



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

April 22, 2008



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 001-08

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 a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: May 6, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) 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 MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

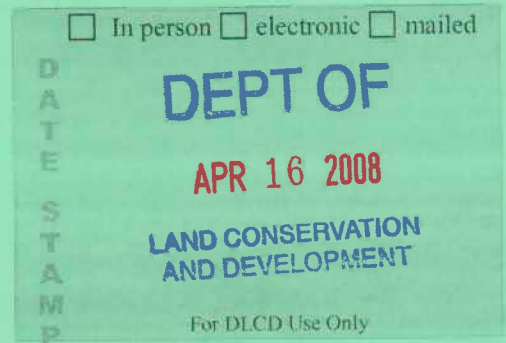
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Dick Dolgonas, City of Roseburg

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DLCD

Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**



Jurisdiction: **City of Roseburg**

Local file number: **ZC-08-1**

Date of Adoption: **4/14/2008**

Date Mailed: **4/15/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 1/10/08

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Rezoning from R-1-7.5 (7500 square foot minimum) to R-1-6 (6000 square foot minimum) in accordance with a condition of a re-plat so that the property does not have split zones.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **R-1-7.5**

to: **R-1-6**

Location: **SE Kane Street at unplatted High Street**

Acres Involved: **.65**

Specify Density: Previous: **7500 SF minimum**

New: **6000 SF minimum**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD #001-08 (16630)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

DLCD, Roseburg Urban Sanitary Authority

Local Contact: **Dick Dolgonas**

Phone: (541) 440-1177 Extension:

Address: **900 SE Douglas Ave**

Fax Number: **541-440-1185**

City: **Roseburg**

Zip: **97470-**

E-mail Address: **ddolgonas@cityofroseburg.org**

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 Complete Copies (documents and maps) 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. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
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 now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

DLCD 001-08
(16630)

ORDINANCE NO. 3284

AN ORDINANCE DECLARING A CHANGE TO THE ZONING MAP FOR 0.65 ACRES OF LAND LOCATED ON SOUTHEAST KANE STREET AT EDDY AND HIGH STREETS

WHEREAS, 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; and

WHEREAS, 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 Zone Change applications; and

WHEREAS, the Planning Commission received the application (File No. ZC-08-1) and held a Quasi-Judicial public hearing after due and timely notice.

WHEREAS, the Planning Commission has adopted Findings of Fact supporting a recommendation to approve the request; and

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

SECTION 1: The City Council hereby takes official notice of the Planning Commission Findings of Fact and Decision dated March 3, 2008, recommending the request be granted without conditions and providing details supporting approval as required by Section 3.38.100 of the Land Use and Development Ordinance, including:

ZONE CHANGE CRITERIA:

Criteria for amending the City of Roseburg zoning map is provided in Article 38 of the Land Use and Development Ordinance. Article 38 states the approving authority may grant a zone change only if the following is found:

1. The rezoning will conform with the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.
2. The site is suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area.

Zone Change Criteria No. 1 - The rezoning will conform with the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.

An analysis of the Comprehensive Plan map and policies finds the following:

1. The subject property's current zoning designations are consistent with the same Comprehensive Plan Designation, Low Density Residential.
2. The following goals and attendant policies from the Roseburg Urban Area Comprehensive Plan (PLAN) are applicable to the subject property.
 - a. Citizen Involvement Element

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LAND CONSERVATION AND DEVELOPMENT

- i. The PLAN and LUDO have established notification procedures that have been acknowledged as consistent with Goal 1. The City of Roseburg has followed these notifications procedures in this case.
 - ii. **Conclusion:** The proposal is consistent with the Citizen Involvement Element of the PLAN.
- b. Population Element
 - i. The proposal is in response to a condition of approval for a replat of seven residential lots into six residential lots. The existing zone line will bisect lots once the plat is recorded, so the proposal is to change the zone to create continuity.
 - ii. **Conclusion:** This proposal is consistent with the Population goals and policies of the PLAN.
- c. Natural Resources Element
 - i. There are no aggregate resources known to exist on the subject property. There are some steep slopes that will be considered once development occurs. The conditions of approval for the proposed replat acknowledge the slopes that exist on the property and address the requirements when developing on those slopes. The subject property is not within any floodplains or floodways nor is it near any creeks or streams.
 - ii. **Conclusion:** The proposal is consistent with the Natural Resources goals and policies of the PLAN.
- d. Economic Element
 - i. The proposal is for a change in zone from R-1-7.5 to R-1-6. The surrounding zones are all low density residential. The subject property is too small for industrial practices and is too far away from the major areas of commercial and retail operations.
 - ii. **Conclusion:** The proposal is consistent with the Economic goals and policies of the PLAN.
- e. Transportation Element
 - i. There could be a slight increase in traffic due to the zone change if further changes to lots are approved. According to the Institute of Traffic Engineers, the ADT for low density residential is 9.57 ADT per acre. The acreage that is currently zoned R-1-7.5 is 0.65 acres. At the current zone of R-1-7.5, the greatest allowed density is 4 dwelling units. The current ADT for the property is approximately 38 ADT. The greatest allowed density at the proposed zone of R-1-6 is 5 dwelling units, which generates approximately 48 ADT. The total increase in ADT would be approximately 10 ADT. Increases less than 300 ADT are usually not considered to have a significant impact on the absorbing infrastructure. However, no such increase is being proposed.
 - ii. Kane Street is designated a local street which does not require bicycle lanes.
 - iii. **Conclusion:** There will be traffic impacts on adjacent streets, but these impacts will be minimal. The proposal is consistent with the PLAN.
- f. Energy Conservation Element
 - i. This property slopes from east to west with the terrain such that there are no large trees to block the sun so that solar energy can be utilized. The subject property is located fairly close to Roseburg High School and promotes energy conservation by student use of the provided public school buses as well as walking and using bicycles to and from school.
 - ii. **Conclusion:** This proposal is consistent with the Energy Conservation goals and policies.
- g. Parks and Recreation Element

- i. The subject property is designated low density residential property. The property also has some steep slopes and is not ideal for parks and recreational sites.
 - ii. **Conclusion:** The proposal is consistent with the Parks and Recreation goals and policies.
- h. Historic Preservation Element
 - i. There are no historic buildings located on the subject property.
 - ii. **Conclusion:** The proposal is consistent with the Historic Preservation goals and policies.
- i. Public Facilities and Services Goals and Policies
 - i. Urban levels of infrastructure are available to the property. The property is below the current water service level in this area. Water can be served to the area with extension of water services at the developer's expense.
 - ii. The area is within the Roseburg Urban Sanitary District boundary, and can, therefore, be served with sanitary sewer. Roseburg Urban Sanitary Authority has sufficient capacity to serve those lands within the existing Roseburg city limits and these lands lie entirely within the city limits.
 - iii. City police and fire services are currently provided to the developed properties inside the existing city limits. This property is located within the city limits of Roseburg.
 - iv. This development will be single family residential. The majority of this area is served by the local bus service. The property is located within a few miles of the downtown Roseburg area as well as within a mile of a future major commercial development.
 - v. **Conclusion:** Public facilities are available to serve this property in an efficient manner. The proposal is consistent with the PLAN.
- j. Housing Element
 - i. The proposed zone allows for single family residential development. Currently, all services exist to serve the property in the proposed capacity.
 - ii. **Conclusion:** The proposal is consistent with the Housing goals and policies.
- k. Land Use Goals and Policies
 - i. The subject property is within the Roseburg Urban Growth Boundary and is designated, by the Roseburg Urban Area Comprehensive Plan (PLAN) Map, for low density residential (LDR) uses.
 - ii. The current City Zone implementing the Comprehensive Plan is Single Family Residential (R-1-7.5). The proposed zone of R-1-6 is compatible with the Comprehensive Plan. The adjacent properties are all developed as single family residential. Thus the character of the adjacent neighborhoods is best defined by the zones currently established on those properties.
 - iii. The extension of public services to this property will be at the expense of the developer and is within the capacity of both sewer and water systems as discussed below.
 - iv. **Conclusion:** Considering the above, the requested zone is compatible with adjacent uses, terrain and topography and fully implements the Roseburg Urban Area Comprehensive Plan.

Zone Change Criteria No. 2: The site is suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area.

The City Council finds the application meets zone change criteria 2 (The site is suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area) as follows:

This zone change implements the Roseburg Area Comprehensive Plan designation of this property for low density residential uses. The public health and safety are further governed by the City of Roseburg Land Use and Development Ordinance requirements that all development in these areas be engineered and reviewed for appropriate design of infrastructure including sewer, water, roadways and storm-water discharge as well as geotechnical engineering reports for all lots to ensure stability. All properties surrounding the subject property within the urban growth boundary and city limits of Roseburg are currently zoned single family residential. Some are zoned R-1-6 and some are R-1-7.5. Due to the topography, the change in zone only provides continuity with regard to the proposed lots. Since this proposed zone change is consistent with the Comprehensive Plan, as noted above, and the specifics of further development are controlled in the land use process, there is little risk of negative impact on public health, welfare and safety.

The City Council finds the change will conform to the all criteria.

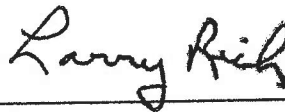
SECTION 2: The City Council hereby amends the Roseburg Zoning Map for the following property:

Township 27 South, Range 05 West, Willamette Meridian, Section 30 BB, Tax Lot 300.

SECTION 3: The City Council hereby amends the Roseburg Zoning Map by changing the zoning designation from Single-Family Residential (R-1-7.5) to Single-Family Residential (R-1-6) for the subject parcel, as described above and as shown on the map labeled Exhibit "A" attached hereto and made part of this ordinance.

PASSED BY THE CITY COUNCIL THIS 14 DAY OF APRIL, 2008.

APPROVED BY THE MAYOR THIS 14TH DAY OF APRIL, 2008.



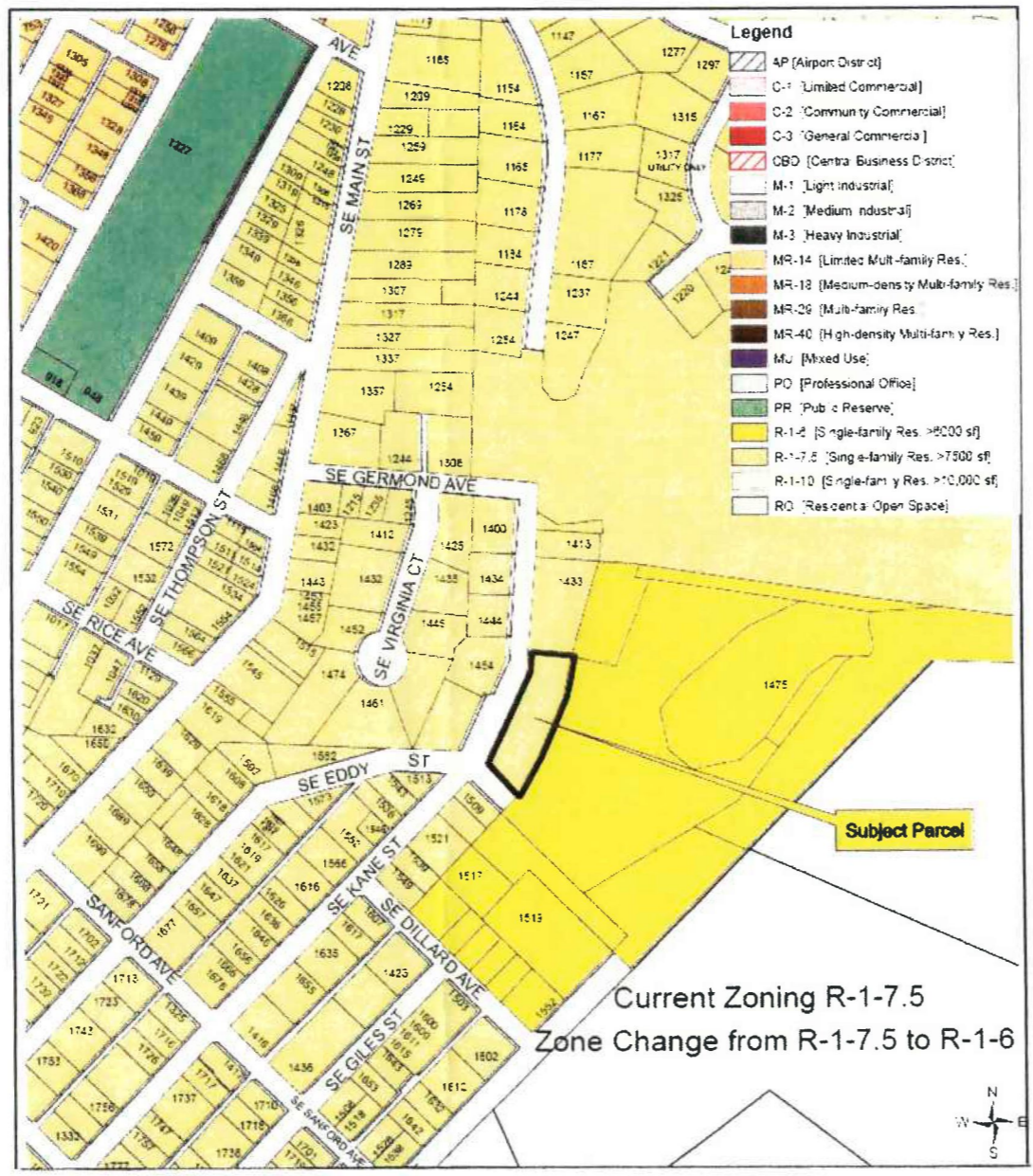
Mayor

ATTEST:



City Recorder

Exhibit "A" – Zoning Map



**FILE NO. ZC-08-1
ZONE CHANGE**

EXHIBIT A of Ordinance No. 3284