lots 00100,)
00104, 00200, & 00105 in)
Section 15D all in Township 27)
South Range 05 West; Tax)
Accounts R67290, R67304,)
R67353, R67318, R67346,)
R118450, and R118451.)

**FINDINGS
OF FACT
AND DECISION**

**FILE NO.s CPA-05-9
ZC-05-7**

The Roseburg Planning Commission makes the following findings to support a decision:

Finding No. 1

The applicant made said request in due format as provided by the City of Roseburg, applicable to a Comprehensive Plan Map Amendment and Zone change.

Finding No. 2

The subject property was adequately described as required for a Comprehensive Plan Map Amendment and Zone change request.

Finding No. 3

This matter came before the Planning Commission for public hearing on October 17, 2005 in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.

Finding No. 4

Notice of the Quasi-Judicial public hearing was mailed to affected property owners a minimum of 20 days before the public hearing and notice was given by publication in the News Review, a newspaper of general circulation, at least 10 days prior to the date of the hearing.

Finding No. 5

Criterion contained in City of Roseburg Land Use and Development Ordinance Chapter 6 and Article 38 were applicable for evaluation of this application.

Finding No. 6

The subject properties total 88.9± total acres. Comprehensive Plan Map Amendment and Zone Change are for only that area within the Urban Growth Boundary. The subject parcels are further described as Tax Lot 00100 in Section 15C, Tax Lots 00100, 00104, 00200, & 00105 in Section 15D all in Township 27 South Range 05 West; Tax Accounts R67290, R67304, R67353, R67318, R67346, R118450, and R118451; commonly known as, Sunshine Park.

Finding No. 7

One letter of remonstrance was received by the Roseburg Community Development Department. No other remonstrance was received from property owners and affected persons within the 300-foot notice boundary and the vicinity of the project. The following are recorded as remonstrators.

- a. James & Julie Roark
506 Wild Iris Lane
Roseburg, Oregon 97470

The following Findings support Criterion identified in Roseburg Land Use and Development Ordinance Chapter 6 Section 6.150:

CRITERION #1 - LUDO Chapter 6 Section 6.150(2)(a)

The amendment complies with the Statewide Planning Goals adopted by the Land Conservation and Development Commission, pursuant to ORS 197.245.

Finding No. 8

The requested Comprehensive Plan Map Amendment and Zone change was processed in a manner that assures compliance with Statewide Goal No. 1 Citizen Involvement.

Finding No. 9

The requested Comprehensive Plan Map Amendment and Zone change was evaluated in a manner to assure compliance with Statewide Goal No. 2 Land Use Planning.

Finding No. 10

The Statewide Agricultural Goal No. 3 is not applicable to this proposed Comprehensive Plan Map Amendment and Zone change.

Finding No. 11

Statewide Goal No. 4 Forestlands is not applicable to this proposed Comprehensive Plan Map Amendment and Zone change.

Finding No. 12

The proposed Comprehensive Plan amendment and Zone change will not conflict with any Goal 5 resources (Open Space, Scenic and Historic Areas, and Natural Resources).

Finding No. 13

The application was evaluated in a manner that assures compliance with Statewide Goal No. 6 for Air, Water and Land Resources Quality.

Finding No. 14

The requested amendment and Zone change was evaluated in a manner that assures compliance with the purpose and intent of Statewide Goal No. 7 Natural Disasters and Hazards.

Finding No. 15

The proposed amendment and Zone change as presented complies with Statewide Goal No. 8 Recreational Needs.

Finding No. 16

As proposed, the Comprehensive Plan Map Amendment and Zone change will not conflict with the Statewide Economic Development Goal No. 9.

Finding No. 17

The proposed Comprehensive Plan amendment and Zone change would not conflict with the purpose and intent of the Statewide Housing Goal 10.

Finding No. 18

Based existing public service delivery systems and plans that are in place, public facilities and services are available to support requirements of the purpose and intent of the Statewide Public Facilities Goal 11.

Finding No. 19

Based on the functional classification and existing service levels of adjacent and nearby transportation facilities, the proposed Comprehensive Plan Map Amendment, Zone change and subsequent development of the site, will be consistent with the identified function, capacity, and performance levels of existing transportation facilities.

Finding No. 20

The proposed Comprehensive Plan amendment and Zone change complies with Statewide Goal 13 Energy Conservation.

Finding No. 21

The proposed Comprehensive Plan amendment conforms to Statewide Goal No. 14 Urbanization.

CRITERION #2 - LUDO Chapter 6 Section 6.150(2)(b)

The amendment complies with the applicable policies of the Comprehensive Plan.

ORDINANCE NO. 3219 - PAGE 11 - EXHIBIT "C"

Finding No. 22

The application as presented appears consistent with the intent of City of Roseburg Economic Development Policy No. 4.

Finding No. 23

A full range of urban services appropriate for the subject property's proposed commercial land use classification is available and can be provided in a timely, orderly and efficient manner consistent with the intent and purpose of Public Facilities Policies No. 1, 2, 3, 7, 8, 9 and 16.

Finding No. 24

The application as submitted does not change existing or planned transportation facility classification(s); therefore, meeting the intent and purpose of Transportation Policies No. 1, 2, and 3

CRITERION #3 - LUDO Chapter 6 Section 6.150(2)(c)

That there is a public need for a change of the kind in question.

Finding No. 25

A full range of urban services appropriate for the subject property's proposed commercial land use classification is available and can be provided in a timely, orderly and efficient manner consistent with the intent and purpose of Development Policies No. 4, 5, 6, 8, 10, 12, and 15.

CRITERION #4 - LUDO Chapter 6 Section 6.150(2)(d)

That such need will be best served by changing the Plan designation of the particular piece of property in question as compared with other available property.

Finding No. 26

The Year-2005 draft Buildable Lands Inventory outlines a future need to create additional commercial and industrial lands within the Roseburg Urban Growth Boundary.

The following Findings support Criterion identified in Roseburg Land Use and Development Ordinance Article 38:

Finding No. 27

Criterion contained in City of Roseburg Land Use and Development Ordinance Article 38 is applicable for evaluation of this application.

Finding No. 28

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define growth policies for the evaluation of this application.

Finding No. 29

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define economic growth policies for the evaluation of this application. The application as presented does not conflict with present economic growth policies as presented.

Finding No. 30

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define transportation policies for the evaluation of this application. A Traffic Impact Analysis should be submitted for consideration at time of site development application that corresponds to City and State policies (e.g., Transportation Planning Rule). Any additional development may have impacts to systems therefore a parallel roadway to the West must be developed to support future area development to mitigate arterial impacts.

Finding No. 31

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define energy conservation policies for the evaluation of this application. The application as presented does not conflict with present economic growth policies as presented.

Finding No. 32

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define Public Facility and Service policies for the evaluation of this application. The application as presented does not conflict with present policies, as presented.

Finding No. 33

Criterion contained in City of Roseburg Land Use and Development Ordinance and Comprehensive Plan clearly define transportation policies for the evaluation of this application. The application as presented does not conflict with present economic growth policies as presented.

Finding No. 34

The rezoning as proposed conforms to the Roseburg Urban Area Comprehensive Plan, including the land use map(s), designations, and written policies.

Finding No. 35

The site appears suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area. The application as presented does not conflict with present community as presented.

Conclusion

Based on the above Staff Report and Proposed Findings of Fact it appears that the proposed Zoning Change request complies with criteria set forth in Article 38, Section 3.30.100 Zone Change) of the City of Roseburg Land Use and Development Ordinance. Issues concerning permitted use site development will be reviewed by departments at time of application. If the applicant/owner or other chooses to a development process such as a variance, land division, conditional use then additional review will be required and a public hearing scheduled per Roseburg LUDO. The change in both Comprehensive Plan and Zoning appear to comply with criteria set forth in LUDO Article 38, Section 3.30.100 of the City of Roseburg Land Use and Development Ordinance and Section 197.175 of the Oregon Revised Statues.

DECISION

In consideration of the foregoing Findings of Fact and Conclusions, the Planning Commission supports a recommendation to the City Council, **APPROVAL** of Planning File CPA-05-9 and ZC-05-7 allowing a Comprehensive Plan Map Amendment from County Industrial/Farm Forest (IN/FF) to Public (PR) and Zone change from County Farm Forest/Farm Grazing (FF/FG) to Public (PR) for the subject lands, with the following condition:

Condition #1

At time of additional parking development, applicant or other shall submit a Traffic Impact Study that identifies mitigation measure(s) to reduce any negative traffic impact to the North Umpqua Highway for ODOT and City review; and, subsequent mitigation construction approval.

DATED THIS 22ND DAY OF NOVEMBER, 2005

Paul D. Allen

Paul Allen, Chairman

Fred A. Alley

Fred Alley
Community Development Director

Planning Commission Members:

- Paul Allen - Chairman
- Chris Clark
- Ron Hughes
- Don Metzger
- Samuel Sweet
- Ingrid Weisenbach

Absent Jim Gamble