



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/02/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Roseburg Plan Amendment
DLCD File Number 003-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, July 17, 2012

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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

*NOTE: The Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Teresa Clemons, City of Roseburg
Gordon Howard, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Gary Fish, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DEPT OF

JUN 27 2012

LAND CONSERVATION AND DEVELOPMENT

DATE
S
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M
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For Office Use Only

Jurisdiction: **City of Roseburg**

Local file number: **AN-12-2/ZC-12-2**

Date of Adoption: **6/25/2012**

Date Mailed: **6/26/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Annexation**

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

Annexation processed per ORS 222.125 Annexation by consent from CORP, owner.No electors reside within the right-of-way. The city will process a concurrent zone change for the property to M-2 (Medium Industrial) which is a zone appropriate to the existing Industrial (IND) Comprehensive Plan designation. Current County zoning is M-1, M-2, M-3, RR-2, RS, FF, PR, and C2 Annexing right-of-way into the city limits does not add buildable land to the city's available

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

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **County zones as above**

to: **City M-2**

Location: **Rail ROW from N City Limits to N Umpqua River**

Acres Involved: **17**

Specify Density: Previous: **NA**

New: **NA**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 003-12 (19280) [17096]

DLCD file No. _____

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

Douglas County, ODOT

Local Contact: **Teresa L. Clemons**

Phone: **(541) 492-6877** Extension:

Address: **900 SE Douglas Avenue**

Fax Number: - -

City: **Roseburg**

Zip: **97470-**

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

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

ORDINANCE NO. 3397

AN ORDINANCE OF THE CITY OF ROSEBURG AMENDING THE ROSEBURG LAND USE AND DEVELOPMENT ORDINANCE NO. 2981 BY ADOPTING UPDATES AND CLARIFICATION TO SECTION 3.35.600 AIRPORT IMPACT OVERLAY, SECTION 3.37.350 RESTORATION OF NONCONFORMING BUILDING OR STRUCTURE AND SECTION 6.200 NOTICE FOR QUASI-JUDICIAL PLAN AMENDMENTS

WHEREAS, after reviewing the recommendation of the Planning Commission and conducting a public hearing on May 28, 2012 and June 11, 2012, and

WHEREAS, Article 53, Section 3.53.000 states it may be necessary to amend the Land Use and Development Ordinance text from time-to-time to meet changes in circumstances and conditions, and

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

SECTION 1: On the basis of the facts contained in the record, the City Council finds there is sufficient justification and need to accept the Planning Commission recommendation and hereby adopts as its own the Findings of Fact of the Planning Commission which are included herein by this reference.

SECTION 2:

Land Use and Development Ordinance Section 3.37.350(1) is hereby amended to read as follows:

1. A nonconforming building or structure which is damaged by fire, flood, wind, earthquake, or other calamity or act of God or the public enemy, to an extent that the cost of repair or restoration of the building or structure, conforming to current building codes, would exceed eighty percent (80%) of the market value contained in the records of the Douglas County Assessor, shall be deemed terminated upon the date of such damage or destruction. Cost of repair or restoration, and replacement cost, shall be determined by the Building Official. If the building or structure and use thereof is not terminated, it may be restored and the occupancy or use of such building or structure or part thereof, which existed at the time of such partial destruction may be resumed, provided that the restoration is commenced within a period of one (1) year and is diligently prosecuted to completion.

Land Use and Development Ordinance Section 6.200 is hereby amended to read as follows:

Prior to the hearing by the City Planning Commission, notice thereof shall be given as provided in ORS 197.610 – Notice to Department of Land Conservation and Development (DLCD) – Notice of Proposed Amendment. Thereafter, notice of further proceedings shall be given as provided in Chapter 2 of this Ordinance.

Land Use and Development Ordinance Section 3.35.600 is hereby amended to read as follows:

The Airport Approach and Runway Protection Zones are shown on Sheets 2 thru 5 of the Airport Layout Plan in Chapter 5.

Definitions. For the purpose of this Section only, the following definitions are established:

Runway Protection Zone. The Runway Protection Zone coincides with the Airport Approach Zone for a horizontal distance of 1,000 feet from the end of the primary surface (or 1,200 feet from the end of the runway).

Airport Transitional Surface. A surface extending upward at a 7:1 slope from the sides of the Primary and Approach Surfaces and intersecting with the Airport Horizontal Surface as specified herein and shown in Figure 2-4 of the Airport Master Plan.

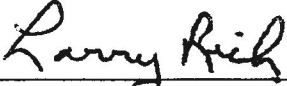
Slope. An angle determined by a ratio of a horizontal and vertical measurement written as X:Y respectively.

Within the Runway Protection Zone, no place of public assembly, as defined in this Section, shall be permitted. Any existing place of public assembly shall be allowed to continue, including building modifications, but shall not increase its occupant load.

SECTION 3: All other sections and subsections of the Land Use and Development Ordinance shall remain in effect as written.

PASSED BY THE COUNCIL THIS 25TH DAY OF JUNE 2012.

APPROVED BY THE MAYOR THIS 25TH DAY OF JUNE 2012.



Larry Rich, Mayor

ATTEST:



Debra R. Davidson, Acting City Recorder

ORDINANCE NO. 3397 - 2

CITY OF ROSEBURG
900 S.E. Douglas Avenue
Roseburg, Oregon 97470-3397



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06/26/2012

Mailed From 97470
US POSTAGE

DEPT OF

JUN 27 2012

LAND CONSERVATION
AND DEVELOPMENT

Attention: Plan Amendment Specialist
Department Of Land Conservation And Development
635 Capitol St NE Ste 150
Salem, OR 97301-2540

9730132564

