



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/30/2013

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 002-13

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, October 15, 2013

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: Paul Hintz, City of Roseburg
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative
Gary Fish, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

☐ In person ☐ electronic ☐ mailed

DEPT OF

SEP 27 2013

LAND CONSERVATION AND DEVELOPMENT

DATE
STAMP

For Office Use Only

This Form 2 must be mailed to DLCD within **20-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

Jurisdiction: **City of Roseburg**

Local file number: **CPA-13-1 / ZC-13-2**

Date of Adoption: **9/23/2013**

Date Mailed: **9/24/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **(Yes) X No** Date: **7/11/2013**

☒ 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".

Proposal by applicant to amend the Comprehensive Plan Map and Zoning Map of an undeveloped 3.91 acre lot with an existing split comp/zoning map designation. The southern 1.58 acre portion has a commercial Comp. Plan designation and C3 zoning. The northern 2.33 acres has a High-Density Residential Comp. Plan designation with corresponding MR29 zoning. The adopted amendment changes the northern 2.33 acres to a Commercial Comp. Plan designation and the zoning to C3.

Does the Adoption differ from proposal? **No**

Plan Map Changed from: **HDR**

to: **COM**

Zone Map Changed from: **MR29**

to: **C3**

Location: **782 NE Garden Valley Blvd.**

Acres Involved: **2.33**

Specify Density: Previous: **29 units per acre**

New: **0**

Applicable statewide planning goals:

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

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. 002-13 (19928) [17624]

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

CITY OF ROSEBURG

Local Contact: **Paul Hintz**

Phone: (541) 492- 6750 Extension:

Address: **900 SE Douglas Ave**

Fax Number: - -

City: **Roseburg**

Zip: **97470**

E-mail Address: **phintz@cityofdroseburg.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 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.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



Quasi-Judicial Public Hearing – File No. CPA-13-1 / ZC-13-2

Meeting Date: September 9, 2013
Department: Community Development
www.cityofroseburg.org

Agenda Section: Public Hearing
Staff Contact: Brian Davis, Director
Contact Telephone Number: 541-492-6750

BD

ISSUE STATEMENT AND SUMMARY

Applicant Mark Garrett, acting on behalf of Coastal Farm Real Estate, Inc., has requested a Comprehensive Plan Amendment and concurrent Zone Change of a 3.91 acre lot located at 782 NE Garden Valley Boulevard. The lot currently has two Comprehensive Land Use Designations, Commercial and High-Density Residential, and corresponding Zoning Districts, General Commercial (C3) and Multiple-Family Residential (MR29). The southern 1.58 acres, which is designated for commercial use, has frontage on Garden Valley Boulevard. The northern 2.33 acres, subject to the requested action, is designated for residential use and has frontage on the mostly undeveloped Oakland Avenue right-of-way that is currently used as an ostensibly private drive for access to three single-family homes in the residential neighborhood north of the subject property. The applicant is proposing the Comprehensive Plan Amendment and concurrent Zone Change in order to allow the development of a new Coastal Farms retail store that is currently located on an adjoining parcel to the west.

BACKGROUND

A. Council Action History.
None

B. Analysis.

The applicant has addressed all of the criteria necessary to justify both a Comprehensive Plan Amendment and a Zone Change, and the Planning Commission adopted Findings that satisfy said criteria. The Findings recognize the action would comply with applicable Statewide Planning Goals, notably Number 10 (Housing) because the 2.33± acres do not constitute a significant area necessary for housing needs. The change will comply with the Roseburg Comprehensive Plan by enabling economic and commercial development. The Planning Commission agreed with the applicant's assertion that there is a public need for the change because the community will benefit from the investment of an estimated \$5.2 million in construction costs and the additional 20 permanent jobs that the larger facility will require for daily operation. The public's interest is best served by the action on the particular property because the current dual land use designations limit the full developable potential of the land and the change would continue the current transition of commercial to residential land along

Garden Valley Boulevard; furthermore, under the current zoning the maximum utilization of the land would require new access from Oakland Avenue which would likely have a negative impact on the residential neighborhood to the north, whereas any new commercial development under the proposed amendment would be precluded from gaining access through the neighborhood. The zone change would be suitable for the surrounding area because of the existing commercial uses already allowed in the area. The action would also be in conformance with the Transportation System Plan because of the existing facilities that serve the property, which are appropriate for commercial development.

C. Financial and/or Resource Considerations.

None

D. Timing Issues.

Per ORS 227.178, final action by City Council on the application shall be taken within 120 days after the application is deemed complete (10/21/2013).

COUNCIL OPTIONS

1. Proceed with adoption of Findings of Fact, followed by first reading of the Ordinance
2. Modify the proposed action or continue the matter for further consideration
3. Decline to proceed with the proposed action

STAFF RECOMMENDATION

Staff recommends the Council adopt Planning Commission's Findings of Fact.

SUGGESTED MOTION

"I MOVE TO ADOPT THE FINDINGS OF FACT APPROVED BY THE PLANNING COMMISSION FOR FILE NO. CPA-13-1 / ZC-13-2."

Proceed with first reading of the Ordinance. No motion is needed, only consensus to proceed by the Council.

ATTACHMENTS

Planning Commission Findings of Fact & Order
Draft City Council Ordinance

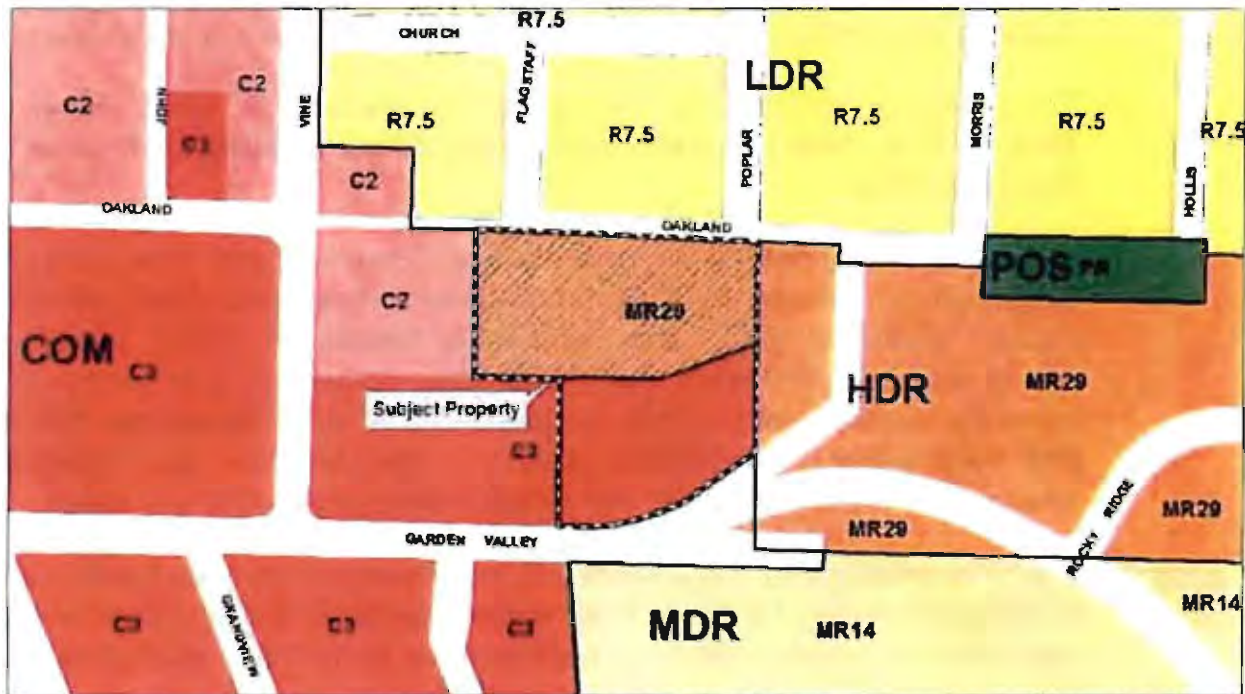
-) Comprehensive Plan
-) Amendment and Zone Change
-) File No. CPA-13-1 and ZC-13-2

BEFORE THE ROSEBURG PLANNING COMMISSION

FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

The applicant is requesting approval of an amendment of the Comprehensive Plan Land-Use Map and Zoning Map of 2.33± acres of property within the city limits. The proposal is to change the Comprehensive Plan's Land-Use Designation from High-Density Residential (HDR) to Commercial (COM) and the Zoning Map from Multiple-Family Residential (MR29) to General Commercial (C3), identified in the map below with the diagonal lines.



II. PUBLIC HEARING

A public hearing was held on the application before the Roseburg Planning Commission on August 27, 2013. At that hearing the Planning Commission reviewed Land Use File CPA-13-1 / ZC-13-2 application for a Comprehensive Plan Amendment and zone change and it was made part of the record.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance (LUDO) No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, as both may have been amended from time-to-time.
2. Notice of the public hearing was given by publication in The News Review, a newspaper of general circulation, at least 20 days prior to the hearing. Notice of the public hearing was mailed to all owners of property within 300 feet of the property 20 days prior to the hearing.
3. The application consists of a request to amend the Comprehensive Plan Land-Use Map and Zoning Map as they apply to one lot within the City of Roseburg.
4. The lot may be described as Tax Lot 2400 in Township 27 South, Range 05 West, Section 18BB, Willamette Meridian and further identified by Property ID Number R45916.
5. The lot is surrounded by properties with a Comprehensive Plan Land-Use Designation of Commercial (COM), Low-Density Residential (LDR), Medium-Density Residential (MDR) and High-Density Residential (HDR), as well as zoning consisting of General Commercial (C3), Community Commercial (C2), Single-Family Residential (R7.5), Limited Multiple-Family Residential (MR14), and Multiple-Family Residential (MR29). The lot has dual Land-Use Designations of COM and HDR, and corresponding zoning of C3 and MR29.
6. The lot is undeveloped and according to the Department of State Lands (DSL) contains 0.64 areas of wetlands in the northern portion of the lot. State Law will require the applicant to obtain a permit from the Army Corps of Engineers for any removal or fill of earth in this area.

B. PROPOSAL

The proposal is to change the Comprehensive Plan Land-Use and Zoning Maps as they pertain to the northern 2.33 acres of the lot in order to match the current commercial designations (COM and C3 respectively) that have been applied to the southern 1.58 acres of the lot.

C. AGENCY COMMENTS

No agency comments were received.

D. PUBLIC COMMENTS

The Community Development Department notified all owners of subject properties

per ORS 227.186 and LUDO 5.1.190 and received no letters of remonstrance.

E. ANALYSIS

Comprehensive Plan Amendments and Zone Change applications are required to satisfy approval criteria contained within Roseburg Land Use and Development Ordinance (LUDO) Sections 5.3.040(2) and 5.4.030 respectively.

F. REVIEW CRITERIA

Pursuant to LUDO 5.3.040(2) the following criteria must be demonstrated as being satisfied by the application for approval of the Comprehensive Plan Amendment:

- a) **That the amendment complies with the Statewide Planning Goals adopted by the Land Conservation and Development Commission, pursuant to ORS 197.240, or as revised pursuant to ORS 197.245.**

Statewide Planning Goals:

Goal No. 1 - Citizen Involvement - To ensure the opportunity for citizen involvement in all phases of the planning process.

Finding: 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 Land Use and Development Ordinance (LUDO). 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 Oregon Revised Statutes (ORS).

Roseburg also has an established Planning Commission that has 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 process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided mailed notice of this application as mandated through ORS requirements and LUDO, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing(s) is held in order to provide an opportunity for interested citizens to be involved, provide comments and present issues, influence the Commission and eventually the Council, provide technical information, and/or provide information regarding conditional approval.

Goal No. 2 - Land Use Planning - To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

Part I - Planning

Finding: The City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan is coordinated and adopted by Douglas County for the unincorporated area located within the City Urban Growth Boundary (UGB). In addition, the City of Roseburg and Douglas County have adopted an Urban Growth Management Agreement (UGMA) that more specifically identifies process and policy framework for urban area issues and coordination within the unincorporated areas. These properties are within the UGB as well as within the City's jurisdictional boundaries and governed solely by City policies and regulations relative to land use activities.

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. (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. 3408 on March 11, 2013, as both may have been amended from time-to-time).

Part II – Exceptions

The exceptions section within Goal 2 does not apply in this case because no exception has been requested by the applicant.

Goal No. 3 - Agricultural Lands - To preserve and maintain agricultural lands.

Finding: The adoption of the City Urban Area Comprehensive Plan did not identify the subject property as an agricultural resource nor has it historically been used for agricultural purposes. A change to the land use designation from HDR to COM will not alter the current status of the property nor impact any agricultural lands.

Goal No. 4 - Forest Lands - To preserve forest lands for forest use.

Finding: The adopted Comprehensive Plan does not identify the property, nor has it historically been used for Forest Land purposes. A Comprehensive Plan designation change from HDR to COM will not alter the current status of the property or impact forest lands.

Goal No. 5 - Open Space, Scenic and Historic Areas, and Natural Resources - To conserve open space and protect natural and scenic resources.

Finding: Although the Department of State Lands has determined that 0.64 acres of the area subject to the amendment and zone change contain wetlands, the Comprehensive Plan does not list this site within an inventory of natural

resources to protect. Extensive inventories were conducted when the Comprehensive Plan and LUDO were prepared. These properties were not identified as having any value as open space, as scenic or a natural resource, or as a Historic Resource.

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.

Finding: This property is within the Roseburg urban area and although it is currently undeveloped it does not contribute significantly to the air, water or land resources of the State. Furthermore, its location relative to transportation facilities, commercial uses and residential areas makes it well-suited for development to serve both the community and regional area. Although wetlands are present, any disturbance to said areas will be mitigated via oversight by the Department of State Lands and Army Corps of Engineers.

Goal No. 7 - Areas Subject to Natural Disasters and Hazards - To protect life and property from natural disasters and hazards.

Finding: The subject property has not been identified in any inventory of the area to have the likely potential to be subjected to natural disasters and hazards. The property is relatively flat and above any base flood elevations; therefore, is unlikely to be in damage of flooding or to be subjected to landslides or subsidence.

Goal No. 8 - Recreational Needs - To satisfy the recreational needs of the citizens of the state.

Finding: The subject property has not been identified as being needed to satisfy any recreational needs.

Goal No. 9 - Economy of the State - To diversify and improve the economy of the state.

Finding: The Roseburg Urban Area Comprehensive Plan was designed to satisfy this goal, specifically to provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies. The requested action would create a site of suitable size (approximately four acres), type (relatively flat and undeveloped), location and service levels (adjacent to an intersection of two major arterials and other commercial sites) for a longstanding community and regional retail business to expand. The proposed amendment will not decrease economic opportunities.

Goal No. 10 – Housing - To provide for the housing needs of the citizens of the state.

Finding: Cities and Counties are required to ensure an adequate supply of "buildable lands... that are suitable, available and necessary for residential use." The area subject to the requested action is part of a legal lot that is split-zoned due to the two Comprehensive Plan designations. The area dedicated for residential use has inadequate access from abutting rights-of-way along the northern property line (Oakland Avenue, Flagstaff Street and Poplar Street) due to insufficient paved widths. If access to the residential portion of the subject lot were to be provided from these rights-of-way, there would be significant adverse impacts to many of the existing residential properties. Because LUDO 6.1.050(6) limits access to a residential use of a lot or parcel via an access easement to one single-family dwelling, the portion of the lot dedicated for residential use is significantly constrained and therefore offers very little buildable area for housing. Therefore, the site does not contain buildable land for residential development that is suitable and necessary.

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.

Finding: Within the Roseburg urban area, the City of Roseburg, Douglas County and several special districts provide public facilities and services, as well as policies for coordination, timing and location. Development of the subject property will require new facilities and services that will be coordinated with local governmental departments and entities that serve the public. The full range of urban services, including water, sewer, road maintenance, police, fire, storm drainage, etc., appropriate for the subject property owner's desired commercial designation is available and can be provided in a timely, orderly and efficient manner.

Goal No. 12 – Transportation - To provide and encourage a safe, convenient and economic transportation system.

Finding: Sufficient and needed capacity exists on the existing roadways to accommodate the anticipated future development. The portion of Garden Valley Boulevard that provides access to the subject lot is a collector street that provides for traffic movement within neighborhoods and between activity centers, between arterial streets and local streets, and for direct access to abutting land. Moreover, as the development is processed for site plan review any necessary traffic mitigation for safe ingress and egress will be required at such time.

The proposed amendment would not change the functional class of any existing or planned transportation facility, nor would it allow for levels of development that would reduce or worsen performance of these facilities. Therefore, the proposed amendment does not significantly affect the transportation system.

Goal No. 13 - Energy Conservation - To conserve energy.

Finding: The subject property is situated within an established urban area where in-fill development promotes efficient energy-related use of existing and planned energy facilities by allowing urban property to develop and thereby potentially delay the need to develop more remote rural areas. Whether the property is development per the current dual designations or proposed commercial designation does not conflict the goals to manage and control energy resources.

Goal No. 14 – Urbanization - To provide for an orderly and efficient transition from rural to urban land use.

Finding: As noted the subject property is within the existing Roseburg Area Urban Growth Boundary and per ORS ".....shall be considered available over time for urban uses." The subject property is in an area that has the potential to be fully developed and is situated near the epicenter of commercial activity within the City limits. This action does not impact any rural land areas.

- b) That the amendment complies with applicable policies of the Comprehensive Plan.

Economic Growth Policy No. 4

Through the planning process, the City and County shall continue to monitor the supply of developable commercial and industrial sites to ensure opportunity for the expansion of existing and the establishment of new economic enterprises throughout the urban area.

Finding: Economic Development Policy No. 4 is intended to ensure that the urban area's inventory of developable commercial land is not diminished to the point that existing businesses are precluded from expanding, or new businesses are precluded from being established. The proposed Plan Amendment and Zone Change will increase the urban area's present inventory of land that is suitable and available to immediately accommodate new commercial enterprise in the community. The proposed amendment will be consistent with the intent of Economic Development Policy No. 4.

Commercial Development Policy No. 1:

Community shopping and service facilities shall be located close to major arterials and shall provide adequate parking and service area. The zoning ordinance, subdivision ordinance, and other appropriate regulations shall include provisions as to siting and development which discourage major customer traffic from outside the immediate neighborhoods from filtering through nearby residential streets.

Finding: The development that would be proposed subsequent to the approval of the requested land use action would establish a shopping facility within 1,000 feet of two major arterials and would have access to a collector street. LUDO would require parking areas commensurate with the projected needs of the

facility based on the floor area available to customers. The development would not be permitted to have access to the local streets that serve the residential neighborhoods to the north of the site.

Commercial Development Policy No. 2

Notwithstanding the existing development pattern along arterials and collectors committing an area to strip development, new commercial development shall be clustered and located to provide convenience goods and services for neighborhood residents or a wide variety of goods and services for a market area of several neighborhoods.

Finding: The location of the site would serve a market of many neighborhoods given the accessibility of major streets.

Commercial Development Policy No. 3

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

Finding: The subject lot has direct access to a collector and is close to two major arterials. If the requested amendment and zone change is approved it will not change these site characteristics.

Commercial Development Policy No. 4

Commercial development may be permitted only where adequate systems for transportation and sewer and water services have been provided or have been scheduled for construction.

Finding: Transportation, sewer and water infrastructure appropriate for the commercial development is provided and available for use by the future development.

Commercial Development Policy No. 5

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.

Finding: LUDO provisions that address off-street parking, landscaping, access standards, and pedestrian walkways, will be applied during any site plan review for new development.

Commercial Development Policy No. 6

Subdivision and zoning regulations should require landscaping to visually soften paved areas, reduce heat and glare, and to provide separation between buildings and pedestrian and vehicular circulation.

Finding: LUDO contains provisions that require landscaping for the purposes noted in Commercial Development Policy No. 12 and will be applied upon site plan review.

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

Finding: Both the Comprehensive Plan and the Statewide Planning Goals establish the principal that there should be sufficient developable land designated and zoned for commercial use so as to ensure that opportunities for economic development are enhanced in the Roseburg urban area. Consequently, in order to create opportunities for development of new commercial uses, it will be necessary to change the land use designation and zoning on existing vacant parcels in suitable locations to ensure that opportunities for such development and economic development are encouraged.

The current unemployment rate in Douglas County is 11.4%, according to the Oregon Employment Division, which is near the highest in Oregon. The proposed amendment will provide new economic and employment opportunities for Douglas County at large and the City of Roseburg in particular.

According to the applicant, the proposed project will provide significant new economic opportunities in the area. The construction cost estimate for the new commercial facility is 5.2 million dollars. The project will generate demand for building materials, for skilled and unskilled laborers and for local service providers during the life of the project. Once the construction project is completed new employment opportunities will also be created.

According to the applicant, Coastal Farm and Home Supply currently employs twenty-five people as part of the ongoing commercial enterprise. The expanded facility and associated operations will create twenty new job positions. That is an eighty percent increase in job positions for this business. The proposed amendment will help fill the current public need for new job opportunities in the Roseburg area.

The public will be well served by the approval of the amendment and zone change because it will allow the entire lot to be developed, which will spur economic development.

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

Finding: The public need to change the Comprehensive Plan designation and zoning classification on the subject property will best serve the identified public need as compared with other available property in the Roseburg urban area. The subject property is ideally situated to accommodate commercial development without having a negative impact on area residential uses based on LUDO development standards that will mitigate perceivable adverse effects to adjacent residential areas. Approximately fifty-percent of the subject property

is already dedicated to future commercial development, yet the full developable area of the lot cannot be dedicated to just one use due to the opposing land use designations (COM versus HDR). Approval of the proposed amendment will facilitate the logical transition of the established development pattern in the area. The subject property is the last commercial property along the east boundary of commercial hub, is in a transitional area between existing commercial and residential uses, and is in close proximity to established commercial uses. Moreover, there are no other parcels with a suitable size, location and other site characteristics within the urban core of City Limits that would accommodate the new facility.

Pursuant to LUDO 5.4.030 the following criteria must be demonstrated as being satisfied by the application for approval of the zone change:

- 1) **The rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.**

Roseburg Urban Area Comprehensive Plan Land Use Map

Finding: If the CPA is approved the zone change will conform with the Comprehensive Plan land use map and the applicable written policies as noted in the preceding findings.

- 2) **The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.**

Finding: Public health, safety and welfare can be adversely impacted by uses with significant external impacts, dangerous activities, and unsafe or inadequate transportation facilities that provide access to a site.

The proposed zone change applies to a property accessed by a collector and served by two arterial roads NE Stephens Street and Garden Valley Boulevard (the section of Garden Valley Boulevard east of the intersection of Garden Valley Boulevard and Stephens Street is classified as a collector). Because LUDO 5.1.190 requires that property owners within 300 feet of a site subject to a zone change be notified, 300 feet is an appropriate distance to determine which properties may be significantly impacted by a zone change and therefore within the surrounding area of the subject site. The surrounding area contains zoning districts consisting of General Commercial (C3), Community Commercial (C2), Single-Family Residential (R7.5), Limited Multiple-Family Residential (MR14), and Multiple-Family Residential (MR29).

The subject site will be used for retail sales of merchandise and will be inaccessible and buffered by the adjoining residential properties. Because of these required development standards and the existing character of the surrounding neighborhood relative to the current mix of commercial and residentially zoned properties, the site is suitable for 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.

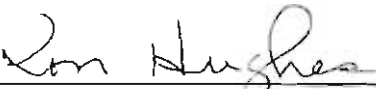
Finding: The transportation facilities (Garden Valley Boulevard) that serve the subject site are appropriate for commercial development and consistent with the safety and performance measures of the transportation system. The future development would be required to meet access standards determined by the Transportation System Plan, LUDO and Public Works standards. The site would not be granted access from the local roads to the north.

IV. CONCLUSION

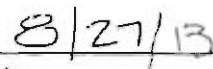
Based on the above findings, the Planning Commission concludes that the application meets the criteria for approval in LUDO 5.3.040 and 5.4.030.

V. ORDER

Based on the Findings and Conclusions above, the Planning Commission recommends **APPROVAL** of this application to the City Council.



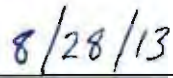
Ron Hughes, Planning Commission Chair



Date



Brian Davis, Community Development Director



Date

Planning Commission Members:

Ron Hughes, Chair

John McDonald, Vice Chair

Patrick Parson

Knut Torvik

Scotty Ingeman

Matthew Powell

Dan Onchuck

ORDINANCE NO. 3416

AN ORDINANCE DECLARING A COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE FOR A PROPERTY LOCATED ALONG NE GARDEN VALLEY BOULEVARD

WHEREAS, the Roseburg Urban Area Comprehensive Plan was adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re adopted in Ordinance No. 2980 on December 9, 1996; and

WHEREAS, the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3408 on March 11, 2013, establishes Hearings procedures for Comprehensive Plan Amendments and Zone Changes; and

WHEREAS, the Planning Commission held a Public Hearing on File No.CPA-13-1 / ZC-13-2 after duly and timely notice; and

WHEREAS, the Planning Commission adopted Findings of Fact supporting a recommendation to approve the Comprehensive Plan Amendment and Zone Change; and

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

SECTION 1: The City Council hereby takes official notice of the Planning Commission's Findings of Fact and Order dated August 27, 2013, recommending approval of the proposed Comprehensive Plan Amendment and Zone Change.

SECTION 2: The City Council hereby adopted the Findings of Fact and Order regarding the proposed Comprehensive Plan Amendment and Zone Change.

SECTION 3: Based on the evaluation detailed in the Planning Commission's Findings and information considered through the public hearing process, it has been determined that the proposal conforms to the City of Roseburg Comprehensive Plan and applicable Statewide Planning Goals.

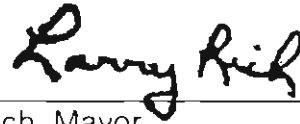
SECTION 4: The City Council hereby approves the Comprehensive Plan Amendment from High-Density Residential (HDR) to Commercial (COM) and Zone Change from Multiple-Family Residential (MR29) to General Commercial (C3) as indicated on maps within Findings of Fact and Order and by reference made a part hereto.

SECTION 5: 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 Roseburg Urban Area Comprehensive Plan as amended by the provisions added, amended or repealed herein.

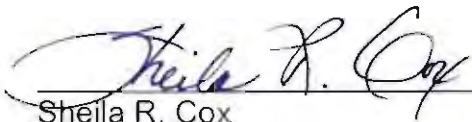
PASSED BY THE CITY COUNCIL THIS 23RD DAY OF SEPTEMBER 2013.

APPROVED BY THE MAYOR THIS 23RD DAY OF SEPTEMBER 2013.

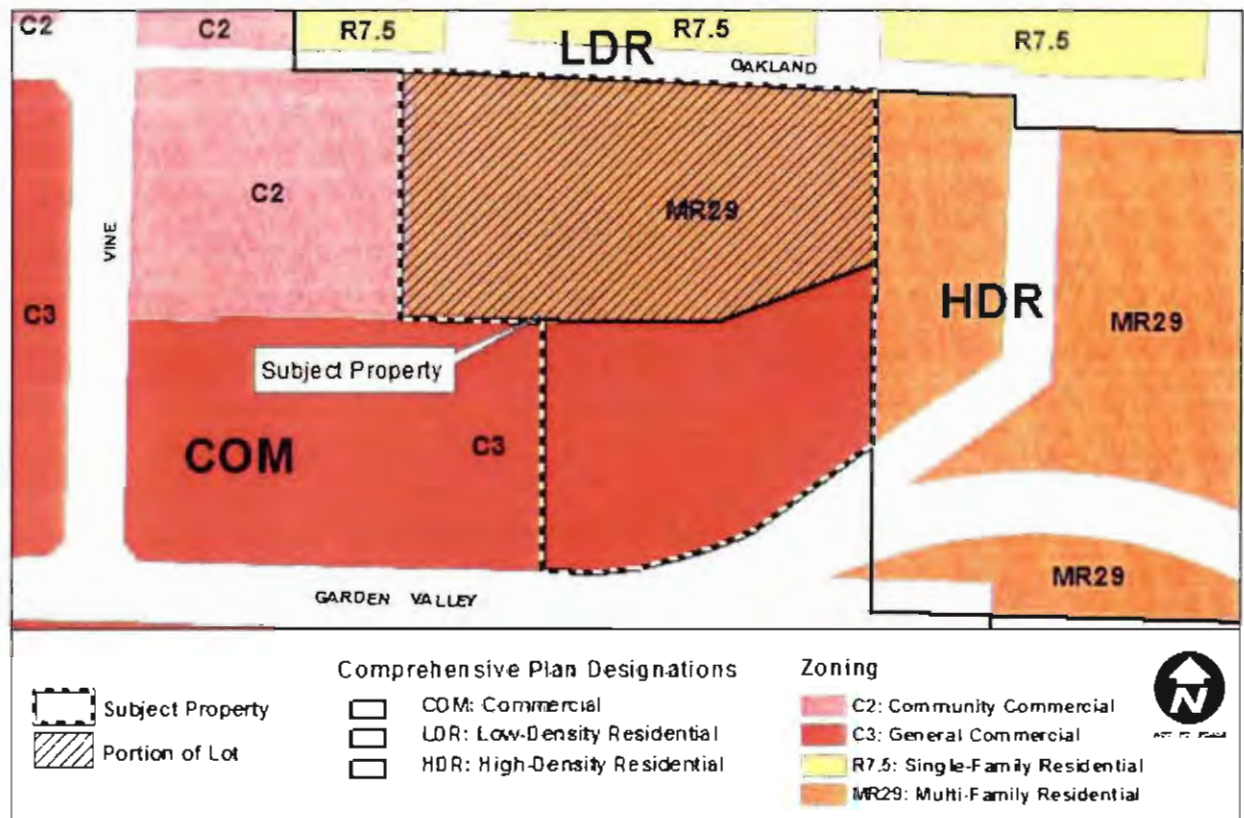
A handwritten signature in black ink that reads "Larry Rich". The signature is written in a cursive style with a horizontal line underneath it.

Larry Rich, Mayor

ATTEST:

A handwritten signature in blue ink that reads "Sheila R. Cox". The signature is written in a cursive style with a horizontal line underneath it.

Sheila R. Cox
City Recorder





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SEP 27 2013

LAND CONSERVATION
AND DEVELOPMENT

CITY OF ROSEBURG

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

TO:



Attention: Plan Amendment Specialist
DLCD
635 Capitol St NE Ste 150
Salem, OR 97301-2540