



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

July 18, 2007

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 007-07



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: August 2, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Marion J. Thompson, 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



Jurisdiction: **City of Roseburg**

Local file number: **AN-07-2**

Date of Adoption: **7/9/2007**

Date Mailed: **7/11/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 4/16/2007

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

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

Annexation of 0.46 acres of property that has a Comprehensive Plan designation of Commercial (COM) within the City UGB and per the adopted Umpqua Growth Management Agreement is zoned City C-3 (Commercial). Annexation will accommodate redevelopment of the property as a car wash under City's requirements.

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

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

to:

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

to:

Location: **425 NE Housley Ave**

Acres Involved: **0.46**

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 |
| <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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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...

45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

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

DLCD # 007-01 (16034)

DLCD file No. _____

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

Douglas County, Douglas County Fire District No. 2

Local Contact: **Marion J. Thompson, AICP**

Phone: **(541) 440-1177** Extension: **253**

Address: **900 SE Douglas Ave**

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

City: **Roseburg OR** Zip: **97470-**
mthompson@cityofroseburg.org

E-mail Address:

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. 3271

AN ORDINANCE DECLARING THE ANNEXATION OF 0.46± ACRES OF PROPERTY LOCATED SOUTHERLY OF AND ADJACENT TO HOUSELY AVENUE, EAST OF NE STEPHENS STREET, HAVING A STREET ADDRESS OF 425 NE HOUSLEY AVENUE, FURTHER DESCRIBED AS TAX LOT 5500, TOWNSHIP 27 SOUTH, RANGE 06 WEST, WILLAMETTE MERIDIAN, SECTION 1DD AND KNOWN AS THE FARMER PROPERTY; WITHDRAWING THE PROPERTY FROM DOUGLAS COUNTY FIRE DISTRICT 2 AND DIRECTING THE FILING OF A TRANSCRIPT WITH THE SECRETARY OF STATE.

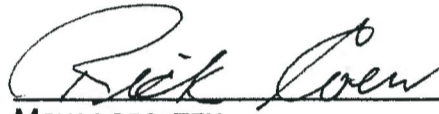
THE CITY COUNCIL OF THE CITY OF ROSEBURG, OREGON, finds:

1. The proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals.
2. This matter came before the Roseburg Planning Commission on June 4, 2007 as a Quasi-Judicial Annexation.
3. The quasi-judicial annexation complies with provisions of ORS Chapter 222.120 and ORS Chapter 222.125.
4. The subject property is within lands that are contiguous to the City limit boundary and therefore a logical inclusion of that boundary.
5. The territory to be annexed is a part less than the entire area of a rural fire protection district - Douglas County Fire District No. 2.
6. The annexation and withdrawal of the property from the Douglas County Fire District No. 2 is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies, and it is in the best interest of the City that the area be annexed and withdrawn.
7. The City is willing to assume the responsibilities and indebtedness previously contracted by the District proportionate to the part of the District that have been annexed to the City upon the effective date of the withdrawal.
8. 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.

SECTION VIII. The Recorder of the City of Roseburg shall submit to the Secretary of State of Oregon for filing, copies of the ordinance and all other instruments required so to be filed with the Secretary of State to evidence the annexation and to advise the effective date thereof; the effective date shall be the date upon which papers are filed with the Secretary of State.

PASSED BY THE CITY COUNCIL THIS 9th DAY OF JULY 2007.

APPROVED BY THE MAYOR THIS 9th DAY OF JULY 2007.



Mayor PRO-TEM

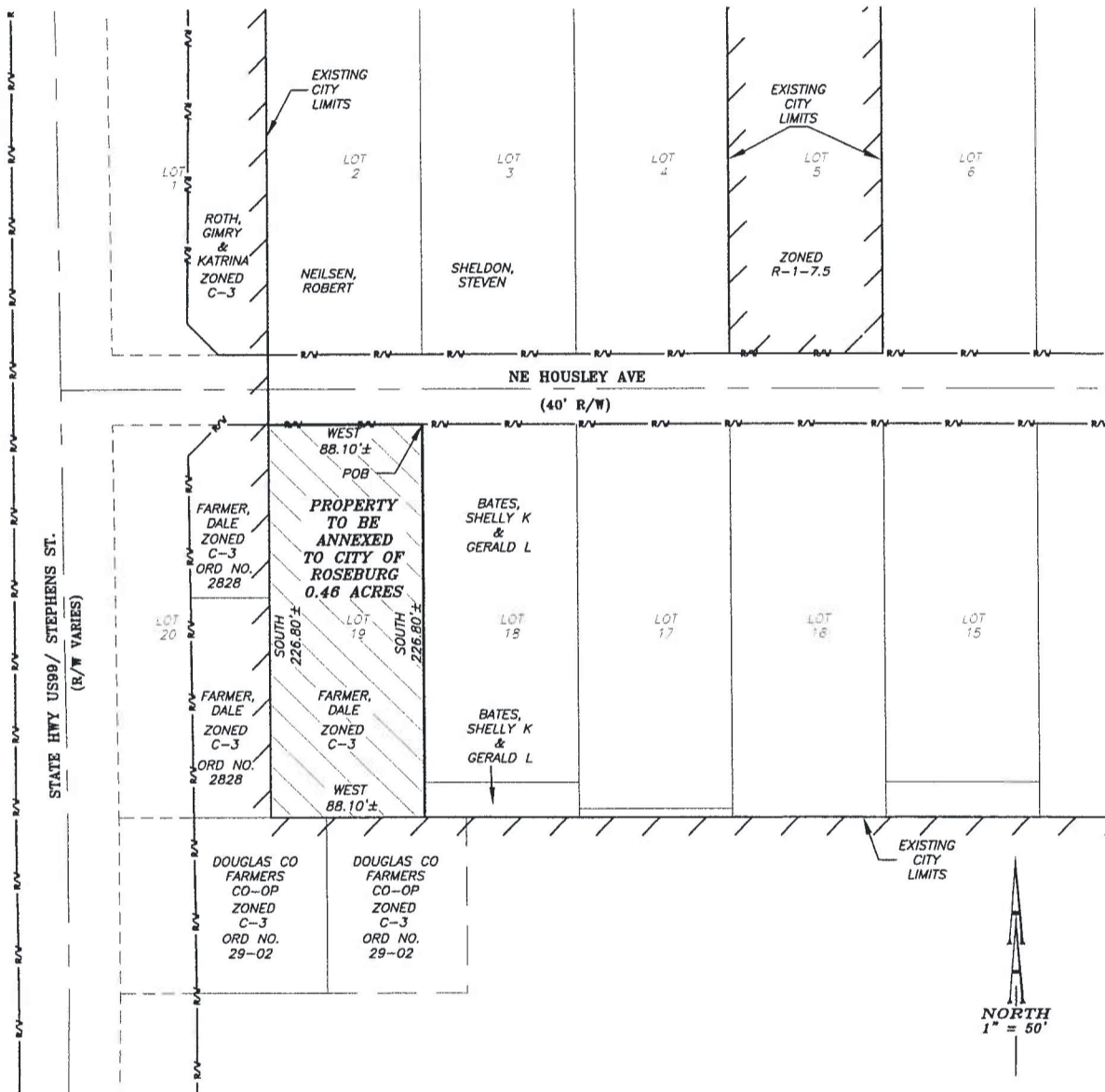
ATTEST:



City Recorder

ANNEXATION MAP

TAX LOT 5500
SECTION 1DD, TOWNSHIP 27 S, RANGE 6 W
MARCH 2007



LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, ALSO BEING LOT 19 OF THE GODFREY ADDITION, VOLUME 6 PAGE 27, RECORDS OF DOUGLAS COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 19 IN SAID GODFREY ADDITION; THENCE, SOUTH 226.80 FEET TO A POINT; THENCE, WEST 88.10 FEET TO A POINT; THENCE, NORTH 226.80 FEET TO A POINT; THENCE, EAST 88.10 FEET TO THE POINT OF BEGINNING CONTAINING 0.46 ACRES MORE OR LESS.

STATE HWY US99/STEPHENS ST.
(R/W VARIES)

ORDINANCE NUMBER: _____



NOTE 1:
THE INTENT IS TO ANNEX THAT PORTION OF DEED INSTRUMENT NUMBER 2006-8798, RECORDS OF DOUGLAS COUNTY, OREGON

NOTE 2:
THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. ALL DISTANCES, BEARINGS, AND MONUMENTATION ARE LOCATED PER RECORDS FILED WITH THE DOUGLAS COUNTY SURVEYORS OFFICE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
HERMAN A. PIESKE
1851

EXP. DATE: 12-31-07

AA

SURVEYING & ENGINEERING, INC.
ENGINEERING • SURVEYING • PLANNING

3076 NE DIAMOND LAKE BLVD.
ROSEBURG, OREGON 97470
TEL (541)672-2096
FAX (541)672-0611

EXHIBIT A

LEGAL DISCRIPTION:

A parcel of land located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 1, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, also being Lot 19 of the Godfrey Addition, Volume 6 Page 27, records of Douglas County, Oregon, and more particularly described as follows:

Beginning at the Northeast corner of said Lot 19 in said Godfrey Addition; Thence, South 226.8 feet to a point; Thence, West 88.1 feet to a point; Thence, North 226.8 feet to a point; Thence East 88.1 feet to the Point of Beginning, containing 0.46 Acres More or less.

- - -End of Description- - -

ORDINANCE NO. 3271 - Page 4

EXHIBIT "A"

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

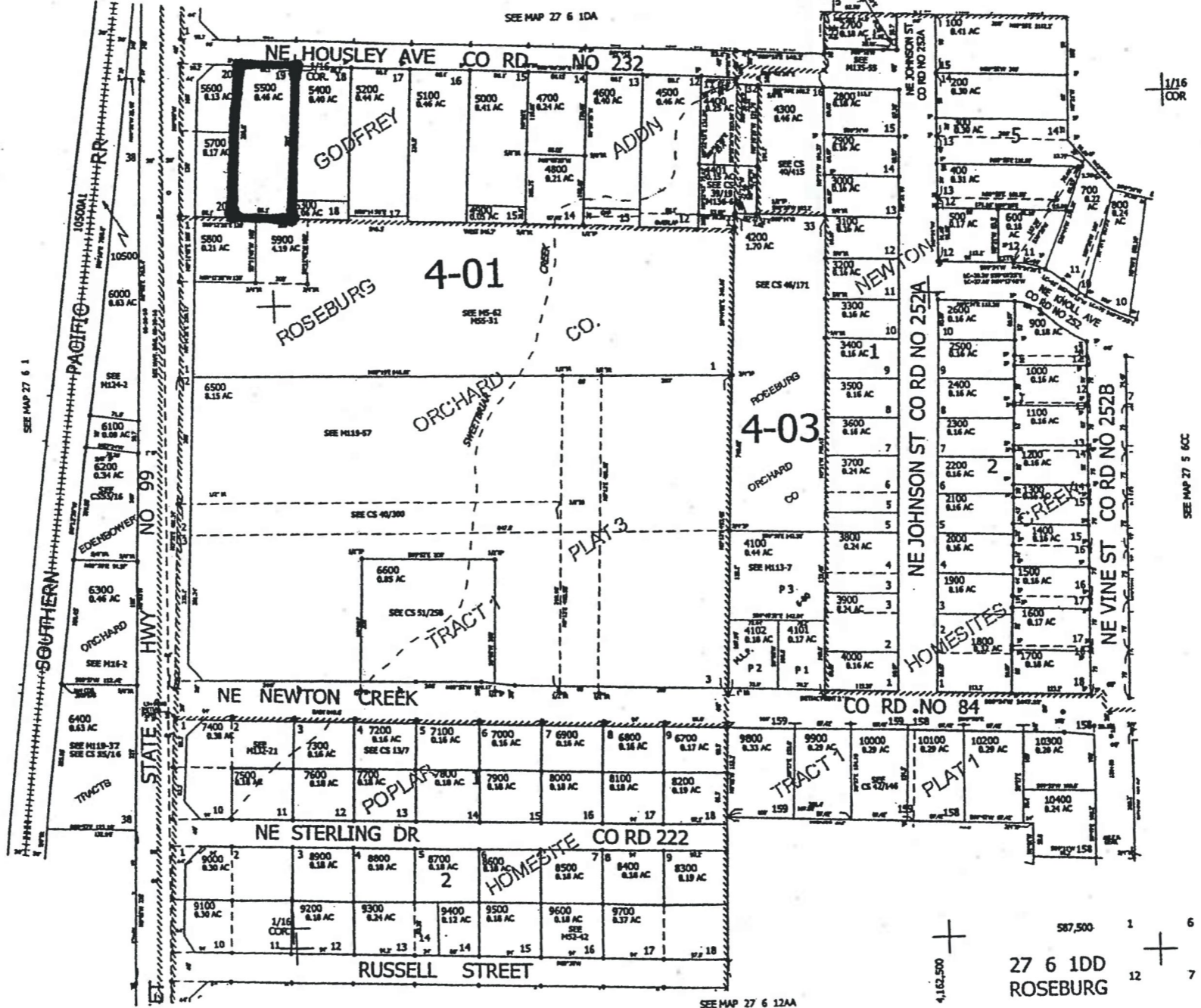
SE1/4 SE1/4 SEC.1 T.27S. R.6W. W.M.
DOUGLAS COUNTY

1" = 100'

REVISED ON
4-26-05

27 6 1DD
ROSEBURG

CANCELLED NOS
9001 9101 2701



587,500 1 6
 4,162,500 12 7
 27 6 1DD
 ROSEBURG

9. The Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, establishes procedures for hearing Change of Zone applications.
10. The Planning Commission received an application (File Nos. AN-07-2) and held a Quasi-Judicial public hearing after due and timely notice.
11. The proposal includes annexation of said lands.
12. The subject lands are currently designated in the Roseburg Urban Area Comprehensive Plan as Commercial (COM) and upon annexation will remain COM.
13. The subject land is currently zoned City General Commercial (C-3) per the Umpqua Growth Management Agreement between Douglas County and the City of Roseburg. This zone designation will be retained upon annexation.
14. All public facilities and services are within distance of serving the subject property.

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

SECTION I. The foregoing findings are hereby approved and incorporated herein.

SECTION II. The subject real property known as Farmer Annexation is legally described and shown in Exhibit "A", attached hereto and incorporated herein, is annexed to the City of Roseburg as a part thereof.

SECTION III. This annexation has been processed pursuant to Roseburg Land Use and Development Ordinance No. 2363.

SECTION IV. The City Council hereby adopts as it's own the Findings of Fact and Decision Document of the Planning Commission dated June 4, 2007.

SECTION V. This annexation is made pursuant to the provisions of ORS 222.120 and 222.125, and pursuant to a annexation without election by city electors; and, with public hearing.

SECTION VI. The subject property is hereby withdrawn from Douglas County Fire District No. 2 on the effective date of the annexation. The City shall assume the obligations referred to in ORS 222.520(2) and shall commence the procedure for division of assets provided in ORS 222.530. The particulars of said assumption of liabilities and division of assets shall be accomplished hereafter as provided in an Intergovernmental Agreement between the City and Douglas County Fire District No. 2 dated June 10, 1991.

SECTION VII. The Recorder of the City of Roseburg shall submit to the Douglas County Assessor and the Oregon Department of Revenue the required legal description of the territory annexed and an accurate map showing the annexed territory as required by ORS 308.225 (Attached hereto as Exhibit "A").