



# Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

12/28/2009

**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 005-09

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:** Thursday, January 07, 2010

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

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

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

**Cc:** Teresa L. Clemons, City of Roseburg  
Gloria Gardiner, DLCD Urban Planning Specialist  
Chris Shirley, FEMA Specialist  
John Renz, DLCD Regional Representative

<paa> YA

# Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD  
**WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION**  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person  electronic  mailed

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**DEC 18 2009**

**LAND CONSERVATION  
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: **City of Roseburg**

Local file number: **CPA-9-4/LUD-09-2**

Date of Adoption: **12/14/2009**

Date Mailed: **12/15/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/21/2009

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".

Legislative LUDO Text Amendment Article 30 Floodplain; adoption of Flood Insurance Study (FIS) and Digital FIRM maps effective February 17, 2010 for Douglas County, Oregon and Incorporated Areas. Amend Land Use and Development Ordinance, adopt digital maps and FIS to implement floodplain management within the corporate boundaries of the city of Roseburg.

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

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **NA**

to: **NA**

Location: **Corporate Limits of Roseburg**

Acres Involved: **6583**

Specify Density: Previous: **N/A**

New: **NA**

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                                     |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                            | <b>6</b>                            | <b>7</b>                            | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
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Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

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**DLCD file No.** \_\_\_\_\_

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

ODOT, Douglas County, Roseburg Urban Sanitary Authority, DLCD, FEMA

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Local Contact: **Teresa L. Clemons, CFM**

Phone: (541) 440-1177 Extension: 140

Address: **900 SE Douglas Ave**

Fax Number: 541-440-1185

City: **Roseburg**

Zip: **97470-**

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

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## **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. 3322**

**AN ORDINANCE DECLARING A COMPREHENSIVE PLAN LAND USE MAP  
AMENDMENT AND LAND USE AND DEVELOPMENT ORDINANCE TEXT  
AMENDMENT AMENDING ARTICLE 30 FLOODPLAIN OVERLAY**

**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, was originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, establishing procedures for hearing Comprehensive Plan Amendment; Zone Changes, and Text Amendments; and

**WHEREAS**, the City of Roseburg is a participating community in and supports the National Flood Insurance Program; and

**WHEREAS**, the Planning Commission held a public hearing on File No. CPA-09-4/LUD-09-2, after a duly and timely notice.

**WHEREAS**, the Planning Commission adopted Findings of Fact supporting a recommendation to approve the amendments identified herein; and

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

**SECTION 1.** The City Council hereby takes official notice of the Planning Commission Findings of Fact and Decision dated November 2, 2009, recommending approval of Comprehensive Plan Land Use Map Amendment and Land Use and Development Ordinance Text Amendment.

**SECTION 2.** By reference herein the City Council hereby adopts the Planning Commission Findings of Fact and Decision as their own.

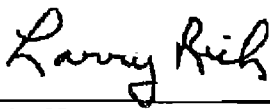
**SECTION 3.** Based on the evaluation detailed in the November 2, 2009, Planning Commission Staff Report and information considered through the public hearing process it has been determined that the proposal conforms the City of Roseburg Urban Area Comprehensive Plan and applicable Statewide Planning Goals.

**SECTION 4.** The City Council hereby approves the Comprehensive Plan Land Use Map Amendment and Land Use and Development Ordinance Text Amendment as detailed in Exhibits 1, 2 and 3 of the Findings of Fact.


**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.

ADOPTED BY THE CITY COUNCIL THIS 14<sup>TH</sup> DAY OF DECEMBER 2009.

APPROVED BY THE MAYOR THIS 14<sup>TH</sup> DAY OF DECEMBER 2009.

  
\_\_\_\_\_  
Larry Rich, Mayor

ATTEST:

  
\_\_\_\_\_  
Sheila R. Cox, City Recorder



**Finding No. 6**

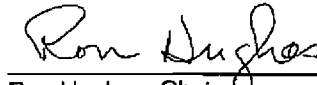
The Planning Commission staff report prepared for evaluation of this application was reviewed and taken into consideration during the review process including all exhibits and materials referenced and hereby made a part of the Commission's findings.


**CONCLUSION**

The adoption of the DFIRMs and the Flood Insurance Study as presented ensures the City of Roseburg remains a participating community in good standing with the National Flood Insurance Program. Further, implementation of the LUDO amendments will provide more accurate floodplain management for the citizens of Roseburg.

BASED ON THE INFORMATION PROVIDED IN THE STAFF REPORT, AS WELL AS ALL OTHER MATERIALS PRESENTED, INCLUDING RELEVANT PUBLIC INPUT, THE PLANNING COMMISSION RECOMMENDS THE CITY COUNCIL **APPROVE** FILE NO. CPA-09-4/LUDO-09-2 ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN AND THE LAND USE AND DEVELOPMENT ORDINANCE ARTICLE 30, FLOODPLAIN OVERLAY AND ADOPTION OF THE FLOOD INSURANCE STUDY (FIS) AND DIGITAL FLOOD INSURANCE RATE MAPS (DFIRMS) FOR DOUGLAS COUNTY, OREGON AND INCORPORATED AREAS.

DATED THIS 2nd DAY OF November, 2009

  
\_\_\_\_\_  
Ron Hughes, Chair

  
\_\_\_\_\_  
Brian Davis,  
Community Development Director

Planning Commission Members:  
Ron Hughes, Chair  
Patrick Parson, Vice Chair  
Meagan Conry  
Mychal Fox  
Harvey Lopez  
John McDonald  
Knut Torvik

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

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Attn: Plan Amendment Specialist  
DLCD  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540