



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

07/09/2013

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 004-12A

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: Monday, July 22, 2013

This amendment was submitted to DLCD for review 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 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  
Josh LeBombard, DLCD Regional Representative  
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> YA



FORM 2

DLCD

# Notice of Adoption

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

In person  electronic  mailed

**DATE STAMP**

**DEPT OF**

JUL 05 2013

**LAND CONSERVATION AND DEVELOPMENT**

For Office Use Only

Jurisdiction: **City of Roseburg**

Local file number: **CPA 12-1**

Date of Adoption: **6/24/2013**

Date Mailed: **6/28/2013**

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:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
Urban area 2032 population forecast adoption of 34, 023 persons.

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

EOA not included.

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Zone Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

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>                |
| <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...

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. 004-12A (19324) [17520]



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

DLCD, ODOT, Douglas County

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Local Contact: **Teresa Clemons**

Phone: (541) 492-6750 Extension:

Address: **900 SE Douglas Ave**

Fax Number: - -

City: **Roseburg**

Zip: **97471-**

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

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## 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](mailto:plan.amendments@state.or.us).

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

Updated December 6, 2012

## ORDINANCE NO. 3413

### AN ORDINANCE DECLARING A COMPREHENSIVE PLAN AMENDMENT ADOPTING A 2032 POPULATION FORECAST OF 34,023 PERSONS WITH A GROWTH RATE OF 1.2 PERCENT FOR THE CITY AND 1.0 PERCENT FOR THE URBAN GROWTH BOUNDARY

**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. 2981 on December 9, 1996, establishes procedures for hearing Comprehensive Plan Amendment; and

**WHEREAS**, the Planning Commission held a public hearing on File No. CPA-12-1 after duly and timely notice; and

**WHEREAS**, the Planning Commission adopted Findings of Fact supporting a recommendation to approve a Comprehensive Plan Amendment to adopt by reference a population forecast for the Roseburg Urban Area by invoking the Safe Harbor Provision of ORS 195.034, based on forecasts prepared by the Office of Economic Analysis, which results in a growth rate of 1.2 percent for the City and 1.0 percent for the UGB; 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 May 20, 2013, recommending approval of the Comprehensive Plan Text Amendment.

**SECTION 2:** The City Council hereby adopted the Findings of Fact and Decision regarding the proposed amendment to the Comprehensive Plan as adopted by the Planning Commission making them their own Findings of Fact.

**SECTION 3:** Based on the evaluation detailed in the 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 Text Amendment as set forth in the Findings of Fact and detailed in the Planning Commission staff report for File No. CPA-12-1 and as follows:

Roseburg Urban Area Comprehensive Plan Growth Policy No. 3 is amended to read:

***“All elements of the Roseburg Urban Area Comprehensive Plan shall be coordinated with a mid-range year 2032 population projection of 34,023 persons. Yearly population changes or trends will be monitored and assessed for their impacts. Prior to any amendment of the Comprehensive Plan, these changes or trends shall be considered.”***

**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 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 24<sup>TH</sup> DAY OF JUNE 2013.**

**APPROVED BY THE MAYOR THIS 24<sup>TH</sup> DAY OF JUNE 2013.**



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Larry Rich, Mayor

**ATTEST:**



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Sheila R. Cox, City Recorder

In the matter of the legislative action ) Comprehensive Plan Amendment  
by City of Roseburg ) File No. CPA-12-1

**BEFORE THE ROSEBURG PLANNING COMMISSION  
ORDER OF APPROVAL**

**I. NATURE OF APPLICATION**

The proposal is to adopt by reference coordinated population projections into the Roseburg Urban Area Comprehensive Plan. This is a legislative action. The Planning Commission will hold a public hearing and forward a recommendation to the City Council for final action.

**II. PUBLIC HEARING**

A public hearing was held on the application before the Roseburg Planning Commission on May 20, 2013. At that hearing the Planning Commission reviewed Comprehensive Plan Amendment Land Use File CPA-12-1 and it was made part of the record.

**III. FINDINGS OF FACT**

**A. Background Information**

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 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.

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. Opportunities were provided for all interested parties to be involved in the planning process through the public hearing.

3. Agencies including Douglas County and DLCD were given opportunity to comment. No comments regarding the proposal have been received.

4. At the September 24, 2012 City Council meeting, the Council adopted a resolution supporting a 2032 population forecast based on a 1.2 percent average annual growth rate for the City and 1.0 percent for the urban growth boundary. The resolution was sent to Douglas County, who is responsible for coordinating population forecasts in the region. The adoption process had been anticipated to take at least six months to complete after approval of the resolution.

## B. Council Action History

1. The most recent city population forecast was adopted by Douglas County in 1999. Attempts were made by Douglas County to update Roseburg's forecast using growth rates of 2.5 percent (2008), 2.0 percent (2010), and 1.8 percent (2011). Each time the City or County was appealed to the Land Use Board of Appeals (LUBA) with unproductive results.

2. The City contracted with a land-use economist to develop its own forecast model earlier which led to results supporting 1.8 percent. That proposal was going to come to the Council, with the first public hearing scheduled at the Planning Commission on August 20, 2012. Prior to the meeting, 1000 Friends of Oregon submitted a letter in opposition to the proposal. The item was subsequently pulled from the agenda. Staff met with 1000 Friends and the Department of Land Conservation and Development and came to an agreement that a forecast of 1.2 percent should be presented to the Council if agreement could be reached with Sane Orderly Development, the group involved in all three of the previous appeals. Staff met with SOD on September 18, and they agreed not to challenge Council approval of a 1.2 percent growth rate for the City of Roseburg.

## C. Analysis

1. Population forecasting is the basis for all long-range planning. Local governments are required to adopt forecasts to adequately plan and budget for public facilities, resources, and future land needs. For example, the Transportation System Plan was adopted in 2006 when the population forecast was based on a 2.5 percent growth rate. The TSP plans for new roads and upgraded existing roads based on traffic demand, which is based largely on future population. When the TSP is updated in a few years, it would base its projections on the proposed lower growth rate. This would be the case for all future long-range plans, such as an update to the Airport Master Plan.

2. Staff preliminarily analyzed the potential effect on the urban growth boundary if the growth rate is reduced from 1.8 percent to 1.2 percent. In the present economy and real estate climate, Staff found that neither rate is likely high enough to support substantial expansion of the UGB, because there is a probable surplus of vacant land within the current UGB.



**D. Financial and/or Resource Considerations**

1. 1000 Friends and SOD have indicated their opposition to a 1.8 percent growth rate for Roseburg. SOD was directly or indirectly involved with the previous three appeals. The City participated in responding to the 2008 appeal and incurred significant attorney and consultant fees, and expended other city resources. Because the 1.8 percent is not likely to provide a UGB expansion, staff does not recommend going to the expense of defending it at a similar cost to the 2008 appeal. Adopting a forecast based on a 1.2 percent rate would be little to no cost to the City.

**E. Timing Issues**

1. It was brought to Staff's attention at our meeting with 1000 Friends and DLCD that new safe harbor numbers were scheduled to be released in the near future. However, 1000 Friends, DLCD and SOD all indicated support for the City to adopt a forecast based on Oregon Economic Analysis Office (OEA) 2004 numbers based on the 1.2 percent rate rather than waiting for new numbers.

2. These next steps in the statutory process for the safe harbor population forecast are subject to appeal until completed. The attached resolution served as formal request from the City that Douglas County adopt a population forecast for the Roseburg Urban Area by invoking the Safe Harbor Provision of ORS 195.034, based on the most recent forecast prepared by the Office of Economic Analysis, which was in 2004, which results in a growth rate of 1.2 percent for the City and 1.0 percent for the UGB.

3. The County has not responded in six months; the City may adopt the 2032 population forecast of 34,023 persons for the Roseburg Urban Area as its own.

4. 1000 Friends, DLCD and SOD indicate to staff (and in the attached letters) that they do not intend to appeal a population forecast based on the 1.2 percent rate as contained in the attached resolution 2012-15.

**IV. REVIEW CRITERIA**

**A.** This amendment is to adopt the coordinated population by reference to the Roseburg Urban Area Comprehensive Plan. All decisions will be made in coordination with Douglas County and per criteria found within LUDO Article 2: Legislative Actions Procedures.

**B.** During the amendment process pertinent facts may be added to the Comprehensive Plan. Since 1973, Oregon Land Use Planning has been defined



by the 19 "Statewide Planning Goals". Cities and counties comply with those statewide goals through Comprehensive Planning.

C. As a Legislative action the proposal is evaluated based on Comprehensive Plan policies and Statewide Planning Goals. Comprehensive Plan Policies pertinent to the proposal have been evaluated as follows:

1. *Growth Policy No. 3: All elements of the Roseburg Urban Area Comprehensive Plan shall be coordinated with the mid-range year 2000 population projection of 44,329 persons. Yearly population changes or trends will be monitored and assessed for their impacts. Prior to any amendment of the Comprehensive Plan, these changes or trends shall be considered.*

2. *Growth Policy No. 4: Resources necessary to provide adequate public services, utilities and facilities should be budgeted to meet the projected population.*

3. *Housing Policy No. 3: The City and County shall ensure an adequate supply of land suitable for development which is zoned for low, medium, and high density residential uses. Determination of an adequate supply shall be based on two to three year projections of demand. The City and County shall annually monitor and analyze population projects and projected housing demand to provide a reliable basis for land use decisions and to assure sufficient residential land to maintain a balance between supply and demand.*

4. *Urban Growth Policy No. 1: The City of Roseburg and Douglas County hereby jointly establish an urban growth boundary for the Roseburg urban area, as shown on the General Land Use Plan Map and shall review the boundary every five years or upon request by the City or the County to jointly determine if changes are necessary.*

5. *Urban Growth Policy No. 2: Changes to the urban growth boundary, including either additions or deletions of land, shall be based upon consideration of the following factors:*

- *Demonstrated need to accommodate long-range urban population growth requirements consistent with State land use goals.*
- *Need for housing, employment opportunities and livability.*
- *Orderly and economic provision of public facilities and services.*
- *Maximum efficiency of land uses within and on the fringe of the existing urban area.*
- *Environmental, energy, economic, and social consequences.*
- *Retention of agricultural land.*
- *Compatibility of the proposed urban uses with nearby agricultural activities.*

*Changes to the urban growth boundary shall also be in accordance with the procedures and requirements as set forth in Statewide Land Use Planning Goal (Goal 2) for goal exceptions.*

6. *Urban Growth Policy No. 3: A continuous 15-20 year supply of developable land shall be maintained within the urban growth boundary to avoid unnecessary increases in land prices created by artificial shortages of land.*

**FINDING:**

The proposed adoption of a coordinated population number will allow the City of Roseburg to effectively plan for future residential and employment development.

Providing certainty during evaluation of applications to amend the current UGB only as needed to maintain adequate reserves of developable land within the Roseburg Urban Growth Area. In addition to Comprehensive Plan Policies, following is an evaluation of the applicable Statewide Planning Goals.

7. *Goal No. 1 – Citizen Involvement - To develop citizen involvement programs that ensure the opportunity for citizens to be involved 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. The Comprehensive Plan is implemented via the adopted 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 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 public process and the Commission may include one member who resides outside the city limits. In addition, as a part of the project a Citizen Advisory Committee was formed and a community forum was held allowing for citizen input and participation. The City of Roseburg provided notice of this application as mandated through ORS and LUDO requirements, 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.

8. *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 use of land and to assure an adequate factual base for such actions.*

**FINDING:**

As noted above 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 UGB. (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.) 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 Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996.) Both the Comprehensive Plan and LUDO have been amended from time-to-time.

9. *Goal No. 9 – Economic Development - To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

10. *Goal No. 14 – Urbanization - To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

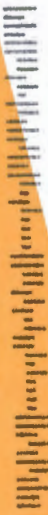
**FINDING:**

The proposed population projections will allow the City of Roseburg to accurately evaluate future employment or residential land Urban Growth Boundary expansion proposals. The necessary inventory of employment and residential land can be maintained to support projected population growth with greater certainty than in recent years.

11. *Statewide Planning Goals not directly applicable include Agricultural Lands (No. 3); Forest Lands (No. 4); Open Spaces, Scenic and Historic Areas and Natural Resources (No. 5); Air, Water and Land Resource Quality (No. 6); Areas Subject to Natural Disasters and Hazards (No. 7); Recreational Needs (No. 8); Housing (No. 10); Public Facilities and Services (No. 11); Transportation (No. 12); and Energy Conservation (No. 13).*







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

**TO:**

*Atty: Plan Amendment Specialist*

*DLCD*

*635 Capitol Street NE #150*

*Salem, OR 97301-2540*

DEPT OF  
 LAND CONSERVATION  
 AND DEVELOPMENT

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