



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

February 21, 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 009-07



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: March 5, 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
Bob Cortright, DLCD Transportation Planning Coordinator
Dick Dolgonas, City of Roseburg

<paa> ya/

FORM 2

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

In person electronic mailed

DEPT OF

FEB 14 2008

LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Roseburg**

Local file number: **LUDO-07-1**

Date of Adoption: **2/11/2008**

Date Mailed: **2/13/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **5/25/2007**

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".

Amendments to the Land Use and Development Ordinance to implement provisions of the Transportation System Plan. The amendments add requirements for notice of actions to transportation providers, requirements for Transportation Impact Studies; changed residential uses above commercial uses to outright allowed uses in some commercial and the mixed use zone; changed street standards, walkway standards, access requirements, parking standards and added bicycle parking standards.

Does the Adoption differ from proposal? Yes, Please explain below:

Futher revisions an refinements were made to the language.

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **UGB-wide**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

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

DLCD# 009-07 (16132)

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. _____

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

ODOT, Douglas County

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.

ORDINANCE NO. 3279

AN ORDINANCE AMENDING THE ROSEBURG LAND USE AND DEVELOPMENT
ORDINANCE NO. 2981 AS AMENDED BY ADOPTING AMENDMENTS BASED ON
THE TRANSPORTATION SYSTEM PLAN

WHEREAS, after reviewing the recommendation of the Planning Commission and conducting a public hearing on the subject TSP, on December 11, 2006, the Council adopted the Transportation System Plan, with certain changes and conditions as specified in the Findings of Fact and Decision Document; and,

WHEREAS, the Transportation System Plan, as adopted, contains policies, statements, and recommendations for amendments to the Land Use and Development Ordinance; and,

WHEREAS, the Transportation Planning Rule, Oregon Administrative Rule 660-012 requires that cities adopt a Transportation System Plan and land use regulations for implementing the Transportation System Plan; and,

WHEREAS, after conducting public hearings, the Planning Commission recommended amendments to the Land Use and Development Ordinance to implement the Transportation System Plan and adopted findings in support of those recommendations; and

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 adopts as its own the Findings of Fact document of the Planning Commission dated December 17, 2007, as shown in Exhibit "A" attached.

SECTION 2: LAND USE AND DEVELOPMENT ORDINANCE SECTION 2.030 COORDINATION OF DEVELOPMENT APPROVAL is hereby amended to read as follows:

SECTION 2.030 COORDINATION OF DEVELOPMENT APPROVAL

1. The Director shall be responsible for the coordination of a development application and decision-making procedures, and shall approve or recommend that the approving authority approve developments when proper application is made and the proposed development is in compliance with the provisions of this Ordinance and the Roseburg Urban Area Comprehensive Plan. Before

approving or recommending approval of any development, the Director shall be provided with information by the applicant sufficient to establish full compliance with the requirements of this Ordinance and the Plan. Before approving any development, the Director shall consider comments received from other public agencies during the comment and public hearing period.

2. After an application has been submitted, no building or occupancy permit for the proposed use shall be issued until final action has been taken.

SECTION 3: LAND USE AND DEVELOPMENT ORDINANCE SECTION 2.070 GENERAL PROVISIONS REGARDING NOTICE is hereby amended to read as follows:

SECTION 2.070 GENERAL PROVISIONS REGARDING NOTICE

1. The records of the Douglas County Assessor's Office shall be used for notice required by this Ordinance. Persons whose names and addresses are not on file with the Assessor at the time of the filing of the application need not be notified of the action. The failure of a person to receive notice shall not impair or invalidate the action if the City can demonstrate by affidavit that the prescribed notice was sent to the persons entitled thereto as shown by the Assessor's records.
2. Any person who requests, in writing, and pays a fee established by the Director, shall be entitled to receive copies of notices for applications for development approvals, either on an urban area wide or site-specific basis, as specified by such person.
3. Public agencies providing transportation facilities and services shall be notified of the following:
 - a. Land use applications that require a public hearing
 - b. Subdivision and partition applications
 - c. Applications that involve major private access to public streets and roads, such as private streets, and large commercial and multi-family developments
 - d. Applications within the Airport Impact Overlay (3.35.600)

SECTION 4: LAND USE AND DEVELOPMENT ORDINANCE SECTION 2.3.075 CRITERIA AND STANDARDS is hereby amended to read as follows:

SECTION 2.3.075 CRITERIA AND STANDARDS

In addition to the other specific requirements of this Ordinance and other applicable ordinances, development plans submitted to the Director shall comply with the following standards and criteria:

1. Improved Street Access - Statement of Policy. It is recognized that many streets within the Roseburg Urban Area do not conform to minimum design standards as established by this Ordinance. It is further recognized that significant increases in traffic volume on such substandard streets could result in the inefficient and unsafe movement of traffic within and throughout the Roseburg Urban Area, and could otherwise adversely affect the general health, safety, and welfare. Furthermore, it is recognized that the improvement of such substandard streets to City standards is essential for the ultimate development of the Roseburg Urban Area in a safe, orderly, and efficient manner.
 - a. Therefore, any development for which four (4) or more off-street parking spaces are required by Section 3.35.100 shall be permitted only if the property fronts on, and is served primarily by, a street having a minimum paved width of twenty-four (24) feet along the entire frontage of the property, and such paved street connects with a collector or arterial street, either directly or via other streets having a minimum paved width of twenty-four (24) feet.
 - b. All developments shall provide adequate access for emergency services vehicles, as determined by the Fire Chief.
 - c. In the case where property fronts on a street which conforms to the requirements of this Section but otherwise is not fully improved to the standards established elsewhere in this Ordinance, either expressly or by reference, or in the case where property abuts a street which does not conform to the standards established elsewhere in this Ordinance, either expressly or by reference, the property owner shall improve the street as required to the standards established elsewhere in this Ordinance or, upon the Director's determination under Section 2.3.080 hereof, shall file with the Governing Body a suitable instrument of commitment of the subject property in perpetuity to any Local Improvement District, present or future, which may be created for the purpose of financing improvements of abutting streets to the minimum standards established elsewhere in this Ordinance, either expressly or by reference.
2. Access, Parking and Loading. Review of access and driveways shall include a review of driveway location in relation to intersecting streets and driveway spacing. With respect to vehicular, bicycle and pedestrian ingress, egress, and circulation, including walkways, interior drives, and parking and loading areas, the location and number of access points for normal and emergency uses, general interior circulation, protection of pedestrian and bicycle traffic from vehicular traffic, and arrangement of parking, loading, and service areas and driveways shall be reviewed for safety, convenience, and mitigation of potential adverse impacts on neighboring properties, on the operation of public facilities, and on the traffic flows of adjacent and nearby streets, and shall also be reviewed for conformance with the standards established in Sections 3.35.100 through 3.35.300.

Driveway access to local streets is generally encouraged in preference to access to streets of higher classification.

- a. Driveway access to arterial and collector streets may be permitted if no reasonable alternative street access exists or where heavy use of local streets is inappropriate due to traffic impacts in residential areas.
- b. Where a proposed development abuts an existing or proposed Arterial or Collector Street, the development design and off-street improvements shall minimize the traffic conflicts.
- c. To reduce traffic conflicts, bus turn out lanes may be required consistent with an adopted transit plan.
- d. Additional improvements or design modifications necessary to resolve identified transportation conflicts may be required on a case by case basis.
- e. Driveways shall be designed to allow safe and efficient vehicular ingress and egress in accordance City of Roseburg Public Works Standards.
- f. Except where specified in an adopted access management plan, minimum separation between a standard driveway (measured from the end of the curb radius at the driveway or the top of the transition) and the nearest intersection curb return (measured at the end of the curb radius at an intersection or the top of the transition) or between two driveways (except driveways for single family residential and duplex on local street) on the same side of the street shall be as shown in Table A.

TABLE A
MINIMUM SPACING STANDARDS

LAND USE	STREET TYPE		
	ARTERIAL	COLLECTOR	LOCAL
Industrial	500'	200'	150'
Commercial/ Public Land	500'	200'	75'
Multi-family Residential	500'	200'	75'
Single-family Residential and Duplexes	500'	200'	30'

- g. Distances shown in Table A may be reduced in the following circumstances:
 - 1. Access is from a one-way street.
 - 2. The driveway is designed and marked "right turn entrance only".

3. The driveway is marked "exit only" and is designed to prevent left turns.
 4. Exceptions to this requirement may be granted by the Community Development Director when recommended by the Public Works Director. Evaluations of exceptions shall consider the posted speed for the street on which access is proposed, constraints due to lot patterns, and effects on the safety and capacity of the adjacent public street, bicycle, and pedestrian facilities.
 3. Access Permission. The following shall apply to all public and private streets within the City and to all properties that abut these streets:
 - a. Permission to access City streets shall be subject to review and approval by the Public Works Director based on the standards contained in this Chapter, Public Works Standards, any access management plans, and any access management agreements between ODOT and the City. Access will be evaluated and determined as a component of the land use decision process. Construction shall be as detailed in the review and decision of the land use.
 - b. Permits for access to State highways shall be subject to review and approval by the Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City. In that case, the City shall determine whether access is granted based on ODOT and City adopted standards.
 - c. Nonconforming Access
 1. Legal accesses in place as of (insert date of adoption) that do not conform with the standards herein are considered nonconforming and shall be brought into compliance with standards when new access is requested, or with a change in use or when improvements are proposed that would increase the trip generation.
4. Traffic Impact Study
 - a. A Traffic Impact Study (TIS) shall be required based on anticipated negative significant traffic and safety impacts projected to be caused by the proposed development as determined by the Community Development Director after a recommendation from the Public Works Director.

Negative significant traffic and safety impacts may include, but not be limited to:

 1. An anticipated increase of at least 5% of the current traffic volume during the peak hour and at least 100 trips per day.

2. Additional traffic and turn movement projected to result from the proposed development is projected to exceed the applicable volume to capacity ratio and/or level of service:

Volume to Capacity Ratio:

Arterial: 0.85
Collector: 0.90
Local: 0.95

Level of Service Standard:

Signalized intersection: LOS D
Unsignalized intersection: LOS E

Downtown Intersection: 0.95 and LOS E

3. A significant capacity and/or safety problem is likely to be caused by, or increased by the development.
- b. When required, the TIS shall, at a minimum:
 1. Utilize a Scope of Work and an Analysis Methodology approved or accepted by the Community Development Director.
 2. Consider cumulative impacts of existing and proposed development in the study area.
 3. Include long-term impact (20-year) of the development in the context of the projected traffic environment at 5-year increments.
 4. Consider circulation and safety needs for pedestrians, bicyclists, and transit in addition to motor vehicles.
 5. Extend the analysis coverage of the street system until the peak traffic impact becomes less than 5%.
5. Intersections. Intersections shall be designed and constructed in accordance with the following requirements.
 - a. In order to minimize traffic conflicts and provide for efficient traffic signalization, intersections involving curb return driveways and streets, whether public or private, shall be directly opposed, unless a Traffic Impact Study indicates that an offset intersection benefits public safety to a greater degree.
 - b. Streets shall intersect one another at an angle as near to a right angle as is practicable, considering topography of the area and previous adjacent layout, but in no case at an angle less than sixty (60) degrees. The right of way and street paving within the acute angle shall have a minimum of thirty (30) feet centerline radius. At intersections, each collector or arterial street shall be straight or shall have a radius greater than 600 feet for a distance of 100 feet from each intersection.

c. Intersections shall be so designed that no offset dangerous to the traveling public is created as a result of staggering intersections. The minimum offset between two local streets that do not have left turn storage needs shall be 200 feet. The minimum offset between two streets other than local streets shall be determined by the Community Development Director after a recommendation from the Public Works Director. In all cases, the minimum distances shall be the offset of the centerlines of side streets or driveways. These minimums may be increased based on traffic safety considerations.

6. Surface Water Drainage. Adequate provisions shall be made to ensure proper drainage of surface waters, and to prevent soil erosion and flooding. Site drainage provisions shall provide for acceptance of off-site drainage waters, and conveyance of all drainage waters, including crawl space and roof drainage, such that they are discharged off-site at a location and in such a manner that they do not damage off-site properties, do not violate drainage ordinances or laws, and are not increased in volume over natural or pre-project flows without said increase being in conformance with drainage law or first having obtained the approval of the downstream owner(s).

If a development is or will be periodically subject to accumulation of surface water or is traversed by a water course, drainage way, channel, stream, creek, or river, the applicant may be required to dedicate to the public storm drain easements approved as adequate by the Director of Public Works to provide for present and future drainage needs of the area, including access for maintenance. Storm drainage facilities shall conform to the standards established by the Director of Public Works.

7. Underground Utilities. All new major development, as defined in this Subsection, shall be served by underground utilities, including, but not limited to, electrical, telephone, cable television, and street lighting lines.

For the purpose of this Section, new major development is any new development containing more than five thousand (5,000) square feet of gross floor area, either in a single structure or in the sum of all structures constructed on a single lot or parcel, or any enlargement or structural alteration exceeding five thousand (5,000) square feet of gross floor area, for which site plan review is required by this Article, and any development subject to the requirements of Chapters 4 and 5 of this Ordinance.

Under special circumstances and conditions, the Director may vary the strict application of the requirements of this Subsection upon finding that such strict application is impractical due to the location of existing overhead utilities, unusual and special utility requirements of the development, or other conditions beyond the control of the developer.

Whenever overhead utilities are utilized in a development, the Director shall review the proposed location of such overhead utilities, and may require their

arrangement and location in such a manner to better carry out the purpose of the Article.

8. Lighting. Adequate exterior lighting shall be provided to promote public safety, and shall be designated to avoid unnecessary glare upon other properties.
9. Screening. Except in the Heavy Industrial District (M-3), exposed storage areas, utility buildings, machinery, garbage and refuse storage areas, service and truck loading areas, and other accessory uses and structures shall be adequately set back and screened. Screening may consist of fences, walls, berms, and landscaping, or any combination thereof, and which otherwise conforms with the standards established by this Ordinance. Screening or buffering of parking areas in all districts shall conform to the standards established in Section 3.35.250.
10. Compatibility. Compatibility with the surroundings and the Comprehensive Plan's designation for uses on surrounding property, particularly when the surrounding property is residential in character. In applying this standard and criteria:
 - a. Odor, dust, smoke, fumes, noise, glare, heat, and vibration from uses which might create a nuisance or be offensive to other uses in the area or be incompatible with such other uses, shall be adequately eliminated or controlled.
 - b. Due consideration shall be given to the preservation of attractive and distinctive historical and natural features.
 - c. Nonconforming uses shall not take precedence over a proposed development which enhances the aesthetics or value of the surrounding property.
 - d. This standard and criteria shall not take precedence over the need for housing for all income groups in the City.
 - e. Signs shall be of a scale that is in harmony with the site and surrounding development and may be illuminated if within the lighting and other standards and criteria of this section.
11. Riparian Habitat Protection. Mature ground cover and trees, wildlife habitats, and the natural contours of identified significant stream banks shall be preserved as noted herein. For the distances noted in the following table, measured from the top of the stream bank, there shall be a setback of structural and any other physical development such as parking lots, retaining walls, channel alterations, etc. from the stream bank unless, after consultation with the Oregon Department of Fish and Wildlife, findings are made by the Director pursuant to Section 2.090 (1)(f), that a proposed reduction in setback:

- a. Will not have a significant adverse impact on stream bank erosion, water temperature and quality, or wildlife, or
- b. Is required for flood control, and actions are taken to mitigate such impacts as much as is possible, or
- c. Is not required for flood control and will include all actions as are necessary to prevent or sufficiently mitigate any significant stream bank erosion, adverse impact on water temperature and quality, or wildlife, and such mitigation measures are specified; and
- d. Is not in conflict with any adopted drainage ordinance or plans.

For the purposes of this Section, the top of the stream bank shall be as determined by the Community Development Director acting with the advice of the Department of Fish and Wildlife.

SETBACKS		
	All Residential zones, except Public Reserve and Residential Open Space	All Commercial and Industrial zones and Public Reserve and Residential Open Space
South Umpqua River	50 feet	50 feet
Newton Creek	25 feet	50 feet
Deer Creek	25 feet	50 feet

The setback reductions articulated in this subsection are not required to meet the variance criteria contained in Article 40 of this Ordinance.

- 12. Water for Domestic Use. All structures containing a plumbing fixture shall be required to use the City's water supply system as the sole water source. No development shall be permitted which uses a well as a water source for any structure containing a plumbing fixture.
- 13. Additional Factors. Additional specific factors as necessary to fulfill concerns raised at the time the property was zoned or rezoned.
- 14. Design Specifications for Garbage Containers Service for all Zones. New Development containing enclosed Garbage Containers shall meet the following construction design standards.
 - a. All containers must be placed on a hard level surface.

- b. All containers shall have a minimum of sixty-five (65) feet x twelve (12) feet clear area in front with NO obstructions.
 - c. This area must be on the same cross slope as the container (level).
 - d. The clear area and hard level surface under the container must be flush (No curbs or drops).
 - e. The unobstructed area must have no more than a two percent (2%) slope front to back.
 - f. Enclosures shall have a minimum of eighteen (18) feet overhead clearance over the entire clear area.
 - g. Any enclosure shall have a minimum opening of ten (10) feet centered in front of the clear area.
 - h. Any enclosure gates shall open past ninety (90) degrees.
 - i. All enclosures shall have a curb or other stop at least four (4) inches high and a minimum of six (6) inches in front of back wall or fence.
 - j. Developments proposing to deviate from these requirements shall submit written approval from the designated service provider prior to City consideration.
15. Site Development – Excavation and Fill Placement. Excavation, fill placement, or removal of trees or ground cover shall require a permit from the Community Development Department if any of the following conditions apply.
- The volume of fill placement or excavation exceeds 5 cubic yards for every one thousand (1000) square feet of land area.
 - The proposed excavation will result in clearing 3,000 or more square feet.
 - The property contains all or portions of a river, stream, wetland, spring, or other source where the continuous presence of water is indicated and which would be disturbed.
 - Lands within and identified on the City of Roseburg Slope Map or having slopes of greater than 12% shall comply with the requirements identified in Section 3.35.700.
- a. Exceptions. A site development permit shall not be required for the following activities:

- (1) Projects or developments which have received Site Plan Review approval.
 - (2) The installation and maintenance of public utilities and infrastructure such as water lines, water meters, pump stations, sewer lines, and streets by the City, Roseburg Urban Sanitary Authority, other utilities or their contractors.
 - (3) Removal of trees and ground cover in emergency situations involving immediate danger to life or property or substantial fire hazards.
 - (4) Removal of trees, ground cover, or obnoxious vegetation on partially developed property for purposes of general property and utility maintenance, fire hazard removal, landscaping, or gardening without the use of a bulldozer or similar mechanical equipment.
- b. Application and Submittal Requirements. The application shall include, at a minimum, the following information.
- (1) Map/Plan: The submitted map/plan shall include date, north arrow, location of adjoining streets, structures and property, existing utilities, scale, contours at no more than 2-foot intervals.
 - (2) Property description(s): Legal description including accurate property lines and boundaries.
 - (3) Planned Improvements: Proposed location of all improvements, including but not limited to structures, utilities, roads, storm drainage, and retaining walls.
 - (4) Topography: Natural features, tree groupings, rivers, streams, wetlands, or other geographical features.
 - (5) Stabilization/Erosion Control Method(s): Proposed methods for bank stabilization, erosion control plan and measures (DEQ requirements), and land restoration.
 - (6) Vegetation/soils: General description and notation of trees and ground cover; general description of soils and characteristics. Subject to review, certain development projects may require a geotechnical report.
 - (7) Grading Plan: Plan including cut and fill areas, existing and finish grades and slope height.

- (8) Drainage: Drainage plan complying with the Storm Drainage Master Plan.
- (9) Supplementary Information: Name and address of property owner.
- c. Written Information:
 - (1) Project Description: General description of the proposed project.
 - (2) Schedule: Proposed time schedule for excavation, land clearing, or fill placement, land restoration, bank stabilization and erosion control, and future development.
 - (3) Additional Permit(s): Permit approvals or applications from other agencies such as the Oregon Division of State Lands, Oregon Department of Environmental Quality, or The U.S. Army Corps of Engineers shall be provided at the time of application submittal.
 - (4) Other: Other information as deemed necessary by the Community Development Department in order to adequately review and approve the application.
- d. Minimum Requirements:
 - (1) Each permit approval shall be subject to the requirement that all ground stabilization be maintained and not be allowed to deteriorate.
 - (2) Removal of vegetation shall not occur more than 30 days prior to grading or construction.
 - (3) If a building permit is issued as part of the project, the requirements of the excavation/land clearing permit shall be completed prior to framing or set-up. Erosion control and stabilization methods shall be in place prior to and during the entire construction phase of the project.

16. Central Business District Standards

- a. Roof Mounted Equipment. No roof-mounted equipment, vents, ducts, or dish antennas shall be visible from ground level from any adjacent parcel, or any public street or right-of-way. This shall be accomplished through the extension of the main structure or roof, or screened in a manner that is architecturally integrated with the main structure.

- b. Business Address Required. Each business or structure (as appropriate) shall provide its address in numbers a minimum of six (6) inches in height. The address shall be placed on the building, awning valance, or canopy in a manner to be clearly visible from the adjacent street, alley, and sidewalk. The preferred locations are above the main pedestrian entrance and at rear or side entrances.

SECTION 5: LAND USE AND DEVELOPMENT ORDINANCE SECTION 2.3.080 DEDICATIONS AND IMPROVEMENT PETITIONS is hereby amended to read as follows:

SECTION 2.3.080 DEDICATIONS AND IMPROVEMENT PETITIONS

If an applicant intends to assert that he/she cannot legally be required, as a condition of building permit or development approval, to provide easements, dedications, or improvements at the level otherwise required by this Ordinance, the building permit or site plan review application shall include a Rough Proportionality Report submitted by the applicant and prepared by a qualified civil or traffic engineer, or qualified professional in the field of the issue in question as appropriate, showing:

1. The estimated extent, on a quantitative basis, to which the improvements will be used by persons served by the building or development, whether the use is for safety or convenience;
2. The estimated level, on a quantitative basis, of improvements needed to meet the estimated extent of use by persons served by the building or development;
3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the improvements will be a part; and
4. The estimated level, on a quantitative basis, of improvements needed to mitigate the estimated impact on the public infrastructure system.

Where the Director determines that the public need would be better served by dedication of rights-of-way rather than easement, the site plan shall so indicate, and the land shall be conveyed to public ownership by instrument. Where the Director determines that it is in the public interest to delay construction of any local improvement required by this Article, the Director may require the property owner file with the Governing Body a suitable instrument of commitment for the subject property in perpetuity to the formation of a local improvement district, present or future, which may be created for the purpose of constructing and financing the local improvement by special benefit assessment.

SECTION 6: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.13.050 PERMITTED USES is hereby amended to read as follows:

SECTION 3.13.050 PERMITTED USES

In the CBD Zone, the following uses and their accessory buildings and uses are permitted, subject to the general provisions and exceptions set forth by this Ordinance:

1. Automobile parking lots and garages provided that parking garages may be required by the Director to accommodate commercial uses on ground floors adjacent to the street.
2. Business and Professional Offices (Establishments where the administrative, clerical and managerial functions of a business or industry are conducted, or where members of a profession conduct their practice, such as accounting, medical, or engineering) located on streets other than Jackson Street and professional offices existing prior to adoption of this ordinance.
3. Business Services (Establishments primarily engaged in rendering services to business establishments including printing, photocopying, advertising, and mailing; employment services; management and consulting services; protective services; equipment rental and leasing; photo finishing; and personal supply services.)
4. Commercial Banks, Savings, Loan Associations, and Credit Unions.
5. Dwellings above commercial structures. The maximum number of dwelling units shall be limited to one (1) dwelling unit per 800 square feet of lot area. Dwellings in this zone shall be exempt from off-street parking standards of Section 3.35.100.
6. Retail establishments under 10,000 square feet gross floor area for the following uses:
 - a. Antique stores selling only merchandise of which at least fifty percent (50%) (by quantity and value) is more than seventy-five (75) years old.
 - b. Appliance Stores.
 - c. Art Galleries.
 - d. Retail Bakeries, Ice Cream Stores, or Confectionery Stores.
 - e. Barber, Beauty, Nail Shops.
 - f. Bicycle Shops.
 - g. Book or Stationary Stores.
 - h. Camera Shop.
 - i. Clothing or Wearing Apparel Shops selling only new merchandise.
 - k. Consignment Clothing Stores.
 - l. Delicatessen Shops.
 - m. Department Stores.
 - n. Drug Stores.
 - o. Floor Covering/Draperies Stores.

- p. Florist Shops.
- q. Furniture Sales or Rental Stores.
- q. Hardware Sales or Rental Stores.
- r. Interior Decorating Stores.
- s. Jewelry Stores.
- t. Kitchen and Bath Cabinets/Fixtures.
- u. Lighting Fixture Stores.
- v. Locksmith Shops.
- w. Music Stores, Instrument Sales, rentals, and lessons.
- x. Paint and Wallpaper Stores.
- y. Pet Shops.
- z. Photography Stores and Studios.
- aa. Radio and Television Stores, and incidental repair services.
- bb. Records, Audio, and Video Tape, and other similar products including sales, rentals, and incidental repair services.
- cc. Restaurants and Eating Establishments, including the incidental serving of alcoholic beverages, but without drive-thru facilities, or bar/lounge. May include outdoor seating for up to twelve (12) persons.
- dd. Shoe Repair.
- ee. Sporting Goods Stores.
- ff. Tailor, Dressmaking Shops.
- gg. Toy Shops.
- hh. Typewriter and Computer Products sales, rentals, and incidental services.
- ii. Businesses existing prior to the adoption of this ordinance.
- jj. Accessory uses customarily incidental to any permitted uses are permitted when located on the same lot, except that no more than three (3) game machines shall be considered as an accessory use in each hotel, eating establishment, or restaurant.

SECTION 7: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.13.100 USES PERMITTED USES CONDITIONALLY is hereby amended to read as follows:

SECTION 3.13.100 USES PERMITTED CONDITIONALLY

In the CDB Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the provisions of Section 2.060(1) and Article 39 of this Chapter:

1. Any use over 10,000 square feet gross floor area.
2. Alcoholic Beverage Sales for off premises consumption (liquor stores).
3. Day-Care Center, above the ground floor only.
4. Drive-In Facilities for Financial Institutions.

5. Education/Tutoring Centers, above the ground floor only.
6. Employment Agencies, above the ground floor only.
7. Health Clubs.
8. Dwellings not part of a commercial development subject to the development standards of the MR-29 Zone Classification.
9. Mini-Retail Business (not more than two (2) on any host business location and no larger than two hundred fifty (250) square feet).
10. Restaurants, Eating Establishments, Coffee Houses, Juice Bars, Delicatessen, and similar uses with outdoor seating for more than twelve (12) persons.
11. Restaurants and Eating Establishments with a separate bar/lounge area, serving of alcoholic beverages, and/or with live entertainment.
12. Theaters.
13. Ground floor Professional Office with Jackson Street frontage subject to development standards listed in Section 3.13.150(8).
14. Sidewalk cafes. Subject to development standards listed in Section 3.13.150(9).
15. Telecommunication Facilities.

SECTION 8: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.18.050 PERMITTED USES is hereby amended to read as follows:

SECTION 3.18.050 PERMITTED USES

In the C-3 Zone, the following uses and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

1. Any use permitted in the C-2 Zone, Section 3.17.050.
2. Agricultural supplies and machinery sales rooms.
3. Automobile, truck and motorcycle sales agencies, garages, service stations, wash, and detailing.
4. Auto parts and tool supply stores.
5. Builders supplies, including retail sales of lumber.

6. Commercial storage units.
7. Department or sporting goods store.
8. Dry cleaning facility (retail).
9. Dwellings above commercial structures. The maximum number of dwelling units shall be limited to one (1) dwelling unit per 800 square feet of lot area.
10. General retail sales of previously prepared products.
11. Indoor racquet sports clubs; spas; athletic, exercise, and health clubs.
12. Mini-Retail Business (MRB) (not more than two (2) on any host business location and no larger than 250 square feet).
13. Mobile home and recreational vehicle sales.
14. Motel, hotel.
15. Motion picture production and distribution and services.
16. Public parking and equipment parking not incidental or accessory to another use on the premises.
17. Places of amusement, such as billiard parlors, bowling alleys, drive-in theaters, dance halls, video arcades, and miniature golf.
18. Plumbing, heating, electrical and sheet metal shop.
19. Printing and publishing.
20. Public and semi-public buildings and uses.
21. Residential Care Center, subject to the property development standards set forth in Section 3.18.150.
22. Recycling Center, less than 5,000 square feet, subject to development standards of Section 3.18.150.
23. Store (retail and wholesale) and business uses similar to the above and normally located in a commercial district, provided that:

- a. Where there is a manufacturing, compounding, processing or treatment of products for wholesale, a minimum of twenty-five percent (25%) of the total floor area shall be used for retail sales.
- b. Use is not objectionable due to odor, dust, smoke, noise, vibration, or appearance.

24. Trailer Parks.

SECTION 9: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.18.100 USES PERMITTED CONDITIONALLY is hereby amended to read as follows:

SECTION 3.18.100 USES PERMITTED CONDITIONALLY

In the C-3 Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the provisions of Section 2.060(1) and Article 39 of this Chapter:

1. Residential Facility, subject to the property development standards set forth in Section 3.18.150.
2. Churches, lot size of less than 40,000 square feet.
3. Body shop in conjunction with an auto sales agency.
4. Crematory, mausoleum, or mortuary.
5. Residential Home within an existing residential dwelling.
6. Outdoor recreational facilities e.g. golf and country clubs, driving ranges, swimming or tennis clubs, skateboard parks, water slides, and similar uses.
7. Adult entertainment or adult bookstore.
8. Stadium or Coliseum.
9. Telecommunication Facilities.

SECTION 10: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.24.050 PERMITTED USES is hereby amended to read as follows:

SECTION 3.24.050 PERMITTED USES

In the MU Zone, the following uses and their accessory buildings and uses are permitted, subject to a site review and the general provisions and exceptions set forth by this Ordinance:

1. Ambulance Service, police, fire, rescue service.
2. Agricultural supplies and machinery sales rooms.
3. Apparel and other textile products e.g. producing, fabricating of fabrics and related material such as leather (no tanning or finishing), rubberized fabrics, plastics, and furs.
4. Auto parts and tool supply stores.
5. Automobile, truck, and motorcycle sales agencies, garages, service stations, wash and detailing and body shop.
6. Builders supplies, including retail sales of lumber.
7. Builders supply store and machinery sales.
8. Commercial laundry, cleaning and dyeing works and carpet and rug cleaning.
9. Commercial storage units.
10. Department or sporting goods store.
11. Dry cleaning facility.
12. Dwellings above commercial structures. The maximum number of dwelling units shall be limited to one (1) dwelling unit per 800 square feet of lot area and subject to the development standards of Section 3.24.150.
13. Dwellings on the ground floor in conjunction with commercial structures. The area for dwellings on the ground floor shall be limited to 20 percent of the ground floor area of the building.
14. Electrical and electronic equipment e.g. manufacturing supplies for generation, storage, transmission, transformation and utilization of electrical energy.
15. Food and related products e.g. establishments, manufacturing, compounding, packaging, processing, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, soap, cleaners, toiletries, soft drinks, and food, except fish, meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils.
16. General retail sales of previously prepared products.
17. Indoor racquet sports clubs; spas; athletic, exercise, and health clubs.

18. Commercial & Industrial business park subject to property development standards listed under Section 3.24.150.
19. Laboratories.
20. Manufacture or storage of ice.
21. Manufacturing of instruments and related products, such as, medical instruments and supplies, photographic equipment and supplies, watches, clocks, measuring and controlling devices, and engineering and scientific instruments, including toys, jewelry, silverware, blown glass, pottery, and musical instruments.
22. Mini-Retail Business (MRB) (not more than two (2) on any host business location and no larger than 250 square feet).
23. Mobile home, recreational vehicle, boat, and aircraft sales, and garages.
24. Motel, hotel.
25. Motion picture production and distribution and services.
26. Open storage area for commercial storage of personal property such as boats and recreational vehicles.
27. Public parking and equipment parking not incidental or accessory to another use on the premises.
28. Places of amusement, such as billiard parlors, bowling alleys, drive-in theaters, dance halls, video arcades, and miniature golf.
29. Plumbing, heating, electrical, and sheet metal shop.
30. Printing, publishing, or engraving shop.
31. Public and semi-public buildings and uses.
32. Restaurants and eating establishments.
33. Recycling Center, subject to development standards of Section 3.18.150.
34. Special trade contractors (e.g. plumbing, painting, electrical, masonry, carpentry, concrete, woodwork, sheet metal and waterwell drilling).
35. Textile mill products e.g. weaving, knitting of fabric.

36. Trailer Parks.
37. Trucking and warehousing.
38. Upholstery shop and furniture repair.
39. Warehouses, including buildings for commercial storage of personal property.
40. Wholesale business and salesrooms.
41. Professional office, subject to property development standards listed under section 3.24.150.

SECTION 11: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.24.100 USES PERMITTED CONDITIONALLY is hereby amended to read as follows:

SECTION 3.24.100 USES PERMITTED CONDITIONALLY

In the MU Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the provisions of Section 2.060(1), Article 39 and Section 3.35.600 of this Chapter.

1. Uses listed as permitted uses in M-2 Zone, provided that:
 - a. Use is not objectionable due to odor, dust, smoke, noise, vibration, or appearance.
 - b. The items manufactured, processed or produced in this zone shall be primarily for wholesale.
 - c. Use is subject to the property development standards set forth in Section 3.24.150. (property development standards).
2. Stadium or coliseum.
3. Multi-family housing subject to the property development standards set forth in Section 3.24.150 and restrictions section set forth in Section 3.35.600(3)(d).
4. Telecommunication Facilities.

SECTION 12: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.100 OFF-STREET PARKING is hereby amended to read as follows:

SECTION 3.35.100 OFF-STREET PARKING

At the time of erection of a new structure, at the time of enlargement except for enlargement of a one or two-family dwelling, or at the time of a change in the use of an existing structure, off-street parking spaces and bicycle parking spaces shall be provided in accordance with this Section, except as otherwise provided. In an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Section. Where square feet are specified, the area measured shall be the gross floor area open to the public, excluding space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season, including proprietors. Where the resulting number of spaces is a fraction of a parking space, any fraction under one-half shall be disregarded and any fraction of one-half or more shall count as 1 space.

<u>USE</u>	MINIMUM VEHICULAR PARKING STANDARD	MINIMUM BICYCLE PARKING*
1. Residential		N/A
a. One and two family dwellings	2 spaces per dwelling unit	
b. Multi-family dwelling, three (3) or more dwelling units		1 per 5 units
1. One-bedroom units	1.5 spaces per dwelling unit	
2. Two-bedroom units	1.75 spaces per dwelling unit	
3. Three or more bedrooms units	2 spaces per dwelling unit	
c. Residential Home	1 space for every 2 rooms	
d. Bed and Breakfast	2 spaces plus 1 space per guest room	
2. Commercial/Residential		
a. Motel/Hotel	1 space per guest room or suite plus required parking for on-site uses	1 per 15 required auto spaces
b. Residential Care Center	1 space per each 5 beds	
3. Institutional		
a. Welfare or Correctional Institution	1 space per 5 beds based on maximum capacity	1 per 15 required auto spaces
b. Residential Facility	1 space per 2 beds based on maximum capacity	1 per 15 required auto spaces
c. Hospital	2 spaces per bed based on maximum capacity	1 per 15 required auto spaces
4. Places of Assembly		

a. Church or other place of religious assembly	1 space per 4 seats in the main auditorium based on maximum capacity, or 1 parking space for each 5 occupants based on maximum capacity as calculated under the provision of the building code.	1 per 20 required auto spaces
b. Library, Reading Room, Museum, Art Gallery	1 space per 300 square feet of floor area	1 per 10 required auto spaces
c. Pre-School, Nursery, Day or Child Care Facility, Kindergarten	2 spaces for the first 16 children plus one additional space for every 12 children thereafter, along with off-street loading and unloading area	1 per classroom
d. Elementary or Junior High School	2 spaces per classroom, plus one space for each 5 fixed seats in any area used for auditorium purposes; if no fixed seating, one for each 5 occupants based on building code along off-street loading and unloading	1 per 2 required auto spaces
e. High School	5 spaces per classroom, plus one space for each 5 fixed seats in any area used for auditorium purposes; if no fixed seating, one for each 5 occupants based on building code along with off-street loading and unloading	1 per 10 required auto spaces
f. College; Commercial School	7 spaces per classroom plus one space for each 5 fixed seats in any area used for auditorium purposes; if no fixed seating, one for each 5 occupants based on building code.	1 per 5 required auto spaces with a reduction of up to 25% where design incorporates features that promote alternative transportation access, such as walking, bicycling, or transit and it is demonstrated that

		alternative transportation access, such as walking, bicycling, or transit is available and is likely to be used.
g. Political, Civic, Social or Labor Organization Meeting Halls	1 space per 4 seats based on maximum capacity or 1 space for each 5 occupants based on maximum calculated in the building code.	1 per 25 required auto spaces
h. Other Auditorium, meeting room	1 space per 4 seats based on maximum capacity or 1 space for each 5 occupants based on maximum as calculated in the building code.	1 per 20 required auto spaces
5. Recreation		
a. Stadium, Arena, Theater	1 space per 5 seats based on maximum capacity or 1 space for each 5 occupants based on maximum capacity as calculated under the provisions of the building code.	1 per 10 required auto spaces
b. Bowling Alley	3 spaces per lane	1 per 15 required auto spaces
c. Dance Hall	1 space per 100 square feet of floor area	1 per 15 required auto spaces
d. Skating Rink	1 space per 200 square feet of floor area	1 per 15 required auto spaces
e. Swimming pool facility	1 space per 200 square feet of pool surface area	1 per 15 required auto spaces
f. Racquet court, athletic club	1 space per court, plus 1 space per 100 square feet of exercise area	1 per 15 required auto spaces
g. Other indoor recreation facility	1 space per 100 square feet of floor area	1 per 15 required auto spaces
h. Outdoor recreation facility	25 spaces per field or recreation area	1 per 10 required auto spaces
6. Commercial		
a. Grocery store, retail store, bank, professional office,	1 space per 300 square feet of floor area	1 per 15 required auto spaces

	medical or dental office, clinic, laboratory, beauty and barber shop or other personal service		
b.	Furniture, appliance, auto, boat, manufacture or mobile home sales, trailer sales, or other bulk retail	1 space per 700 square feet of floor area	1 per 25 required auto spaces
c.	Emergency or Urgent Care Clinics	1 space per 200 square feet of floor area	
d.	Sit-down and carry-out restaurant, tavern, bar and nightclub	1 space per 100 square feet of floor area	1 per 30 required auto spaces
e.	Drive-in restaurant or other drive-in services	1 space per 4 seats or one space per 200 square feet of floor are, whichever is greater	
f.	Mortuary, Funeral Parlor or Mausoleum	1 space per 4 occupants based on maximum capacity as calculated under the provisions of the building code	
g.	Ambulance or Rescue Services	1 space per rescue vehicle, plus 1 space per employee	
h.	Repair Garages and Automobile	At least 4 parking spaces for each service stall, and 1 per 2 gasoline pumps	
i.	Truck, trailer and automobile rental	1 space per 300 square feet of building area plus one space for every 10 spaces devoted to rental vehicles	
j.	Private Utility (gas, electric, telephone, etc.)	1 space per 300 square feet of building area, and in the case of an unstaffed facility, at least 2 spaces	
k.	Laundromat and Dry cleaning Facility	1 space per 300 square feet	
l.	Passenger Transportation Terminal	1 space for each 5 seats based on maximum capacity for each transporter loading and	

	unloading within any half-hour period	
7. Industrial		
a. Manufacturing Establishments	1 space per each 500 square feet floor area	1 per 15 required auto spaces
b. Storage, Warehouse, Wholesale establishment; rail or trucking freight terminal; truck, trailer or auto storage	1 space per each 1,500 square feet floor area	1 per 20 required auto spaces
c. Building or Specialty Trade Contractor Office or Shop	1 space per 500 square feet of floor area	As determined by the Community Development Director
8. Uses Not Specified	The parking requirements for buildings and uses not set forth herein shall be determined by the Director, and such determination shall be based upon the requirements for the most comparable building or use specified herein. The decision of the Director may be appealed to the Commission in accordance with the provisions of Section 2.140 of this Ordinance.	

* BICYCLE PARKING IS NOT REQUIRED IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONE

SECTION 13: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.110 BICYCLE PARKING STANDARDS is hereby added to read as follows:

SECTION 3.35.110 BICYCLE PARKING STANDARDS

1. Bicycle Parking Facility Design
 - a. Bicycle parking facilities shall either be securely anchored lockable enclosures in which the bicycle is stored, or secure anchored stationary rack which support the frame so the bicycle cannot easily be pushed or fall to one side. Racks that require a user-supplied lock shall accommodate locking the frame and both wheels using either a cable or U-shaped lock.
 - b. Bicycle parking spaces shall be at least 6 feet long and 2.5 feet wide, and overhead clearance in covered spaces shall be a minimum of 7 feet.

- c. A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.
- d. Required bicycle parking shall be located in a well lighted, secure, and visible location.

2. Locational Standards for Bicycle Parking

- a. All required bicycle parking shall be located on the site within 50 feet of main building entrances and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access (i.e., from the street or path to the parking area and from the parking area to the entrance) to both the public right-of-way and to the main entrance of the principal use.
- b. Public bicycle parking shall be distributed at the various public entrances, while employee parking shall be located at the employee entrance, if appropriate.
- c. Bicycle parking shall not be located in the public right-of-way; however, in exceptional circumstances bicycle parking in the public right-of-way may be allowed if approved in writing by the Public Works Director.
- d. Bicycle parking may be provided within a building, but the location must be easily accessible for bicyclists.

SECTION 14: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.115 PARKING REDUCTION is added to read as follows:

SECTION 3.35.115 PARKING REDUCTION

The number of parking spaces required may be reduced as follows:

1. In order to encourage and facilitate the use of public transit or car/vanpooling, a maximum of fifteen percent (15%) of the required number of off-street parking spaces for employees may be eliminated in lieu of car/vanpooling facilities or public transit service areas and facilities provided by the developer, including off-street transit loading and unloading areas and passenger shelters. The provisions of this Section may be negotiated in conjunction with the requirements of Article 3, Chapter 2, Site Plan Review.
2. For any development requiring at least ten off-street parking spaces, the number of required off-street parking spaces may be reduced by the number of on-street parking spaces on the street frontage of the property, up to a maximum reduction of 20%, provided:
 - a. Such on-street parking is accessible from the buildings being developed via convenient walkways; and,
 - b. Such walkways are constructed with permanent hard-surfaced material, such as concrete, stone, brick or tile which is all-weather, non-skid; and,

- c. The location of the on-street parking is no more than 150 feet from the entrance of the development requiring the parking.
 - d. Such on-street parking shall not be used or reserved exclusively for the development but shall be available at all times to the general public.
 - e. Each 25 feet of uninterrupted curb designed for on-street parking constitutes one parking space.
3. For commercial and industrial development requiring at least 50 off-street parking spaces, a reduction of up to a maximum 5% in the number required parking spaces may be allowed if there is an increase in landscaped area which exceeds by at least 25% the minimum landscaping amount, and incorporates landscaping exceeding minimum standards. The landscaped area must be located between the public street and the parking area. The reduction is allowed at a maximum rate of one parking space per 200 square feet of landscaped area in excess of the minimum.
 4. The maximum reduction from all reductions in parking spaces shall be no more than 25% of the required number of parking spaces.

SECTION 15: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.210 PARKING AREA AND DRIVEWAY DESIGN is hereby amended to read as follows:

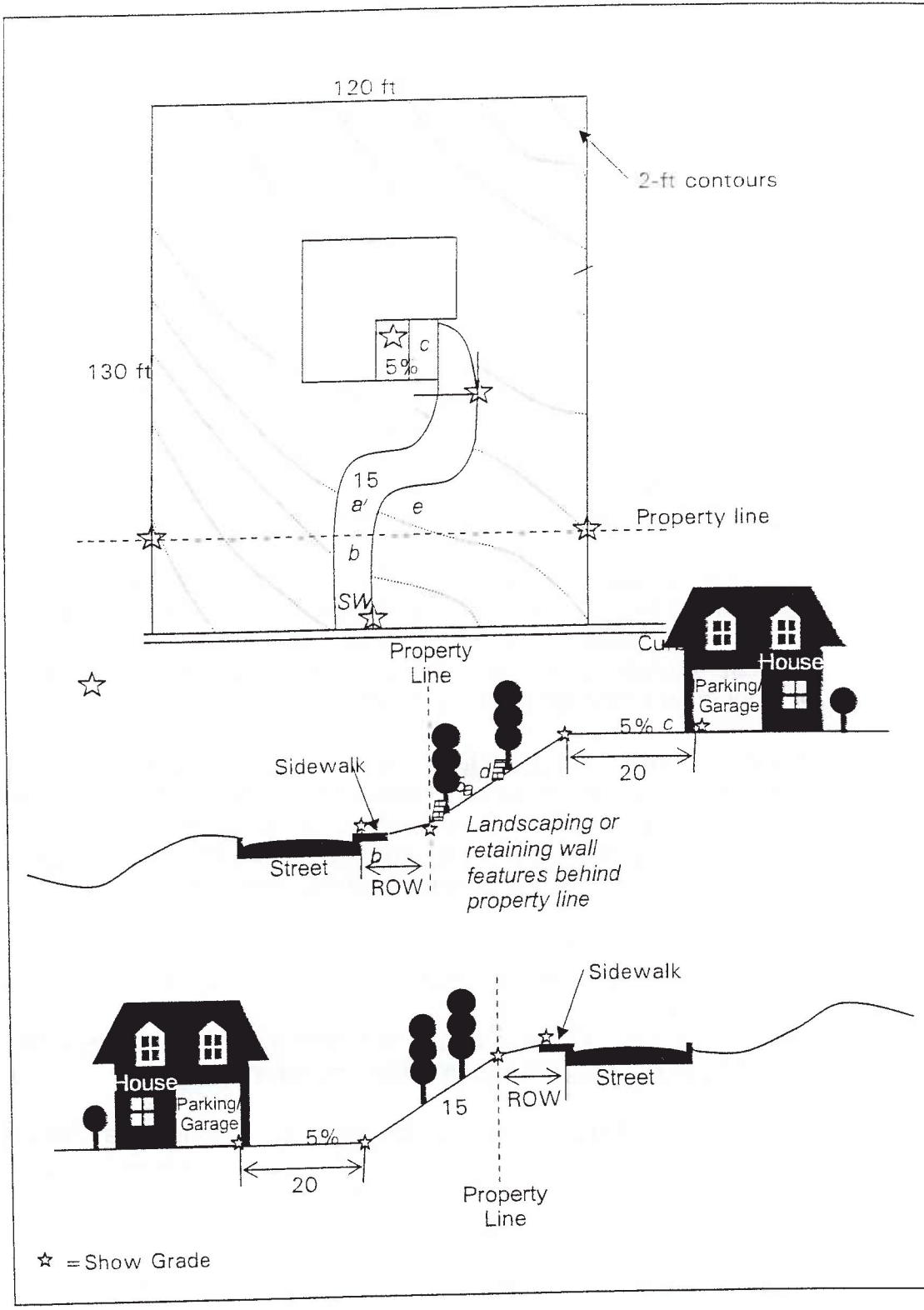
SECTION 3.35.210 PARKING AREA AND DRIVEWAY DESIGN

All public or private parking areas, parking garages and public parking spaces, shall be designed, laid out and constructed in accordance with the provisions of Sections 3.35.210 through 3.35.260 and Section 2.3.075.

1. Driveway Specifications. Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, but in no case shall two-way and one-way driveways be less than twenty (20) feet and twelve (12) feet wide, respectively, nor shall any driveway have a width in excess of forty (40) feet
2. Driveway Maneuvering Aisles. Driveways shall be aligned with maneuvering aisles so as to facilitate safe and convenient ingress and egress.
3. Access Grades. Driveways used to access on site parking and as further defined by the Figure below, titled Driveway Access Grade, shall comply with the following criteria:

DRIVEWAY ACCESS GRADES FIGURE

Profile Views:



- a. Maximum grade of driveway from property line to face of garage shall not exceed 15% at any point and shall be graded to allow clearance to pass an automobile eighteen (18) feet in length.
 - b. When it is determined necessary at the time of site plan review to provide emergency apparatus access, access drives exceeding 30 feet in length are to provide a minimum 20 feet wide paved area back from the face of the garage/parking not exceeding 5% grade.
4. Driveway Location in relation to Intersections. Except in relation to single family districts, the minimum distance between driveways and intersections shall be as provided in Section 2.3.075 #2.

If the subject property is not of sufficient width to allow for separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while maintaining the five (5) foot setback between the driveway and property line as required.

5. Driveway Location in Relation to Intersections - Single Family Dwellings. The minimum distance between driveways and intersections shall be thirty (30) feet.
6. Driveway Location in relation to Lot Lines. Access driveways shall not be located closer than five (5) feet to an interior side lot line, except that common access driveways (not exceeding forty (40) feet in width) to two (2) adjacent properties may be provided at the common lot line when a common driveway agreement is executed on a form provided by the Director and recorded with the County Clerk.
7. Number of Accesses Permitted. Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe traffic circulation and carrying capacity of the street. The location, width, and number of accesses to a public street may be limited for developments that are subject to site plan review provisions of this ordinance.
8. Common Access Points. Common access points at a property line is encouraged and, in some instances, may be required in order to reduce the number of access points to streets. Construction of common access points must be preceded by recording of joint access and maintenance easements.
9. Parking Area Marking. Access driveways to parking areas having ten (10) or more spaces shall be clearly marked to indicate one-way or two-way access. Two-way driveways shall have a painted centerline at least two-and-one-half inches in width and at least ten (10) feet in length beginning at the interior edge of the sidewalk; or, where sidewalks are not present, at a point five (5) feet from the curb line; or, where neither sidewalks or curbs are present, at a point five (5) feet from the edge of the paved street surface.

SECTION 16: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.230 COMMON PARKING FACILITIES FOR MIXED USES is hereby amended to read as follows:

SECTION 3.35.230 COMMON PARKING FACILITIES (SHARED PARKING)

In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-street parking facilities for one use shall not be considered as providing required parking spaces for any other use, except as provided below.

1. Joint Use of Parking Facilities. The Director may authorize the joint use of parking facilities required by said uses and any other parking facility, provided that:
 - a. The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed.
 - b. The parking facility for which joint use is proposed is no further than 400 feet from the building or use required to have parking facilities.
 - c. The parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved by the Director as to form and content. Such instrument, when approved as conforming to the provisions of this Ordinance, shall be recorded in the office of the County Recorder, and copies thereof filed with the Director.

SECTION 17: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.245 PARKING PLAN SUBMITTAL REQUIREMENTS is hereby amended to read as follows:

SECTION 3.35.245 PARKING PLAN SUBMITTAL REQUIREMENTS

A parking plan, drawn to scale, must accompany Site Plan Review applications. Depending on the nature and magnitude of the development, it may be possible to show the needed parking information on the site plan (See Section 2.3.000). The plan must show the following elements in conjunction with the requirements of this Ordinance:

1. Delineation of individual parking spaces, including handicapped accessible parking spaces and employee parking reserved for carpools.
2. Loading areas and docks.
3. Circulation area necessary to serve spaces.

4. Location of bicycle and motorcycle parking areas.
5. Access to streets, alleys, and properties to be served.
6. Curb cuts.
7. Abutting land uses.
8. Grading, drainage, and surfacing details.
9. Location of lighting fixtures.
10. Specifications of wheel bumpers.
11. Proposed number of employees and amount of floor space applicable to the parking requirements for the proposed use.

SECTION 18: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.270 TRANSIT SERVICE FACILITIES is hereby repealed.

SECTION 19: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.35.300 WALKWAYS AND SIDEWALKS, PRIVATE is hereby amended to read as follows:

SECTION 3.35.300 WALKWAYS AND SIDEWALKS, PRIVATE

1. Purpose. The objective of this Section is to accomplish the construction of an efficient, connected, and safe system of pedestrian circulation, coordinated within and between various urban developments, by providing walkways and sidewalks for pedestrian access from and within urban developments and via extensions to street sidewalks. This will be achieved over a long period by making such walks a part of new developments only, and not retrofitting old or existing developments.
2. Exceptions. The requirements of this Section shall not apply to single-family and two-family dwellings.
3. Locations. Each property in all zoning districts being newly developed, or re-developed to the extent that structural alteration will increase the size of an existing building by twenty percent (20%) of the gross floor area, shall provide internal sidewalks and walkways, subject to the requirements and exceptions set forth in this Section.
 - a. Each property subject to the provisions of this Section shall provide pedestrian walks at or around the building of sufficient extent to provide safe and convenient pedestrian passage commensurate with the

character of the development and the nature of the intended use of the building.

- b. Each such property shall provide pedestrian walkways, crosswalks and other pedestrian facilities to allow safe and convenient pedestrian access throughout the site, particularly to routes between main building entrances and adjacent pedestrian destinations, including uses on adjoining properties, public sidewalks, and transit stops. Where the nature of the development is such that several buildings utilize a common internal pedestrian walkway system, such internal walkway system shall extend to the street sidewalk and shall serve to meet the requirements of this Section.

The ends of all raised walkways, where the walkway intersects a drive, parking aisle or street shall provide ADA accessible ramps.

4. Design Standards.

- a. Surface. Pedestrian walks and accessway surfaces shall be paved with permanent hard-surfaced material, such as concrete, stone, brick, tile. Only all-weather, non-skid paving shall be used in walk construction.
- b. Stairs. Where stairs are employed, the riser to tread proportion shall be designed to normal stair standards. Handrails shall be provided where the number of risers of adjoining grade difference requires the protection afforded by rails, as determined by the Uniform Building Code of the State of Oregon. Any flight of stairs, if it be on a pedestrian route, shall have the same riser to tread dimension. Stairs shall be constructed of wood, metal or approved walkway material.
- c. Lighting. Night lighting sufficient to ensure safe pedestrian use shall be provided where stairs, curbs, ramps, or other potential hazards occur.
- d. Curbs. Pedestrian walks adjoining automobile circulation lanes or parking areas shall be raised six (6) inches, or curbed, painted or constructed of different (contrasting) materials to define the pedestrian walk.
- e. Markings. Where pedestrian walks must cross parking areas or automobile circulation lanes, the pedestrian walk shall be defined by use of a contrasting paving, such as white concrete in an asphalt area, visually obvious paint stripes, or other clearly defined pattern.
- f. Crosswalks. Where a walkway crosses a parking area containing more than 10 parking spaces, a driveway, or a street, the walkway shall be clearly marked with contrasting paving materials, which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar

types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

5. Review of Plans by Community Development Director. Before a development permit is issued, plans for pedestrian walks shall be reviewed by the Community Development Director to determine that the provisions and objectives of Sections 3.35.300 and 3.35.350 are to be accomplished. To the extent practicable, such review shall be in conjunction with all other development plan reviews required by this Ordinance, and may be incorporated into the general site plan review process as provided for in Article 3, Site Plan Review.

SECTION 20: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.37.550 CONDITIONS OF APPROVAL is hereby amended to read as follows:

SECTION 3.37.550 CONDITIONS OF APPROVAL

In order to assure compatibility of the proposed development with the surrounding area, conditions may be imposed as conditions of approval of alteration or repair of a nonconforming use. Such conditions may include, but are not limited to, the following:

1. Special yards and spaces.
2. Fences and walls.
3. Special parking and/or loading provisions.
4. Street dedication and improvements or bonds in lieu of improvements.
5. Control of points of vehicular ingress and egress.
6. Special provisions for signs.
7. Landscaping and the maintenance of grounds.
8. Control of noise, vibration, odors, or other similar nuisances.
9. Limitation of time for certain activities.
10. A time period in which a proposed use shall be developed.
11. A limit of total duration of use.
12. Transportation improvements to mitigate the impact of increased traffic and to protect transportation facilities.

SECTION 21: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.38.100 CRITERIA FOR ZONE CHANGE is hereby amended to read as follows:

SECTION 3.38.100 CRITERIA FOR ZONE CHANGE

The approving authority may grant a zone change only if the following circumstances are found to exist:

The approving authority may grant a zone change only if the following circumstances are found to exist:

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.
3. The rezone is consistent with the safety and performance measures of the transportation system.

SECTION 22: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.38.200 CONDITIONS RELATIVE TO THE APPROVAL OF A ZONE CHANGE is hereby amended to read as follows:

SECTION 3.38.200 CONDITIONS RELATIVE TO THE APPROVAL OF A ZONE CHANGE

Reasonable conditions may be imposed, as are necessary to ensure the compatibility of a zone change to surrounding uses and as are necessary to fulfill the general and specific purposes of this Ordinance. Such conditions may include, but are not limited to, the following:

1. Special yards and spaces.
2. Fences and walls.
3. Special parking and/or loading provisions.
4. Street dedication and improvements or traffic control devices or facilities or bonds or other monetary contributions in lieu of improvements.
5. Control of points of vehicular ingress and egress.
6. Special provisions for signs.
7. Lighting, landscaping, and maintenance of grounds.

8. Control of noise, vibration, odors, or other similar nuisances.

SECTION 23: LAND USE AND DEVELOPMENT ORDINANCE SECTION 3.39.050 CONDITIONS is hereby amended to read as follows:

SECTION 3.39.050 CONDITIONS

In addition to the requirements of site plan review detailed in Article 3, the approval authority may designate conditions in granting a Conditional Use Permit as it deems necessary to secure the purpose of this Article and may require guarantees and evidence that such conditions shall be met. Such conditions may include:

1. Regulation of uses.
2. Special yards and spaces.
3. Fences and walls.
4. Street right-of-way dedications and street improvements.
5. Regulation of points of vehicular ingress and egress.
6. Regulation of signs.
7. Landscaping, screening, and buffering where necessary to increase compatibility with adjoining uses.
8. Regulation of noise, vibration, odors, or other similar nuisances.
9. Regulation of hours for certain activities.
10. Time period within which the proposed shall be completed.
11. Duration of use.
12. Regulation of building textures, colors, architectural features and height.
13. Preservation of natural vegetative growth and open space.
14. Transportation improvements to mitigate the impact of increased traffic and to protect transportation facilities.

SECTION 24: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.000 PURPOSE is hereby amended to read as follows:

SECTION 4.000 PURPOSE

Any person desiring to divide land or accomplish a common boundary line adjustment within the City of Roseburg shall submit preliminary plans and final plats or maps for such subdivisions and partitions and common boundary line adjustments to the City Community Development Director for review. Such review of proposed subdivisions and partitions and common boundary line adjustments is necessary in order that the City of Roseburg provide for the proper width and arrangement of streets and thoroughfares and their relation to existing or planned streets and thoroughfares; provide for conformity with the Comprehensive Plan regarding patterns for the development and improvement of Roseburg; for recreation, safety, and health; provide for the orderly development of centers of population; and promote the public health, safety, and general welfare, as defined in ORS Chapters 92, 197 and 227. Land divisions shall be designed to help improve the health of Roseburg's citizens and encourage the availability of a variety of transportation choices for moving people with a balanced transportation system that supports walking, bicycling and transit, that avoids principal reliance upon any one mode of transportation, and that encourages residents to achieve recommended levels of exercise.

SECTION 25: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.100 GENERAL REQUIREMENTS AND STANDARDS OF DESIGN AND DEVELOPMENT FOR PRELIMINARY PLANS is hereby amended to read as follows:

SECTION 4.100 GENERAL REQUIREMENTS AND STANDARDS OF DESIGN AND DEVELOPMENT FOR PRELIMINARY PLANS

The following are the requirements and standards to which the preliminary plan and improvement plan of a subdivision or partition or common boundary line adjustment must conform.

1. Conformity with the Comprehensive Plan. All divisions of land and common boundary line adjustments shall conform with the Roseburg Urban Area Comprehensive Plan with respect to the type and intensity of use, population densities, locations, and sizes of public areas, rights-of-way and improvements of streets, and any other aspects governed by comprehensive plan goals, policies or maps.
2. Conformity with Zoning Chapter. All divisions of land and common boundary line adjustments, regardless of the number of lots or parcels, shall comply with all specifications authorized by Chapter 3 of this Ordinance.
3. Variance from Subdivision Provisions. Variance from the strict application of the standards and provisions of this Chapter may be granted by the approving

authority when such standards and provisions would impose unusual practical difficulty on the applicant. Application for a variance as authorized by this Section shall be heard by the approving authority concurrently with the proceedings for preliminary plat approval. The criteria for granting a variance shall be the same as that required in Section 3.40.100. However, if the variance is a modification to the standards of Sections 4.150, 4.200, 4.220, and 4.250, the variance shall also address the following criteria:

- a. Physical or topographic conditions make it impractical to satisfy the street or walkway connection requirements of this chapter. These conditions include, but are not limited to, controlled access streets, steep slopes, wetlands, flood plains, or water bodies where a connection could not reasonably be provided. Grades that are too steep for a street may not be too steep for an accessway.
 - b. Buildings or other existing development on adjacent lands physically preclude a street or accessway connection now or in the future considering the potential for redevelopment.
 - c. Streets or accessways would violate provisions of existing leases, easements, agency access standards, or similar restrictions that are demonstrated to be legally beyond the control of and not entered into by the applicant, developer, or property owner.
 - d. Abutting undeveloped or underdeveloped property is within the 100-year flood plain.
4. Relation to Adjoining Street and Pedestrian and Bicycle System. A subdivision or partition shall provide for the continuation of major and secondary streets existing in adjoining subdivisions or partitions, or for their proper projection when adjoining property is not subdivided or partitioned, and such streets shall be of a width not less than the minimum requirements for streets set forth in these regulations. The connecting street network shall have capacity to support the proposed land uses. Connections shall also be made for pedestrian, bicycle, and vehicle access to schools, parks, employment, and recreation areas. Where the approving authority finds that topographic conditions make such continuation or conformity impractical, appropriate exceptions to this requirement shall be made.
5. Future Subdivision or Partition of Lots or Parcels. Where the subdivision or partition will result in a lot or parcel which in the judgment of the approving authority is likely to be further divided in the future, the approving authority may require that the location of lot and parcel lines and other details of layout be such that future division may readily be made without violating the requirements of this Ordinance and without interfering with orderly extension of adjacent streets. Any restriction of buildings within future street locations shall be made a matter of record by having a deed restriction filed with the County Clerk.

If a subdivision or partition is created which contains lots or parcels of sufficient size to otherwise qualify for future redivision, and the approving authority does

not require special provisions for future redivision as specified in this subsection, the approving authority may attach a condition to such subdivision or partition preventing any future redivision of the lots or parcels. Such condition shall be a special deed restriction and shall be filed with the County Clerk.

6. Access.

- a. Every lot or parcel created by partition or subdivision or common boundary adjustment shall have direct access to a public street or road except as provided in this Section.

A lot or parcel shall be considered to have direct access to a public street or road if:

- (1) The lot or parcel abuts a public street or road; and
- (2) The public street or road abutting the lot or parcel provides actual, practical and usable physical access to the lot or parcel.

- b. Access to a lot or parcel created by partition or subdivision or common boundary line adjustment may be accomplished by a private easement of way established by deed, if:

- (1) The approving authority finds that such private easement is the only reasonable method of providing sufficient access to the rear portion of an unusually narrow and deep lot, otherwise large enough to warrant partitioning.
- (2) There is an express grant or reservation of an easement in a document recorded in the office of the County Clerk.
- (3) No more than one (1) lot or parcel will be provided access via the easement.
- (4) Use of a lot or parcel provided access via an easement will be limited to a single-family dwelling.

7. Special Investigations Required. In addition to the information and data submitted in fulfillment of other sections of this Ordinance, the subdivider may be required to accomplish special investigations, studies and reports concerning soil, geologic and foundation conditions, and other conditions determined by the approving authority to be of concern. Such information, reports, etc. shall be submitted for review by the approving authority. The information and findings may form the basis for conditions to be applied by the approving authority to the subdivision plan and improvements.

SECTION 26: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.150 PLATTING AND MAPPING STANDARDS - STREETS AND ROADS is hereby amended to read as follows:

SECTION 4.150 PLATTING AND MAPPING STANDARDS - STREETS AND ROADS

1. General.

- a. Dedication. The approving authority may require right-of-way for adequate and proper streets, including arterials, collector streets, local streets, and other streets, to be dedicated to the public by the applicant of such design and in such location as are necessary to facilitate provision for the transportation and access needs of the community and the subject area in accordance with the purpose of this Ordinance. The street system shall accommodate bicycle and pedestrian facilities within the public right-of-way.
- b. Special Safety Requirements. Where necessary to ensure safety, reduce traffic hazards, and promote the welfare of the general public and residents of the subject area, the approving authority may require that local streets be so designed as to discourage their use by non-local traffic.

Traffic-calming features such as traffic circles, roundabouts, curb extensions, speed humps on residential streets, chicanes and other special paving treatments may be required by the approving authority to slow traffic and discourage use of local streets by non-local traffic.

c. Transportation System Plan.

Any such adopted plan and amendments thereto shall be considered as the correct designation of the transportation, access and safety needs of the Roseburg Urban Area or sub-areas included with respect to the streets designated thereon, for the purpose of determining design and location of streets to be required under subsections (a) and (b) of this Section, unless convincing evidence to the contrary is presented to the approving authority.

2. Width.

- a. Generally. Widths of street right-of-way and paving design for streets shall be not less than those set forth in Table A following.
- b. New Street Adjoining Undeveloped Land. For a street abutting land not in the subdivision or partition area, a lesser width than shown in the table may be allowed in the discretion of the approving authority where the

applicant presents a satisfactory plan for ultimate expansion of the street to the width otherwise required.

- c. Existing Adjacent Street. The widths of street right-of-way provided in the table below shall be the minimum widths of right-of-way for streets existing along and adjacent to any boundary of the subdivision or partition, and the applicant shall dedicate additional right-of-way, as determined by the approving authority in accordance with such table, for any such adjacent street where the existing width of right-of-way for such street is less than the minimum in said table.

TABLE A STANDARD STREET WIDTHS (STREETS IN HILLSIDE AREAS MAY USE STREET STANDARDS AS SHOWN IN SECTION 3.35.715)			
Type of Street		Minimum Right-of-Way Width	
Arterials ^{3, 4, 5}		70' -120' ¹	
Collector Streets and All Business Streets Other than Arterials ^{3, 4, 5}		60'-70' ²	
Local Streets in Single-Family Density Areas ³		60'	
Circular Ends of Cul-de-Sacs where allowed under Section 4.150 #7		96' Diameter	
All Streets Not Specifically Provided for Above		60'	
STANDARD STREET PAVEMENT WIDTH AND DESIGN FEATURES			
Type of Street	Parking both sides	Parking one side	No parking
Local ³	34-36'	26-28'*	20'*
Collector ³	48-50'	40-42'	32-34'
Arterial ^{4, 5, 6}	N/A	N/A	
3 lane			48-50'
5 lane			70-74'
* Where allowed			

- ¹ The approving authority may require a width within the limits shown, based upon adjacent physical conditions, safety of the public and the traffic needs of the community, sidewalk width, and in accordance with other specifications of this Ordinance.
- ² Right-of-way to 70 feet may be required with wider sidewalks; where other design features are included, additional right-of-way may be required.
- ³ Pavement width in excess of that shown may be required for other road configurations, such as for turn lanes, etc.
- ⁴ Collector and arterial streets require bike lanes. Local streets utilize shared lanes.
- ⁵ Freight route shall have minimum lane width of 12 feet.
- ⁶ Bus route shall have minimum lane width of 11 feet.

- d. Slope Easements. The approving authority may require special slope easements which shall be dedicated in accordance with the specifications and procedures established by this Ordinance.
3. Reserve Strips. The approving authority may require the land divider to create a reserve strip controlling the access to a street, said strip to be deeded to the Governing Body when the approving authority determines that a strip is necessary:
 - a. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street (also known as a "street plug").
 - b. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in the table of Subsection 2 of this Section.
 - c. To prevent access to land abutting a street of the partition or subdivision, but not within the partition or subdivision itself.
 4. Intersections of Streets.
 - a. Angles. Streets shall intersect one another at an angle as near to a right angle as is practicable, considering topography of the area and previous adjacent layout, but in no case at an angle less than sixty (60) degrees. The right-of-way and street paving within the acute angle shall have a minimum of thirty (30) feet centerline radius.

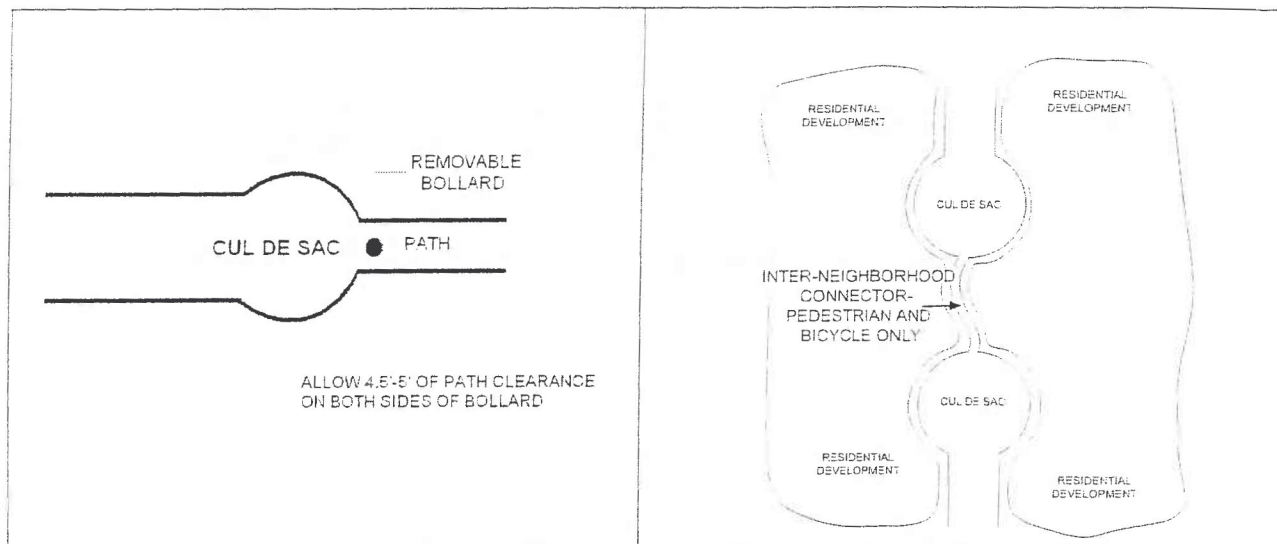
- b. Offsets. The minimum offset between two local streets that do not have left-turn storage shall not be less than two hundred (200) feet from centerline to centerline. Larger offsets may be required for arterials and collector streets if traffic circulation is adversely impacted, as determined by the Community Development Director.
5. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of Section 4.000 of this Ordinance.
6. Future Extension of Streets. Where the subdivision or partition is adjacent to land likely to be divided in the future, streets shall continue through to the boundary lines of the area under the same ownership of which the subdivision or partition is a part, where the approving authority determines that such continuation is necessary to provide for the orderly division of such adjacent land, or the transportation and access needs of the community. A temporary all-weather turn-around of asphalt concrete shall be provided at the end of any such street, together with any necessary easements. It shall be the responsibility of the developer extending the street in the future to remove the turn-around and construct necessary pavement, curbs and gutters, and sidewalks.
7. Cul-de-Sacs. Cul-de-Sacs and other permanent dead-end streets shall be prohibited unless the approving authority finds:
 - a. The configuration with the cul-de-sac is the minimum necessary to address the constraint;
 - b. The application of the standard is impractical due to one or more of the following circumstances:
 1. Physical or topographic conditions make it impractical to satisfy the street connection requirements of this chapter. These conditions include, but are not limited to, controlled access streets, steep slopes, wetlands, flood plains, or water bodies where a connection could not reasonably be provided. Grades that are too steep for a street may not be too steep for an accessway.
 2. Buildings or other existing development on adjacent lands physically preclude a street or accessway connection now or in the future considering the potential for redevelopment.
 3. Streets or accessways would violate provisions of existing leases, easements, agency access standards, or similar restrictions that are demonstrated to be legally beyond the control of and not entered into by the applicant, developer, or property owner.

4. Abutting undeveloped or underdeveloped property is within the 100-year flood plain.
 - c. If a determination is made under Section 4.150 #7 a and b that a permanent dead-end street is necessary, it shall provide adequate access for emergency vehicles, as determined by the Fire Chief, and it shall not serve more than twenty (20) single-family dwellings, or multi-family or commercial uses generating more than two hundred (200) vehicles per weekday.
8. Street Names. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for streets that are not in alignment with existing streets are subject to approval by the Community Development Director, and shall not unnecessarily duplicate or resemble the name of any existing platted street in the greater Roseburg area.
9. Grades and Curves. Unless otherwise approved by the approving authority because topographical conditions will not reasonably permit, grades shall not exceed six percent (6%) on arterials, ten percent (10%) on collector streets, and fifteen percent (15%) on all other streets. When it can be shown that steeper grades cannot be avoided by different street alignment and redesign of the preliminary plan, grades not exceeding twenty percent (20%) may be permitted for short steep pitches not exceeding three hundred (300) feet in length. For street grades steeper than six percent (6%), a centerline profile shall be included in the preliminary plan. No street grades flatter than five-tenths percent (.5%) shall be used. Improvement plans shall include top of curb profiles of all curbs. Centerline radii on curves shall not be less than three hundred (300) feet on arterials and high traffic collector industrial streets, two hundred (200) feet on other collector streets, or one hundred (100) feet on all other streets.
10. Subdivision Adjacent to Arterial and Collector Street. Where a subdivision abuts or contains an existing or proposed collector or arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.
11. Traffic Impact Study. A Traffic Impact Study shall be submitted as required by Section 2.3.075(4).

SECTION 27: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.220 WALKWAYS AND PUBLIC ACCESS WAYS is hereby amended to read as follows:

SECTION 4.220 WALKWAYS AND PUBLIC ACCESS WAYS

Pathways (i.e. for both bicycles and/or pedestrians) shall be provided at or near mid-block where the block length exceeds 500 feet (the maximum length allowable under Section 4.250). Pathways shall also be provided where cul-de-sacs or dead-end streets are planned that would exceed the maximum length allowable under Section 4.250. Pathways shall connect the ends of the streets together, connect to other streets, and/or connect to other developments, as shown below.



Pathways used to comply with this section shall meet all of the following criteria:

- a. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface. The paved width of pathways shall be no less than six feet wide, and shall conform to ADA requirements. Multi-use pathways shall be no less than ten feet wide.
- b. If the streets within a subdivision or neighborhood are lighted, the pathways shall also be lighted.
- c. Stairs or switchbacks in a narrower paved width may be required in lieu of a multi-use pathway where grades are steep. Troughs for bicycle tires shall be provided where stairs are used.
- d. Landscaping or fencing is required along the pathway to protect the privacy of adjoining properties.

SECTION 28: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.250 PLATTING AND MAPPING STANDARDS - BLOCKS is hereby amended to read as follows:

SECTION 4.250 PLATTING AND MAPPING STANDARDS - BLOCKS

1. General. The length, width, and shape of blocks shall take into account the need for adequate lot size and street width, and shall recognize the limitations of the topography.
2. Size. For local streets, no blocks shall be more than 500 feet in length between street corner lines unless it is adjacent to an arterial street, or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along a collector street is 1,000 feet. The recommended minimum length of blocks along an arterial street is 1,800 feet.

SECTION 29: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.300 PLATTING AND MAPPING STANDARDS - LOTS AND PARCELS is hereby amended to read as follows:

SECTION 4.300 PLATTING AND MAPPING STANDARDS - LOTS AND PARCELS

1. Size and Frontage.
 - a. General Requirements
 - (1) Width. Each lot and parcel shall have an average width between the side lines of not less than sixty (60) feet. Each corner lot and parcel shall have an average width between the lot and parcel side lines of not less than sixty-five (65) feet.
 - (2) Depth. Each lot and parcel shall have an average depth between the front and rear lines of not less than eighty (80) feet and not more than two-and-one-half (2½) times the average width between the side lines. Each double frontage lot and parcel shall have an average depth between the lot front and rear lines of not less than one hundred twenty (120) feet unless a lesser depth is approved by the approving authority necessitated by unusual topographical conditions.
 - (3) The approving authority may authorize the reversal of average minimum lot and parcel dimension with respect to width and depth upon a finding that such reversal is necessitated by unusual topographic conditions or that such reversal would facilitate improved subdivision or partition design.

- (4) Area. Each lot shall comprise a minimum of six thousand (6,000) square feet, or as otherwise stipulated in the zoning district where located. Except, however, the approving authority shall allow a maximum of thirty percent (30%) of the lots in a subdivision to contain less than the minimum lot area otherwise required in the applicable zoning district, provided that the average area of all lots in the subdivision must be at least the minimum specified in the applicable zoning district, but in no case shall any lot contain less than eighty-five percent (85%) of the minimum area specified for the applicable zoning district.

NOTE: The minimum areas required in this and other sections of this Ordinance are intended to be ultimate minimums which may often be impractical and impossible in terrain which presents development difficulties, such as steep slopes. In such cases, the requirements of suitability of access and buildability of each lot, which must be adequately demonstrated in the review process, will often rule out the possibility of approval of lots at the absolute minimum, and as a result, a larger lot size may be required.

- (5) Frontage. Each lot and parcel shall have frontage of not less than sixty (60) feet upon a street having a proposed right-of-way width of at least fifty (50) feet, except that a lot or parcel on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than thirty-five (35) feet upon a street, measured on the arc. In the case of flag lots or partitioning of odd-shaped lots with narrow frontages, the minimum lot frontage shall be twenty-five (25) feet, provided minimum average lot width is maintained.

b. Exceptions

- (1) Subdivisions Developed as a Planned Unit. The approving authority may use discretion to authorize the relaxation of lot and parcel size and frontage requirements as specified herein where the applicant presents a plan satisfactory to the approving authority whereby the entire subdivision will be designed and developed in accordance with the provisions of Chapter 5 of this Ordinance.
- (2) Designated Duplex Lots. In zoning districts within which duplexes are permitted conditionally, the approving authority may allow up to a maximum of twenty-five percent (25%) of the lots in a subdivision to be designated as Duplex Lots. Such Duplex Lots shall contain at least ten percent (10%) more lot area than the minimum specified by the applicable zoning district. Designated Duplex Lots shall allow duplex or single-family dwellings, and the lot designations

shall be reviewed by the approving authority concurrently with review of the tentative plat. After final subdivision approval, designated Duplex Lots will be considered fixed, and shall be identified on the final plat.

- (3) Land Zoned for Commercial Use. The approving authority may use discretion to authorize relaxation of the lot or parcel size and frontage requirements specified herein in the case of land zoned for commercial use, where such relaxation is necessary in consideration of the suitability of the land for such use, and in accordance with the purpose of this Ordinance.
 - (4) Lot or Parcel Retained for Future Subdivision or Partition. The approving authority may use discretion to waive frontage requirements where a lot or parcel will be retained by the applicant, and future subdivision or partition of such lot or parcel will be the highest and best use thereof, and such use will be best protected by the creation of a reserve strip separating such lot or parcel from any street.
2. Lot and Parcel Side Lines. As far as is practicable, lot and parcel side lines shall run at right angles to the street upon which the lots or parcels face, except that on curved streets, they shall be radial to the curve.
 3. Suitability for Intended Use. All lots and parcels shall be suitable for the purpose for which they are intended to be used. No lot or parcel shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the subdivision or partition, or of such lot or parcel, as determined by the approving authority in accordance with the purpose of this Ordinance.

SECTION 30: LAND USE AND DEVELOPMENT ORDINANCE SECTION 4.700 LAND PARTITIONING APPROVAL is hereby amended to read as follows:

SECTION 4.700 LAND PARTITIONING APPROVAL

1. Approval of Preliminary Partition Plans. Approval of a preliminary partition plan is an administrative action subject to the provisions of Section 2.060(1) of this Ordinance.
 - a. An application for preliminary partition plan approval shall be initiated as provided in Chapter 2 of this Ordinance. Applicants shall file with the Director five (5) copies of the preliminary plan. The Director shall notify the applicant within thirty (30) working days if it is found that the application for preliminary partition plan approval is incomplete or if additional information is needed.

- b. A preliminary partition plan and supporting documents shall include the following:
- (1) An identifying name or title of the partition.
 - (2) A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and other land parcels.
 - (3) North arrow, scale, and date.
 - (4) A plan of the proposed partitioning, showing tract dimensions, bearings of all lines, area of each tract, and the names of existing and proposed streets or roads.
 - (5) Existing or proposed private streets or roads and walkways and all restrictions or reservations relating to such private streets or roads and walkways.
 - (6) Easements to be conveyed or dedicated, indicating width, location, purpose, affected agencies, etc.
 - (7) Name and address of the landowners, the applicant and the surveyor, if any, employed to make necessary surveys and prepare the description of each tract involved.
 - (8) Names of adjacent owners and property identification.
 - (9) Proposed means and location of water supply and sewage disposal for each tract.
 - (10) Proposed drainage plan.
 - (11) Zoning classification of the land and Comprehensive Plan Map designation.
 - (12) Predominant natural features, such as water courses and their flows, marshes, rock outcroppings and areas subject to flooding, sliding, or other natural hazards.
 - (13) Existing structures and distances from all existing and proposed property lines.
 - (14) Contours as called for on preliminary subdivision plats.
 - (15) Draft of any proposed restrictions and covenants affecting the partitioned land.

- c. Standards for approval of a preliminary partition plan:
 - (1) A decision on a preliminary partition plan application shall be made by the approving authority as provided in Chapter 2 of this Ordinance.
 - (2) The preliminary partition plan shall be approved if the approving authority finds that the information required by this Subsection has been provided, and if the design and development standards of this Chapter and the Comprehensive Plan have been met.
- d. The approving authority may require dedication or reservation of land and utility or drainage easements, and may impose conditions promoting redevelopment of the parcels, if, in view of the zoning and Comprehensive Plan Map designation, the acreage of the parcel or parcels in contiguous ownership makes additional partitioning of the subject property feasible.

2. Land Partition Plat Requirements.

- a. Conformance to Tentative Plan. The plat shall substantially conform to the tentative plan as approved.
- b. Conformance to State Law. In addition to the requirements of this subsection, the plat shall conform to all requirements of state law.
- c. Preparation. All plats shall be prepared by a professional land surveyor registered with the State of Oregon and shall otherwise comply with ORS 209.250.
- d. Format. All plats shall be drawn with good quality black ink approved by the County Surveyor, on .003 inch thick polyester based transparent drafting film, or an equivalent, matted on both sides, eighteen (18) inches by twenty-four (24) inches in size with a three (3) inch extension at the left end (overall size shall be eighteen (18) inches by twenty-seven (27) inches) that is suitable for binding and copying purposes. The quality of said drafting film and any other drafting particulars will be subject to the County Surveyor's approval. No diazo process may be used. No drafting shall come nearer any edge than one (1) inch and no nearer the left or binding edge than four (4) inches.
- e. Scale. The partition plat shall be drawn to a scale of 1"=100' or to such other scale, approved by the County Surveyor.
- f. Survey Accuracy.

- (1) Monuments shall be set with such accuracy that measurements may be taken between monuments within one-tenth of a foot to within 1/5,000 of the distance shown on the partition plat, whichever is greater.
- (2) The survey for the plat shall be of such accuracy that the error of closure shall not exceed one (1) foot in ten thousand (10,000) feet. Any lesser accuracy shall be allowed only with the approval of the County Surveyor.
- (3) The dimensions shown on the plat shall be of such accuracy that the error of closure on any portion shall not exceed one (1) foot in ten thousand (10,000) feet.

g. Measurements. The plat shall contain the following measurements:

- (1) The boundary lines with distance bearings, and the exact location and width of existing or recorded streets intersecting the boundary of the parcel. Distances shall be to the nearest 1/100th of a foot and bearings or angles to the nearest second.
- (2) The lengths of arcs, radii, internal angles, lengths and bearings of the tangents and lengths and bearings of chords and the central angle.
- (3) The area of each parcel in either acres to the nearest 1/100th of an acre, or square feet.
- (4) All bearings or measured angles and distances separately indicated from those of record.
- (5) All monuments set and their relation to older monuments found. A detailed description of monuments found and set shall be included and all monuments set shall be separately indicated from those found.

Any additional information shall be typed or printed in narrative form.

h. Monuments.

- (1) The plat shall contain the location, material, and approximate size of all monuments which have been set. A monument shall be set at every angle point along the boundary lines, any exceptions shall be allowed only with the approval of the County Surveyor. All monuments shall be set and referenced on the plat before the plat is offered for approval.

- (2) Monuments shall meet the specifications of the County Surveyor and shall be no less than those required by ORS 92.060.
 - (3) For partitions involving land in a flood plain, the provisions of Section 4.650(4)(e)(5) shall apply.
- i. General Information. The plat shall comply with ORS 209.250, and shall contain the following information:
- (1) Location of the parcel by Quarter Section, Township, and Range.
 - (2) Names and addresses of the partitioner, owner, mortgagee, if any, and the person preparing the plat.
 - (3) North arrow, scale, and date submitted.
 - (4) The names of any streets intersecting or within the parcels. In the event any streets are created or dedicated, data as required in Section 4.650(3)(e)&(f) shall be provided.
 - (5) Easements provided for public services or utilities and any limitations of the easements, as required in Section 4.650(3)(g).
 - (6) Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets and along the edge of partial width streets on the boundary of the partition.
 - (7) A copy of the covenants, if any, that will be placed on the partition, including the volume and page of recording with the Douglas County Clerk.
 - (8) A copy of all documents relating to establishment and maintenance of private facilities, common areas and easements, including the volume and page of recording with the Douglas County Clerk.
 - (9) Declaration. A notarized certificate, signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the partition.
 - (10) Dedication. A notarized certificate, signed and acknowledged by all parties having any record title interest in the land, dedicating all land intended for public use and common improvements, including, but not limited to streets, roads, parks, sewage disposal, and water supply systems the donation of which was made a condition of the approval of the preliminary partition.

- (11) Zoning classification.
- (12) The course of all lines traced or established, giving the basis of bearing and the distance and course to a section corner, one-quarter corner, one sixteenth corner or Donation Land Claim corner in Township and Range, a lot corner of a recorded subdivision, boundary corner of a condominium or a parcel corner of a recorded partition.
- (13) Space for date and signatures of the following officials for plats of partitions:
 - (a) Community Development Director;
 - (b) Public Works Director;
 - (c) County Surveyor;
- (14) Narrative per ORS 209.250.
- (15) Any additional information made a condition of approval of the tentative plan.
- (16) A surveyor's certificate per ORS 92.070 and written legal description of the boundary of all land contained in the land partition. Each parcel shall be identified with a parcel designation.
- (17) When parcels are not required to be monumented or surveyed, a schematic diagram shall be included on the face of the final partition plat showing the exterior boundaries of all parcels and their relationship with the parcel(s) requiring monumentation and surveying.
- (18) Tie to geodetic control monument as required by ORS 92.050.
- (19) Planning Department File number.
- (20) The partitioner shall pay a fee to the County Surveyor for checking partition plats and such fee shall be established by the County Surveyor.
- (21) Certification line for the Douglas County Tax Collector certifying that taxes and assessments on the tract are paid to date.

3. Approval of Final Partition Plat.

- a. The applicant shall initiate a request for final partition plat approval by filing with the Director a final plat prepared in accordance with those standards specified in Section 4.650(3) of this Chapter.
- b. If the parcel of land to be partitioned exceeds five (5) acres, and within a year is being partitioned into more than two (2) parcels any one of which is less than one (1) acre, full compliance with all requirements for subdivision may be required if the approving authority should determine, in its judgment, that the entire parcel being partitioned is in the process of being divided into small parcels.
- c. The approval of a final partition plat by the Director is a ministerial action. The Director shall grant final approval within one hundred eighty (180) days if he determines that:
 - (1) The final plat and any supporting documents are in substantial conformance with the approved preliminary partition plan;
 - (2) Any conditions imposed by the approving authority have been met.

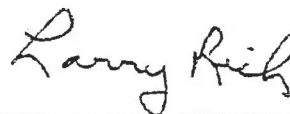
Substantial conformance means that any differences between the preliminary and final plans are "minor amendments," as defined in Section 4.700(1)(a) of this Ordinance.
- d. Every lot or parcel created by a partition shall conform to the access requirements specified in Section 4.100(6).
- e. The granting of final plat approval shall not be affected by a change in the zone or plan plat designation of the subject property made after approval of the preliminary partition plan.
- f. After approval of the final partition plat, the Director and the County Surveyor shall endorse their approval on the plat. The plat shall be recorded with the County Clerk.
- g. Upon filing the final partition plat, the applicant shall submit to the Director three (3) prints of the final partition plat.

SECTION 31: All other sections and subsections of the Land Use and Development Ordinance shall remain in effect as written.

SECTION 32: The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Roseburg Municipal Code and/or the Land Use and Development Ordinance as amended by the provisions added, amended, or repealed herein.

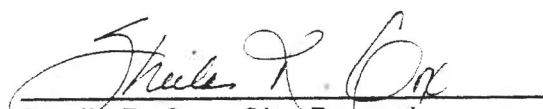
PASSED BY THE COUNCIL THIS 11TH DAY OF FEBRUARY, 2008.

APPROVED BY THE MAYOR THIS 11TH DAY OF FEBRUARY, 2008.



Larry Rich, Mayor

ATTEST:



Sheila R. Cox, City Recorder

BEFORE THE PLANNING COMMISSION
OF THE CITY OF ROSEBURG

IN THE MATTER OF a Legislative)	FINDINGS OF FACT
Amendment to Land Use and)	AND DECISION
Development Ordinance)	
provisions replacing and/or)	AMENDING THE CITY OF
revising standards and criteria for)	ROSEBURG LAND USE AND
streets, walkways, parking)	DEVELOPMENT ORDINANCE
standards, and access.)	
)	FILE NO. LUDO-07-1

FINDING NO. 1

This matter came before the Planning Commission for public hearing on November 5 and December 3, 2007, and for final review and recommendation on December 17, 2007, in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.

FINDING NO. 2

Notice of the Legislative public hearing was mailed to affected property owners not more than 40 days and not less than 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. 3

Section 2.00.060 of the Roseburg Land Use and Development Ordinance states recommendation by Planning Commission on all legislative action proposals shall be analyzed for consistency with the policies of the Comprehensive Plan, State-wide Planning Goals, and other provisions of the Ordinance.

FINDING NO. 4

The Transportation Planning Rule, Oregon Administrative Rule 660-012 requires that cities adopt a Transportation System Plan and land use regulations for implementing the Transportation System Plan.

FINDING NO. 5

The Planning Commission heard and recommended to the City Council the adoption of the Transportation System Plan on November 14, 2006.

FINDING NO. 6

The City Council adopted the Transportation System Plan by Ordinance No. 3249 on December 11, 2006, effective January 11, 2007.

FINDING NO. 7

The Transportation System Plan, as adopted, contains policies, statements, and recommendations for amendments to the Land Use and Development Ordinance.

FINDING NO. 8

The proposed amendment has received extensive City of Roseburg Department review which has been taken into consideration in the proposed amendment. The proposed amendment has also been submitted to the State Department of Land Conservation and Development for distribution and review. A draft copy was also provided to the local ODOT office for their review.

FINDING NO. 9

This amendment to the City of Roseburg Land Use and Development Ordinance carries out the policies and direction established in the Transportation System Plan. Generally the amendment deals with street standards, access, and parking provisions of LUDO. Current standards and criteria will be replaced or augmented with these amendments. This amendment will affect properties being developed or redeveloped within the city limits and in areas within the Urban Growth Boundary subject to City development review. There are no development proposals as a part of this action, however, once adopted, the revisions will be used to review developments.

FINDING NO. 10

According to LUDO Section 2.00.060, in addition to any other substantive criteria which may be deemed to apply, all legislative action proposals shall be analyzed for consistency with the policies of the Plan, statewide planning goals, and other provisions of this Ordinance (LUDO). Accordingly, the proposed amendment has been reviewed for consistency with the Statewide Goals, the Comprehensive Plan, the Transportation System Plan. Each is addressed below.

Statewide Planning Goals

FINDING NO. 11

The following Comprehensive Plan goal and objective has been determined to be applicable:

Statewide Planning Goal No. 1 – Citizen Involvement

To develop citizen involvement programs that insure the opportunity for citizens to be involved in all phases of the planning process.

The City of Roseburg and Douglas County have an adopted and acknowledged Comprehensive Plan for the Roseburg Urban Area. In order to implement the Comprehensive Plan the City has adopted the Roseburg LUDO. Section 3.35.000 of LUDO states that it may be necessary from time to time to amend the text of the Ordinance in order to conform with the Comprehensive Plan or to meet other changes in circumstances and conditions.

Within LUDO the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City as well as through provisions that meet State of ORS. In addition, State legislative action requires all

property owners having the potential to be affected by a zoning action be given individual notice of the proposed action (commonly referred to as Measure 56 Notice).

Roseburg also has an established Planning Commission with the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is selected through an open, well-publicized public process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided notice of the proposed change as mandated through the ORS requirements and LUDO, which included a notice mailed to all property owners within the areas potentially affected by the proposed amendment, advising them that property values may be impacted. A notice was also published in the *News-Review*, a newspaper of general circulation.

FINDING NO. 12

The following Comprehensive Plan goal and objective has been determined to be applicable:

Statewide Planning Goal No. 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such actions.

Part I - Planning

The City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UBG.

Implementation of the Comprehensive Plan is accomplished through the adopted LUDO. LUDO has been acknowledged by the State of Oregon and has been amended from time-to-time in order to comply with ORS and as noted with Section 3.35.000 of LUDO recognizing the need to amend the text of the Ordinance in order to conform with the Comprehensive Plan, or to meet other changes in circumstances and conditions. (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 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, as both may have been amended from time to time). The Roseburg Transportation System Plan was adopted by Ordinance Number 3249 on December 11, 2006 and by reference updated the Comprehensive Plan.

Part II – Exceptions

The exceptions section within Goal 2 does not apply in this case because there is no exception required and the City has not requested an exception.

FINDING NO. 13

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 3 - Agricultural Lands

To preserve and maintain agricultural lands.

This proposed amendment applies to land that is within the Urban Growth Boundary and planned for urban uses. The goal is relevant for establishment of the Urban Growth Boundary, but changes to the Land Use and Development Ordinance do not impact the preservation or maintenance of agricultural lands.

The Statewide Agricultural Goal is therefore not applicable to this proposed amendment.

FINDING NO. 14

The following Comprehensive Plan goal and objective has been determined to be applicable:

FINDING NO. 15

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal 4 - Forest Lands

To preserve forest lands for forest use.

This proposed amendment applies to land that is within the Urban Growth Boundary and planned for urban uses. The goal is relevant for establishment of the Urban Growth Boundary, but the amendment to the Land Use and Development Ordinance does not impact the preservation of forest lands.

Statewide Goal No. 4 is therefore not applicable to this proposed amendment.

FINDING NO. 16

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 5 - Open Space, Scenic and Historic Areas, and Natural Resources

To conserve open space and protect natural and scenic resources.

The Roseburg urban area has been subjected to extensive surveys intended to inventory and evaluate Goal 5 resources. These inventories, which are incorporated into the Comprehensive Plan, have previously received acknowledgment of compliance with Statewide Goal 5 by the Land Conservation and Development Commission. These changes will by themselves not address these areas. Therefore, it is concluded that the proposed amendment will not conflict with any Goal 5 resources.

FINDING NO. 17

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 6 - Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Statewide Goal 6 requires that air, land and water resources of the state be maintained and improved by assuring that future development, in conjunction with existing development, does not violate applicable state and federal environmental quality standards, and does not exceed the carrying capacity of local air sheds, degrade land resources or threaten the availability of such resources. The City of Roseburg has sufficient regulatory measures in place to ensure that future development of the site will not result in deleterious or unanticipated impacts on the air, water and land resources of the urban area.

The amendment is being evaluated in a manner that assures compliance with Statewide Goal No. 6.

FINDING NO. 18

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 7 - Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

The Comprehensive Plan includes investigations into areas subject to Natural Disasters and Hazards. Protections from such hazards are provided by the Land Use and Development Ordinance, including the recently adopted Hillside Development provisions. This amendment does not impact these protections.

The proposed amendment will not conflict with the purpose and intent of Statewide Goal No. 7.

FINDING NO. 19

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 8 - Recreational Needs

To satisfy the recreational needs of the citizens of the state.

The Comprehensive Plan includes investigations and standards addressing recreational needs. In addition, the City is currently undertaking an update to the Parks Master Plan which will update the recreation needs. The proposed amendment will not impact the provision of recreation services or facilities.

The proposed amendment will not conflict Statewide Goal No. 8.

FINDING NO. 20

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 9 - Economy of the State

To diversify and improve the economy of the state.

Within the Roseburg urban area, commercial and industrial zoning has been applied to lands containing existing commercial and industrial uses, as well as to undeveloped land that is intended to accommodate future commercial and industrial development. The Roseburg Urban Area Comprehensive Plan contains specific policies to ensure that opportunities for economic development are enhanced in the Roseburg urban area.

This goal includes the requirement that there be a supply or suitable lands available for commercial and industrial lands as provided in the Comprehensive Plan. The proposed amendment will not have any impact to Plan policies nor the supply of commercial or industrial lands. On the basis of the preceding it is concluded that the proposed amendment will not conflict with the Statewide Economic Development Goal.

FINDING NO. 21

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 10 - Housing

To provide for the housing needs of the citizens of the state.

The primary purpose of Goal 10, within the context of amending the Land Use and Development Ordinance, is to ensure that sufficient buildable land is available to allow for the full range of housing needs within the urban area and to avoid creating shortages of residential land which could artificially restrict market choices in housing type, price range or location. Nothing in the proposed amendment will interfere with the provision of land needed to satisfy the need or otherwise impact the need.

The proposed amendment will not conflict with the purpose and intent of the Statewide Housing Goal.

FINDING NO. 22

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 11 - Public Facilities and Service

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

Within the Roseburg urban area, public facilities and services are provided by the City of Roseburg and the Roseburg Urban Sanitary Authority. Policies concerning the coordination, timing and location of public facilities and services in the urban area are contained within the Public Facilities and Land Use Elements of the Comprehensive Plan. These policies will not be impacted by the proposed amendment, and the policies do not impact the proposed amendment.

On the basis of the foregoing facts, the proposed amendment has been found to not adversely impact the present or future provision of public facilities and services in the area.

FINDING NO. 23

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 12 - Transportation

To provide and encourage a safe, convenient and economic transportation system.

This proposed amendment is based on the recently adopted Transportation System Plan prepared to address the very purpose of this goal. The goal is also implemented by the Transportation Planning Rule (TPR) as set out under Oregon Administrative Rules, Chapter 660, Division 12.

Specific transportation-related policies and development standards are included within the Roseburg Transportation System Plan. This amendment is reviewed elsewhere for consistency with policies of the Roseburg Transportation System Plan. Furthermore, this amendment will serve to implement the applicable development standards and thereby assure that the intent of the statewide transportation goal is implemented through the application of local transportation standards at the time of development.

On the basis of the foregoing, the proposed amendment has been found to be consistent with the identified function, capacity, and level of service of existing transportation facilities and Goal 12.

FINDING NO. 24

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 13 - Energy Conservation

To conserve energy.

The statewide energy conservation goal is intended to assure that land and uses developed on land are managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principals. Specific energy

conservation policies and development standards are included within the Roseburg Urban Area Comprehensive Plan, the Land Use and Development Ordinance, and Building Codes to ensure that the statewide energy conservation goal is implemented on a site-specific basis at the time the property is developed. Among strategies to reduce energy consumption is allowance or encouragement of mixed uses. The proposed amendment promotes mixed uses by making residential uses outright allowed uses in some zones rather than conditional uses. In addition, the proposed amendment provide standards to better accommodate bicycle and pedestrian useage. The proposed amendment is consistent with and supports the Statewide Energy Conservation Goal.

FINDING NO. 25

The following Comprehensive Plan goal and objective has been determined to be applicable:

Goal No. 14 - Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

The statewide urbanization goal provides the standards and procedures for establishing or expanding the Roseburg Urban Growth Boundary (UGB). The urbanization goal requires that land within the UGB "...shall be considered available over time for urban uses." The proposed amendment does not impact the Urban Growth Boundary, any future expansions of the UGB, nor will the proposed amendment impede the orderly transition of land from rural to urban land use.

The proposed amendment is consistent with state law, rules, and the City Comprehensive Plan and Land Use and Development Ordinance.

FINDING NO. 26

Based on the foregoing findings, the proposed amendment has been found to conform to the statewide planning goals.

Comprehensive Plan Policies

FINDING NO. 27

The following policy of the Comprehensive Plan has been determined to be applicable:

The City will encourage the development of alternate traffic routes which will reduce traffic volumes.

The proposed amendment provides standards for review of development proposals to assure conformity to the Transportation System Plan which has established routes to address traffic volumes. The proposal is therefore consistent with this Plan policy.

FINDING NO. 28

The following policy of the Comprehensive Plan has been determined to be applicable:

The special needs of the transportation disadvantaged shall be considered when developing and implementing transportation improvements.

The proposed amendment provides improved pedestrian access via walkways to and between stores, and provisions for transit facilities. Both will improve access for the transportation disadvantaged. The proposal is therefore consistent with this Plan policy.

FINDING NO. 29

The following policy of the Comprehensive Plan has been determined to be applicable:

The City will continue to develop and refine street standards as necessary, particularly for local streets where site-specific characteristics are most important. Flexibility in the design of local streets shall be encouraged.

FINDING NO. 30

The following policy of the Comprehensive Plan has been determined to be applicable:

The amendments reflect the refined street standards from the Transportation System Plan. It includes provisions for flexibility. The proposal is therefore consistent with this Plan policy.

FINDING NO. 31

The following policy of the Comprehensive Plan has been determined to be applicable:

New developments shall include consideration of improvements which would accommodate public transit and other modes.

The proposed amendments include provisions for increased bicycle and pedestrian use, as well as for transit accommodation. Included are requirements to increase connectivity, particularly for bicycle and pedestrian access. These provisions implement this policy. Therefore the amendment follows the Plan policy.

FINDING NO. 32

The following policy of the Comprehensive Plan has been determined to be applicable:
Energy Conservation Policies

The City shall incorporate into its land use ordinance provisions which encourage new development to utilize density and location, in balance with the requirements of other planning policies, in order to reduce the need to travel, increase access to transit, and permit building configurations which increase the efficiency of space heating in residences.

The proposal does incorporate provisions to reduce the need to travel by making residential uses allowed outright in the Central Business District, General Commercial, and Mixed Use zones. Also, the revisions guide enhanced access to transit by

providing incentives for transit improvements. The proposal is therefore consistent with this Plan policy.

FINDING NO. 33

The following policy of the Comprehensive Plan has been determined to be applicable:

Energy Conservation Policies
Commercial Development Policies

Commercial uses shall have convenient access to collector and arterial streets.

The proposal delineates the manner in which commercial uses access collector and arterial streets. The proposal assures access is convenient but also addresses the need to provide smooth traffic flow. The proposal is therefore consistent with this Plan policy.

FINDING NO. 34

The following policy of the Comprehensive Plan has been determined to be applicable:

Energy Conservation Policies

The zoning ordinance, subdivision ordinance, and other regulations shall contain standards to minimize circulation conflicts between pedestrians, bicycles, automobiles, and other vehicles servicing all commercial developments.

The proposal includes provisions addressing traffic impacts and better protect bicycles and pedestrians. These include required pedestrian connections and crosswalks. The proposal is therefore consistent with this Plan policy.

FINDING NO. 35

The following policy of the Comprehensive Plan has been determined to be applicable:

Energy Conservation Policies

Adequate off-street parking and buffer strips shall be provided for all commercial development. When appropriate, transit services and shelters may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress driveways do not disrupt the efficient flow of traffic on arterial streets, intrusion into abutting uses is minimized, and safe and convenient pedestrian circulation is provided.

The proposal does contain provisions to reduce parking spaces if car/vanpool facilities or transit areas and facilities are provided. In addition, access to arterial streets is restricted and crosswalks across parking lots are required by the proposed. The proposal is therefore consistent with this Plan policy.

Transportation Development Policies

FINDING NO. 36

The following policy of the Comprehensive Plan has been determined to be applicable:

Energy Conservation Policies

Transportation facilities shall be designed and constructed to minimize noise, energy consumption, neighborhood disruption, cost, and social, environmental and institutional disruptions, and to encourage the use of public transit, bikeways, and walkways.

The proposal includes statements, as well as facility requirements and incentives to encourage the use of transit, cycling, and walking. The proposal is therefore consistent with this Plan policy.

FINDING NO. 37

The following policy of the Comprehensive Plan has been determined to be applicable:

Energy Conservation Policies

Traffic movement on arterial streets should be facilitated by limiting or controlling access wherever possible.

The proposal includes specific provisions addressing driveway access, as provided in the Transportation System Plan. The proposal is therefore consistent with this Plan policy.

Transportation System Plan Policies

FINDING NO. 38

The following goal, policy and objective of the Transportation System Plan has been determined to be applicable:

Goal 1. Overall Transportation System

Provide a transportation system for the Roseburg planning area that is safe, efficient, and accessible.

Objectives:

Ensure that adequate access for all emergency services vehicles is provided throughout the City.

Current standards generally reflect the need for emergency vehicle access, and the proposal contains specific provisions to ensure emergency vehicle access where such access was unclear. The proposal helps implement this policy and is therefore consistent with the policy.

FINDING NO. 39

The following goal, policy and objective of the Transportation System Plan has been determined to be applicable:

Maintain access management standards for streets consistent with city, county, and state requirements to reduce conflicts among vehicles, trucks, bicycles, and pedestrians.

The proposal institutes new more detailed access management standards and is therefore consistent with the policy.

FINDING NO. 40

The following goal, policy and objective of the Transportation System Plan has been determined to be applicable:

Goal 2. Enhanced Livability

Enhance the livability of Roseburg through the location and design of transportation facilities to be compatible with the characteristics of the built, social, and natural environment.

Objectives:

The design of Roseburg, its neighborhoods, and transportation systems shall encourage walking, bicycling, or other activities that would help more residents reach the recommended 30 minutes each day of moderately intense physical activity.

The proposal incorporates a statement encouraging the use of designs which promote physical activity, as well as specific standards to require improvements to promote walking and cycling. These improvements include better pedestrian connections, and bicycle parking requirements and standards. The proposal carries out this policy.

FINDING NO. 41

The following goal, policy and objective of the Transportation System Plan has been determined to be applicable:

Goal 3. Transportation and Land Use

Maximize the efficiency of Roseburg's transportation system through effective land use planning.

Objectives:

Support mixed-use development.

The proposal supports mixed use development by making residential uses above commercial uses outright allowed uses in the CBD, C-3 and MU zones, rather than conditional uses as currently provided. Doing so makes it easier to establish mixed use development and therefore supports this policy.

FINDING NO. 42

The following goal, policy and objective of the Transportation System Plan has been determined to be applicable:

Goal 4. Street System

Provide a well planned, comprehensive street system that serves the needs of the Roseburg UGB.

Objectives:

Develop a street classification system to provide an optimal balance between mobility and accessibility for all transportation modes consistent with street function.

The proposal incorporates a street classification system, based on the Transportation System Plan, which balances mobility and accessibility. It does this with access standards, as well as standards for bicycle and pedestrian access. This implements the policy.

Design the street system to safely and efficiently accommodate multiple travel modes within public rights-of-way.

The street standards in the proposal specifically address bicycle lanes and sidewalks as part of the street right-of-way. The proposal also requires bicycle and pedestrian access to high use centers, such as schools, parks, shopping areas, etc. The proposal does provide details on the balance between mobility and accessibility for all modes.

FINDING NO. 43

The following goal, policy and objectives of the Transportation System Plan has been determined to be applicable:

Goal 5. Balanced Transportation System

Facilitate the development of bus stops, bike lanes, sidewalks, and multi-use paths in the Roseburg UGB to provide more transportation options for Roseburg residents and visitors.

Objectives:

Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to schools, parks, employment, and recreational areas, and the Roseburg core city area by identifying and developing improvements that address connectivity needs.

The proposed amendments require connections for pedestrian, bicycle, and vehicle access to schools, parks, employment and recreation areas as specified in the policy.

The City shall investigate, and as appropriate, adopt incentives to promote ridesharing, walking, cycling (such as best parking spaces for carpools, covered/locked bike parking with fewer auto spaces, covered shelter for carpools or transit users, etc.)

The proposal includes an incentive in the form of a reduction in the number of off-street parking spaces required if car/vanpool facilities or public transit service areas and facilities are provided. These incentives are consistent with the policy.

City plans and the Land Use and Development Ordinance need to address the need to maximize the comfort level of driving (such as fewer distractions and driveways, increase site distances, etc.) consistent with the needs for access.

The proposed amendment addresses this policy by controlling access, particularly for higher travelled streets, such as collectors and arterials. There is also expanded provision for access to public streets subject to Public Works Director review and approval.

Land Use And Development Ordinance

FINDING NO. 44:

Review of the Land Use and Development Ordinance has determined that there are no provisions relative to legislative amendments and the amendments therefore conforms to the Land Use and Development Ordinance.

CONCLUSION:

Based on the foregoing, the Planning Commission finds that the proposed amendment is consistent with the Roseburg Urban Area Comprehensive Plan, applicable Statewide Planning Goals, the Transportation System Plan, and criteria set forth in Section 2.00.060 (Legislative Procedures-Recommendation By Commission) of the City of Roseburg Land Use and Development Ordinance (LUDO).

DECISION

In consideration of the foregoing Findings of Fact and conclusions, the Planning Commission recommends the City Council **APPROVE and ADOPT** LUDO-07-1, an amendment to the Roseburg Land Use and Development Ordinance (LUDO) to revise and replace various provisions addressing transportation-related requirements as detailed in the attached draft ordinance, exhibit 2.

DATED THIS 18TH DAY OF DECEMBER, 2007

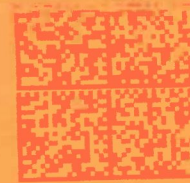
Planning Commission Members:

Chris Clark, Vice Chair
Don Dole
Jim Gamble
Ron Hughes
Patrick Parson
Harvey Lopez
Meagan Conry



Chris Clark, Vice Chair


Fred Alley
Community Development Director



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