



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

12/15/2008

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 006-08

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.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, December 30, 2008

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

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

<paa> YA/

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

In person electronic mailed

DATE
S
T
A
M
P

DEPT OF
DEC 10 2008
**LAND CONSERVATION
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: **City of Roseburg**

Local file number: **CPA 08-3**

Date of Adoption: **12/9/2008**

Date Mailed: **12/9/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 6/20/2008

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".

Population forecast adoption required under OAR Division 24. Currently adopted with the County and agreed by City, forecast now adopted by City as part of Goal 14 update.

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

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

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 #006-08 (16958)

DLCD file No. _____

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

DLCD, Douglas County, all cities within Douglas County

Local Contact: **Brian Davis**

Phone: (541) 440-1177 Extension:

Address: **900 SE Douglas Ave**

Fax Number: - -

City: **Roseburg**

Zip: **97470-**

E-mail Address: **bdavis@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**.

ORDINANCE NO. 3298

AN ORDINANCE AMENDING THE POPULATION FORECAST OF THE COMPREHENSIVE PLAN AND PROVIDING A 20-YEAR POPULATION FORECAST FOR THE URBAN AREA BASED ON A 2.5 PERCENT ANNUAL GROWTH RATE

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 Comprehensive Plan Amendments; and

WHEREAS, the City Council received the proposal (File No. CPA-08-3) and held a legislative public hearing after due and timely notice; and

WHEREAS, the City Council has adopted Findings of Fact

WHEREAS, the Roseburg City Council considered the recommended amendments and findings at a public meeting on January 14, 2008.

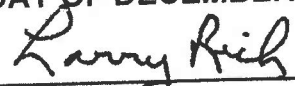
NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1. The City Council hereby takes official notice of its Findings of Fact and Decision dated November 24, 2008, approving a 2028 population forecast for the urban area based on the adopted 2.5 percent annual growth rate and providing details supporting the approval as required by the Roseburg Land Use and Development Ordinance including:

- a. The Amendment complies with applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission, pursuant to ORS 197.240 or as revised pursuant to ORS 197.245.
- b. The amendment complies with applicable policies of the Comprehensive Plan;

SECTION 2: The City Council hereby amends the Roseburg Comprehensive Plan to include a 20-year population forecast based on the 2.5 percent annual growth rate for the Roseburg urban area. Findings of Fact and Decision is attached hereto and made part of this Ordinance.

**PASSED BY THE COUNCIL THIS 8TH DAY OF DECEMBER 2008.
APPROVED BY THE MAYOR THIS 8TH DAY OF DECEMBER 2008.**



Larry Rich, Mayor

ATTEST:



Sheila R. Cox, City Recorder

ORDINANCE NO. 3298

BEFORE THE CITY COUNCIL
OF THE CITY OF ROSEBURG

IN THE MATTER of a legislative)	
amendment to the Roseburg)	FINDINGS OF FACT
Comprehensive Plan, adopting a 20-year)	AND DECISION
population forecast for the Roseburg)	
urban area)	FILE NO. CPA-08-3

Finding No. 1

This amends the population forecast of the Roseburg Urban Area Comprehensive Plan.

Finding No. 2

The City Council takes official notice of the Roseburg Urban Area Comprehensive Plan 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 of the Roseburg Land Use and Development Ordinance (LUDO) No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, as both may have been amended from time to time. The Planning Commission takes official notice of the records of the Community Development Department.

Finding No. 3

Douglas County, which serves as the coordinating body for population forecasting under ORS 195.025 and 195.036, and the City of Roseburg maintain a population forecast for the Roseburg urban area based on a 2.5 percent growth rate. All elements of the Roseburg Comprehensive Plan are coordinated with and based on this adopted growth rate and will continue to do so.

Finding No. 4

Formal adoption of the maintained Roseburg urban area population forecast based on the 2.5 percent growth rate is necessitated by changes to Statewide Planning Goal 14, which regulates urban growth boundaries. Per OAR 660-024-0030 and ORS 195.034, adoption of a 20-year population forecast from the time the city initiates an urban growth boundary (UGB) evaluation is required. The City of Roseburg initiated a UGB evaluation in 2008. The 20-year forecast for the urban area to 2028 based on 2.5 percent annual growth is 50,890.

Finding No. 5

The matter came before the Planning Commission for public hearing beginning September 2, 2008 in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon. The matter was forwarded to the City Council for a public hearing beginning on October 13, 2008.

Finding No. 6

Opportunities were provided for citizens to be involved in all phases of the planning process. Notice of the legislative hearing was given by publication in the News-Review, a newspaper of general circulation, at least 20 days prior to the date of each public hearing. The Department of Land Conservation and Development (DLCD) was provided notice in advance of the first evidentiary hearing as required by state law. Two UGB committees, a citizens advisory and

technical advisory committees, discussed population forecasting during a series of meetings held between February and July of 2008. Planning Commission meetings were held in September of 2008. City Council meetings were held in October and November of 2008. Additionally, notice was provided to all other local governments in the county.

Finding No. 7

The 2028 population forecast is factually based on census information, coordinated input from Douglas County and each incorporated city, the Department of Land Conservation and Development (DLCD), the Office of Economic Analysis (OEA), and the Land Use Board of Appeals (LUBA).

Finding No. 8

The coordinated population forecast is still valid under the 10-year safe harbor of ORS 195.034(1). Douglas County took final action on the coordinated population forecast on February 23, 2000. Previously, the forecast had been appealed to LUBA three times. There were no appeals filed after the county's February 23, 2000 action. The City of Roseburg initiated an evaluation of its UGB in 2008, within 10 years of the adopted coordinated population forecast.

Finding No. 9

After the February 23, 2000 notice was sent to DLCD following the third LUBA appeal, DLCD responded with a notice of adoption on March 2, 2000. Had there been no response by the state formally acknowledging the coordinated population forecast, ORS 197.625 states the forecast still would have been acknowledged 21 days after the County provided notice to DLCD. In either case, the record shows Douglas County's coordinated population forecast and Roseburg's forecast based on a 2.5 percent annual growth rate were acknowledged in 2000.

Finding No. 10

Per the ORS 195.034(1) safe harbor, the "updated forecast for the urban area [complies] with applicable goals and laws regarding population forecasts for purposes of the current UGB evaluation" because the forecast "extends the current urban area forecast to a 20-year period commencing [in 2008] by using the same growth trend for the urban area [of 2.5 percent] assumed in the county's current adopted forecast."

Finding No. 11

The base year 2008 population is determined by applying the 2.5 percent growth rate to the 2000 Census population for Roseburg and North Roseburg Census Designated Place (CDP) to 2008. The 2.5 percent trend is then extended from the 2008 base-year population to a 20-year period to 2028.

Finding No. 12

The coordinated population forecast recognizes that the population forecast model by the OEA and Center for Population Research at Portland State University is but one possible interpretation of limited data using debatable assumptions and a methodology with acknowledged limitations. The coordinated forecast found that Douglas County's model is more consistent with long-term county growth trends and growth assumed and provided for in the county's acknowledged comprehensive plan. Therefore, the 2000 Census is used to estimate base year and 20-year forecast populations.

Finding No. 13

The N. Roseburg CDP is an estimate for urban growth area (UGA) population. The UGA is the urban area outside of Roseburg city limits. Most of the UGA population is covered by the N. Roseburg CDP. The UGA not covered by the N. Roseburg CDP contains 754 dwelling units. The N. Roseburg CDP outside the UGA contains 195 dwellings units. Therefore, use of the N. Roseburg CDP does not inflate the population forecast and is a very conservative estimate for UGA population.

Finding No. 14

The acknowledged coordinated population forecast was adopted under ORS 195.036, "for use in maintaining and updating comprehensive plans." Cities' individual forecasts and growth trends within the coordinated forecast are for maintaining and updating their comprehensive plans. The City of Roseburg's forecast is based on a 2.5 percent annual growth trend. This forecast is used to maintain and update Roseburg's comprehensive plan, the extent of which is the entire urban area.

Finding No. 15

The acknowledged coordinated population forecast uses city population trends as the basis for urban area forecasts. Using city data to plan for urban growth patterns is consistent with Goal 14 "to provide land for urban development needs." UGA development patterns administered by the county are at much lower densities than can be provided for by city development patterns. Therefore, higher-density city development patterns are used to project urban area growth needs. Other examples of using city growth trends for urban area planning includes the use of city building permits to determine future housing needs. Any building permit analysis for the urban area as termed in the statute is based exclusively on city data. Presently there is no reasonable way to filter all county building permits to be just those in the Roseburg urban area. Besides, any development trends obtained from the county building permits would likely reflect less urban-type numbers. The Parks Master Plan is another example of using city data to project trends for the urban area. The county has 1.96 acres of parks in the urban area. The city has 362 acres of parks in the urban area accessible to 60,000 daytime residents. The Parks Master Plan was based on how the city maintains and operates city parks, not how the county maintains and operates 1.96 acres of its 3,338-acre parks inventory. Redevelopment rates are another example based on city rates. County parcels redevelop at a much lower rate, so Roseburg urban area redevelopment trends concentrate on city redevelopment rates. These are a few examples that use city data to plan for urban growth. This is consistent with the intent of the statewide planning system and Goal 14 in which growth is concentrated on areas that are already developed, and growth assumptions are made accordingly. The Roseburg urban area population forecast was developed with this in mind. Had it incorporated county-based population and lower-density development trends, the urban area forecast would be inconsistent with Goal 14 and would shift population out of the urban area and into resource areas. The forecast was an estimate based upon best available information, as indicated by its acknowledgement, and is backed by the Goal 14 standard of reasonable (OAR 660-024-0030(2)). Therefore, an urban area forecast based on city growth trends is consistent with the intent of Goal 14.

Finding No. 16

Arguments raised in the record that assert the coordinated population forecast for the Roseburg urban area uses faulty methods, is historically inaccurate, or is out-of-date are moot under the 10-year safe harbor of ORS 195.034(1).

Finding No. 17

All staff reports, minutes, and previous findings for this action, Case File No. CPA-08-3, are adopted as part of the Council's own findings.

Finding No. 18

The City of Roseburg hereby requests Douglas County to adopt the extended forecast pursuant to ORS 195.034 and the Urban Growth Management Agreement.

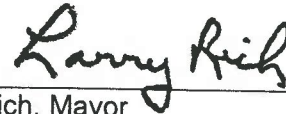
CONCLUSION

This legislative action for a Comprehensive Plan Amendment was brought before a Public Hearing and based on the above findings, the proposed amendment complies with criteria set forth in Chapter 2 of the City of Roseburg Land Use and Development Ordinance and applicable statewide planning goals.

DECISION

In consideration of the foregoing Findings of Fact and conclusions, the City Council **APPROVES** Planning File CPA-08-3, a Comprehensive Plan Amendment under Section 2.00 of the City of Roseburg Land Use and Development Ordinance.

DATED THIS 24TH DAY OF NOVEMBER, 2008



Larry Rich, Mayor

ATTEST:



Sheila R. Cox, City Recorder

ORDINANCE NO. 3298

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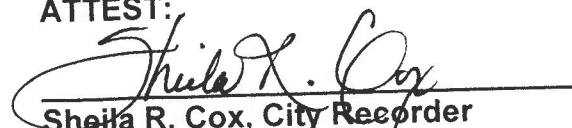
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Finding No. 17

All staff reports, minutes, and previous findings for this action, Case File No. CPA-08-3, are adopted as part of the Council's own findings.

Finding No. 18

The City of Roseburg hereby requests Douglas County to adopt the extended forecast pursuant to ORS 195.034 and the Urban Growth Management Agreement.

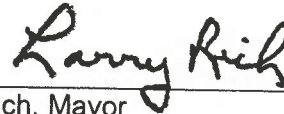
CONCLUSION

This legislative action for a Comprehensive Plan Amendment was brought before a Public Hearing and based on the above findings, the proposed amendment complies with criteria set forth in Chapter 2 of the City of Roseburg Land Use and Development Ordinance and applicable statewide planning goals.

DECISION

In consideration of the foregoing Findings of Fact and conclusions, the City Council **APPROVES** Planning File CPA-08-3, a Comprehensive Plan Amendment under Section 2.00 of the City of Roseburg Land Use and Development Ordinance.

DATED THIS 24TH DAY OF NOVEMBER, 2008



Larry Rich, Mayor

ATTEST:



Sheila R. Cox, City Recorder



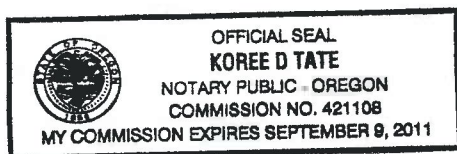
AFFIDAVIT OF MAILING

I, Linda K. Gibbs, affirm that I am on the Staff for the City of Roseburg Community Development Department. That on the 9th day of December, 2008, I mailed a true copy of the Notice of Adoption of Population Forecast (File No. CPA-08-3) to interested parties listed in File No. CPA-08-3.

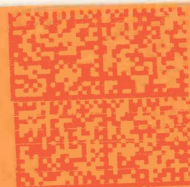
Linda K. Gibbs

State of OREGON
County of DOUGLAS

Signed or attested before me on December 9, 2008



Korie D Tate
Notary Public for Oregon



newpost

049J82033605

\$0 1.00

12/09/2008

Mailed From 97470
US POSTAGE

CITY OF ROSEBURG

900 S.E. DOUGLAS AVENUE
ROSEBURG, OR 97470-3397

TO:



Attn: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540