

09/11/2024

SEP 11 2024



BEFORE THE BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, OREGON

AN ORDINANCE JOINTLY ADOPTING AMENDMENTS TO THE CITY OF]	
ROSEBURG URBAN GROWTH BOUNDARY, APPLYING]	
DOUGLAS COUNTY ZONING AND COMPREHENSIVE PLAN]	NO. 2024-0901
DESIGNATIONS TO LANDS REMOVED FROM CITY LIMITS AND]	
URBAN GROWTH BOUNDARY, AND AMENDING THE URBAN]	
GROWTH MANAGEMENT AGREEMENT]	
PLANNING DEPARTMENT FILE NO. 24-015]	

WHEREAS, Douglas County entered into an Urban Growth Management Agreement (UGMA) with City of Roseburg under which both parties have mutually agreed to coordinate Land Use Actions and Comprehensive Plan Amendments for the Roseburg Urban Growth Area, defined as the area between Roseburg City Limits and the Roseburg Urban Growth Boundary (UGB); and,

WHEREAS, the City of Roseburg adopted amendments to the City UGB under Ordinance #3604 to exclude real property described in Exhibit A and Exhibit B, attached hereto and incorporated herein; and,

WHEREAS, properties described in Exhibit A and Exhibit B have also been removed from the City of Roseburg City Limits and must therefore receive Douglas County Zoning Map and Comprehensive Plan Map designations; and,

WHEREAS, Douglas County real property described on Exhibit A, attached hereto and incorporated herein, shall be assigned an (RR-5) Rural Residential-5 comprehensive plan designation and (5R) Rural Residential 5 zoning; and,

WHEREAS, Douglas County real property described on Exhibit B, attached hereto and incorporated herein, shall be assigned a combination of (RR-5) Rural Residential-5 plan designation and (5R) Rural Residential 5 zoning designation, except for a portion to be designated as Farm Forest Transitional (FFT) plan designation with a (FF) Farm Forest zoning designation, as described in Exhibit B2; and,

WHEREAS, real property described in Exhibit C shall be added to the City of Roseburg UGB and shall receive a (RS) Suburban Residential zoning designation, except for real property described in Exhibit D, which shall receive a (PR) Public Reserve zoning designation; and,

WHEREAS, the above described amendments to the City of Roseburg UGB necessitate amendments to the City of Roseburg/Douglas County Urban Growth Management Agreement, to include Charter Oaks in Subarea 2 of the agreement, to clarify City of Roseburg annexation responsibilities and to amend scrivener errors and update revised code references or inaccurate information as provided in Exhibit G, attached hereto and incorporated herein; and,

WHEREAS, the City of Roseburg submitted an application to the Douglas County Planning Department addressing applicable code in ORS 222 - "Boundary Changes, Annexations, Withdrawals", OAR 660-024 - "Urban Growth Boundaries", Oregon Statewide Planning Goals, and Douglas County Comprehensive Plan Policies; and,

WHEREAS, on May 6, 2024, the Douglas County Planning Commission held a public hearing jointly with the City of Roseburg Planning Commission, and unanimously recommended that amendments to the City of Roseburg UGB, the Douglas County Comprehensive Plan and Zoning Maps, and the UGMA be adopted by the Douglas County Board of Commissioners; and,

WHEREAS, on September 11, 2024, the Douglas County Board of Commissioners, after reviewing the recommendation of the Planning Commission, conducted a public hearing and co-adopted amendments to the City of Roseburg UGB and the UGMA between the City of Roseburg and Douglas County and approves amendments to the Douglas County Comprehensive Plan and Zoning Maps as described above.

THE DOUGLAS COUNTY BOARD OF COMMISSIONERS ORDAIN AS FOLLOWS:

SECTION 1. The foregoing findings are hereby approved and incorporated herein.

SECTION 2. The subject properties legally described in Exhibit A and Exhibit B, attached hereto and incorporated herein, are hereby removed from the City of Roseburg UGB.

SECTION 3. The Douglas County Comprehensive Plan and Zoning Map for real property described in Exhibit A are hereby amended to apply a (RR-5) Rural Residential-5 plan designation and (5R) Rural Residential 5 zoning designation.

SECTION 4. The Douglas County Comprehensive Plan and Zoning Map for real property described in Exhibit B, are hereby amended to apply a combination of (RR-5) Rural Residential-5 plan designation and (5R) Rural Residential 5 zoning designation, along with a portion designated as (FFT) Farm Forest Transitional plan designation with a (FF) Farm Forest zoning designation, as described in Exhibit B2.

SECTION 5. The subject properties legally described in Exhibit C, attached hereto and incorporated herein, are hereby added to the City of Roseburg UGB.

SECTION 6. The Douglas County Zoning Map for real property described in Exhibit C, are hereby amended to apply a (RS) Suburban Residential zoning designation, except for real property described in Exhibit D, the approximately 17.5-acre property owned by the Roseburg Public School District, which is hereby amended to apply a (PR) Public Reserve zoning designation.

SECTION 7. The UGB Amendment, Comprehensive Plan Map Amendment, and Zoning Map Amendment, have been processed pursuant to the UGMA between the City of Roseburg, Oregon and Douglas County.

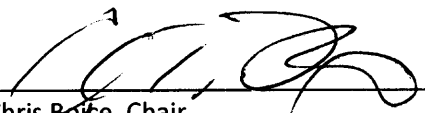
SECTION 8. The UGB Amendment meets the requirements of OAR 660-012, OAR 660-24, and adopted Statewide Planning Goals.

SECTION 9. The Board of Commissioners adopts as its own the Findings of Fact and Decision Document of the City of Roseburg City Council dated August 12, 2024 and incorporates that document herein as shown in Exhibit F.

SECTION 10. The Comprehensive Plan Amendment and Zoning Map Amendment shall be filed in the County Court Journal, and the Douglas County Comprehensive Plan and Zoning Maps shall be changed accordingly.

DATED this 11th day of September, 2024

BOARD OF COUNTY COMMISSIONERS OF
OF DOUGLAS COUNTY


Chris Boyce, Chair


Tim Freeman, Commissioner


Tom Kress, Commissioner

REVIEWED AS TO FORM

By 
Office of County Legal Counsel

Date: Sept. 11, 2024

EXHIBITS

- Exhibit A – Atkinson Legal Description
- Exhibit B – Serafin Legal Description
- Exhibit B2 – Serafin Legal Description (Farm Forest Zoning and Plan Designation)
- Exhibit C – Charter Oaks Legal Description
- Exhibit D – Charter Oaks; Roseburg Public School District; PR Comp Plan Legal Description
- Exhibit E – Updated Douglas County/City of Roseburg Urban Growth Management Agreement
- Exhibit F – City of Roseburg City Council Findings of Fact and Order; Case File No. CPA-23-002
- Exhibit G – City of Roseburg Ordinance No. 3604

EXHIBIT A

A tract of land being all of PARCEL 2 of Partition Plat 2015-0016 located in the Southwest and Southeast Quarters of Section 2, and the Northwest and Northeast Quarters of Section 11, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

All of said PARCEL 2.

EXHIBIT B

Beginning at the Northeast corner of PARCEL 3 of Partition Plat 2003-0045, Plat Records of Douglas County, being the Southwest corner of LOT 8 of the plat of Roseburg Orchards Company, Tract I, Plat I, Volume 4, Page 60, Douglas County Plat Records, being on the Southerly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along the North boundary of said PARCEL 3 and the North boundary of PARCEL 2, said Partition Plat 2003-0045, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said PARCEL 2; Thence Southerly along the West boundary of said PARCEL 2 and PARCEL 1 of said Partition Plat 2003-0045, coincident with the Easterly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I, to the Northeast corner of LOT 2, Block 3 of the Resubdivision of First Subdivision of Cloverdale Addition to Roseburg, Volume 11, Pages 59, 60, and 61, Plat Records of Douglas County; Thence Westerly along the North boundary of said Block 3 and the North boundary of Block 2, said Resubdivision of First Subdivision of Cloverdale Addition to Roseburg, coincident with the Southerly Right-of-Way boundary of NE Barager Avenue, to a point on the North boundary of LOT 1, said Block 2, being the intersection of said North boundary with the southerly extension of the East boundary of Block 2, Sylvan Hills, Volume 15, Page 75, Plat Records of Douglas County; Thence leaving the North boundary of said LOT 1 and the Southerly Right-of-Way of said NE Barager Avenue, Northerly to the Southeast corner of LOT 1, said Block 2, Sylvan Hills, being on the Northerly Right-of-Way boundary of said NE Barager Avenue; Thence leaving said Northerly Right-of-Way boundary, Northerly along the East boundary of said Block 2 to the Northeast corner of LOT 9, said Block 2; Thence continuing Northerly along the East boundary of that 25.00-foot strip described in Instrument Number 2003-18615 and shown on the Major Land Partition, Book 7, Page 64, Douglas County Plat Records and the East boundary of PARCEL 1 of said Major land Partition Book 7, Page 64 to a point on the North boundary of LOT 136 of the aforementioned plat of Roseburg Orchards Company, Tract I, Plat I, being the most Southerly Southwest corner of PARCEL 3 of Partition Plat 2021-0008, Plat Records of Douglas County; Thence continuing Northerly along said East boundary of said PARCEL 1, coincident with the Southwesterly boundary of said PARCEL 3 to the most Westerly Southwest corner of said PARCEL 3; Thence leaving said East boundary, Northerly along the West boundary of said PARCEL 3 to the Northwest corner of said PARCEL 3, being on the North boundary of LOT 145 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Easterly along said North boundary to a point on the Westerly boundary of LOT 120 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Northerly along said West boundary to the Northwest corner of said LOT 120; Thence Easterly along the Northerly boundary of said LOT 120 to the Northeast corner of said LOT 120, being on the Westerly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I; Thence leaving said Westerly Right-of-Way boundary Easterly to the Southwest corner of LOT 111 of said plat of Roseburg Orchards Company, Tract I, Plat I, being on the Easterly Right-of-Way of said platted roadway; Thence Leaving said Easterly Right-of-Way boundary, Northerly along the Southerly boundary of said LOT 111 to the Southeast corner of that tract described in Exhibit "C" of Instrument Number 2020-22071, Deed Records of Douglas County; Thence leaving said Southerly boundary of said LOT 111, Northerly along the Easterly boundary of said Exhibit "C" to the Northeast corner of said Exhibit "C" being on the Northerly boundary of said LOT 111; Thence Easterly along said Northerly boundary to the Northeast corner of said LOT 111; Thence Southerly along the Easterly of said LOT 111 and the Easterly boundary of said LOT 110 of said plat of Roseburg Orchards Company,

Tract I, Plat I, to the Southeast corner of said LOT 110; Thence Westerly along the Southerly boundary of said LOT 110 to a point on the North boundary of LOT 105 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along said North boundary to the Northwest corner of said LOT 105; Thence Southerly along the West boundary of said LOT 105 and the West boundary of LOT 106 of said plat of Roseburg Orchards Company, Tract I, Plat I to the Southwest corner of said LOT 106 being on the North boundary of aforementioned LOT 8 of said plat of Roseburg Orchards Company, Tract I, Plat I, Volume 4, Page 60, Douglas County Plat Records; Thence Westerly along the North boundary of said LOT 8 to the Northeast corner of aforementioned LOT 123 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Southerly along the East boundary of said LOT 123 to the Point of Beginning and there terminating.

EXHIBIT "B2"

Serafin Property-Farm Forest Zoning Area

A tract of land being a portion of the Southwest Quarter of Section 5, the Southeast Quarter of Section 6, and the Northwest Quarter of Section 7, Township 27 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of LOT 120, of the plat of Roseburg Orchards Company, Tract I, Plat I, Volume 4, Page 60, Plat Records of Douglas County; Thence Easterly along the North boundary of said LOT 120 to the Northeast corner of said LOT 120, being on the Westerly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I; Thence leaving said Westerly Right-of-Way boundary Easterly to the Southwest corner of LOT 111 of said plat of Roseburg Orchards Company, Tract I, Plat I, being on the Easterly Right-of-Way of said 40.00-foot wide platted roadway; Thence Leaving said Easterly Right-of-Way boundary, Northerly along the Southerly boundary of said LOT 111 to the Southeast corner of that tract described in Exhibit "C" of Instrument Number 2020-22071, Deed Records of Douglas County; Thence leaving said Southerly boundary of said LOT 111, Northerly along the Easterly boundary of said Exhibit "C" to the Northeast corner of said Exhibit "C" being on the Northerly boundary of said LOT 111; Thence Easterly along said Northerly boundary to the Northeast corner of said LOT 111; Thence Southerly along the Easterly boundary of said LOT 111 and the Easterly boundary of said LOT 110 of said plat of Roseburg Orchards Company, Tract I, Plat I, to the Southeast corner of said LOT 110; Thence Westerly along the Southerly boundary of said LOT 110 to a point on the North boundary of LOT 105 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along said North boundary to the most Northerly Northwest corner of said LOT 105; Thence leaving said North boundary, Southerly to the Northwest corner of LOT 106 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Southerly along the West boundary of said LOT 106 to the Southwest corner of said LOT 106 being on the North boundary of aforementioned LOT 108 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along the North boundary of said LOT 108 to the Northeast corner of aforementioned LOT 123 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along the North boundary of said LOT 123 and the North boundaries of LOTS 124 through 127 of said plat of Roseburg Orchards Company, Tract I, Plat I, to the Northwest corner of said LOT 127, being the Southwest corner of aforementioned LOT 120, said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Northerly along the West boundary of said Lot 120 to the Northwest corner of said LOT 120 and there terminating.

EXHIBIT C

A tract of land being a portion of the Southwest, Northwest, Northeast, and Southeast Quarters of Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, the exterior boundary of which is more particularly described as follows:

Beginning at the West Quarter corner of said Section 15; Thence Northerly to the intersection of the Southwest corner of that tract of land described as PARCEL 1 of Exhibit "B" of Instrument Number 2009-10596, Deed Records of Douglas County, being on the Northerly Right-of-Way boundary of NW Troost Street (Douglas County Road Number 144); Thence Easterly along the South boundary of said PARCEL 1, coincident with said Northerly Right-of-Way boundary, to the Southeast corner of said PARCEL 1 being the Southwest corner of PARCEL 1 described in Instrument Number 2005-23168; Thence Northerly along the west boundary of said PARCEL 1 to the Northwest corner of said PARCEL 1; Thence Easterly along the North boundary of said PARCEL 1 to the Northeast corner of said PARCEL 1, being the Northwest corner of Instrument Number 2021-07579, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 2021-07579 to the Northeast corner of said Instrument Number 2021-07579 being on the Southerly boundary of Instrument Number 2022-18545, Deed Records of Douglas County; Thence leaving said Southerly boundary, Easterly to the Northwest corner of PARCEL 2, Instrument Number 2015-02055, Deed Records of Douglas County, being on the aforementioned Southerly boundary of said Instrument Number 2020-18545; Thence Easterly along the North boundary of said PARCEL 2 to the Northeast corner of PARCEL 2, being the Northwest corner of Instrument Number 1994-17401, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 1994-17401 to the Northeast corner of said Instrument Number 1994-17401, being on the West boundary of Instrument Number 1997-10157, Deed Records of Douglas County; Thence Northerly along said West boundary to the Northwest corner of said Instrument Number 1997-10157, being the most Westerly Southwest corner of Instrument Number 2020-09143, Deed Records of Douglas County; Thence Northerly along the West boundary of said Instrument Number 2020-09143 to the Northwest corner of said Instrument Number 2020-09143; Thence Easterly along the North boundary of said Instrument Number 2020-09143 to the Northeast corner of said Instrument Number 2020-09143, being the Northwest corner of Instrument Number 2008-17787, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 2008-17787 to the Northeast corner of said Instrument Number 2008-17787, being the Northwest corner of Instrument Number 2022-16022, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 2022-16022 to the Northeast corner of said Instrument Number 2022-16022, being the Northwest corner of PARCEL 1 of Instrument Number 2022-14933, Deed Records of Douglas County; Thence Easterly along the North boundary of said PARCEL 1 to the Northeast corner of said PARCEL 1; Thence Southerly along the East boundary of said PARCEL 1 to the Southeast corner of said PARCEL 1, being the Northwest corner of Instrument Number 2021-13963, Deed Records of Douglas County; Thence Southerly along the East boundary of said Instrument Number 2021-13963 to the Southwest corner of LOT 46, Hoover Hills Subdivision, Phase 3, Volume 21, Page 28, Plat Records of Douglas County; Thence leaving said East boundary Southeasterly along the South boundary of said LOT 46 to the most Southerly Southeast corner of said LOT 46, being the most Southerly of LOT 45, said Hoover Hills Subdivision, Phase 3 and the most Westerly corner of LOT 9, Hoover Hills Subdivision, Phase 1, Volume 20, Page 39, Plat Records of Douglas County; Thence

Southeasterly along the Southerly boundary of said LOT 9 and LOTS 8 through 2 of said Hoover Hills Subdivision, Phase 1, to the Southeast corner of said LOT 2, being on the Northerly boundary of PARCEL 3, Partition Plat 2022-0018, Plat Record of Douglas County; Thence Easterly along said Northerly boundary to the Northeast corner of said PARCEL 3, being on the Westerly Right-of-Way boundary of said NW Troost Street; Thence leaving said Westerly Right-of-Way boundary Easterly across said Right-of-Way to the Northwest corner of PARCEL 1 of Instrument Number 2022-13541, Deed Records of Douglas County, being on the Easterly Right-of-Way of said Troost Street; Thence Southerly along the West boundary of said PARCEL 1 and the West boundary of PARCEL 2, said Instrument Number 2022-13541, and the West boundary of Instrument Number 2000-08345, Deed Records of Douglas County, coincident with said Easterly Right-of-Way boundary, to the Southwest corner of said Instrument Number 2000-08345, being the Northwest corner of Instrument Number 2021-03739, Deed Records of Douglas County; Thence Southerly along the West boundary of said Instrument Number 2021-03739, coincident with said Easterly right-of-way boundary and the Southerly Right-of-Way boundary of said Troost Street to the Northeast corner of PARCEL 1 of 2008-01724, Deed Records of Douglas County; Thence leaving said Southerly Right-of-Way boundary along the West boundary said Instrument Number 2021-03739, coincident with the East boundary of said PARCEL 1, to the HIGH BANK of the South Umpqua River; Thence Southwesterly along said high bank to the Southeast corner of PARCEL 2 of Partition Plat 2014-0001, Plat Records of Douglas County; thence leaving said HIGH BANK, Westerly along the South boundary of said PARCEL 2 and the South boundary of PARCEL 1 of said Partition Plat 2014-0001 to the Southwest corner of said PARCEL 1; Thence Northerly along the Westerly boundary of said PARCEL 1 the Northwest corner of said PARCEL 1, being the Southwest corner of PARCEL 2 of Partition Plat 2004-0002, Plat Records of Douglas County; Thence Northerly along the West boundary of said PARCEL 2 to the Southeast corner of the North 775.00 feet of Instrument Number 2009-20359, Deed Records of Douglas County; Thence leaving said West boundary Westerly along the South boundary of the South 775.00 feet of said 2009-20359 to the Southwest corner of the South 775.00 feet of said Instrument Number 2009-20359; Thence Northerly along the West boundary of said Instrument Number 2009-20359 to the Northwest corner of said Instrument Number 2009-20359, being the Southwest corner of Instrument Number 1996-23480, Deed Records of Douglas County; Thence Northerly along the West boundary of said Instrument Number 1996-23480 to the Point of Beginning and there terminating.

EXHIBIT D

SCHOOL DISTRICT NUMBER 4 PROPERTY

A tract of land being a portion of that land described in Instrument Number 329293, Deed Records of Douglas County, located in the Southwest Quarter of Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

Beginning at the intersection of the Southerly Right-of-Way boundary of NW Troost Street (Douglas County Road Number 144) and the Westerly Right-of-Way boundary of Cloake Street; Thence leaving said Southerly Right-of-Way boundary, Southerly along said Westerly Right-of-Way boundary 890 feet, more or less to the Southeast corner of said Instrument Number 329293; Thence leaving said Westerly Right-of-Way boundary, Westerly along the South boundary of said of said Instrument Number 329293 to the Easterly Right-of-Way boundary of Felt Street; Thence Northerly along said Easterly Right-of-Way boundary, 890 feet, more or less, to the intersection of said Easterly Right-of-Way boundary and the aforementioned Southerly Right-of-Way boundary of said NW Troost Street; Thence Easterly along said Southerly Right-of-Way boundary to the Point of Beginning and there terminating.

STAFF EXHIBIT E

CITY OF ROSEBURG/DOUGLAS COUNTY URBAN GROWTH MANAGEMENT AGREEMENT

AGREEMENT BETWEEN THE CITY OF ROSEBURG AND DOUGLAS COUNTY, FOR THE JOINT MANAGEMENT OF THE ROSEBURG URBAN GROWTH AREA AND FOR THE COORDINATION OF LAND USE ACTIVITY IN IDENTIFIED AREAS OF MUTUAL INTEREST.

RECITALS:

- A. The City of Roseburg (City), and Douglas County (County), are authorized under the provisions of ORS 190.003 to 190.030 to enter into intergovernmental agreements for the performance of any or all functions that a party to the agreement has authority to perform; and
- B. ORS 197.175, 197.190, and 197.250, require counties and cities to prepare and adopt comprehensive plans consistent with statewide planning goals, and to enact ordinances or regulations to implement the comprehensive plans; and
- C. Statewide Planning Goal 14 requires that the establishment and change of urban growth boundaries shall be through a cooperative process between the city and the county; and
- D. The City and the County share a common concern regarding development and use of lands within the Urban Growth Area (UGA) and other identified areas of mutual interest; and
- E. The City and the County are required to have coordinated and consistent comprehensive plans which establish an Urban Growth Boundary (UGB) and a plan for the UGA; and Statewide Planning Goal 2 requires the City and County to maintain a consistent and coordinated plan for the UGA and UGB when amending their respective comprehensive plans; and
- F. The City and the County recognize that it is necessary to cooperate with each other to implement the City Plan for the UGA.

NOW THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. Intent of Agreement

1.1 The City and the County hereby establish a procedure to implement the Roseburg Urban Area Comprehensive Plan (City Plan) for the Roseburg Urban Growth Area (UGA). The "plan for the UGA" shall consist of the Roseburg Urban Area Comprehensive Plan. For purposes of this agreement, the UGA shall be defined as the unincorporated area within the Roseburg Urban Growth Boundary (UGB). The City and County Comprehensive Plans are incorporated in this agreement by reference.

1.2. The City Plan, in conjunction with this agreement, shall establish the standards and procedures for review and action on comprehensive plan amendments, land use ordinance changes, proposed land use actions, provision of services, public improvement projects, and other related matters which pertain to implementing the City Plan within the UGA.

1.3. The City shall have jurisdiction, within the UGA, to implement the City Plan using City land use ordinances in jurisdictional subarea No. 1 as delineated in Exhibit A attached hereto and incorporated herein by this reference.

1.4. The County adopts, and incorporates by reference, the current (current as of the date of this agreement) City Comprehensive Plan, as it applies to the UGA, and the current City land use ordinances and authorizes the City to administer those ordinances within jurisdictional subarea No. 1 as provided for in this agreement.

1.5 The County shall have jurisdiction, within the UGA, to implement the City Plan using County land use ordinances in jurisdictional subarea No. 2 as delineated in Exhibit A attached hereto and incorporated herein by this reference. In addition, the County shall apply the standards set forth in the attached Exhibit B, as appropriate, to all land use actions in jurisdictional subarea No.2.

1.6 It is recognized that within the UGB a variety of urban services are provided including: sanitary sewer, water, storm drainage, fire protection, parks and recreation, and transportation. Providers of such services contribute both to existing services and future development within the UGB and serve essential functions. It is intended that this agreement serve to strengthen coordination between urban service providers, the County, and the City in order to maximize efficiency of urban service delivery within the UGB.

1.7 The boundaries of jurisdictional subareas No. 1 and No. 2 may be amended as provided in Section 12 of this agreement.

1.8. All actions as specified by this agreement shall be taken to ensure that the City and County comprehensive plans remain consistent and coordinated with each other.

1.9. All land within the UGB may be subject to future annexation, however, establishment of a UGB does not imply that all land within the boundary will be annexed.

1.10. This Urban Growth Management Agreement (UGMA) replaces all prior UGMAs between the City and the County.

2. Amendments to the City Plan and City Land Use Ordinances.

2.1. All City Plan text or map amendments and all City Land Use and Development Ordinance amendments, not including Zone Map amendments, affecting the UGA shall be enacted in accordance with the procedures established in this Section. This section does not apply to those areas within the city limits of Roseburg.

2.1.1. All amendments referenced in Subsection 2.1 shall be initially processed by the City. The City shall notify the County of the proposed amendment at least 20 days before the City Planning Commission's first hearing. The City Planning Commission shall consider the County's comments when making its recommendation. The City Planning Commission's recommendation shall be forwarded to the County for comments. The County may provide additional comments prior to the City Council's (Council) final decision. In making its decision, the Council shall consider the comments of the County. The City shall notify the County in writing of its decision.

2.1.2. Within 14 days of receipt of written notice of the Council's decision, the Board of Commissioners (Board) may, on its own motion, notify the City of its intent to review the Council's decision. If the Board fails to respond within 14 days, the Council's decision shall be final and take effect, for the UGA, on the 15th day.

2.1.3. If the Board reviews the Council's decision, the Board shall establish a hearing date for its review which shall be held within 30 days from the date the City is given written notice of the Board's intent to review. If the review is of a quasi-judicial proceeding, it shall be confined to arguments of those who qualified as parties in the proceedings conducted by the City and to a de novo review of the record of the proceeding before the City Council and City Planning Commission. Notice and opportunity to be heard shall be provided as if the hearing were a review of a decision of the County Planning Commission. If the review is not quasi-judicial in nature, the review shall be de novo and any person may appear and be heard. The Board shall render a decision on the review within 30 days after such hearing.

2.1.4. If the Board reviews the Council's decision, the Council's decision shall not take effect in the UGA until 31 days after the hearing by the Board unless the Board affirms the Council's decision before the 31-day period elapses. In such case the Council's decision, if affirmed by the Board, shall take effect immediately upon the decision of the Board. If the Board

reverses the Council's decision before the 31-day period elapses, the Council's decision shall not take effect in the UGA and the City may appeal such reversal to the Land Use Board of Appeals within the time period specified in ORS 197.830 and OAR 661 -10-015.

2.1.5. If the Board fails to make a decision within 30 days after the hearing, the decision of the Council shall take effect on the 31st day after the Board's hearing.

3. Review Process for Land Use Actions

3.1 Subsection 3.2. applies to the following land use actions being considered in jurisdictional subarea No.1 within the UGA:

- a. Amendments to the Zoning Map
- b. Conditional Use Permits
- c. Planned Unit Developments
- d. Subdivisions
- e. Partitions
- f. Road Dedications and Vacations

3.1.1 Subsection 3.4. applies to the following land use action being considered in jurisdictional subarea No. 1 within the UGA:

- a. Alteration, Restoration or Repair of and continuance of a residential nonconforming use.

3.2. All applications for land use actions referenced in Subsection 3.1. shall be initially processed by the City. The City shall notify the County of each application and shall give the County 15 days to comment. Other land use actions not specifically dealt with in this UGMA shall be administered by the City without notice to Douglas County.

3.2.1. The County's failure to timely respond to the notice shall mean no comment regarding the proposal.

3.2.2. In making its decision, the City shall consider, and is obligated to respond to, as appropriate, all comments made by the County regarding the notice. The City shall notify the County in writing of all land use decisions, as listed in Subsection 3.1., whether or not the County has commented. If a timely response is received by the City from the County, the County shall have standing to appeal decisions consistent with the appeals process specified in the City Land Use and Development Ordinance for those areas within subarea No.1.

3.3 Subsection 3.4. applies to the following land use actions being considered in jurisdictional subarea No. 2 within the UGA:

- a. Amendments to the Zoning Map
- b. Conditional Use Permits
- c. Planned Unit Developments
- d. Subdivisions
- e. Partitions
- f. Road Dedications and Vacations
- g. Riparian Setback Variances

3.4. All applications for land use actions referenced in Subsection 3.3. and 3.1.1. shall be initially processed by the County. The County shall notify the City of each application and shall give the City 14 days to comment. Other land use actions not specifically dealt with in this UGMA shall be administered by the County without notice to the City.

3.4.1. The City's failure to timely respond to the notice shall mean no comment regarding the proposal.

3.4.2. In making its decision, the County shall consider, and is obligated to respond to, as appropriate, all comments made by the City with regard to the notice. The County shall notify the City in writing of all land use decisions, as listed in Subsection 3. 3., whether or not the City has commented. If a timely response is received by the County from the City, the City shall have standing to appeal decisions consistent with the appeals process specified in the County Land Use and Development Ordinance.

4. Review Process for Other Specified Land Use Activities

4.1. The City and County shall use the following process for review and action on legislative amendments not covered under Section 2 of this agreement and public improvement projects specified below which affect land use within the UGA.

4.1.1. The County shall seek comments from the City with regard to the following items, for which the County has ultimate decision-making authority, and which affect land use within the UGA.

- a. Major public works projects sponsored by the County for transportation improvements.
- b. Proposed plan, or plan amendments, for sewer, water, drainage, solid waste, or transportation.

- c. Proposal for formation of, or changes of organization, boundary, or function of special districts, as these terms are defined in ORS 198.705 to ORS 198.710.
- d. Recommendations for designation of an area as a health hazard.

4.1.2. The City shall seek comments from the County regarding the following items, for which the City has ultimate decision-making authority, and which affect land use within the UGA.

- a. Proposed plan, or plan amendments, for sewer, water, drainage, solid waste, or transportation.
- b. Proposals for extension of any City service, utility, or facility outside of the UGB.
- c. Major public works projects sponsored by the City for transportation improvements.

4.2. The initiating jurisdiction shall allow the responding jurisdiction 30 days to comment regarding the items listed in Subsections 4.1.1. and 4.1.2. Failure to timely respond to the proposal shall mean no comment.

4.3. The initiating jurisdiction shall consider and respond to the comments of the responding jurisdiction in making its decision.

5. Approvals for Structural Development (Building Permits)

5.1. Requests for authorization of structural development which can be authorized at the ministerial level, within jurisdictional subarea No. 1 of the UGA, shall be initiated at the City. Requests for authorization of structural development within jurisdictional subarea No. 2 shall be initiated at the County.

5.1.1. The City may utilize (within subarea No. 1) a discretionary structural development review process (site plan review) as required by the City's ordinance. The City may charge a fee for site plan review as provided in City Ordinances. Notice of fee changes shall be provided to the County under the process specified in Section 3 of this agreement. The City's site plan review process may impose additional conditions to approvals of structural development that are necessary to implement the City ordinances.

5.1.2. Floodplain Certifications: The County shall be responsible for authorizing floodplain certification on structural development in the UGA. Such certification shall be consistent with the County's floodplain ordinance except that the City's floor height elevation shall apply if higher than the County standard.

- a. For requests initially processed by the City in jurisdictional subarea No. 1, the City will first review and, if appropriate, approve the land use portion of the request. The City will then forward the request to the County and the County will review and, if appropriate, sign off the floodplain certification clearance, thereby completing the process.

5.2. The County shall have the authority for issuing permits (commonly referred to as "building permits"), as provided for by the State Building Codes Agency, within the UGA. Within jurisdictional subarea No. 1 the County shall not issue "building permits" without written verification from the City that site plan review pursuant to subsection 5.1.1. has been completed.

5.2.1. County issued permits include, but are not limited to: structural, mechanical, plumbing, manufactured dwelling alterations and placement, and manufactured dwelling and recreational vehicle parks.

5.2.2. The County will not issue a temporary or final occupancy permit for any structural development which is subject to City site plan review conditions or other structural development authorization conditions until such time as the City certifies that the conditions have been fulfilled.

6. Annexations

6.1. City Annexations: The City may annex land or enter into agreements for delayed annexation in accordance with state law.

6.1.1. At least ten days prior to the City's final action, the City shall-notify the County of any proposed annexation and permit the County to make comments.

6.1.2. Proposals for annexations to the City which are for areas outside the UGB shall be considered concurrently with a proposal to amend the UGB in accordance with Section two.

7. Urban Services in the UGA

7.1. The extension, development and maintenance of sewer, water and storm drainage facilities shall be consistent with the City Plan and any Urban Service Agreement that has been made for the extension, development and maintenance of these facilities.

7.2. The City shall be responsible for public facility planning within the UGA unless other arrangements are provided for in the Urban Service Agreement.

8. Coordination With Urban Service Providers

8.1. The City and County shall jointly enter into Urban Service Agreement(s) with individual Urban Service Providers operating within the UGB. The Urban Service Agreement, as used in this UGMA, is defined as an agreement that meets the statutory requirements for both a "cooperative agreement" (ORS 195.020) and an "urban service agreement" (ORS 195.065). The intent of the Urban Service Agreement is to assure effectiveness and efficiency in the delivery of urban services required by the City Plan, and to enhance coordination between the City, the County and each urban service provider (including, but not necessarily limited to, special districts as defined by ORS 450.005, county service districts as defined by ORS 451.410, authorities as defined by ORS 450.710, and corporations and associations). For purposes of this agreement, "urban services" means sanitary sewer, water, fire protection, parks, open space, recreation, and streets, roads, and mass transit. The Urban Service Agreement should at a minimum:

- a. Describe how the City and County will involve the Urban Service Provider in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations;
- b. Describe the responsibilities of the Urban Service Provider in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations regarding provision of urban services;
- c. Establish the role and responsibilities of each party to the agreement with respect to City or County approval of new development;
- d. Establish the role and responsibilities of the City and County with respect to Urban Service Provider interests including, where applicable, water sources, capital facilities and real property, including rights of way and easements;
- e. Specify whether the urban service will be provided in the future by the City, County, Urban Service Provider or a combination thereof;
- f. Set forth the functional role of all parties in the future provision of the urban service within the UGB;
- g. Determine the future service area within the UGB for each party;
- h. Assign responsibilities for:
 - 1) Planning and coordinating provision of the urban service with other urban services;
 - 2) Planning, constructing and maintaining service facilities; and,

- 3) **Managing and administering provision of services to urban users.**
 - i. Define the terms of necessary transitions in provision of the urban service, ownership of facilities, annexation of service territory, transfer of moneys or project responsibility for projects proposed on a plan of the City or Urban Service Provider prepared pursuant to ORS 223.309 and merger of service providers or other measures for enhancing the cost efficiency of providing urban services;
 - j. Provide a process for resolving disputes between the parties; and,
 - k. Establish a process for review and modification of the Urban Service Agreement.

8.2. Nothing in this Section shall restrict the right of the City or the County to enter into separate special purpose intergovernmental agreements with each other or with any other entity as provided for by state law. Such other agreements shall not be inconsistent with this UGMA and the Urban Service Agreement.

9. Standards For Urban Growth Boundary Streets

9.1. Standards for Construction of New Streets

9.1.1. All new streets within jurisdictional subarea No. 1, which are part of a new land division or planned development, shall be constructed to City standards.

9.1.2. Within jurisdictional subarea No.1, the City and County will maintain coordinated urban street construction standards for new streets that are not part of a land division or planned development.

9.1.3. All new streets within the UGB that are not part of a land division or planned development shall be constructed to coordinated urban street construction standards. The coordinated standards would apply County construction standards which would be coordinated to allow for other amenities or improvements the City may require in the future.

9.1.4. All new streets within jurisdictional subarea No. 2 shall be constructed to coordinated urban street construction standards.

9.2. Existing Streets Within the UGB

9.2.1. The County shall maintain all streets that are currently included within the County road maintenance system until annexed by the City.

9.2.2. Upon annexation, the City agrees to accept, within the annexed area, jurisdiction of all streets and maintenance responsibility of the following streets in the County road maintenance system except major collectors and arterials:

AMANDA STREET # 217-D	MP 0.00 to MP 0.11
ASTER STREET # 335-K	MP 0.00 to MP 0.13
ASTER STREET # 901-B	MP 0.13 to MP 0.19
CAMELIA STREET # 335-J	MP 0.00 to MP 0.11
CHINKAPIN STREET # 311-C	MP 0.00 to MP 0.04
CHINKAPIN COURT # 311-D	MP 0.00 to MP 0.06
CHRISTIE COURT # 384-A	MP 0.00 to MP 0.02
CLUB AVENUE # 270	MP 0.00 to MP 0.25
CURRIER AVENUE # 227	MP 0.00 to MP 0.26
DOUGLAS AVENUE # 4-A	MP 0.00 to MP 1.28
EAST BRADLEY COURT # 335-C	MP 0.00 to MP 0.06
EXCHANGE AVENUE # 171	MP 0.00 to MP 0.78
FAIRHILL DRIVE # 353	MP 0.00 to MP 0.55
FOLLETT STREET # 252-G	MP 0.00 to MP 0.29
FREAR STREET # 56	MP 0.00 to MP 0.47
GENERAL AVENUE # 225-A	MP 0.00 to MP 0.43
GRAY SQUIRREL COURT # 335-G	MP 0.00 to MP 0.09
HOOKER ROAD # 171-A	MP 0.18 to MP 0.99
HOUSLEY AVENUE # 232	MP 0.00 to MP 0.22
HUGHES LOOP # 252-E	MP 0.00 to MP 0.26
HUGHES STREET # 252-F	MP 0.00 to MP 0.37
ISABELL STREET # 364	MP 0.00 to MP 0.10
JOHNSON STREET # 252-A	MP 0.00 to MP 0.19
KENDALL AVENUE # 260	MP 0.00 to MP 0.32
KESTER ROAD # 86	MP 0.04 to MP 0.52
KIMBERLY COURT # 384-B	MP 0.00 to MP 0.02
KNOLL AVENUE # 252-B	MP 0.00 to MP 0.30
LA QUINTA COURT # 901-D	MP 0.00 to MP 0.07
LAUREL SPRINGS DRIVE # 314-A	MP 0.00 to MP 0.08
LIVE OAK COURT # 311-B	MP 0.00 To MP 0.06
MAKAR COURT # 351-C	MP 0.00 to MP 0.03
MARTHA DRIVE # 901-C	MP 0.00 to MP 0.35
MERCY HILLS DRIVE # 384	MP 0.00 to MP 0.11
MILITARY AVENUE # 113	MP 0.00 to MP 0.82
MONTEREY DRIVE # 314-C	MP 0.00 to MP 0.14
NAVAJO AVENUE # 351-A	MP 0.00 to MP 0.10
NEWPORT DRIVE # 314-D	MP 0.00 to MP 0.06
NORTH RIVER DRIVE # 311-A	MP 0.00 to MP 0.73
PAGE ROAD # 115	MP 0.00 to MP 1.35

PAWNEE COURT # 351-B	MP 0.00 to MP 0.03
PEBBLE BEACH COURT # 901-E	MP 0.00 to MP 0.08
PIONEER WAY # 115-B	MP 0.00 to MP 0.52
PLATEAU DRIVE # 327	MP 0.00 to MP 0.36
PLEASANT AVENUE # 242	MP 0.00 to MP 0.30
PORTER STREET # 252-D	MP 0.00 to MP 0.11
RAMP ROAD # 159	MP 0.27 to MP 0.35
RIDGE A VENUE # 314-B	MP 0.00 to MP 0.04
SHAKEMILL ROAD # 166-A	MP 0.00 to MP 0.61
SIDNEY DRIVE # 335-B	MP 0.00 to MP 0.07
SLOPE STREET # 280	MP 0.00 to MP 0.10
SONGBIRD COURT # 284-A	MP 0.00 to MP 0.07
STRAUSS AVENUE # 901-A	MP 0.00 to MP 0.64
STERLING DRIVE # 222	MP 0.00 to MP 0.16
SWEETBRIAR A VENUE # 225-C	MP 0.00 to MP 0.13
TAFT DRIVE # 335-A	MP 0.00 to MP 0.25
TEMPLE BROWN ROAD # 137	MP 0.00 to MP 0.27
THORA CIRCLE DRIVE # 336-E	MP 0.00 to MP 0.62
TIMBO DRIVE # 335-H	MP 0.00 to MP 0.05
TRUST AVENUE # 362	MP 0.00 to MP 0.12
UMPQUA COLLEGE ROAD # 284	MP 0.00 to MP 1.19
VINE STREET # 252-C	MP 0.00 to MP 0.11
WEST BRADLEY COURT # 335-D	MP 0.00 to MP 0.09
WEYERHAEUSER DRIVE # 902	MP 0.00 to MP 0.24
WILD FERN DRIVE # 335-F	MP 0.00 to MP 0.50

9.2.3. The County shall continue to be responsible for the maintenance of all major collectors and arterials that are currently included within the County road maintenance system unless otherwise agreed to by the City and County.

10. Area of Mutual Interest

10.1. The City and County agree to establish Charter Oaks as an Area of Mutual Interest - for the purpose of establishing a process for the provision of urban services and future urbanization. The Charter Oaks Area is delineated in Exhibit C and is attached to this agreement.

10.2. The County shall give the City 14 days advance notice to review and comment on the following activities which apply to the Area of Mutual Interest located outside the UGB:

- a. Comprehensive Plan Amendments
- b. Zoning Map Amendments
- c. Planned Unit Developments

- d. Subdivisions
- e. Formation of, or changes of boundary or function of, urban service providers
- f. Major public works projects

10.2.1. The City's failure to timely respond to the notice shall mean no comment regarding the proposal.

10.2.2. In making its decision, the County shall consider, and is obligated to respond to, as appropriate, all comments made by the City with regard to the notice. The County shall notify the City in writing of all land use decisions, as listed in Subsection 10.2., whether or not the City has commented. If a timely response is received by the County from the City, the City shall have standing to appeal decisions consistent with the appeals process specified in the County Land Use and Development Ordinance.

10.3. The City shall give the County 14 days advance notice to review and comment on the following activities which apply to the Areas of Mutual Interest inside the City Limits:

- a. Comprehensive Plan Amendments
- b. Major public works projects
- c. Zoning Map Amendments
- d. Planned Unit Developments
- e. Subdivisions
- f. Road Dedications and vacations

10.3.1. The County's failure to timely respond to the notice shall mean no comment regarding the proposal.

10.3.2. In making its decision, the City shall consider, and is obligated to respond to, as appropriate, all comments made by the County with regard to the notice. The City shall notify the County in writing of all land use decisions, as listed in Subsection 11.3. , whether or not the County has commented. If a timely response is received by the City from the County, the County shall have standing to appeal decisions consistent with the appeals process specified in the City land use ordinances or codes.

10.4. The City shall annex into the City any land within the UGA in the Charter Oaks Area of Mutual Interest prior to provision of urban services, including water and sanitary sewer, and the issuance of development or other permits.

11. Enforcement

11.1. Within jurisdictional subarea No. 1, the City shall be responsible for enforcement of City Land Use and Development Ordinance and optional codes not administered by Douglas County, and shall have the exclusive right to decide whether to proceed with any enforcement actions. City enforcement actions shall be taken in accordance with the enforcement provisions of the City ordinances.

11.2. Within jurisdictional subarea No. 2, the County shall be responsible for enforcement of County land use ordinances, and shall have the exclusive right to decide whether to proceed with any enforcement actions. All County enforcement actions shall be taken in accordance with the enforcement provisions of the County Land Use and Development Ordinance.

11.3. The County shall have the authority, within the UGA, for enforcement of State building codes as specified in Section 5.2. of this agreement.

12. Amendment and Termination

12.1. This agreement may be amended at any time by mutual consent of the parties, after public hearings and adoption by both the City Council and County Board of Commissioners.

12.2. This agreement may be terminated by either party under the following procedure:

- a. A public hearing shall be called by the party considering termination. The party shall give the other party notice of hearing at least 60 days prior to the scheduled hearing date. The 60 day period shall be used by both parties to seek resolution of differences.
- b. Final action on termination shall not be taken until at least 90 days after the final public hearing.

This Urban Growth Management Agreement is signed and executed by:

CITY OF ROSEBURG, OREGON

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

Larry Rich, Mayor

Chris Boice, Chairman

Nikki Messenger, City Manager

Tim Freeman, Commissioner

Attest:

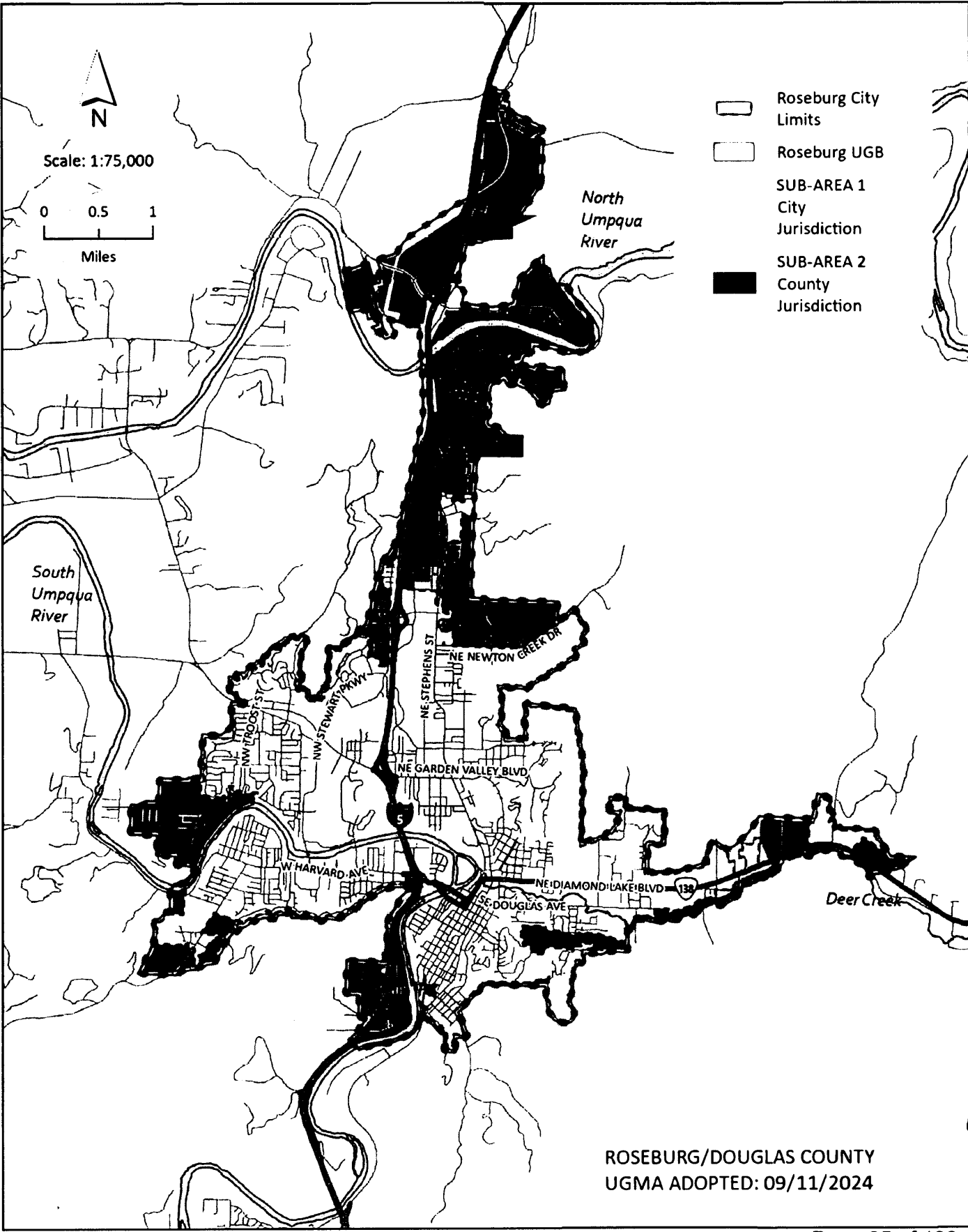
Tom Kress, Commissioner

City Recorder

Date

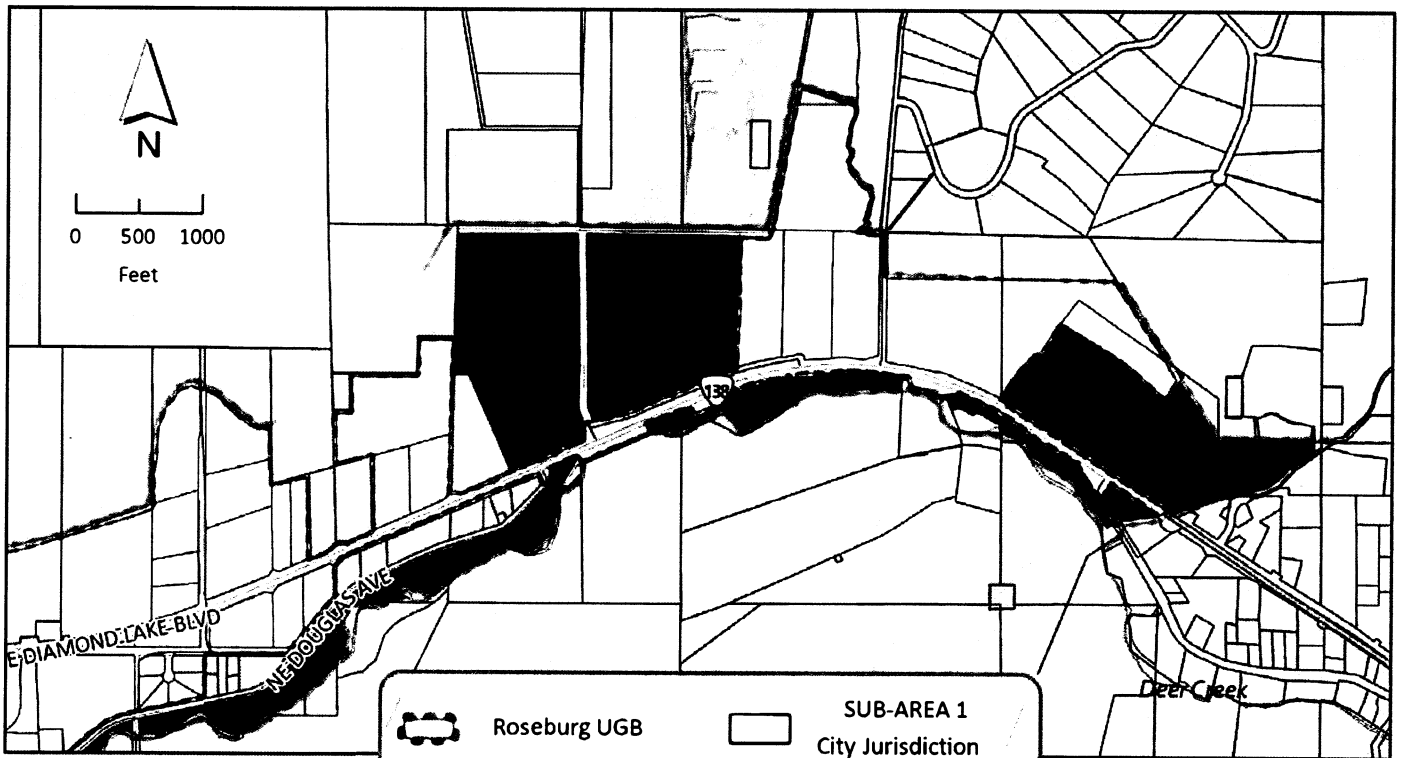
Date

Exhibit A:
Land Use Jurisdiction Within Urban Growth Area



ROSEBURG/DOUGLAS COUNTY
 UGMA ADOPTED: 09/11/2024

EXHIBIT A-1
Douglas County/Roseburg Urban Growth Management Area Jurisdictional Boundary Line
Delineations



	Roseburg UGB		SUB-AREA 1 City Jurisdiction
	City Limits		SUB-AREA 2 County Jurisdiction

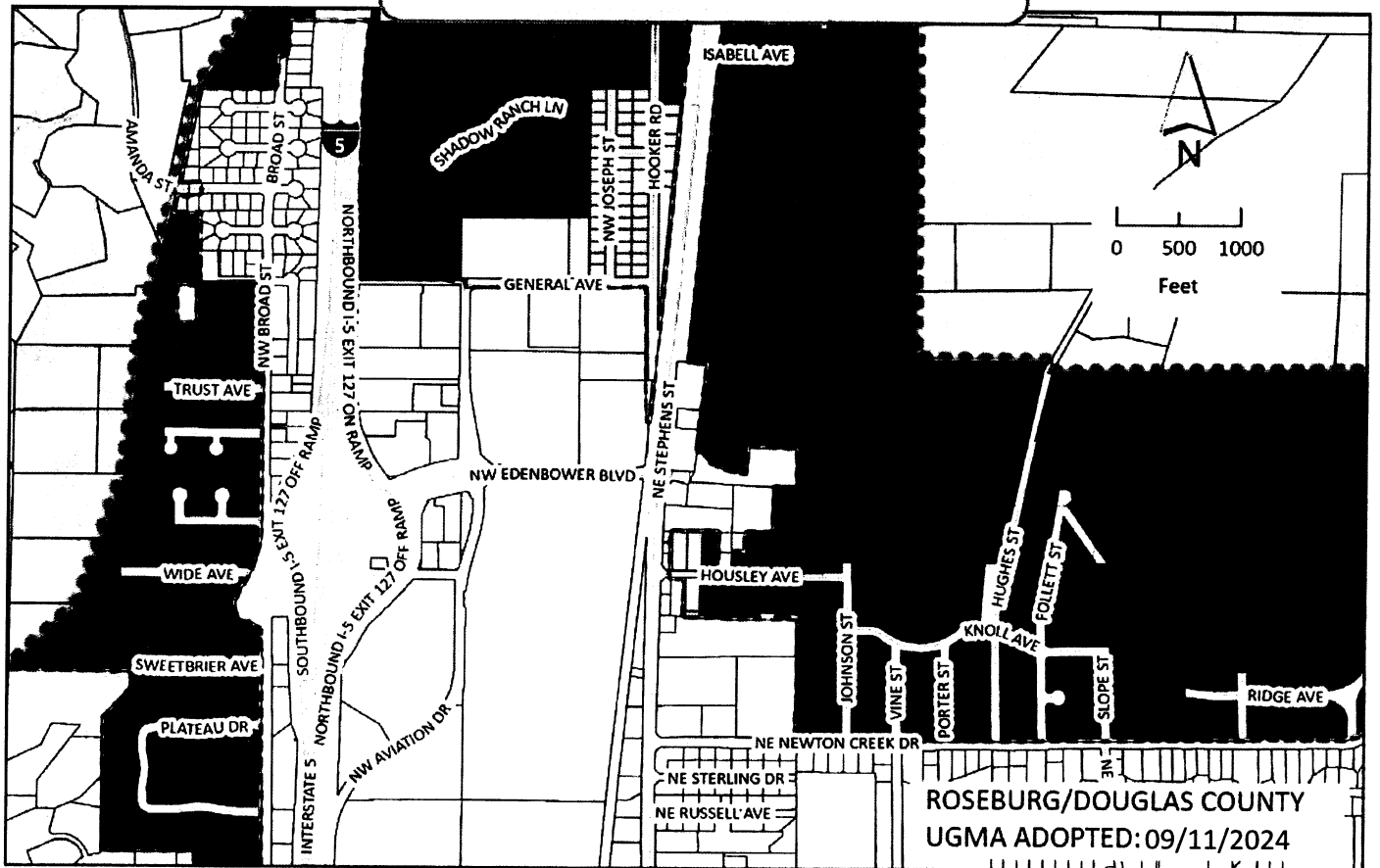


Exhibit C Charter Oaks Area of Mutual Interest

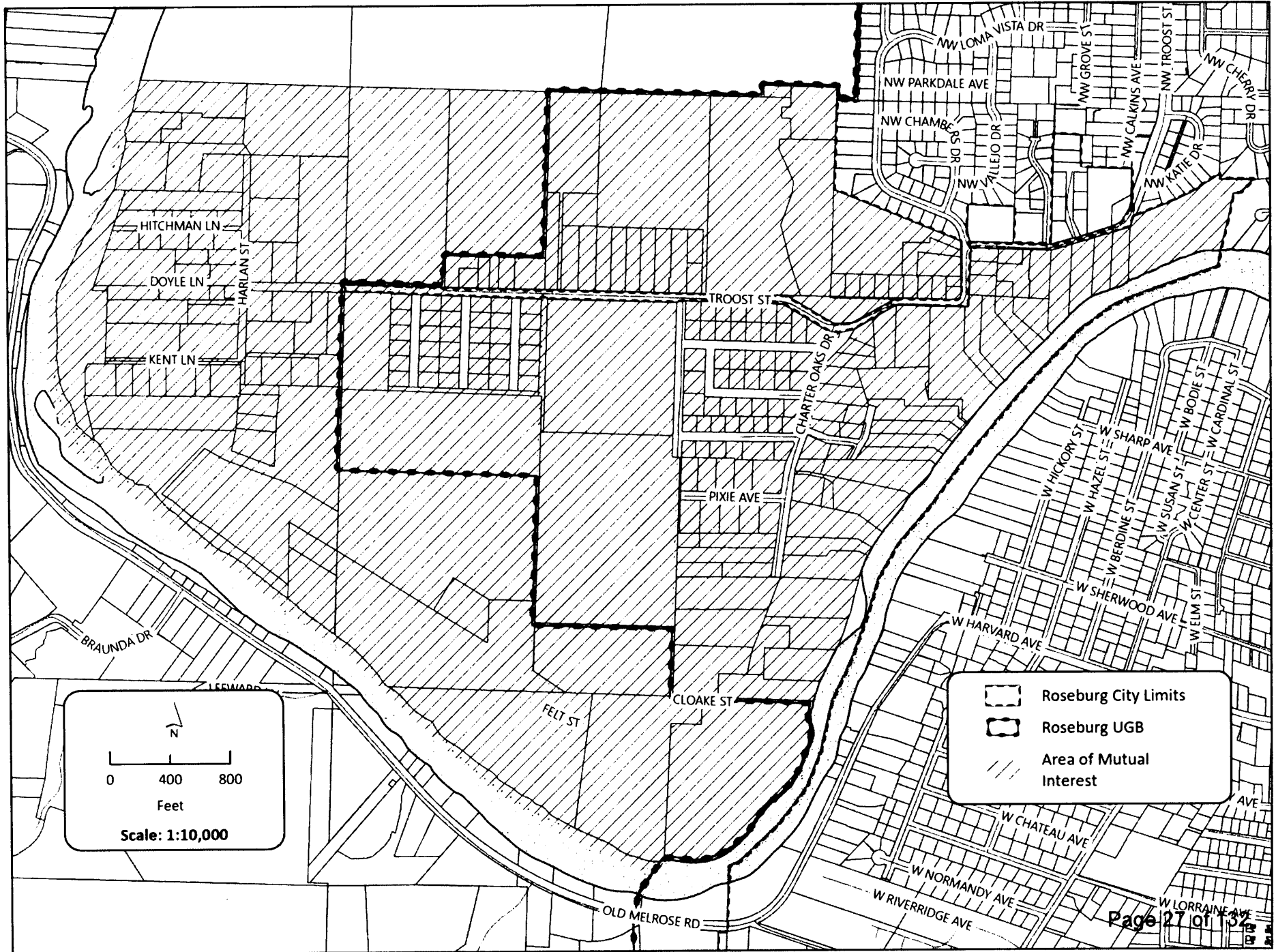


EXHIBIT "B"

ROSEBURG URBAN GROWTH AREA

STANDARDS SUPPLEMENT

A Supplement to the Douglas County Land Use and Development Ordinance
to be Applied Within the Roseburg Urban Growth Area

The following standards are intended to be applied, in addition to all provisions of the County Land Use and Development Ordinance, within Jurisdictional Sub-Area No. 2 of the Roseburg Urban Growth Boundary.

I. PLACEMENT OF MANUFACTURED HOMES ON INDIVIDUAL LOTS

Applicable Zoning Districts: All Residential Districts except High Density Zones

A. The placement of manufactured homes on individual lots within these districts shall be allowed as provided for in the Land Use and Development Ordinance and subject to the standards itemized below.

1. Dwelling Type Permitted

All manufactured homes placed on individual lots, including lots within a designated manufactured home subdivision, shall be used as permanent residences, shall conform to the standards established in this Section, and shall bear a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended on August 22, 1981.

2. Dwelling Standards

All manufactured homes placed on individual lots, including lots within a designated manufactured home subdivision, shall meet the following minimum standards:

a. The manufactured home shall be multi-sectional. For the purpose of this section, the term multi-sectional does not include tip-out units or additions which were not manufactured as an integral part of the original design.

- b. The manufactured home shall be placed on a foundation in conformance with the UBC.
- c. The manufactured home shall have exterior siding and roofing which, in color, material and appearance, is similar to the exterior siding and roofing material commonly used on residential dwellings within the community.
- d. The manufactured home shall have a minimum roof pitch of at least 3 inch rise for each 12 inches of run.
- e. If the manufactured home has a garage or carport, the garage or carport shall be similar in color and appearance to the exterior of the manufactured home.

II. OPEN SPACE IN MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT

Applicable Zoning Districts: R-2 and R-3

All new multiple family residential development shall provide at least one-hundred (100) square feet of improved outdoor living or recreation area for every unit in the project. The combined improved outdoor living or recreation area shall contain no less than 800 square feet for the entire site.

III. SCREENING IN COMMERCIAL AND INDUSTRIAL ZONES

Applicable Zoning Districts: C-1, CT, C-2, C-3, M-1, M-2 & M-3

Screening of exposed storage areas, utility buildings, machinery, garbage and refuse storage areas, service and truck loading areas, and other accessory uses and structures shall be as specified below. Screening materials may consist of fences, walls, berms and landscaping, or any combination thereof which accomplishes the intended screening.

- a. In all commercial districts such areas, uses and structures shall be screened from adjacent properties and rights of way.
- b. In all industrial districts such areas, uses and structures shall be screened from adjacent residentially designated properties.

IV. OFF STREET PARKING FOR MULTIPLE FAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENT

Applicable Zoning Districts: R-2, R-3, C-1, CT, C-2 & C-3

Improvement standards for commercial and multiple family residential parking lots shall be as follows:

- a. All parking areas, vehicle maneuvering areas and access driveways provided in conjunction with commercial and multiple family residential development shall be paved. Such areas shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.
- b. All parking spaces shall be marked with painted stripes or other permanent markings.

V. PUBLIC SIDEWALKS

Applicable Zoning Districts: All Residential and Commercial Districts and Public Reserve.

The installation of public sidewalks as part of new subdivisions and partitions shall occur in accordance with the provisions of Section VII of this Supplement. The installation of public sidewalks as a condition of issuance of a building or mobile home placement permit shall be as follows:

1. It shall be a condition of the issuance of a building or mobile home placement permit for all properties, regardless of size, being newly developed along all streets or street segments shown on Exhibit 1 that sidewalks conforming to the standards and guidelines established by the County Engineer, shall be installed along the entire street frontage of the property at the sole cost of the applicant prior to the occupancy of the building.
2. In instances where engineering or street construction factors prevent or make impracticable final sidewalk construction prior to occupancy of the building or mobile home, the applicant shall agree in a signed agreement to install permanent sidewalk improvements at his sole cost (or in accordance with other agreed financing alternatives,) at such time as the street is improved and conditions permit said construction.
3. As an alternative to No. 2, above, the Approving Authority may grant relief from the application of the sidewalk provisions of this Section upon

recommendation of County Engineer and concurrence of City if the sidewalk requirements would result in unworkable or unsafe conditions, including adverse effects on use or access to the premises.

VI. SEWER AND/OR WATER SERVICE CONNECTION

Applicable Zoning Districts: All

1. Building and Mobile Home Placement Permits

a. It shall be a condition of the issuance of a building or mobile home placement permit for all vacant parcels proposed for development which are within 150 feet of existing sewer and/or water mains that the proposed development connect to those mains unless one or both of the following conditions exists:

1. The City or Sanitary Authority will not allow connection to the mains.
2. In the case of sewer service, the development will not require sanitary waste disposal of any kind.

b. In instances where vacant parcel proposed for development is not within 150 feet of existing sewer and/or water mains, the applicant for the permit shall agree in a signed agreement to connect to either or both of these facilities at such time as they are extended within 150 feet of the subject parcel.

2. Divisions

As a condition of approval of any division in which would result in creation of a parcel(s) which would be 150 feet or further from existing sewer and/or water mains, the applicant shall agree to participate in any local improvement district which may be formed under ORS 371.605 to 371.660 or the Douglas County Local Assessment Ordinance to extend either of these facilities to or past any parcels included within the division. The applicant shall execute any documents required by the Approving Authority, including a waiver of remonstrance, to insure such participation.

VII. SUBDIVISION, PARTITIONING AND PLANNED UNIT DEVELOPMENT REQUIREMENTS

Applicable Zoning Districts: varies

1. In residential districts where the average lot size proposed is less than ten thousand (10,000) square feet, the applicant shall enter into an agreement with the electric utility for the installation of street lights at such locations as determined by the County Engineer.
2. Subject to the limitations and exceptions set forth in Section V of this Supplement, the construction of sidewalks conforming to standards and guidelines of the County Engineer shall be installed by the applicant as a condition of approval of any of the following:
 - a. Final plats or subdivision in any Commercial, Multiple Family Residential or the Public Reserve District.
 - b. Final plats or subdivisions in any Residential district, except Multiple Family Residential, where the average lot size created is less than ten thousand (10,000) square feet, or final plans for planned unit developments.
3. In all zoning districts, water lines with valves and fire hydrants which serve subdivisions or partitions and which connect subdivisions or partitions to existing mains shall be designed and installed according to:
 - a. The requirements of the water utility serving the area; and
 - b. Acceptable standards for urban fire protection as determined by the fire protection agency serving the area.
3. To ensure that development of subdivisions, partitions and Planned Unit Developments are safe from geologic hazards associated with hillside development, the following shall apply.
 - a. Any subdivision, partition or Planned Unit Development (PUD) proposed for development on slopes of 12% or greater shall be reviewed to ensure site geological suitability. Such review shall be presented in a written report by an Engineering Geologist or a Geotechnical Engineer. The written report of the Engineering Geologist or Geotechnical Engineer shall certify that the development proposed may be completed without threat to public safety or welfare and shall be used in reviewing the development proposal. The report shall be submitted with the preliminary subdivision or land partitioning plan or PUD preliminary development plan and shall address all areas of soils and geologic instability, areas of grading and other

land disturbances, and all proposed excavation and fill areas required for, but not limited to, construction of roads, driveways, house pads, utilities, septic tank drainfields, wells and water tanks.

- b. The Approving Authority may grant relief from the application of the provisions of this Section for areas between 12 and 25 percent slopes upon recommendation of the County Engineer. Such a recommendation shall be based on information submitted by the applicant, his Geotechnical Engineer or Engineering Geologist which substantiates that such detailed geologic studies are unnecessary.

VIII. RIPARIAN VEGETATION CORRIDOR OVERLAY

Applicable Zoning Districts: varies

Section 3.32.200 of the County Land Use and Development Ordinance which deals with the protection of riparian vegetation shall apply to the North and South Umpqua Rivers, Deer Creek and Newton Creek within the City Urban Growth Boundary.

XI. REDEVELOPMENT PLANS

Applicable Zoning Districts: All

The provisions of §4.100, Subsection 4.a. of the Land Use and Development Ordinance are to be mandatory.

X. AIRPORT IMPACT OVERLAY (AIO)

Applicable Zoning Districts: All to which overlay is applied

With the modification which follow, the provisions of Section 3.35.800 of the Land Use and Development Ordinance which establishes regulations in areas affected by airport operations shall apply within the Roseburg Urban Growth Boundary.

- a. Subsection 1.a. shall read as follows:

AIRPORT APPROACH AREA: A wedge-shaped area described by boundaries where the inner edge of the Airport Approach Area coincides with each end of the runway and is 250 feet wide at each terminus. The Airport Approach Area expands outward uniformly to a width of 750 feet at a horizontal distance of 2,500 feet

from the terminus, with its centerline being the continuation of the centerline of the runway.

- b. Subsection 3.c. shall read as follows:

No structure or object, including chimneys, towers, antennae, utility poles, trees, etc., shall exceed 35 feet in height in the Airport Approach Area.

- c. Subsection 3. f. shall read as follows:

No use shall be allowed in the Airport Impact Overlay District if such use is likely to attract an unusual quantity of birds.

XI. DRAINAGE REQUIREMENTS

- a. Purpose

To establish a procedure for implementation of the City of Roseburg/Douglas County Drainage Management Plan within the Roseburg Urban Growth Area.

- b. Applicability

During the review and processing of land use actions within the Roseburg Urban Growth Area and, more specifically, in areas shaded on the attached Exhibit 2 ("Applicable Areas for Roseburg Storm Drainage Standards"), the County shall take into consideration the policies and design standards of the adopted City of Roseburg/Douglas County Drainage Management Plan, as modified by this Standards Supplement. The County will address the establishment of permanent drainage facilities in conjunction with review of the following types of development:

1. Partitions, subdivision, and planned unit developments.
2. Commercial, industrial, and multi-family developments or phased developments creating new impervious surfaces greater than 3,000 square feet. An administrative variance may be authorized, up to a maximum of 30 percent, for the expansion of pre-existing impervious surfaces that are less than 3,000 square feet upon finding that:
 - a. Approval of the variance will not significantly affect storm drainage on adjacent or abutting properties.

- b. An affirmative recommendation is received from the County Engineer.
 - 3. Construction or reconstruction of public roadways.
 - 4. Construction in the 100 foot (50' on each side) Riparian Vegetation Corridor of any existing stream or surface watercourse subject to the Riparian Vegetation Overlay.
 - 5. Construction in any area of special flood hazard in accordance with Douglas County's Land Use and Development Ordinance (Chapter 3, Article 30, Floodplain Overlay).
- c. Review Procedure and Engineering Requirements (Drainage Certification)

During the initial processing of land use actions and development permits within the Roseburg Urban Growth Area, the Planning Department will identify applications that may be subject to review for permanent drainage facilities in accordance with XI. b., applicability of this agreement. Once it has been determined that the permanent drainage facilities may be necessary, it shall be the applicant's responsibility, in the form of a drainage certification, to either have plans engineered in accordance with the design standards of the Drainage Management Plan for the use or activity proposed, or certify that the proposed action has no drainage impact. All applications must include plans stamped by a licensed engineer certifying that the proposed use is in substantial compliance with the design criteria of the plan. Once received, the drainage certification will be forwarded to the County Engineer for review.

The County Engineer will review each proposal and the drainage certification for consistency with the design standards of the Drainage Management Plan. The County Engineer may require additional information to ensure full compliance with design requirements. Upon receiving an acceptable certification the County Engineer will notify the Douglas County Planning Department. The Planning Department will utilize the drainage certification of the consulting engineer in making its tentative or final approval. The County Planning Department will notify the City of Roseburg upon completion of land use actions subject to this certification requirement.

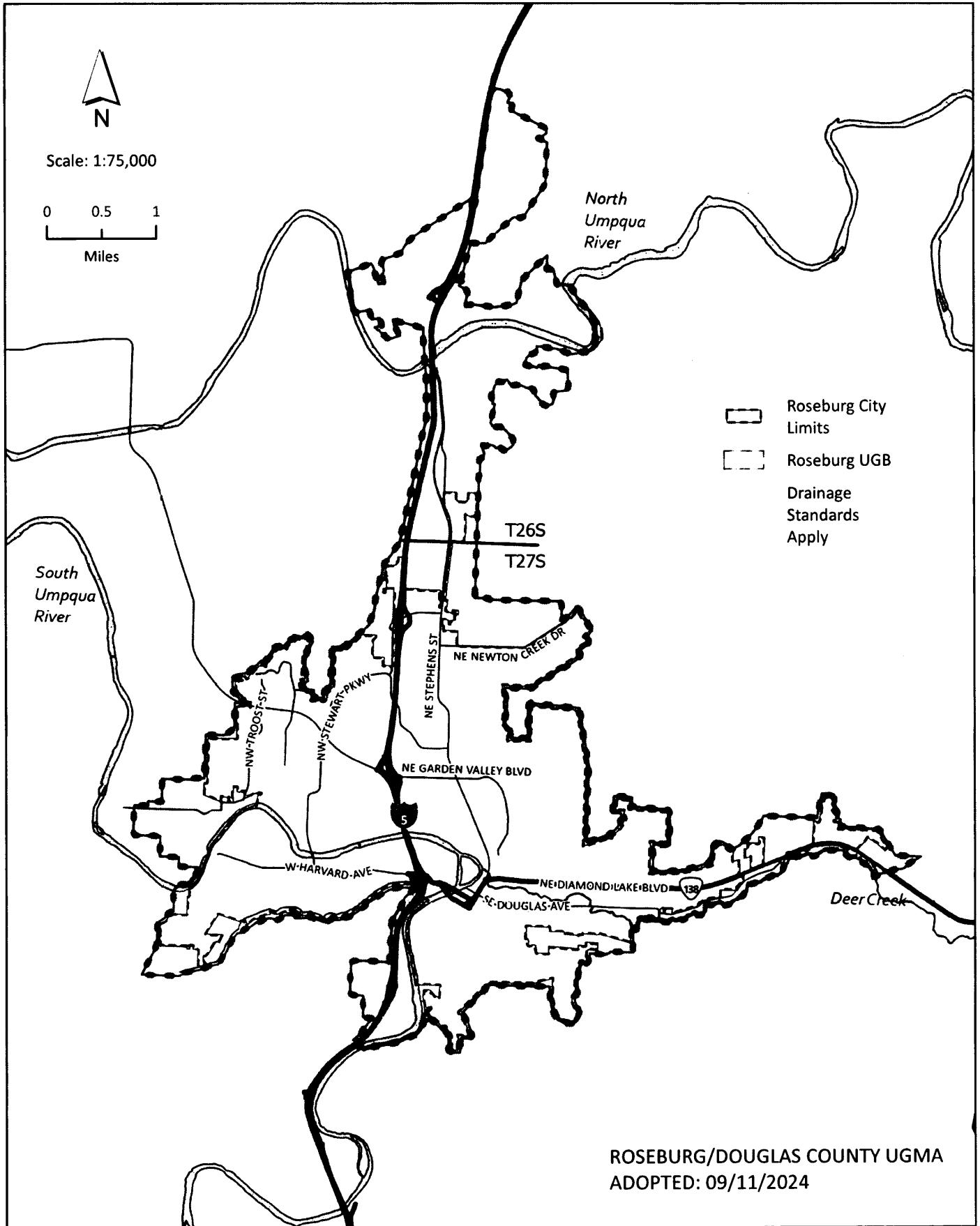
EXHIBIT 1

to the Roseburg Urban Growth Area
STANDARDS SUPPLEMENT

Streets Requiring Sidewalk Installation

1. **Stephens Street (State Highway 99):** from the City Limits to the northerly Urban Growth Boundary line.
2. **Old Melrose Road (#13):** from the City Limits to the Urban Growth Boundary.
3. **Lookingglass Road (#5):** from the City Limits to the Urban Growth Boundary.
4. **Portland Avenue (#56A):** from Interstate 5 Interchange #123 to the South Umpqua River.
5. **State Highway 99:** from the City Limits to the southerly Urban Growth Boundary line.
6. **Ramp Road (#159):** from the City Limits to the City Limits.

Exhibit 2:
Standards Supplement for the Roseburg Urban Growth Area



ROSEBURG/DOUGLAS COUNTY UGMA
ADOPTED: 09/11/2024

STAFF EXHIBIT F

In the matter of legislative action) Comprehensive Plan Amendment:
by the City of Roseburg) CPA-23-002

BEFORE THE ROSEBURG CITY COUNCIL

FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

The City has initiated a legislative amendment to adjust its Urban Growth Boundary (UGB). The method being used to make the adjustment is referred to by statute as a "UGB Exchange", but has been more commonly referred to locally during the process as the "UGB Swap". The UGB Exchange would move the UGB line in such a way as to create no net increase in the number of possible future dwelling units that would be allowed. Two privately-owned properties would be removed from the UGB: ±91.5 acres on the hillside east of NW Daysha Drive (owned by John and Donna Atkinson) and ±198.5 acres on the hillside north of NE Barager Avenue (owned by Barry Serafin). The area to be added to the UGB is ±220 acres and is located on the west side of the City, generally bounded by the South Umpqua River and NW Troost Street, a portion of the area commonly known as Charter Oaks. The UGB Exchange results in a decrease in acreage within the UGB, but by providing more flat, easily-developed land will provide new opportunities for residential development.

The amendment includes subsequent land use actions including de-annexations, annexations, revised comprehensive plan designations, zone changes and an amendment of the City/County Urban Growth Management Agreement (UGMA). Approval must be obtained by both the Roseburg City Council and the Douglas County Board of Commissioners for specific land use action items over which their jurisdiction has control.

II. PUBLIC HEARING

A public hearing was held on the application before the Roseburg City Council on July 22, 2024. At that hearing the Roseburg City Council reviewed Land Use File CPA-23-002 and it was made part of the record. The City Council heard testimony from the public concerning the application. The Council closed the public hearing. A motion was made requesting staff to prepare findings of fact on behalf of City Council approving the following land use actions, as referenced in File No. CPA-23-002:

1. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB.
2. De-annexation of the Serafin and Atkinson properties that lie in city limits.
3. Annexation of Troost St. right-of-way to the edge of the new UGB.
4. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District.
5. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB Swap and to include Charter Oaks in Subarea 2 of the agreement.

The Council voted unanimously to approve the motion.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The City Council 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 Regulations No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018, as both 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 10 days prior to the hearing held before City Council.
3. A combined public hearing was held on the application before both the Roseburg Planning Commission and the Douglas County Planning Commission on May 6, 2024. The Planning Commissions heard testimony from the public concerning the application. The Planning Commissions collectively made a motion to close the public hearing at the conclusion of their May 6, 2024 meeting. Both Commissions moved to recommend approval of the UGB Swap to their respective Council and Board. The Roseburg Planning Commission adopted findings recommending City Council approve the UGB Swap proposal on May 20, 2024.
4. The objective of the UGB Swap is to increase residential development capacity in order to meet Roseburg's housing goals for the next 20 years. In 2019, the Roseburg City Council set a goal to develop policies to enhance housing opportunities, which required the City to conduct an updated Housing Needs Analysis (HNA).
5. The HNA (2019, ECONorthwest), made several key findings within its conclusion that help to justify the need for a UGB Swap:
 - A. The population of the City's UGB is forecasted to grow from 30,256 people in 2019 to 35,771 people in 2039, an increase of 5,515 people. This equates to an average annual growth rate of 0.84 percent.
 - B. The growth of 5,515 people will result in demand for 2,768 new dwelling units over the 20-year planning period, averaging 134 new dwelling units annually.
 - C. Sixty percent of the future housing type needed to meet the demand of 2,768 new dwelling units will need to be traditional single-family detached units.
 - D. Roseburg's low density residential land base in which single-family detached units are most typically constructed has constraints to development.
 - E. A UGB Swap can be a key tool in addressing the need for providing more flat and easily developable low-density residential land.

B. PROPOSAL

The proposal consists of the following land use actions:

- A. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB;
- B. De-annexation of the Serafin and Atkinson properties that lie in city limits;
- C. Annexation of Troost St. right-of-way to the edge of the new UGB;
- D. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District; and,
- E. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB swap and to include Charter Oaks in Subarea 2 of the agreement.

C. **PUBLIC COMMENTS**

Prior to the City Council public hearing on July 22, 2024, a suite of comment letters were provided to Council and the public through hearing packets published and posted prior to the hearing. Thirty-one letters were written in support of the application and six letters of concern were submitted and included within the Council packet.

At the City Council hearing on July 22, 2024, public testimony included six people testifying in opposition, three people speaking during the "neutral" category, and nine people speaking in support. Four new letters were received in opposition to the proposal, and one letter submitted in support during the hearing itself.

Issues raised *in opposition* to the proposal before City Council, can be generally described as listed below. Below each bullet point item in italics is a finding indicating how the concern has been addressed either within the application material or through public testimony during the course of the hearing.

- **Inadequate transportation facilities in Charter Oaks.** Current residents in and near Charter Oaks have described dangerous conditions on streets and at intersections in the area, suggesting that adding additional traffic to the area will cause transportation safety and roadway capacity concerns. Residents have expressed concern about there being only one way in and out of the area on Troost Street, and that the exact details of future roadway and access points to serve the area have not already been determined and funded. In addition, concerns have been raised concerning data utilized within the City's TIS indicating that new zoning laws could enable the use of duplexes where only single-family dwellings could have been built previously. People suggested that the UGB Swap should not be allowed until the full details and designs of future transportation facilities have been determined.

Kelly Sandow, Sandow Engineering performed a Traffic Impact Study involving the UGB swap (appendices) and spoke on behalf of the City during the public hearing addressing residents' concerns about dangerous conditions on streets and intersections in the Charter Oaks area. Ms. Sandow indicated that even at full build out the streets and intersections within Charter Oaks will perform in accordance with the Transportation Planning Rule (TPR). Although these areas will satisfy TPR requirements, she provided possible safety

improvement recommendations at the intersection of Troost St./Felt St., Troost St./Charter Oaks Dr. and Troost St./Loma Vista Dr. She also provided reference to cross section street requirements that can be anticipated for Troost St. in the future and a recommendation to lower the speed to 25mph through the UGB expansion area. Ms. Sandow indicated that City development code will require the need for future site specific TIS to be performed based upon specific development proposals as those are submitted for review by the City. These additional studies will be able to evaluate details concerning the types of dwellings and the number of trips generated as a result of these dwellings and their impacts on the surrounding street network.

- **Emergency access for first responders in Charter Oaks.** Limited access to the area raised in the context of transportation facilities was also an issue raised concerning emergency access for fire, police and other first responders given the single point of access to the area from Troost Street. People specifically raised the issue of a recent fire at Felts Field Airstrip in Charter Oaks, and the length of time it took for emergency responders to arrive at the fire.

Chief Tyler Christopherson, Roseburg Fire Department (RFD) spoke on behalf of the City during the public hearing and addressed concerns around fire response times and the recent fire at Felts Field Airstrip. Chief Christopherson, indicated that RFD did not respond to the Felts Field fire, as it is currently located outside of the city limits and is within Douglas County Fire District 2 jurisdiction. Water supply was a significant issue and lack of water required it to be trucked into the area, slowing overall response time. If annexed, the City would have three different stations ready to respond, with 12 firefighters, and three engines within six minutes. Water supply will increase based on development and the construction of fire hydrants. The RFD has an ISO classification of 2, while the Douglas County Fire District 2 has an ISO rating of 3. If annexed, fire insurance rates could possibly be adjusted to improve insurance costs as RFD has a lower ISO score, which indicates a better/higher rating.

- **Lack of detailed, final infrastructure plans and funding for sewer and water services.** Similar to concerns raised about the plan for future roadways, residents in the area have concerns that specific future plans for the location and timing of water and sewer improvements have not already been developed. Dry wells and lack of water at the school district site was mentioned.

Jim Baird, General Manager of the Roseburg Urban Sanitary Authority (RUSA) spoke in favor of the application during the public hearing addressing plans for future expansion of the sewer system with the Charter Oaks area. Mr. Baird indicated that the Charter Oaks area has had a long history of being evaluated for a future sewer system by referencing studies performed in 1967, 1975, 1977, and 1995. Most recently, Mr. Baird described a preliminary layout of the

expansion of the existing sewer system into the area completed in 2018. This preliminary layout involves the upsizing of an existing pump station, which would be completed by RUSA and the extension of the sewer main, which would typically be driven by a future developer. Favorable time frames for how quickly sewer improvements could occur within the area were estimated to be approximately 3-5 years.

- **Old and/or inaccurate data.** Data supporting planning efforts is out of date and should be revised and updated based on current conditions. Density calculations showing 673 units both entering and leaving the UGB are based on flawed assumptions regarding buildability, and do not align precisely with data used in the City's Buildable Lands Inventory (BLI) and other planning documents. A previous draft version of the application identifies that the East Roseburg/Dixonville subarea was the preferred area over the Charter Oaks subarea.

As provided throughout the application, the City followed state and local law when applying the criteria necessary to justify the UGB swap proposal. Assistance with the application was provided by 3J Consulting, an independent consulting firm that specializes in land use services. Feedback from state and local agencies including the Oregon Department of Land Conservation and Development (DLCD), Oregon Department of Transportation (ODOT), Oregon Department of Fish and Wildlife (ODFW), Oregon Department of State Lands (DSL), Douglas County Planning and Public Works Departments, Douglas County On-Site Wastewater Division, and the Roseburg Urban Sanitary Authority (RUSA) concerning the details and analysis used within the application was sought throughout the development of the application. In addition, the City has sought feedback from 1000 Friends of Oregon, a private non-profit organization that advocates for land-use planning. None of these agencies or organizations have indicated that we have used old and inaccurate data or flawed assumptions. None of them have presented evidence or testimony opposing the application.

Claims made that a previous draft version of the application identifying the East Roseburg/Dixonville subarea as the preferred area over the Charter Oaks subarea are inaccurate. Old versions of the application, as well as the current version of the application indicate that in order to select a final exchange or swap area for inclusion in the UGB, the Wilbur, Charter Oaks, and Roseburg East/Dixonville subareas were ranked from best potential site (1), to worst potential site (3), for priority lands in criteria in OAR 660-024-0067(2) and for each of the Goal 14 Boundary Location factors. The subarea with the lowest total score was determined to be the preferred area for the exchange. See Table 20, Final Ranking of Study Area Subareas on page 116 of the application.

Charter Oaks ranked lower than the Wilbur and Roseburg East/Dixonville subareas for the prioritization analysis identified in OAR 660-024-0067, but this

is not the sole measure by which the subareas were ranked. Four Goal 14 locational factors were also evaluated in the ranking, in which the Charter Oaks subarea ranked highest in each category. Final ranking of both the prioritization analysis in OAR 660-024-0067 and each Goal 14 Boundary Location factor indicate that Charter Oaks is the preferred subarea for the UGB Swap, both in previous iterations of the application and the final draft.

- **Environmental impacts.** Wildlife habitat information in the application based on a study conducted prior to 1980 is too old to be trustworthy and should be updated.

The City recognizes that the inventory referenced within our staff report and findings document is from 1980. This inventory was conducted by Douglas County in an effort to inventory special bird habitat with the assistance of ODFW for the County Comprehensive Plan. This is discussed on page 162 of the UGB Swap application. A map of the area inventoried is on page 163. This is also referenced on page 187 under Natural Resources Policy #15.

The criteria requires the City to evaluate and indicate consistency with Statewide Planning Goal #5 (Open Spaces, Scenic and Historic Areas and Natural Resources). The goal indicates, "To protect natural resources and conserve scenic and historic areas and open spaces." The City has to use the best available data in order to meet this criteria. As this is an area outside the City's UGB, we must rely on studies performed by either the County or State concerning these issues. The heron rookery identified in the inventory is in an area outside of the where the UGB is proposed. No other significant wildlife population exists in the area that is inventoried by ODFW. It should be noted that areas within the floodway and riparian setback when annexed will be required to adhere to City standards helping to ensure protection of the river and riparian corridor.

- **Community engagement was insufficient, and the project favors development over community concerns.**

Stuart Cowie, Community Development Director spoke on behalf of the City during the public hearing concerning the UGB Swap application and public process. Mr. Cowie indicated that the City had been working on the UGB Swap application for the last six years and referenced opportunities for community engagement during this time. Community open houses were held in 2018, 2019 and 2024. Multiple updates concerning the UGB Swap were provided to the City Planning Commission and City Council during public meetings over the six-year period. Opportunity for public comment was provided during the goal setting sessions in 2020, in which City Council identified the pursuit of a UGB Swap as an item to help enhance housing opportunities. The City created a webpage devoted to the UGB Swap at the beginning of 2024, in an effort to provide citizens with information, upcoming events, and an invitation to reach out to City staff with comments or questions.

- **Roseburg has no demonstrated need for additional low-density residential land.** The 2019 Housing Needs Analysis identifies that Roseburg has a surplus of Low Density Residential land. Goal 14 requires that there be a “demonstrated need” before a change to the UGB can be made allowing additional low-density residential capacity.

The HNA indicates that Roseburg has an approximate surplus of 352 gross acres of low-density residential land. If this were all that the HNA provided concerning this issue than the opposition would be correct in indicating that there is no “demonstrated need” concerning the UGB Swap. However, the HNA clearly indicates that Roseburg’s low-density residential land base has constraints to development and that the City needs to implement actions offered within the HNA to overcome these barriers promoting housing opportunity. One of the action items identified was to implement a land swap of sloped land within the UGB for flat land outside of the UGB.

The HNA Executive Summary, specifically lists, “Roseburg’s Low Density Residential land base has constraints to development,” as a key finding of the HNA. See page x, Executive Summary.

One of the nine key findings described within the “Conclusions” portion of the HNA found on page 84, identifies the following,

“Roseburg’s Low Density Residential land base has constraints to development. More than one-quarter of Roseburg’s vacant land in Low Density Residential is partially vacant (247 of 885 acres). In addition, two-thirds of Roseburg’s vacant and partially vacant buildable land in Low Density Residential is on slopes of 12% to 24.9% (568 of 885 acres). Development of partially vacant land can be challenging for a number of reasons, including that it occurs when landowners are ready to subdivide and in cases where partially vacant land is on a relatively small lot (i.e., a lot smaller than five or ten acres), the amount of residential development that can occur is relatively small (and generally more expensive to build). Development on land with moderate slopes is also often more expensive because it generally occurs as lower densities (fewer dwelling units per acre) and on land without urban infrastructure where it may be more expensive to serve because of requirements for road construction or requirements for special equipment (such as pump stations). Developing new housing in these areas may be more expensive, providing fewer opportunities for development of market-rate affordable housing affordable to middle-income households. The Housing Strategy describes actions that the City can take to overcome these barriers, such as allowing a wider range of single-family housing development (such as cottage clusters), implementing a land swap of sloped land within the UGB for flat land outside of the UGB, increasing allowable densities (or setting minimum densities) and removing other barriers to development.”

Implementing a land swap of sloped land within the UGB for flat land outside of the UGB was a key finding that helped the City move forward with the idea of a UGB Swap in the first place. This key point is stated on page 6 of the introduction and summary portion of the City's application (Exhibit A), along with four other findings from the HNA used to justify the UGB Swap. The 5th listed item indicates the following, "A UGB Swap can be a key tool in addressing the need for providing more flat and easily developable low density residential land."

The results of the residential capacity analysis contained within the HNA, further demonstrates the need for more easily developable low-density residential land. On page 79 of the HNA, it indicates the following, "Stakeholders have expressed concerns about the development capacity of low-density residential land on slopes of 12% to 24.9%. This represents 64% of vacant and partially vacant buildable land designated as low-density residential. Roseburg has 568 acres of Low Density Residential on these slopes. If we assume that these lands develop at 2.0 dwelling units per gross acre, rather than the 2.9 dwelling density assumption, Low Density Residential would have capacity for 2,055 new dwelling units, roughly 500 fewer dwelling units than the estimate provided under the 2.9 dwelling density assumption."

It is not unreasonable to expect that all of the 885 acres of vacant, unconstrained land in Low Density Residential will develop at an average of 2.9 dwelling units per acre. Other cities in Oregon have development on moderate slopes (like 12% to 24.9% slopes) at densities around 3.0 dwelling units per acre. However, developing housing on slopes is generally more expensive than developing comparable housing on flat land. The large amount of land in moderate slopes in Roseburg (64% of the vacant land in Low Density Residential) may inhibit development of housing affordable to Roseburg's households. In addition, the lack of urban infrastructure (roads, municipal water, and sewer) to many areas with slopes make development of these lands much more expensive and complex, especially if the developer is paying for infrastructure. If the developer is able to develop fewer dwelling units per acre on slopes, which is generally the case, the costs of infrastructure on a per unit basis will be higher because there are fewer units to spread infrastructure costs among. In addition, infrastructure on slopes may be more expensive than on flat land, with requirements for additional infrastructure (such as pumping stations) and higher costs of building roads.

The sloped areas in Roseburg have not developed over the last 40 years, likely as a result of being more expensive to develop and lacking infrastructure. Supporting development on sloped lands may require a significant policy intervention, such as subsidizing the costs of infrastructure or other interventions."

These findings located within the HNA, are outlined with the City's UGB Swap application. See page 193 of the application, which states the following, "The City contracted consulting firm ECONorthwest to conduct a Housing Needs

Analysis in 2019, in order to inventory the buildable land, project future availability and needs, and identify policies to meet Roseburg housing goals. The findings of the HNA identified that in an optimistic scenario, there is enough low-density residential land within the UGB to meet the housing demand for 2019-2039. However it follows that, "if no partially vacant Low Density land develops and land on slopes develop at a slower pace or at lower densities, Roseburg may have insufficient land for Low Density development" (HNA pg. 80). The UGB swap will ensure a new supply of vacant, flat, and unconstrained land that will allow developers options for development and be suitable for residential use.

The HNA and the City's UGB swap application clearly indicate that Roseburg's low-density residential land inventory has constraints to development and encourages the City to evaluate other methods or policies in order to promote housing opportunities on low-density residential land. The HNA demonstrates there is a need for low-density residential on flat, unconstrained land that can be more easily developed and identifies the process of a UGB Swap as a tool to be used in order to achieve this need. OAR 660-024-0070(3)(a)(A) is satisfied.

- **State law does not allow a "Swap" of multi-family residential land for low-density residential land or unbuildable land for buildable land.**

Multiple sections within the UGB Swap application address this issue. It is introduced on page 12; Section A, Lands Proposed to be Excluded from the UGB, and analyzed in detail in other sections of the application. The most prevalent section in which an evaluation of the issue is presented can be found on pages 136-144; Section 4, Comparing the Exchange of Lands Based on Type. Additional arguments are made on page 173; Section J, Goal 10: Housing and page 193; Section J, Housing Element, Housing Policy #3.

Concerns have been raised as to why the UGB Swap will remove 23.05 acres of land designated for medium and high-density residential use when the HNA indicates that there is a short supply or deficit of such land types. It's important to note that of the total 23.05 acres of multiple family residential land to be removed from the UGB, 22.40 acres or 97 percent of the property has a slope greater than 25%, which by OAR 660-008-0005(2) means that the land is considered unsuitable as future buildable land. Consistent with guidance in state statute, this medium and high-density acreage was not included within the available land supply for the 2019 Buildable Lands Inventory. As a result, its exclusion from the UGB will not result in a buildable land deficit greater than what was already assessed.

OAR 660-024-0070(3)(a)(A) requires that, "A specific type of residential need is substantially equivalent to the amount of buildable residential land removed." As indicated in the previous findings above, the City has demonstrated through their current HNA that the City has a need for low-

density residential land that is flat, unconstrained and can be more easily developed.

As the medium and high density land being removed is considered unbuildable, the City did not utilize the density provisions enabled on the property by its current zoning designation, rather it analyzed existing development within the city limits to determine median lot sizes for properties that have slopes of 25% or greater on more than half of the total lot.

Analysis within the application indicates that actual development occurring on areas of steep slopes similar to the lands being removed do not support the same level of density that medium or high-density zones allow. Data provided within the "Density Calculation for Final Exchange Area" within the application demonstrates that the median lot size across city lots that have slopes of 25% or greater that cover more than half of the lot or more is 17,919 square feet. The City is using the 15,000 square foot per lot amount to determine what the appropriate density exchange rate is for lands being removed. Based on this factor, the City finds that the higher density lands being removed from the UGB will not have an impact on the high-density development capacity of the City.

While these lands were originally designated for higher density development, the ability to practically develop them as such is highly unlikely. The probability of land being developed into a specific type of housing isn't based solely on the zoning designation, one must factor in the geography, available facilities, and potential costs. Additionally this area is elevated above the High Water Pressure Service zone, which makes it unable to be serviced by city water without additional, costly infrastructure. In short, based on both the conditions of the land and the meetings the City has held with the property owners, this area is unlikely to be used for multifamily housing. Swapping this 23.05 acres, along with approximately 265 acres of low density residential land is determined to be an equivalent tradeoff for the approximately 230 acres of land coming in. The swap will facilitate new opportunities for developers to provide housing options that they would be unable to offer within the existing medium and high-density zoned property being removed.

The opposition presents concerns that the removal of this medium and high-density residential land will limit future multi-family development. However it is important to note that since adopting the HNA in 2019, the City has worked on a number of initiatives which have encouraged an increase in higher density residential unit supply within the UGB. The City finds that these initiatives have offset the identified deficit of high-density residential lands. These initiatives include: a Middle Housing (HB2001) Code Update Project funded by a grant awarded from DLCDC, and a Multifamily Housing systems development charge (SDC) deferral program funded through the Diamond Lake Urban Renewal District. Through these initiatives, the City adopted provisions that increased potential development density in existing low-density residential areas and also incentivized multifamily housing development within Mixed Use zones, inside the Diamond Lake Corridor.

These new initiatives are working. The SDC deferral program has attracted the attention of a number of developers. For example since 2019, 406 new units of multifamily housing have been constructed within the Diamond Lake Urban Renewal District. The majority of these units utilized the SDC deferral program and were built within a mixed use zone. One comment from a developer indicated that he could have easily built his apartment complex in nearby cities like Cottage Grove or Grants Pass and they would have filled up just as quickly as they did here, but because of the SDC incentive program and the relative ease of obtaining approval for development in the mixed use zone they chose to construct them in Roseburg.

As a result of being built within the mixed use zone, these new apartments have had a massive impact on meeting the demand for multifamily dwelling units identified in our HNA, but are not captured within the capacity analysis identified in the buildable lands inventory.

These apartments simply could not have been constructed on the medium and high-density residential land designations we are proposing to remove as part of the UGB Swap. Because this land was not considered as being part of the current buildable land supply in the first place, removing it from the UGB shall have little consequence on the assessed need for medium and high-density residential land. The land simply has very little development capacity. The logical way to address this is to transfer that potential development capacity to a less constrained area through the UGB Swap.

Additionally, the City finds that there are discrepancies between the Roseburg Urban Area Comprehensive Plan Map and the current zoning designation for the Atkinson Site. City staff concludes that some areas were erroneously zoned as a higher density than intended in the Comprehensive Plan Map. Approximately 8.9 acres of High Density Residential (HDR) comprehensive plan designated property exists as compared to 23.05 acres of medium and high-density residential zoning. This discrepancy creates issues concerning the compatibility of existing zoning with the location and total property acreage designated as high-density residential in the Comprehensive Plan.

The City asserts that based upon the findings listed above the City's HNA has established a need for low-density residential land that is unconstrained for development purposes. In addition, the findings demonstrate that the location of the medium and high-density residential land being removed from the UGB do not reflect the true density in which the zoning enables these properties to achieve. As they are located now it is highly unlikely they would ever develop. The City is using the average lot size for lands located on similar slopes in order to apply an appropriate density transfer to the Charter Oaks area. Applying a medium and or high-density designation to this area would be inappropriate given the current pattern of development and the fact that the neighborhood has indicated that they do not support the idea of high-density units within their area. Given that the City has seen successful multi-family

development growth in other areas of the City utilizing other policies identified within the HNA to promote this type of growth, the City is justified in removal of the 23.05 acres of medium and high-density residential land. OAR 660-024-0070(3) is satisfied.

- **The application improperly establishes a preliminary study area by excluding property based on factors that are not part of the criteria and by establishing and improperly removing subareas from the study area.**

In accordance with OAR 660-024-0065(1), the City established a preliminary study area of 1.5 miles around its existing UGB in order to evaluate land that could be included as part of the UGB Swap.

Before engaging in specific prioritization criteria for land evaluation the City eliminated certain lands from the preliminary study area prior to moving forward with the remainder of the study area analysis. The lands that were immediately excluded consisted of large tracts of ownership that were only designated as resource land. Because all of these lands are planned and zoned by Douglas County as either farm or forestlands or a combination thereof, the City finds that consideration of these lands would be inconsistent with state law, as well as, unsupported by the policies and objectives of the Douglas County Comprehensive Plan. This was the primary determinant in removing them from the preliminary study area. Additional factors in removing these areas included data from the Oregon Department of Geology's Statewide Landslide Information Database for Oregon (SLIDO), which identified significant portions of these properties as being inventoried with a high or very high landslide susceptibility rate. Other considering factors were the extension of public infrastructure to these areas.

The City utilized the exclusion criteria contained within OAR 660-024-0065(4 & 7) to remove subareas. Evaluation of each subarea is provided within the application from pages 40 – 53.

- **Viable farmland will be lost if the UGB Swap is approved.** Farmland in the area is used to grow food and will no longer be available. Mike Ritchie provided a statement indicating that he raised seed crops on agricultural land in Charter Oaks for about 5-6 years with and without irrigation.

Claims made that the agricultural land within the Charter Oaks area is used to produce food for human consumption is inaccurate. Agricultural land outside the Charter Oaks subarea within the Melrose and Garden Valley vicinity may be used to produce food, but the designated agricultural land inside the Charter Oaks subarea has only minimally been used to cultivate grasses.

During the public hearing testimony was provided by Kelly Guido, who owns a larger piece of agricultural zoned property within the subarea between Felt St. and Cloake St. Mr. Guido indicated that he was the property owner who

allowed Mr. Ritchie to lease his property for free in order to raise grass seed, but that Mr. Ritchie didn't stick around very long and then moved out of the area. Mr. Guido who himself farms cherries, hazelnuts, hay and cows indicated that the land within the Charter Oaks area is not great for farming. Had it been Mr. Ritchie may have stuck around for longer with the use of Mr. Guido's property for free. Mr. Guido indicated that one of the primary issues with farming the property is the surrounding residential neighborhood. Cows get out of the pasture into neighboring properties, or if one was to grow grapes, people would complain about the noise and pesticide sprays. Mr. Guido indicated that the property isn't great for agricultural land and that the property identified within the Charter Oaks subarea hasn't been used for agricultural purposes for years.

Pages 147 – 156 of the application confirm Mr. Guido's testimony. The application finds that based on aerial imagery evidence provided through a collection of aerial photos taken during the spring and summer months of 1979, 1989, 1998, 2002, 2008, 2013, 2019, and 2022 that there has been minimal farming activity on the lots zoned Farm Grazing within the Charter Oaks subarea.

Further evidence indicates that of the eight properties zoned Farm Grazing within the Charter Oaks subarea, excluding the Fairlea subdivision, which was platted for residential purposes, only one property is receiving special tax assessment for Exclusive Farm Use. Discussion with the property owner confirmed the City's findings that the properties have only been used minimally for grass cultivation when the owner stated the following, "We are solely using the property for hay. Unfortunately, the property does not have access to viable irrigation, so the yields are not strong and the nutrient density is low-meaning that grazing is not the best option either. The impacts to historical farm use would be negligible."

Additional testimony within the application from Nikki Messenger, a resident of the Charter Oaks subarea for 16 years indicated the following, "During that 16 years, there was very little agricultural activity on any of the lands surrounding us. Some years (not all), the grass south of Troost was mowed and baled for hay. Two (maybe three) of the years we were there, sheep would be dropped off in the field behind us (north) to graze for less than a month and then picked back up. I'm assuming this was done for the owner to have some record of farm use to be able to realize reduced taxes. The grazing quality was poor enough that the sheep would often end up in my front yard during the short time they were there."

City Council finds that the Charter Oaks area has experienced little to no farming activity over the last 45 years and that Goal 14 compatibility requirements are satisfied.

Issues raised in support of the proposal before and during the initial public hearing on July 22, 2024 can be generally described as follows:

- **Housing shortage and impacts to residents, businesses, community vitality and economic growth.** Recruitment and retention for local firms is harmed by the lack of available housing in the area. Roseburg is losing jobs and people to other communities with more buildable land and available housing units, especially newer single-family homes. Impacts are also being felt in the provision of medical services, schools, and industrial firms who miss out on employees due to the limited availability of housing. Expanding housing production on the flat land in Charter Oaks would mitigate against this ongoing shortage.

Comments submitted into the record from some of Roseburg's most significant employers including CHI Mercy Health, Aviva Health, Evergreen Family Medicine, Adapt Integrated Health Care, Roseburg Public School District, Umpqua Community College, Lone Rock Resources, FCC Commercial Furniture, and Con-Vey have all indicated the common theme of struggling to recruit and maintain employees based on a lack of available housing. In addition, local business and economic advocacy organizations such as the Roseburg Chamber of Commerce, Umpqua Economic Development Partnership, CCD Business Development Corporation, and the City of Roseburg Economic Development Commission echo the same message from the businesses they represent. Each of these organizations support the UGB Swap and have submitted testimony indicating the need for the UGB Swap to help provide workforce housing.

Jared Cordon, Superintendent of Roseburg Public Schools indicated the following during the public hearing, "What I would say as an employer who hires 50 to 60 people a year, is about a third of those individuals can't find housing. Housing shortage is absolutely and unequivocally an obstacle for recruiting and maintaining our workforce talent in our community."

Expansion into the Charter Oaks area as a result of the UGB Swap will provide the opportunity for workforce housing. See pages 171 – 174 of the application which provides findings in regards to statewide planning goal 10, involving Housing. Goal 10, indicates the following, "To provide for the housing needs of citizens of the state."

Goal 10 requires local governments to inventory buildable residential lands and encourage the development of a housing supply that varies in location, type, density, and affordability commensurate with the financial capabilities of households. The Housing Element of the Roseburg Urban Area Comprehensive Plan provides an analysis of housing needs for the area and policies to implement. The City recognized that the assumptions and findings on housing needs provided within the original Comprehensive Plan may not reflect the current conditions.

The directive to update the Comprehensive Plan to include a new HNA

stemmed from the 2017-19 Roseburg City Council Goals adopted on April 24th, 2017. One of the goals states the following, "Support and adopt policy development and implementation to enhance housing and community development." In response, City Staff sought funding for an HNA. The HNA would act as a starting point for developing policies and actions that would specifically address city goals around housing deficiencies that the community is currently experiencing. In fall of 2018, the City applied for a grant through DLCDC to fund an HNA as an update to the Comprehensive Plan. Grant funds were allocated to a professional consulting group who prepared the HNA in partnership with City staff. City Council adopted the findings of the HNA as an amendment to the Comprehensive Plan Housing Element on August 26, 2019. Periodic coordination with DLCDC staff occurred prior to, during, and after completion of the project and the City provided notice of the proposed legislative amendment to the DLCDC by way of a Post Acknowledgement Plan Amendment notification.

The primary goals of the HNA were to: (1) project the amount of land needed to accommodate the future housing needs of all types within the Urban Growth Boundary (UGB), (2) evaluate the existing residential land supply within the UGB to determine if it is adequate to meet that need, (3) fulfill state planning requirements for a 20-year supply of residential land, and (4) identify policy and programmatic options for the City to meet identified housing needs.

This UGB Swap application is the culmination of one of the primary programmatic options provided in the HNA. The HNA Housing Policies and Actions Memorandum specifies within its action items that the City should explore a UGB swap to meet housing goals. Among these includes Policy 1.1a. "Evaluate swapping constrained residential land within UGB for unconstrained buildable residential land outside UGB."

- **Constrained lands.** Much of Roseburg's residential land supply is on steep slopes, above the area where water services are available without expensive new water tanks and other infrastructure development, and where roads and utilities are difficult to construct. The flat, serviceable land in Charter Oaks does not have the same topographical constraints and would be more likely to develop.

Comments submitted into the record from local realtors, engineering and planning firms, and developers confirm the City's findings indicating that much of Roseburg's residential land supply is on steep slopes with significant development constraints.

Ben Tatone, a local realtor and developer, who currently builds approximately half of the new residential single-family, duplex and townhome style development within our City provided the following testimony, "I'd like to augment my support of the UGB Swap by restating the position I've shared before, which is that our buildable lands inventory is significantly smaller than

it appears on the books due in large part to the percentage of slope that we have delineated as the threshold for 'buildable.' The ground at the upper end of what we now consider buildable in terms of topography is so expensive to develop that attempts to do so will likely never be undertaken, making their inclusion in the buildable lands inventory a deceptive overstatement of what is actually available."

Alex Palm, Principal of i.e. Engineering, a local survey, engineering and planning firm that does work on a significant portion of new residential development within the city limits provided the following testimony, "I get phone calls every month from northwest developers and home builders wanting to come to Roseburg and develop and build housing. Every property of any size they look at, and it's been the same 10-20 properties for the last 10-plus years, are either covered in wetlands, have FEMA floodplain and floodway issues, are located on the sides of hills that are too steep to develop, or there is no feasible way to get sewer, water, and other utilities to the sites. I've been taking these calls for over a decade now and watched over and over again as Roseburg misses out on housing opportunities because of our lack of developable ground."

Further testimony has been provided by Neil Hummel, owner of the Neil Company Real Estate, who has been practicing real estate in Roseburg and Douglas County for the past 51 years. Mr. Hummel has indicated in a written statement provided to Council during the public hearing the following statement, "Many builders tell me that they would build in the city if there was land available. Roseburg is out of affordable building land because what raw land that is remaining is too steep or above the utilities they need to serve them. Currently, the only option they have is to build in other bordering cities which they are doing. If Roseburg is going to continue to grow and prosper, the UGB needs to be expanded to keep up with demand."

Findings within the application on pages 192 – 194 address policies identified in the Housing Element of the Roseburg Comprehensive Plan. The overarching housing policy for the City is the following, "To ensure the opportunity for, and the provision of, safe, affordable housing in sufficient numbers, types, size and locations to meet the needs of all citizens in the Roseburg urban area."

The UGB Swap is designed to help meet the City's need for single-family detached and single-family attached units. As defined within the Roseburg HNA, single-family detached units include traditional stick-built single-family dwellings seen in most typical residential subdivisions, manufactured homes on lots and in mobile home parks, and accessory dwelling units. Single-family attached units mean all structures with a common wall where each dwelling unit occupies a separate lot, such as row houses or townhouses. The HNA forecasts a demand of approximately 1,875 of these types of units between 2019 and 2039. Assuming that all of the new Charter Oaks area were to develop, the available density makes up only about 36% of the forecasted

demand.

1,875 new single-family detached or attached units accounts for 70 percent of the type of needed housing over the 20-year planning horizon. This means that approximately 94 new single-family detached or single-family attached units must be built every year in order to meet the demand. Unfortunately, in the last 5 years since the HNA has been adopted on average the City is only seeing approximately 30 new single-family detached or attached units being constructed. The bottom line is we are falling behind in the amount of these types of homes that need to be built. Based on evidence provided within the HNA, the UGB Swap application, and testimony provided above from experts that have worked in real estate and development within our communities for years, the primary factor in this deficit is the lack of unconstrained buildable lands.

As an aside, the City as a result of implementing other types of policies to incentivize multi-family dwelling construction has seen an influx of apartment units over the last 5 years since the adoption of the HNA. 402 new units have been constructed within the Diamond Lake Urban Renewal District. A primary factor in their development was the utilization of the system development charge deferral program. These apartment complexes were built on relatively flat, unconstrained lots within the Mixed Use zone through conditional use permit approvals.

The HNA identifies that 30% of the needed housing between 2019 and 2039 must be multi-family. Over a 20-year period this equates to 803 new multi-family dwelling units. Based on the recent construction of 402 new units since 2019, 50% of this needed housing type has already been met within the first 5 years of the 20-year planning horizon.

In order to meet the demand for single-family detached and attached units the City must make decisions enabling the availability of low-density residential land in areas less encumbered by slope and infrastructure barriers. City Council finds that the UGB Swap is compatible with Goal 10, Housing and the Housing Element of the City Comprehensive Plan enabling the opportunity for housing in sufficient numbers, types, and location to meet the needs of the community.

- **City Budget.** Adding additional housing and tax base to the city will increase the city's budget and help with rising cost increases.

Steve Loosley, a long time Roseburg resident, whose family has had extensive experience developing residential real estate inside the city limits for the past 40 years, provided the following testimony. In written and verbal statements offered to the Planning Commission and City Council Mr. Loosley indicated the following, "The City general fund expenses are increasing faster than the general fund revenues, which are primarily derived from property taxes. Two-

thirds of the City's budget comes from property taxes, because of the lack of developable land the property tax base is practically frozen. Labor costs drive about three-fourths of the City budget. Costs increased by 8%, but the revenue only went up about 4%. This is not sustainable. The solution is to expand the UGB in the Charter Oaks area enabling houses to be built and thereby increasing the City's tax base."

- **Economic Growth.** With accounts from local businesses - seeing work done in other communities and very little work being done in our own community shows lack of development and growth. Other cities have surpassed Roseburg in economic growth due to lack of available housing and buildable land.

Testimony provided by Brian Prawitz, Executive Director of the Umpqua Economic Development Partnership during the public hearing portion of the City Council meeting indicated the following concerning the economic status of the Roseburg community.

Mr. Prawitz said, "From an economic development perspective we are trailing behind other cities in Oregon when it comes to solving the big issues around economic development – like housing, providing childcare options, perfecting ways to recruit and keeping medical providers and other professionals. We need to lead by taking strides toward solutions to these challenges. Other communities are figuring it out. They are competing – and winning – in the effort to attract the best talent. Including the talent we grow here and export there. We need to give people a reason to move here and we need to give our own young people a reason to stay. Increasing the housing inventory in Roseburg is a major step. Our current employers are starving for employees. New businesses can't seriously think about coming here. All while our kids are looking for affordable places elsewhere to live and raise their kids. We need more of them to choose Roseburg. Until we take steps to compete, we will continue to lose medical providers, educators, engineers, and families to Medford, Eugene, Bend, Corvallis, and Coos Bay even though it might be more expensive to live there."

See page 187 of the application for additional findings describing consistency with the Roseburg Urban Area Comprehensive Plan policy to encourage economic growth by demonstrating a positive interest in existing and new industries, especially those providing above-average wage and salary levels, an increased variety of job opportunities, a rise in the standard of living, and utilization of the resident labor force.

- **Future land use approvals will adequately address oppositions concerns.** Concerns raised about the future construction of public infrastructure, including roadway design, sewer main extensions, and fire access will be reviewed and evaluated to ensure they are built to current land use and development requirements within the Roseburg Municipal Code. This will be a requirement of any future land division once annexed into the City

limits.

Pages 174 – 182 of the application address compatibility with Goal 11 - Public Facilities and Services. Pages 190 – 192 reference the City's Comprehensive Plan concerning the Public Facilities and Services Element. Each of these sections speak to concerns raised about the future construction of public infrastructure, including roadway design, sewer main extensions, and fire access.

Goal 11 states, "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

The Public Facilities and Services Element of the Roseburg Urban Area Comprehensive Plan establishes a policy framework that guides and supports the types and levels of urban services that meet the needs of Roseburg's urban environment. The City does not have a centralized Facilities Master Plan, but instead has a collection of master plans that are updated each on their own schedule. Among these plans include: Water System Master Plan, Storm Drainage Master Plan, RUSA Collection System Master Plan, and Transportation System Plan. Following the passage of this proposal, it will be necessary to update the appropriate master plans and program needed improvements into the City's financial plan.

The UGB swap will not immediately require the City to extend public facilities to any property, however it does begin the planning process to do so. The City has evaluated public facilities within the proposed exchange area by hiring consultants to provide technical analysis of existing and needed systems (Sandow Engineering, Transportation Analysis UGB Swap). The City also met with Roseburg Urban Sanitary Authority, the area's public agency sewer provider, who has retained i.e. Engineering to provide technical analysis to evaluate the impact on the existing system and improvement needed to support the proposed Charter Oaks subarea.

Although the proposed amendment to the UGB line will encompass a significant portion of the Charter Oaks area, only the right-of-way along Troost St. is proposed to be immediately annexed into the city limits as part of this process. Capital improvement projects for facilities will be determined in future stages, following more annexation and development of land. The City publishes a 5-year capital improvement plan that gets reviewed at least every two years to reflect the needs of the community and changes in resources for financing capital projects.

Urban services shall be made available in new areas as properties are annexed into the city limits, with funding typically driven by developers. These projects will be financed through a number of means such as Local Improvement Districts (LIDs), developer dedications, and advanced financing agreements.

Conversion of land for urbanization is governed by an Urban Growth Management Agreement (UGMA), which when applied works to satisfy the intent of the Comprehensive Plan policies. The City of Roseburg and Douglas County UGMA was originally adopted in 1984. The first principle of the UGMA, found in Section 1.1 of the document states, "that the City and County agree to implement the City's Comprehensive Plan as the plan for the Urban Growth Area defined as the unincorporated area within the Roseburg UGB. The Roseburg Urban Area Comprehensive Plan, in conjunction with additional agreements within the UGMA, shall establish the standards and procedures for review and action on comprehensive plan amendments, land use ordinance changes, proposed land use actions, provision of services, public improvement projects, and other related matters which pertain to implementing the City Plan within the urban growth area."

Any proposed residential subdivisions will not be permitted within the new Charter Oaks area without prior annexation of lands into the City limits and extension of public sewer and water services. Land use approval will be required subject to the development requirements contained within the Roseburg Municipal Code. Current land use development code helps to ensure that notification is provided to surrounding property owners prior to development occurring. This helps to confirm that discretionary development standards are appropriately being administered.

Alex Palm, Principal of i.e. Engineering, a local survey, engineering and planning firm provided the following testimony during the public hearing to City Council. Mr. Palm indicated the following, "Conditions of approval are placed on each and every development to make certain that all criteria are followed in order to address neighboring concerns, but also ensure Charter Oaks doesn't paint itself into a corner. One of the latest approvals I helped a client obtain inside the City limits was for a 10-lot subdivision. The approval contained 56 development conditions in order to make sure it was built correctly. Please remember there are a huge amount of guardrails in place to make sure the development of Charter Oaks is done in a sane and orderly manner."

Roseburg Municipal Code 12.02.010 indicates that the purpose of the Land Use and Development Regulations is to provide for an orderly and efficient transition from rural to urban land use by ensuring that development of property is commensurate with the character and physical limitations of the land, and, in general, to promote and protect the public health, safety, convenience, and welfare.

City Council finds that the UGB Swap is consistent with the policies identified in Goal 11 - Public Facilities and Services and the City's Comprehensive Plan concerning the Public Facilities and Services Element. Council further acknowledges that land within Charter Oaks to be used for future development, requiring access to both sewer and water, will be required to be

annexed and follow all development requirements as outlined with the Roseburg Municipal Code.

D. PROCEDURAL

Comprehensive Plan Amendments are required to satisfy approval criteria contained within Roseburg Municipal Code (RMC) Section 12.10.020 – Legislative action procedures.

E. REVIEW CRITERIA

Pursuant to RMC 12.10.020(F)(2) the proposed legislative amendment must be analyzed for consistency with any substantive criteria deemed to apply, including policies within the Roseburg Urban Area Comprehensive Plan, Oregon Statewide Planning Goals, and other provisions of the Roseburg Municipal Code.

As required by RMC 12.10.020(F)(2) the legislative request for the UGB Exchange and subsequent land use actions was reviewed by the City based on the applicable criteria as follows:

- ORS 222 – “Boundary Changes, Annexations, Withdrawals”
- OAR 660-024 – “Urban Growth Boundaries”
- Oregon Statewide Planning Goals
- Roseburg Urban Area Comprehensive Plan Policies

Analysis and subsequent findings demonstrating consistency with the above listed criteria is provided in the Urban Growth Boundary Exchange Proposal: Staff Report and Findings document dated April 15, 2024, attached as Exhibit A. Findings adopted by the Roseburg Planning Commission dated May 20, 2024, recommending City Council approve the proposed UGB Swap, attached as Exhibit C, also provides evidence demonstrating consistency with the above listed criteria.

Findings located within this document, as well as testimony provided during the course of the City Council public hearing by City staff, witnesses called to speak on behalf of the application, and testimony provided in support of the proposal, sufficiently address the applicable criteria listed above and demonstrate that the proposal is consistent with these requirements and satisfies all necessary standards.


IV. CONCLUSION

Based on the findings provided within the April 15, 2024 Urban Growth Boundary Exchange Proposal: Staff Report and Findings document, the Planning Commission Findings, and testimony provided in support of the proposal during the public hearing, City Council concludes that the legislative amendment meets the criteria for approval in RMC Section 12.10.020.

V. ORDER

City Council therefore **APPROVES** the legislative amendments as listed below:

- A. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB;
- B. De-annexation of the Serafin and Atkinson properties that lie in city limits;
- C. Annexation of Troost St. right-of-way to the edge of the new UGB;
- D. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District; and,
- E. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB swap and to include Charter Oaks in Subarea 2 of the agreement.



 Larry Rich, Mayor

8-12-24

 Date



 Stuart Cowie, Community Development Director

8/12/24

 Date

City Councilors:
 Larry Rich (Mayor)
 David Mohr (Council President)
 Shelley Briggs Loosley
 Ellen Porter
 Tom Michalek
 Kylee Rummel
 Patrice Sipos
 Ruth Smith
 Andrea Zielinski

Exhibit A – April 15, 2024 Urban Growth Boundary Exchange Proposal: Staff Report and Findings (aka Application)
Exhibit B – Appendices
Exhibit C – May 20, 2024 Roseburg Planning Commission Findings of Fact and Order

STAFF EXHIBIT G

ORDINANCE NO. 3604

AN ORDINANCE DECLARING THE AMENDMENT OF THE CITY OF ROSEBURG URBAN GROWTH BOUNDARY; DEANNEXATION OF CERTAIN REAL PROPERTY; ANNEXATION OF PORTIONS OF TROOST ST. RIGHT-OF-WAY; AMMENDMENT TO THE COMPREHENSIVE PLAN MAP; AMMENDMENT TO THE URBAN GROWTH MANAGEMENT AGREEMENT; AND DIRECTING THE FILING OF INSTRUMENTS OF RECORD WITH THE SECRETARY OF STATE, THE DEPARTMENT OF REVENUE AND THE DOUGLAS COUNTY ASSESSOR.

WHEREAS, the City of Roseburg initiated an amendment to the Roseburg Urban Growth Boundary (UGB) to exclude real property from the UGB described in Exhibit A and Exhibit B, attached hereto and incorporated herein; and,

WHEREAS, the City of Roseburg initiated deannexation or withdrawal from the Roseburg City limits of real property described in Exhibit A and Exhibit B, attached hereto and incorporated herein. Properties removed from the Roseburg UGB and withdrawn from the city limits will be re-designated with new zoning designations on the Douglas County Zoning Map and be given new County Comprehensive Plan Map designations; and,

WHEREAS, the City of Roseburg initiated an amendment to the Roseburg UGB to include real property inside the UGB within the Charter Oaks area described in Exhibit C, attached hereto and incorporated herein; and,

WHEREAS, the City of Roseburg initiated the annexation of real property, identified as Troost St. right-of-way from the edge of the city limits to the edge of the new UGB, described and mapped in Exhibit D, attached hereto and incorporated herein; and,

WHEREAS, the annexation of real property identified as the Troost St. right-of-way, described in Exhibit D, necessitates the withdrawal of the property from Douglas County Fire District No. 2 as the right-of-way will now be served by the City of Roseburg Fire Department; and,

WHEREAS, the City of Roseburg initiated amendments to the Roseburg Comprehensive Plan Map to designate all the Charter Oaks area in the new UGB, described in Exhibit C, with a Low Density Residential (LDR) Comprehensive Plan designation, except for the approximately 17.5-acre property owned by the Roseburg Public School District, described in Exhibit E, attached hereto and incorporated herein; and,

WHEREAS, the City of Roseburg initiated amendments to the Roseburg Comprehensive Plan Map to designate the approximately 17.5-acre property owned by the Roseburg Public School District, described in Exhibit E, with a Public/Semi-Public (PSP) Comprehensive Plan designation, and,

WHEREAS, the City of Roseburg initiated amendments to the City of Roseburg/Douglas County Urban Growth Management Agreement (UGMA) to reflect the UGB amendments, to include Charter Oaks in Subarea 2 of the agreement, and to amend scrivener errors and update revised code references or inaccurate information as provided in Exhibit F, attached hereto and incorporated herein; and,

WHEREAS, the Roseburg Municipal Code Section 12.10.020 establishes the procedures for legislative amendments of the Roseburg Comprehensive Plan Map; and,

WHEREAS, the City of Roseburg submitted an application to the City Community Development Department, the Douglas County Planning Department and the Oregon Department of Land Conservation and Development addressing applicable code in ORS 222 – “Boundary Changes, Annexations, Withdrawals”, OAR 660-024 – “Urban Growth Boundaries”, Oregon Statewide Planning Goals, and Roseburg Urban Area and Douglas County Comprehensive Plan Policies; and,

WHEREAS, the City of Roseburg and Douglas County Planning Commissions held a joint public hearing after due and timely notice to consider the proposal and the City Planning Commission decided to recommend City Council approve the proposed amendments and the County Planning Commission decided to recommend the Board of County Commissioners co-adopt the proposed amendments; and,

WHEREAS, after reviewing the recommendation of the City Planning Commission, City Council conducted a public hearing and determined that the proposal conforms to the criteria as required in Roseburg Municipal Code Section 12.10.020 and approves the requested amendments.

WHEREAS, before these land use actions can become effective by the City Council, the Douglas County Board of Commissioners must approve a similar ordinance authorizing the exclusion of real property from the UGB as described in Exhibit A and Exhibit B; and include real property inside the UGB within the Charter Oaks area described in Exhibit C; amend the Douglas County Comprehensive Plan and Zoning Map for real property described in Exhibit A to a Rural Residential-5 (RR-5) plan designation and (5R) Rural Residential 5 zoning; and amend the Comprehensive Plan and Zoning for real property described in Exhibit B to a combination of Rural Residential-5 (RR-5) plan designation and (5R) Rural Residential 5 zoning, along with a portion designated as Farm Forest Transitional (FFT) with a (FF) Farm Forest zoning; and amend the County Zoning Map for the Charter Oaks property described in Exhibit C, applying the County’s (RS) Suburban Residential and (PR) Public/Semi-Public zoning (Exhibit E); and amend the UGMA to reflect the UGB amendments, to include Charter Oaks in Subarea 2 of the agreement, and to amend scrivener errors and update revised code references or inaccurate information as provided in Exhibit F

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

SECTION 1. The City Council hereby adopts its own Findings of Fact and Order, attached hereto and incorporated herein as Exhibit G, indicating that the legislative amendments meet the criteria identified in RMC Section 12.10.020 and approve the proposed request.

SECTION 2. The subject properties legally described in Exhibit A and Exhibit B are hereby removed from the City of Roseburg UGB.

SECTION 3. The subject properties legally described in Exhibit A and Exhibit B are hereby deannexed or withdrawn from the city limits.

SECTION 4. The subject properties within the Charter Oaks area legally described in Exhibit C are hereby added to the City of Roseburg UGB.

SECTION 5. The Troost St. right-of-way described and mapped in Exhibit D is hereby annexed to the City of Roseburg.

SECTION 6. The Troost St. right-of-way described and mapped in Exhibit D is hereby withdrawn from the boundaries of Douglas County Fire District No. 2.

SECTION 7. The City of Roseburg Comprehensive Plan Map is hereby amended to designate all of the Charter Oaks area included in the new UGB, described in Exhibit C, with a Low Density Residential (LDR) Comprehensive Plan designation, except for the approximately 17.5-acre property owned by the Roseburg Public School District, described in Exhibit E.

SECTION 8. The City of Roseburg Comprehensive Plan Map is hereby amended to designate the approximately 17.5-acre property owned by the Roseburg Public School District, described in Exhibit E, with a Public/Semi-Public (PSP) Comprehensive Plan designation.

SECTION 9. The amendments to the City of Roseburg/Douglas County UGMA as provided in Exhibit F are hereby approved by the City of Roseburg.

SECTION 10. Upon adoption of the ordinance, the City Recorder shall file a copy of the ordinance identifying the annexation of the Troost St. right-of-way and the withdrawal of the properties described in Exhibits A and B from the City limits, with the Secretary of State as required by ORS 222.177.

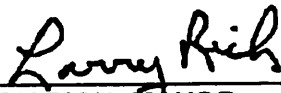
SECTION 11. The City Recorder shall submit the legal description and map of the Troost St. right-of-way (attached hereto as Exhibit D) and the legal descriptions of the properties being withdrawn from the City limits (attached hereto as Exhibits A and B) to the Douglas County Assessor and the Oregon Department of Revenue as required by ORS 308.225.

SECTION 12. Within 10 days from the effective date of the ordinance, the City shall submit to the Douglas County Clerk, County Assessor and Oregon Department of Revenue the legal description and map of the new annexed Troost St. right-of-way (attached hereto as Exhibit D) and the legal descriptions of the properties being withdrawn from the City limits (attached hereto as Exhibits A and B) in accordance with ORS 222.010.

SECTION 13. This ordinance shall become effective upon adoption by the Douglas County Board of Commissioners of a similar ordinance authorizing the exclusion of real property from the UGB as described in Exhibit A and Exhibit B; and include real property inside the UGB within the Charter Oaks area described in Exhibit C; amend the Douglas County Comprehensive Plan and Zoning Map for real property described in Exhibit A to a Rural Residential-5 (RR-5) plan designation and (5R) Rural Residential 5 zoning; and amend the Comprehensive Plan and Zoning for real property described in Exhibit B to a combination of Rural Residential-5 (RR-5) plan designation and (5R) Rural Residential 5 zoning, along with a portion designated as Farm Forest Transitional (FFT) with a (FF) Farm Forest zoning; and amend the County Zoning Map for the Charter Oaks property described in Exhibit C, applying the County's (RS) Suburban Residential and (PR) Public/Semi-Public zoning (Exhibit E); and amend the UGMA to reflect the UGB amendments, to include Charter Oaks in Subarea 2 of the agreement, and to amend scrivener errors and update revised code references or inaccurate information as provided in Exhibit F.

ADOPTED BY THE ROSEBURG CITY COUNCIL THIS 26th DAY OF August, 2024.

APPROVED BY THE MAYOR THIS 26th DAY OF August, 2024.



LARRY RICH, MAYOR

ATTEST:



AMY NYTES, CITY RECORDER

EXHIBITS

- Exhibit A – Atkinson Legal Description
- Exhibit B – Serafin Legal Description
- Exhibit C – Charter Oaks Legal Description
- Exhibit D – Troost ROW Legal Description
- Exhibit E – Charter Oaks; Roseburg Public School District; PSP Comp Plan Legal Description
- Exhibit F – UGMA Updates
- Exhibit G – City Council Findings of Fact and Order; Case File No. CPA-23-002

EXHIBIT A

—

A tract of land being all of PARCEL 2 of Partition Plat 2015-0016 located in the Southwest and Southeast Quarters of Section 2, and the Northwest and Northeast Quarters of Section 11, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

All of said PARCEL 2.

EXHIBIT B

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Beginning at the Northeast corner of PARCEL 3 of Partition Plat 2003-0045, Plat Records of Douglas County, being the Southwest corner of LOT 8 of the plat of Roseburg Orchards Company, Tract I, Plat I, Volume 4, Page 60, Douglas County Plat Records, being on the Southerly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along the North boundary of said PARCEL 3 and the North boundary of PARCEL 2, said Partition Plat 2003-0045, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said PARCEL 2; Thence Southerly along the West boundary of said PARCEL 2 and PARCEL 1 of said Partition Plat 2003-0045, coincident with the Easterly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I, to the Northeast corner of LOT 2, Block 3 of the Resubdivision of First Subdivision of Cloverdale Addition to Roseburg, Volume 11, Pages 59, 60, and 61, Plat Records of Douglas County; Thence Westerly along the North boundary of said Block 3 and the North boundary of Block 2, said Resubdivision of First Subdivision of Cloverdale Addition to Roseburg, coincident with the Southerly Right-of-Way boundary of NE Barager Avenue, to a point on the North boundary of LOT 1, said Block 2, being the intersection of said North boundary with the southerly extension of the East boundary of Block 2, Sylvan Hills, Volume 15, Page 75, Plat Records of Douglas County; Thence leaving the North boundary of said LOT 1 and the Southerly Right-of-Way of said NE Barager Avenue, Northerly to the Southeast corner of LOT 1, said Block 2, Sylvan Hills, being on the Northerly Right-of-Way boundary of said NE Barager Avenue; Thence leaving said Northerly Right-of-Way boundary, Northerly along the East boundary of said Block 2 to the Northeast corner of LOT 9, said Block 2; Thence continuing Northerly along the East boundary of that 25.00-foot strip described in Instrument Number 2003-18615 and shown on the Major Land Partition, Book 7, Page 64, Douglas County Plat Records and the East boundary of PARCEL 1 of said Major Land Partition Book 7, Page 64 to a point on the North boundary of LOT 136 of the aforementioned plat of Roseburg Orchards Company, Tract I, Plat I, being the most Southerly Southwest corner of PARCEL 3 of Partition Plat 2021-0008, Plat Records of Douglas County; Thence continuing Northerly along said East boundary of said PARCEL 1, coincident with the Southwesterly boundary of said PARCEL 3 to the most Westerly Southwest corner of said PARCEL 3; Thence leaving said East boundary, Northerly along the West boundary of said PARCEL 3 to the Northwest corner of said PARCEL 3, being on the North boundary of LOT 145 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Easterly along said North boundary to a point on the Westerly boundary of LOT 120 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Northerly along said West boundary to the Northwest corner of said LOT 120; Thence Easterly along the Northerly boundary of said LOT 120 to the Northeast corner of said LOT 120, being on the Westerly Right-of-Way boundary of a 40.00-foot platted roadway per said plat of Roseburg Orchards Company, Tract I, Plat I; Thence leaving said Westerly Right-of-Way boundary Easterly to the Southwest corner of LOT 111 of said plat of Roseburg Orchards Company, Tract I, Plat I, being on the Easterly Right-of-Way of said platted roadway; Thence Leaving said Easterly Right-of-Way boundary, Northerly along the

EXHIBIT B

Southerly boundary of said LOT 111 to the Southeast corner of that tract described in Exhibit "C" of Instrument Number 2020-22071, Deed Records of Douglas County; Thence leaving said Southerly boundary of said LOT 111, Northerly along the Easterly boundary of said Exhibit "C" to the Northeast corner of said Exhibit "C" being on the Northerly boundary of said LOT 111; Thence Easterly along said Northerly boundary to the Northeast corner of said LOT 111; Thence Southerly along the Easterly of said LOT 111 and the Easterly boundary of said LOT 110 of said plat of Roseburg Orchards Company, Tract I, Plat I, to the Southeast corner of said LOT 110; Thence Westerly along the Southerly boundary of said LOT 110 to a point on the North boundary of LOT 105 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Westerly along said North boundary to the Northwest corner of said LOT 105; Thence Southerly along the West boundary of said LOT 105 and the West boundary of LOT 106 of said plat of Roseburg Orchards Company, Tract I, Plat I to the Southwest corner of said LOT 106 being on the North boundary of aforementioned LOT 8 of said plat of Roseburg Orchards Company, Tract I, Plat I, Volume 4, Page 60, Douglas County Plat Records; Thence Westerly along the North boundary of said LOT 8 to the Northeast corner of aforementioned LOT 123 of said plat of Roseburg Orchards Company, Tract I, Plat I; Thence Southerly along the East boundary of said LOT 123 to the Point of Beginning and there terminating.

EXHIBIT C

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A tract of land being a portion of the Southwest, Northwest, Northeast, and Southeast Quarters of Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, the exterior boundary of which is more particularly described as follows:

Beginning at the West Quarter corner of said Section 15; Thence Northerly to the intersection of the Southwest corner of that tract of land described as PARCEL 1 of Exhibit "B" of Instrument Number 2009-10596, Deed Records of Douglas County, being on the Northerly Right-of-Way boundary of NW Troost Street (Douglas County Road Number 144); Thence Easterly along the South boundary of said PARCEL 1, coincident with said Northerly Right-of-Way boundary, to the Southeast corner of said PARCEL 1, being the Southwest corner of PARCEL 1 described in Instrument Number 2005-23168; Thence Northerly along the west boundary of said PARCEL 1 to the Northwest corner of said PARCEL 1; Thence Easterly along the North boundary of said PARCEL 1 to the Northeast corner of said PARCEL 1, being the Northwest corner of Instrument Number 2021-07579, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 2021-07579 to the Northeast corner of said Instrument Number 2021-07579 being on the Southerly boundary of Instrument Number 2022-18545, Deed Records of Douglas County; Thence leaving said Southerly boundary, Easterly to the Northwest corner of PARCEL 2, Instrument Number 2015-02055, Deed Records of Douglas County, being on the aforementioned Southerly boundary of said Instrument Number 2020-18545; Thence Easterly along the North boundary of said PARCEL 2 to the Northeast corner of PARCEL 2, being the Northwest corner of Instrument Number 1994-17401, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 1994-17401 to the Northeast corner of said Instrument Number 1994-17401, being on the West boundary of Instrument Number 1997-10157, Deed Records of Douglas County; Thence Northerly along said West boundary to the Northwest corner of said Instrument Number 1997-10157, being the most Westerly Southwest corner of Instrument Number 2020-09143, Deed Records of Douglas County; Thence Northerly along the West boundary of said Instrument Number 2020-09143 to the Northwest corner of said Instrument Number 2020-09143; Thence Easterly along the North boundary of said Instrument Number 2020-09143 to the Northeast corner of said Instrument Number 2020-09143, being the Northwest corner of Instrument Number 2008-17787, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 2008-17787 to the Northeast corner of said Instrument Number 2008-17787, being the Northwest corner of Instrument Number 2022-16022, Deed Records of Douglas County; Thence Easterly along the North boundary of said Instrument Number 2022-16022 to the Northeast corner of said Instrument Number 2022-16022, being the Northwest corner of PARCEL 1 of Instrument Number 2022-14933, Deed Records of Douglas County; Thence Easterly along the North boundary of said PARCEL 1 to the Northeast corner of said PARCEL 1; Thence Southerly along the East boundary of said PARCEL 1 to the Southeast corner of said PARCEL 1, being the Northwest corner of Instrument Number 2021-13963, Deed Records of Douglas County; Thence Southerly along the East boundary of said Instrument Number 2021-13963 to the Southwest corner of LOT 46, Hoover Hills Subdivision, Phase 3, Volume 21, Page 28, Plat Records of Douglas County; Thence leaving said East boundary Southeasterly along the South boundary of said LOT 46 to the most Southerly Southeast corner of said LOT 46, being the most Southerly of LOT 45, said Hoover Hills Subdivision, Phase 3 and the most Westerly corner of

EXHIBIT C

LOT 9, Hoover Hills Subdivision, Phase 1, Volume 20, Page 39, Plat Records of Douglas County; Thence Southeasterly along the Southerly boundary of said LOT 9 and LOTS 8 through 2 of said Hoover Hills Subdivision, Phase 1, to the Southeast corner of said LOT 2, being on the Northerly boundary of PARCEL 3, Partition Plat 2022-0018, Plat Record of Douglas County; Thence Easterly along said Northerly boundary to the Northeast corner of said PARCEL 3, being on the Westerly Right-of-Way boundary of said NW Troost Street; Thence leaving said Westerly Right-of-Way boundary Easterly across said Right-of-Way to the Northwest corner of PARCEL 1 of Instrument Number 2022-13541, Deed Records of Douglas County, being on the Easterly Right-of-Way of said Troost Street; Thence Southerly along the West boundary of said PARCEL 1 and the West boundary of PARCEL 2, said Instrument Number 2022-13541, and the West boundary of Instrument Number 2000-08345, Deed Records of Douglas County, coincident with said Easterly Right-of-Way boundary, to the Southwest corner of said Instrument Number 2000-08345, being the Northwest corner of Instrument Number 2021-03739, Deed Records of Douglas County; Thence Southerly along the West boundary of said Instrument Number 2021-03739, coincident with said Easterly right-of-way boundary and the Southerly Right-of-Way boundary of said Troost Street to the Northeast corner of PARCEL 1 of 2008-01724, Deed Records of Douglas County; Thence leaving said Southerly Right-of-Way boundary along the West boundary said Instrument Number 2021-03739, coincident with the East boundary of said PARCEL 1, to the HIGH BANK of the South Umpqua River; Thence Southwesterly along said high bank to the Southeast corner of PARCEL 2 of Partition Plat 2014-0001, Plat Records of Douglas County; Thence leaving said HIGH BANK, Westerly along the South boundary of said PARCEL 2 and the South boundary of PARCEL 1 of said Partition Plat 2014-0001 to the Southwest corner of said PARCEL 1; Thence Northerly along the Westerly boundary of said PARCEL 1 the Northwest corner of said PARCEL 1, being the Southwest corner of PARCEL 2 of Partition Plat 2004-0002, Plat Records of Douglas County; Thence Northerly along the West boundary of said PARCEL 2 to the Southeast corner of the North 775.00 feet of Instrument Number 2009-20359, Deed Records of Douglas County; Thence leaving said West boundary Westerly along the South boundary of the South 775.00 feet of said 2009-20359 to the Southwest corner of the South 775.00 feet of said Instrument Number 2009-20359; Thence Northerly along the West boundary of said Instrument Number 2009-20359 to the Northwest corner of said Instrument Number 2009-20359, being the Southwest corner of Instrument Number 1996-23480, Deed Records of Douglas County; Thence Northerly along the West boundary of said Instrument Number 1996-23480 to the Point of Beginning and there terminating.

EXHIBIT D

A portion of the Right-of-Way of NW Troost Street (Douglas County Road Number 144) located in the Northeast, Southeast, Northwest, and Southwest Quarter of Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of PARCEL 3, Partition Plat 2022-0018, Plat Records of Douglas County, being on the Westerly Right-of-Way boundary of said NW Troost Street (Douglas County Road Number 144); Thence Leaving said Westerly Right-of-way boundary Easterly across said Right-of-Way to the Northwest corner of PARCEL 1 of Instrument Number 2022-13541, Deed Records of Douglas County, being on the Easterly Right-of-Way of said NW Troost Street; Thence Southerly along the West boundary of said PARCEL 1 and the West boundary of PARCEL 2, said Instrument Number 2022-13541, and the West boundary of Instrument Number 2000-08345, Deed Records of Douglas County, coincident with said Easterly Right-of-Way boundary, to the Southwest corner of said Instrument Number 2000-08345, being the Northwest corner of Instrument Number 2021-03739, Deed Records of Douglas County; Thence Southerly along the West boundary of said Instrument Number 2021-03739, coincident with said Easterly right-of-way boundary and the Southerly Right-of-Way boundary of said NW Troost Street, to the Northeast corner of PARCEL 1 of Instrument Number 2008-01724, Deed Records of Douglas County; Thence Westerly along the North boundary of said PARCEL 1, coincident with said Southerly Right-of-Way boundary, to the Northeast corner of Instrument Number 2021-14895, Deed Records of Douglas County; Thence Westerly along the North boundary of said Instrument Number 2021-14895, coincident with said Southerly Right-of-Way boundary, to the Northeast corner of Instrument Number 2021-20379, Deed Records of Douglas County; Thence Southwesterly along the Northerly boundary of said Instrument Number 2021-20379 to the Northeast corner of Instrument Number 1977-04906, Deed Records of Douglas County; Thence Southwesterly along the Northerly corner of said Instrument Number 1977-04906 to the Easterly Right-of-Way boundary of Charter Oaks Drive (Douglas County Road Number 290); Thence leaving said Easterly Right-of-Way boundary, Westerly in a straight Line to the Northeast corner of that land vacated through Ordinance dated February 25th, 1966, Instrument Number 1966-02395, Deed Records of Douglas County, being at the intersection of the Westerly Right-of-way boundary of said Charter Oaks Drive and the aforementioned Southerly Right-of-Way boundary of said Troost Street; Thence leaving said Westerly Right-of-Way boundary, Northwesterly along the North boundary of said Instrument Number 1966-02395, coincident with said Southerly Right-of-Way boundary to the Northeast corner of Lot 8, Block 1, Park Haven, Volume 11, Page 20, Plat Records of Douglas County, described in Instrument Number 2013-18190, Deed Records of Douglas County; Thence Northwesterly along the North boundary of said Lot 8, coincident with said Southerly Right-of-way boundary, to the Northeast corner of Instrument Number 1994-22522, Lot 7, Block 1, Park Haven, Volume 11, Page 20, Plat Records of Douglas County; Thence Northwesterly along said Lot 7, coincident with said Southerly Right-of-Way boundary, to the Northeast corner of Lot 6, said Block 1, described in said Instrument Number 2013-18190; Thence Westerly along the North boundaries of said Lot 6 and Lots 1 through 5, said Block 1, all described in said Instrument Number 2013-18190, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said Lot 1, said Block 1, being at the intersection of said Southerly Right-of-Way and the Easterly Right-of-Way of Cloake Street; Thence

EXHIBIT D

leaving said Easterly Right-of-Way, Westerly along said Southerly Right-of-Way boundary to the Northeast corner of the Roseburg School District Property (School District Number 4), described in Instrument Number 329293, Deed Records of Douglas County, being the intersection of the Westerly Right-of-Way boundary of said Cloake Street and said Southerly Right-of-Way boundary; Thence leaving said Easterly Right-of-Way boundary, Westerly along the North boundary of Instrument Number 329293, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said Instrument Number 329293, being on the East boundary of that strip of land described in Instrument Number 1998-29158, Deed Records of Douglas County; Thence Northerly along said East boundary to the Northeast corner of said Instrument Number 1998-29158 and its intersection with said Southerly Right-of-Way boundary; Thence Westerly along the North boundary of said Instrument Number 1998-29158, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said Instrument Number 1998-29158; Thence Southerly along the West boundary of said Instrument Number 1998-29158 to the Northeast corner of Lot 1, Block 4, Fairlea, Volume 11, Page 17, Plat Records of Douglas County, described in Instrument Number 2014-15889, Deed Records of Douglas County; Thence leaving said West boundary, Westerly along the North boundary of said Lot 1 to the Northwest corner of said Lot 1, being the intersection of the Westerly Right-of-Way boundary of Colwood Street and said Southerly Right-of-Way boundary; Thence leaving said Easterly Right-of-Way boundary, Westerly along said Southerly Right-of-Way boundary to the Northeast corner of Lot 12, Block 3, said Fairlea, described in said Instrument Number 2014-15889; Thence Westerly along the North boundary of said Lot 12 and the North boundary of Lot 1, said Block 3, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said Lot 1, being the intersection of the Easterly Right-of-Way boundary of Brentwood Street and said Southerly Right-of-Way; Thence leaving said Easterly Right-of-Way boundary, Westerly along said Southerly Right-of-Way boundary to the Northeast corner of Lot 12, Block 2, said Fairlea, described in Instrument Number 2021-08729, Deed Records of Douglas County; Thence Westerly along the North boundary of said Lot 12 and the North boundary of Lot 1, said Block 2, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said Lot 1, being the intersection of the Easterly Right-of-Way boundary of Alderwood Street and said Southerly Right-of-Way boundary; Thence leaving said Easterly Right-of-Way boundary, Westerly along said Southerly Right-of-Way boundary to the Northeast corner of Lot 1, Block 1, said Fairlea, described in said Instrument 2021-07829; Thence Westerly along the North boundary of said Lot 1 to the Northwest corner of said Lot 1, being on the East boundary of that tract of land described in Instrument Number 1996-23480, Deed Records of Douglas County; Thence Northerly along said East boundary to the Northeast corner of said Instrument Number 1996-23480 to the its intersection with said Southerly Right-of-Way boundary; Thence Westerly along the North boundary of said Instrument Number 1996-23480, coincident with said Southerly Right-of-Way boundary, to the Northwest corner of said Instrument Number 1996-23480; Thence leaving said Southerly Right-of-Way boundary, Northerly across said Right-of-Way to the Southwest corner of that tract of land described as PARCEL 2 of Exhibit "C" of Instrument Number 2009-10596, Deed Records of Douglas County, being on the Northerly Right-of-Way boundary of said NW Troost Street; Thence Easterly along the South boundary of said PARCEL 2, coincident with said Northerly Right-of-Way boundary, to the Southeast corner of PARCEL 1 of Instrument Number 2005-23168, Deed Records of Douglas County; Thence Easterly along the South boundary of said PARCEL 1, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of PARCEL 3, said Instrument Number 2005-23168; Thence Easterly along the South boundary of said PARCEL 3, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number

EXHIBIT D

2021-07579, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2021-07579, coincident with said Northerly Right-of-Way boundary, to the most Southerly Southwest corner of Instrument Number 2022-18545, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2022-18545, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of PARCEL 2 of Instrument Number 2015-02055, Deed Records of Douglas County; Thence Easterly along the South boundary of said PARCEL 2, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 1994-17401, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 1994-17401, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 1997-10157, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 1997-10157, coincident with said Northerly Right-of-Way boundary, to the most Southerly Southwest corner of that tract of land described as Tax ID R15129 of Instrument Number 2020-09143, Deed Records of Douglas County; Thence Easterly along the South boundary of said Tax ID R15129 of said Instrument Number 2020-09143, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of PARCEL 1 of Tax ID R15193 of said Instrument Number 2020-09143; Thence Easterly along said PARCEL 1, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of PARCEL 2, Instrument Number 2020-04196, Deed Records of Douglas County; Thence Easterly along the South boundary of said PARCEL 2, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of PARCEL 1 of said Instrument Number 2020-04196; Thence Easterly along the South boundary of said PARCEL 1, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 2022-12156, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2022-12156, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 2018-13756, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2018-13756, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 2015-16036, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2015-16036, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 2017-02348, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2017-02348, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of PARCEL 2 of Instrument Number 2012-10981, Deed Records of Douglas County; Thence Easterly along the South boundary of said PARCEL 2, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 2015-05845, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2015-05845, coincident with said Northerly Right-of-way boundary, to the most Southerly Southwest corner of Instrument Number 2008-17787, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2008-17787, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Instrument Number 2022-16022, Deed Records of Douglas County; Thence Easterly along the South boundary of said Instrument Number 2022-16022, coincident with said Northerly Right-of-Way boundary, to the Northwest corner of Instrument Number 2018-05679, Deed Records of Douglas County; Thence leaving said South boundary, Easterly along the Southerly boundary of said Instrument Number 2018-05679, coincident with said Northerly Right-of-Way boundary, to the Northeast corner of said Instrument Number 2018-05679; Thence along a Northeasterly extension of said Southerly boundary across a 10.00-foot wide strip as shown on the Stringer Plat, Volume 9, page 9,

EXHIBIT D

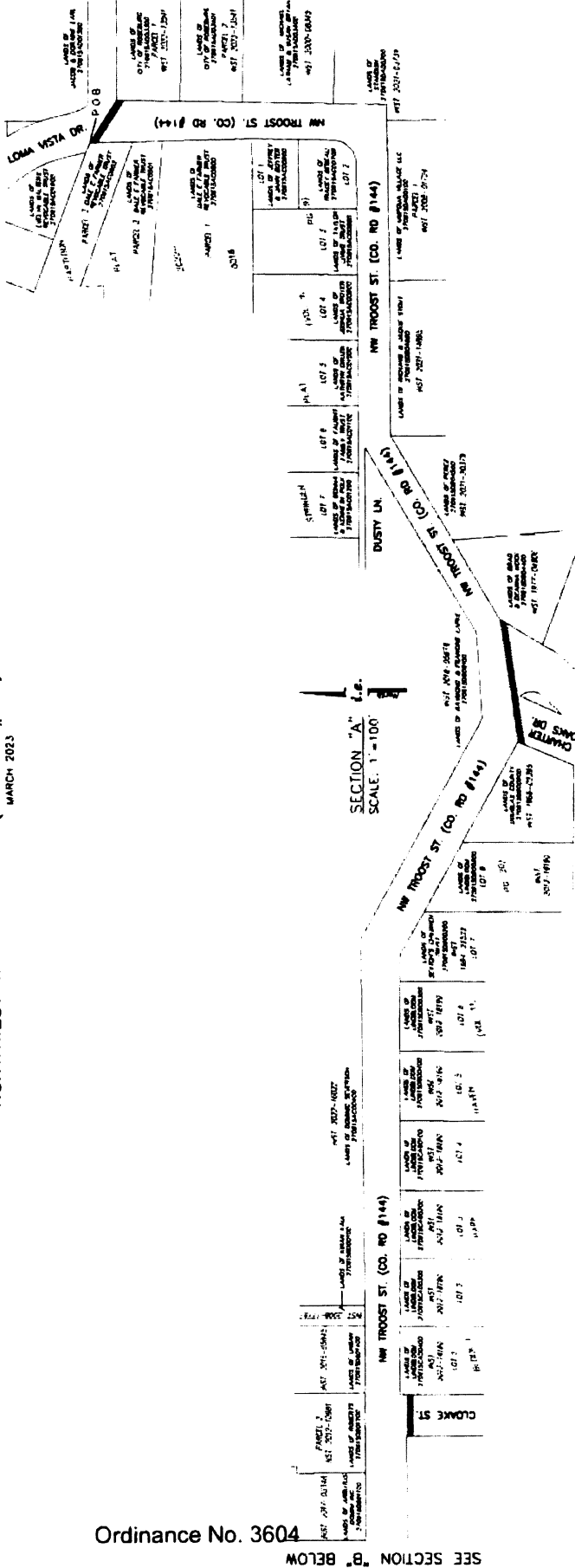
Plat Records of Douglas county, to its intersection with the South boundary of Lot 6, said Stringer Plat, described in Instrument Number 2015-10069, Deed Records of Douglas County; Thence Easterly along the South boundary of said Lot 6, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Lot 5, said Stringer Plat, described in Instrument Number 1991-16757, Deed Records of Douglas County; Thence Easterly along the South boundary of said Lot 5, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Lot 4, said Stringer Plat, described in Instrument Number 2021-20181, Deed Records of Douglas County; Thence Easterly along the South boundary of said Lot 4, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Lot 3, said Stringer Plat, described in Instrument Number 2021-24733, Deed Records of Douglas County; Thence Easterly along the South boundary of said Lot 3, coincident with said Northerly Right-of-Way boundary, to the Southwest corner of Lot 2, said Stringer Plat, described in Instrument Number 2001-08768, Deed Records of Douglas County; Thence Easterly and Northerly along the South and East boundaries, respectively, coincident with said Northerly Right-of-Way boundary and the Westerly Right-of-Way boundary of said NW Troost Street, to the Southeast corner of Lot 1, said Stringer Plat, being the Southeast corner of that portion of said Lot 1 described in Instrument Number 2002-04957, Deed Records of Douglas County; Thence Northerly along the East boundary of said Lot 2, coincident with said Westerly Right-of-Way boundary, to the Southeast corner of PARCEL 1 of the aforementioned Partition Plat 2022-0018, described in Instrument Number 2022-00921, Deed Records of Douglas County; Thence Northerly along the East boundary of said PARCEL 1 and the East boundaries of PARCELS 2 and 3, said Partition Plat 2022-0018, described in said Instrument Number 2022-00921, to the POINT OF BEGINNING and there terminating.

NORTHWEST TROOST STREET (CO. RD. #140) RIGHT-OF-WAY EXHIBIT

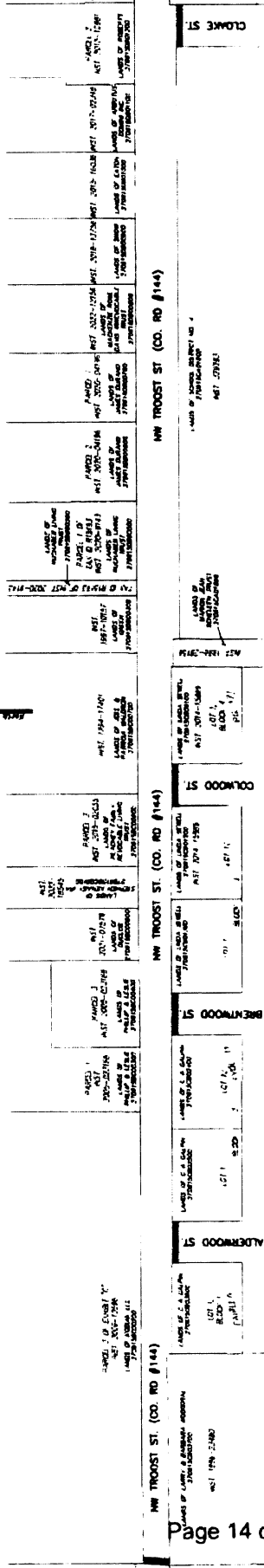
MARCH 2023

Ordinance No. 3604

SEE SECTION "B" BELOW



SECTION "B"
SCALE: 1" = 100'



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SHEET 1 OF 1
 JOB NO. 0149-221
 CITY OF ROSEBURG
 PROJECT NO. 2023-0001
 ROSEBURG, OR 97130
 800 SE Pine Street
 Roseburg, Oregon 97470
 PHONE (541) 872-0166
 FAX (541) 840-5392
 roseburgenr.com



EXHIBIT E

—
SCHOOL DISTRICT NUMBER 4 PROPERTY

A tract of land being a portion of that land described in Instrument Number 329293, Deed Records of Douglas County, located in the Southwest Quarter of Section 15, Township 27 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

Beginning at the intersection of the Southerly Right-of-Way boundary of NW Troost Street (Douglas County Road Number 144) and the Westerly Right-of-Way boundary of Cloake Street; Thence leaving said Southerly Right-of-Way boundary, Southerly along said Westerly Right-of-Way boundary 890 feet, more or less to the Southeast corner of said Instrument Number 329293; Thence leaving said Westerly Right-of-Way boundary, Westerly along the South boundary of said of said Instrument Number 329293 to the Easterly Right-of-Way boundary of Felt Street; Thence Northerly along said Easterly Right-of-Way boundary, 890 feet, more or less, to the intersection of said Easterly Right-of-Way boundary and the aforementioned Southerly Right-of-Way boundary of said NW Troost Street; Thence Easterly along said Southerly Right-of-Way boundary to the Point of Beginning and there terminating.

EXHIBIT F

CITY OF ROSEBURG/DOUGLAS COUNTY URBAN GROWTH MANAGEMENT AGREEMENT

AGREEMENT BETWEEN THE CITY OF ROSEBURG AND DOUGLAS COUNTY, FOR THE JOINT MANAGEMENT OF THE ROSEBURG URBAN GROWTH AREA AND FOR THE COORDINATION OF LAND USE ACTIVITY IN IDENTIFIED AREAS OF MUTUAL INTEREST.

RECITALS:

- A. The City of Roseburg (City), and Douglas County (County), are authorized under the provisions of ORS 190.003 to 190.030 to enter into intergovernmental agreements for the performance of any or all functions that a party to the agreement has authority to perform; and
- B. ORS 197.175, 197.190, and 197.250, require counties and cities to prepare and adopt comprehensive plans consistent with statewide planning goals, and to enact ordinances or regulations to implement the comprehensive plans; and
- C. Statewide Planning Goal 14 requires that the establishment and change of urban growth boundaries shall be through a cooperative process between the city and the county; and
- D. The City and the County share a common concern regarding development and use of lands within the Urban Growth Area (UGA) and other identified areas of mutual interest; and
- E. The City and the County are required to have coordinated and consistent comprehensive plans which establish an Urban Growth Boundary (UGB) and a plan for the UGA; and Statewide Planning Goal 2 requires the City and County to maintain a consistent and coordinated plan for the UGA and UGB when amending their respective comprehensive plans; and
- F. The City and the County recognize that it is necessary to cooperate with each other to implement the City Plan for the UGA

EXHIBIT F

NOW THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. Intent of Agreement

1.1 The City and the County hereby establish a procedure to implement the ~~Roseburg Urban Area Comprehensive Plan (City Plan)~~ ~~City Plan~~ for the Roseburg Urban Growth Area (UGA). The "plan for the UGA" shall consist of the Roseburg Urban Area Comprehensive Plan. For purposes of this agreement, the ~~Roseburg Urban Growth Area (UGA)~~ shall be defined as the unincorporated area within the Roseburg Urban Growth Boundary (UGB). The City and County Comprehensive Plans are incorporated in this agreement by reference.

1.2. The ~~Roseburg Urban Area Comprehensive Plan (City Plan)~~, in conjunction with this agreement, shall establish the standards and procedures for review and action on comprehensive plan amendments, land use ordinance changes, proposed land use actions, provision of services, public improvement projects, and other related matters which pertain to implementing the City Plan within the UGA.

1.3. The City shall have jurisdiction within the UGA, to implement the City Plan using City land use ordinances in jurisdictional subarea No. 1 as delineated in Exhibit A attached hereto and incorporated herein by this reference.

1.4. The County adopts, and incorporates by reference, the current (current as of the date of this agreement) City Comprehensive Plan, as it applies to the UGA, and the current City land use ordinances and authorizes the City to administer those ordinances within jurisdictional subarea No. 1 as provided for in this agreement.

1.5 The County shall have jurisdiction within the UGA, to implement the City Plan using County land use ordinances in jurisdictional subarea No. 2 as delineated in Exhibit A attached hereto and incorporated herein by this reference. In addition, the County shall apply the standards set forth in the attached Exhibit B, as appropriate, to all land use actions in jurisdictional subarea No.2.

1.6 It is recognized that within the UGB a variety of urban services are provided including sanitary sewer, water, storm drainage, fire protection, parks and recreation, and transportation. Providers of such services contribute both to existing services and future development within the UGB and serve essential functions. It is intended that this agreement serve to strengthen coordination between urban service providers, the County, and the City in order to maximize efficiency of urban service delivery within the UGB.

1.7 The boundaries of jurisdictional subareas No. 1 and No. 2 may be amended as provided in Section 12 of this agreement.

EXHIBIT F

1.8. All actions as specified by this agreement shall be taken to ~~en~~ensure that the City and County comprehensive plans remain consistent and coordinated with each other.

1.9. All land within the UGB may be subject to future annexation, however, establishment of a UGB does not imply that all land within the boundary will be annexed.

1.10. This Urban Growth Management ~~a~~Agreement (UGMA) replaces all prior UGMAs between the City and the County.

2. Amendments to the City Plan and City Land Use Ordinances.

2.1. All City Plan text or map amendments and all City Land Use and Development Ordinance amendments, not including Zone Map amendments, affecting the UGA shall be enacted in accordance with the procedures established in this Section. This section does not apply to those areas within the city limits of Roseburg.

2.1.1. All amendments referenced in Subsection 2.1 shall be initially processed by the City. The City shall notify the County of the proposed amendment at least 20 days before the City Planning Commission's first hearing. The City Planning Commission shall consider the County's comments when making its recommendation. The City Planning Commission's recommendation shall be forwarded to the County for comments. The County may provide additional comments prior to the City Council's (Council) final decision. In making its decision, the Council shall consider the comments of the County. The City shall notify the County in writing of its decision.

2.1.2. Within 14 days of receipt of written notice of the Council's decision, the Board of Commissioners (Board) may, on its own motion, notify the City of its intent to review the Council's decision. If the Board fails to respond within 14 days, the Council's decision shall be final and take effect, for the UGA, on the 15th day.

2.1.3. If the Board reviews the Council's decision, the Board shall establish a hearing date for its review which shall be held within 30 days from the date the City is given written notice of the Board's intent to review. If the review is of a quasi-judicial proceeding, it shall be confined to arguments of those who qualified as parties in the proceedings conducted by the City and to a de novo review of the record of the proceeding before the City Council and City Planning Commission. Notice and opportunity to be heard shall be provided as if the hearing were a review of a decision of the County Planning Commission. If the review is not quasi-judicial in nature, the review shall be de novo and any person may appear and be heard. The Board shall render a decision on the review within 30 days after such hearing.

2.1.4. If the Board reviews the Council's decision, the Council's decision shall not take effect in the UGA until 31 days after the hearing by the Board unless the Board affirms the Council's decision before the 31-day period elapses. In such case the Council's decision, if affirmed by the Board, shall take effect immediately upon the decision of the Board. If the Board

EXHIBIT F

reverses the Council's decision before the 31-day period elapses, the Council's decision shall not take effect in the UGA and the City may appeal such reversal to the Land Use Board of Appeals within the time period specified in ORS 197.830 and OAR 661-10-015.

2.1.5. If the Board fails to make a decision within 30 days after ~~it's~~ the hearing, the decision of the Council shall take effect on the 31st day after the Board's hearing.

3. Review Process for Land Use Actions

3.1 Subsection 3.2. applies to the following land use actions being considered in jurisdictional subarea No.1 within the UGA:

- a. Amendments to the Zoning Map
- b. Conditional Use Permits
- c. Planned Unit Developments
- d. Subdivisions
- e. Partitions
- f. Road Dedications and Vacations

3.1.1 Subsection 3.4 applies to the following land use action being considered in jurisdictional subarea No. 1 within the UGA:

- a. Alteration, Restoration or Repair of and continuance of a residential nonconforming use.

3.2. All applications for land use actions referenced in Subsection 3.1. shall be initially processed by the City. The City shall notify the County of each application and shall give the County 15 days to comment. Other land use actions not specifically dealt with in this UGMA shall be administered by the ~~e~~City without notice to Douglas County.

3.2.1. The County's failure to timely respond to the notice shall mean no comment regarding the proposal

3.2.2. In making its decision, the City shall consider, and is obligated to respond to, as appropriate, all comments made by the County ~~regarding with regard to~~ the notice. The City shall notify the County in writing of all land use decisions, as listed in Subsection 3.1., whether or not the County has commented. If a timely response is received by the City from the County, the County shall have standing to appeal decisions consistent with the appeals process specified in the City Land Use and Development Ordinance for those areas within subarea No.1.

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3.3 Subsection 3.4 applies to the following land use actions being considered in jurisdictional subarea No. 2 within the UGA

- a. Amendments to the Zoning Map
- b. Conditional Use Permits
- c. Planned Unit Developments
- d. Subdivisions
- e. Partitions
- f. Road Dedications and Vacations
- g. Riparian Setback Variances

3.4. All applications for land use actions referenced in Subsection 3.3. and 3.1.1. shall be initially processed by the County. The County shall notify the City of each application and shall give the City 14 days to comment. Other land use actions not specifically dealt with in this UGMA shall be administered by the County without notice to the City.

3.4.1. The City's failure to timely respond to the notice shall mean no comment regarding the proposal

3.4.2. In making its decision, the County shall consider, and is obligated to respond to, as appropriate, all comments made by the City with regard to the notice. The County shall notify the City in writing of all land use decisions, as listed in Subsection 3.3., whether or not the City has commented. If a timely response is received by the County from the City, the City shall have standing to appeal decisions consistent with the appeals process specified in the County Land Use and Development Ordinance.

4. Review Process for Other Specified Land Use Activities

4.1. The City and County shall use the following process for review and action on legislative amendments not covered under Section 2 of this agreement and public improvement projects specified below which affect land use within the UGA.

4.1.1. The County shall seek comments from the City with regard to the following items, for which the County has ultimate decision-making authority, and which affect land use within the UGA.

- a. Major public works projects sponsored by the County for transportation improvements.
- b. Proposed plan, or plan amendments, for sewer, water, drainage, solid waste, or transportation.

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- c. Proposal for formation of, or changes of organization, boundary, or function of special districts, as these terms are defined in ORS 198.705 to ORS 198.710.
- d. Recommendations for designation of an area as a health hazard.

4.1.2. The City shall seek comments from the County ~~regarding with regard to~~ the following items, for which the City has ultimate decision-making authority, and which affect land use within the UGA.

- a. Proposed plan, or plan amendments, for sewer, water, drainage, solid waste, or transportation.
- b. Proposals for extension of any City service, utility, or facility outside of the UGB.
- c. Major public works projects sponsored by the City for transportation improvements.

4.2. The initiating jurisdiction shall allow the responding jurisdiction 30 days to comment ~~regarding with regard to~~ the items listed in Subsections 4.1.1. and 4.1.2. Failure to timely respond to the proposal shall mean no comment.

4.3. The initiating jurisdiction shall consider and respond to the comments of the responding jurisdiction in making its decision.

5. Approvals for Structural Development (Building Permits)

5.1. Requests for authorization of structural development which can be authorized at the ministerial level, within jurisdictional subarea No. 1 of the UGA, shall be initiated at the City. Requests for authorization of structural development within jurisdictional subarea No. 2 shall be initiated at the County.

5.1.1. The City may utilize (within subarea No. 1) a discretionary structural development review process (site plan review) as required by the City's ordinance. The City may charge a fee for site plan review as provided in City Ordinances. Notice of fee changes shall be provided to the County under the process specified in Section 3 of this agreement. The City's site plan review process may impose additional conditions to approvals of structural development that are necessary to implement the City ordinances.

5.1.2. Floodplain Certifications: The County shall be responsible for authorizing floodplain certification on structural development in the UGA. Such certification shall be consistent with the County's floodplain ordinance except that the City's floor height elevation shall apply if higher than the County standard.

EXHIBIT F

- a For requests initially processed by the City in jurisdictional subarea No. 1, the City will first review and, if appropriate, approve the land use portion of the request. The City will then forward the request to the County and the County will review and, if appropriate, sign off the floodplain certification clearance, thereby completing the process.

5.2. The County shall have the authority for issuing permits (commonly referred to as "building permits"), as provided for by the State Building Codes Agency, within the UGA. Within jurisdictional ~~Sub Area~~ subarea No. 1 the County shall not issue "building permits" without written verification from the City that site plan review pursuant to subsection 5.1.1. has been completed.

5.2.1. County issued permits include, but are not limited to: structural, mechanical, plumbing, manufactured dwelling alterations and placement, and manufactured dwelling and recreational vehicle parks.

5.2.2. The County will not issue a temporary or final occupancy permit for any structural development which is subject to City site plan review conditions or other structural development authorization conditions until such time as the City certifies that the conditions have been fulfilled.

6 Annexations

6.1. City Annexations: The City may annex land or enter into agreements for delayed annexation in accordance with state law.

6.1.1. At least ten days prior to the City's final action, the City shall notify the County of any proposed annexation and permit the County to make comments.

6.1.2. Proposals for annexations to the City which are for areas outside the UGB shall be considered concurrently with a proposal to amend the UGB in accordance with Section two.

7. Urban Services in the UGA

7.1. The extension, development and maintenance of sewer, water and storm drainage facilities shall be consistent with the City Plan and any Urban Service Agreement that has been made for the extension, development and maintenance of these facilities.

7.2. The City shall be responsible for public facility planning within the UGA unless other arrangements are provided for in the Urban Service Agreement.

EXHIBIT F

8 Coordination With Urban Service Providers

8.1. The City and County shall jointly enter into Urban Service Agreement(s) with individual Urban Service Providers operating within the UGB. The Urban Service Agreement, as used in this UGMA, is defined as an agreement that meets the statutory requirements for both a "cooperative agreement" (ORS 195.020) and an "urban service agreement" (ORS 195.065). The intent of the Urban Service Agreement is to assure effectiveness and efficiency in the delivery of urban services required by the City Plan, and to enhance coordination between the City, the County and each urban service provider (including, but not necessarily limited to, special districts as defined by ORS 450.005, county service districts as defined by ORS 451.410, authorities as defined by ORS 450.710, and corporations and associations). For purposes of this agreement, "urban services" means sanitary sewer, water, fire protection, parks, open space, recreation, and streets, roads, and mass transit. The Urban Service Agreement should at a minimum:

- a. Describe how the City and County will involve the Urban Service Provider in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations;
- b. Describe the responsibilities of the Urban Service Provider in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations regarding provision of urban services;
- c. Establish the role and responsibilities of each party to the agreement with respect to City or County approval of new development;
- d. Establish the role and responsibilities of the City and County with respect to Urban Service Provider interests including, where applicable, water sources, capital facilities and real property, including rights of way and easements;
- e. Specify whether the urban service will be provided in the future by the City, County, Urban Service Provider or a combination thereof;
- f. Set forth the functional role of all parties in the future provision of the urban service within the UGB;
- g. Determine the future service area within the UGB for each party;
- h. Assign responsibilities for:
 - 1) Planning and coordinating provision of the urban service with other urban services.

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- 2) ~~p~~Planning, constructing and maintaining service facilities; and,
 - 3) ~~m~~Managing and administering provision of services to urban users.
- i. ~~d~~Define the terms of necessary transitions in provision of the urban service, ownership of facilities, annexation of service territory, transfer of moneys or project responsibility for projects proposed on a plan of the City or Urban Service Provider prepared pursuant to ORS 223.309 and merger of service providers or other measures for enhancing the cost efficiency of providing urban services;
 - j. ~~p~~Provide a process for resolving disputes between the parties; and,
 - k. ~~e~~Establish a process for review and modification of the Urban Service Agreement.

8.2. Nothing in this Section shall restrict the right of the City or the County to enter into separate special purpose intergovernmental agreements with each other or with any other entity as provided for by state law. Such other agreements shall not be inconsistent with this UGMA and the Urban Service Agreement

9. Standards For Urban Growth Boundary Streets

9.1. Standards for Construction of New Streets

9.1.1. All new streets within ~~jurisdictional Sub-Areasubarea~~ ~~Sub-Areasubarea~~ No. 1, which are part of a new land division or planned development, shall be constructed to City standards

9.1.2. Within ~~jurisdictional Sub-Areasubarea~~ ~~Sub-Areasubarea~~ No.1, the City and County will maintain coordinated urban street construction standards for new streets that are not part of a land division or planned development.

9.1.3. All new streets within the UGB that are not part of a land division or planned development shall be constructed to coordinated urban street construction standards. The coordinated standards would apply County construction standards which would be coordinated to allow for other amenities or improvements the City may require in the future.

9.1.4. All new streets within ~~jurisdictional Sub-Areasubarea~~ ~~Sub-Areasubarea~~ No. 2 shall be constructed to coordinated urban street construction standards

9.2 Existing Streets Within the UGB

9.2.1 The County shall maintain all streets that are currently included within the

EXHIBIT F

County road maintenance system until annexed by the City

9.2.2. Upon annexation, the City agrees to accept, within the annexed area, jurisdiction of all streets and maintenance responsibility of the following streets in the County road maintenance system except major collectors and arterials

AMANDA STREET# 217-D	MP 0.00 to MP 0.11
ANGELA COURT # 217-E	MP 0.00 to MP 0.09
ASTER STREET # 335-K	MP 0.00 to MP 0.13
ASTER STREET# 901-B	MP 0.13 to MP 0.19
ATKINSON COURT # 297-C	MP 0.00 to MP 0.07
BOWER STREET # 225-B	MP 0.00 to MP 0.25
BRENT COURT # 367-E	MP 0.00 to MP 0.06
CALKINS ROAD # 144	MP 0.00 to MP 0.40
CAMELIA STREET# 335 J	MP 0.00 to MP 0.11-18
CARMEN COURT #322-D	MP 0.00 to MP 0.07
CHANNON A VENUE # 229-A	MP 0.00 to MP 0.18
CHINKAPIN STREET # 311-C	MP 0.00 to MP 0.04-03
CHINKAPIN COURT# 311-D	MP 0.00 to MP 0.06-05
CHRISTIE COURT # 384-A	MP 0.00 to MP 0.02
CHURCH A VENUE # 257	MP 0.00 to MP 0.13
CLOVER LANE # 294	MP 0.00 to MP 0.41
CLUB AVENUE STREET # 270	MP 0.00 to MP 0.25
CORDELIA COURT # 217-F	MP 0.00 to MP 0.09
CURRIER A VENUE # 227	MP 0.00 to MP 0.26
DOBIE COURT #322-C	MP 0.00 to MP 0.02
DOUGLAS AVENUE # 4-A	MP 0.00 to MP 1.28-31
EAST BRADLEY COURT #335-C	MP 0.00 to MP 0.06
EXCHANGE AVENUE # 171	MP 0.00 to MP 0.11
FAIRHILL DRIVE # 353	MP 0.00 to MP 0.55
FOLLETT STREET #252-G	MP 0.00 to MP 0.29-26
FREAR STREET # 55	MP 0.00 to MP 0.47
GARDEN STREET # 903-A	MP 0.00 to MP 0.11
GENERAL AVENUE # 225-A	MP 0.00 to MP 0.43
GRAY SQUIRREL COURT # 335 G	MP 0.00 to MP 0.09
HEWITT AVENUE # 297-A	MP 0.00 to MP 0.22
HOOVER ROAD # 171 A	MP 0.18-00 to MP 0.99
HOUSLEY AVENUE # 232	MP 0.00 to MP 0.22
HUGHES LOOP # 252	MP 0.00 to MP 0.25
HUGHES STREET # 252-F	MP 0.00 to MP 0.11
ISABELL STREET # 354	MP 0.11 to MP 0.10
JOHNSON STREET # 252-A	MP 0.00 to MP 0.19
KENDALL A VENUE # 260	MP 0.00 to MP 0.32

EXHIBIT F

KERR STREET # 297-B	MP 0.00 to MP 0.22
KESTER ROAD # 86	MP 0.00.04 to MP 0.52
KIMBERLY COURT # 384-B	MP 0.00 to MP 0.02
KINCAID DRIVE # 4-B	MP 0.00 to MP 0.20
KIRBY AVENUE # 322-B	MP 0.00 to MP 0.35
KLINE STREET # 367-A	MP 0.00 to MP 0.47
KNOLL AVENUE # 252-B	MP 0.00 to MP 0.30
KRISTEN COURT # 217-C	MP 0.00 to MP 0.09
LA QUINTA COURT # 901-D	MP 0.00 to MP 0.07
LA QUINTA COURT # 901-D SPUR	MP 0.00 to MP 0.01
LAUREL SPRINGS DRIVE # 314-A	MP 0.00 to MP 0.08
LIVE OAK COURT # 311-B	MP 0.00 to MP 0.06
MADISON AVENUE # 229-B	MP 0.00 to MP 0.10
MAKAR COURT # 351-C	MP 0.00 to MP 0.03
MARTHA DRIVE # 901-C	MP 0.00 to MP 0.05.35
MEADOW LANE # 238	MP 0.00 to MP 0.36
MEDFORD AVENUE # 139-A	MP 0.00 to MP 0.11
MERCY HILLS DRIVE # 384	MP 0.00 to MP 0.11
MILITARY AVENUE # 113	MP 0.00 to MP 0.82
MONTEREY DRIVE # 314-C	MP 0.00 to MP 0.14
NAVAJO AVENUE # 351-A	MP 0.00 to MP 0.03.10
NEWPORT DRIVE # 314-D	MP 0.00 to MP 0.06
NEWTON CREEK ROAD # 84	MP 0.00 to MP 1.40
NORTH RIVER DRIVE # 311-A	MP 0.00 to MP 0.71.73
NW WHIPPLE STREET # 903-C	MP 0.00 to MP 0.08
PAGE ROAD # 115	MP 0.00 to MP 1.35
PARKER ROAD # 322-A	MP 0.00 to MP 0.17
PAWNEE COURT # 351-B	MP 0.00 to MP 0.06.03
PEBBLE BEACH COURT # 901-E	MP 0.00 to MP 0.08
PEGGY AVENUE # 322-E	MP 0.00 to MP 0.10
PIONEER WAY # 115-B	MP 0.00 to MP 0.52
PLATEAU DRIVE # 327	MP 0.00 to MP 0.36
PLEASANT STREET AVENUE # 242	MP 0.00 to MP 0.30
POPLAR STREET # 291-	MP 0.00 to MP 0.08
PORTER STREET # 252-D	MP 0.00 to MP 0.11
RAMP ROAD # 159	MP 0.31.27 to MP 0.41.35
RIDGE AVENUE # 314-B	MP 0.00 to MP 0.04
RIFLE RANGE ROAD # 85	MP 0.23 to MP 1.13
RIVERVIEW DRIVE # 903-B	MP 0.00 to MP 0.08
SHAKEMILL ROAD # 166-A	MP 0.00 to MP 0.61
SIDNEY DRIVE # 335-B	MP 0.00 to MP 0.07
SLOPE STREET # 280	MP 0.00 to MP 0.10
SONGBIRD COURT # 284-A	MP 0.00 to MP 0.07

EXHIBIT F

STRAUSS AVENUE # 901-A	MP 0.00 to MP 0.15
STRAUSS AVENUE # 901-A	MP 0.59.00 to MP 0.72.64
STERLING DRIVE # 222	MP 0.00 to MP 0.16
SUNSHINE ROAD # 58	MP 0.00 to MP 0.60
SWEETBRIAR A VENUE # 225-C	MP 0.00 to MP 0.13
TAFT DRIVE # 335-A	MP 0.00 to MP 0.25
TEMPLE BROWN ROAD # 137	MP 0.00 to MP 0.30.27
THORA CIRCLE DRIVE # 3356-E	MP 0.00 to MP 0.62
TIMBO DRIVE # 335-H	MP 0.00 to MP 0.05
TROOST STREET # 273	MP 0.75 to MP 0.94
TRUST AVENUE # 362	MP 0.00 to MP 0.12
UMPQUA COLLEGE ROAD # 284	MP 0.00 to MP 1.19
VINE STREET # 252 C	MP 0.00 to MP 0.11
WALDON AVENUE# 259	MP 0.00 to MP 0.22
WALTER COURT # 217 B	MP 0.00 to MP 0.02
WALKER COURT# 297-D	MP 0.00 to MP 0.08
WEST BRADLEY COURT # 335-D	MP 0.00 to MP 0.09
WEYERHAEUSER DRIVE # 902	MP 0.00 to MP 0.24
WILD FERN DRIVE # 335-F	MP 0.00 to MP 0.50
WILSON COLLINS ROAD # 139	MP 0.00 to MP 0.10
WOODWILLOW DRIVE# 367-B	MP 0.00 to MP 0.26
WOODROSE LANE # 367-C	MP 0.00 to MP 0.02
WOODOAK DRIVE# 367-D	MP 0.00 to MP 0.11

9.2.3. The County shall continue to be responsible for the maintenance of all major collectors and arterials that are currently included within the County road maintenance system unless otherwise agreed to by the City and County.

10. Areas of Mutual Interest

10.1. The City and County agree to establish ~~the Charter Oaks Area~~ as an Area of Mutual Interest for the purpose of establishing a process for the provision of urban services and future urbanization. The Charter Oaks Area is delineated in Exhibit C and is attached to this agreement.

10.2. The County shall give the City 14 days advance notice to review and comment on the following activities which apply to the Area of Mutual Interest located outside the UGB:

- a. Comprehensive Plan Amendments
- b. Zoning Map Amendments
- c. Planned Unit Developments
- d. Subdivisions

EXHIBIT F

- e. Formation of, or changes of boundary or function of, urban service providers
- f. Major public works projects

10.2.1 The City's failure to timely respond to the notice shall mean no comment regarding the proposal.

10.2.2 In making its decision, the County shall consider, and is obligated to respond to, as appropriate, all comments made by the City with regard to the notice. The County shall notify the City in writing of all land use decisions, as listed in Subsection 10.2, whether or not the City has commented. If a timely response is received by the County from the City, the City shall have standing to appeal decisions consistent with the appeals process specified in the County Land Use and Development Ordinance.

~~10.3. The City and County agree to establish The Roseburg Regional Airport as an Area of Mutual Interest inside the City Limits for the purpose of establishing a process for coordination and comment on land use in the airport vicinity. The Roseburg Regional Airport is delineated in Exhibit D and is attached to this agreement.~~

10.4.3. The City shall give the County 14 days advance notice to review and comment on the following activities which apply to the Areas of Mutual Interest inside the City Limits:

- a. Comprehensive Plan Amendments
- b. Major public works projects
- c. Zoning Map Amendments
- d. Planned Unit Developments
- e. Subdivisions
- f. Road Dedications and vacations

10.4.3.1. The County's failure to timely respond to the notice shall mean no comment regarding the proposal.

10.4.3.2. In making its decision, the City shall consider, and is obligated to respond to, as appropriate, all comments made by the County with regard to the notice. The City shall notify the County in writing of all land use decisions, as listed in Subsection 11.3, whether or not the County has commented. If a timely response is received by the City from the County, the County shall have standing to appeal decisions consistent with the appeals process specified in the City land use ordinances or codes.

10.4. The City shall annex into the City any land within the UGA in the Charter Oaks Area of Mutual Interest prior to provision of urban services, including water and sanitary sewer, and the issuance of development or other permits.

EXHIBIT F

11. Enforcement

11.1. Within jurisdictional subarea No. 1, the City shall be responsible for enforcement of City Land Use and Development Ordinance and optional codes not administered by Douglas County and shall have the exclusive right to decide whether to proceed with any enforcement actions. City enforcement actions shall be taken in accordance with the enforcement provisions of the City ordinances.

11.2. Within jurisdictional subarea No. 2, the County shall be responsible for enforcement of County land use ordinances, and shall have the exclusive right to decide whether to proceed with any enforcement actions. All County enforcement actions shall be taken in accordance with the enforcement provisions of the County Land Use and Development Ordinance.

11.3. The County shall have the authority, within the UGA, for enforcement of State building codes as specified in Section 5.2. of this agreement.

12. Amendment and Termination

12.1. This agreement may be amended at any time by mutual consent of the parties, after public hearings and adoption by both the City Council and County Board of Commissioners

12.2. This agreement may be terminated by either party under the following procedure

- a. A public hearing shall be called by the party considering termination. The party shall give the other party notice of hearing at least 60 days prior to the scheduled hearing date. The 60 day period shall be used by both parties to seek resolution of differences
- b. Final action on termination shall not be taken until at least 90 days after the final public hearing.

EXHIBIT F

This Urban Growth Management Agreement is signed and executed by:

CITY OF ROSEBURG, OREGON

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON**

Larry Rich, Mayor

Chris Boice, Chairman

Nikki Messenger, City Manager

Tim Freeman, Commissioner

Attest:

City Recorder

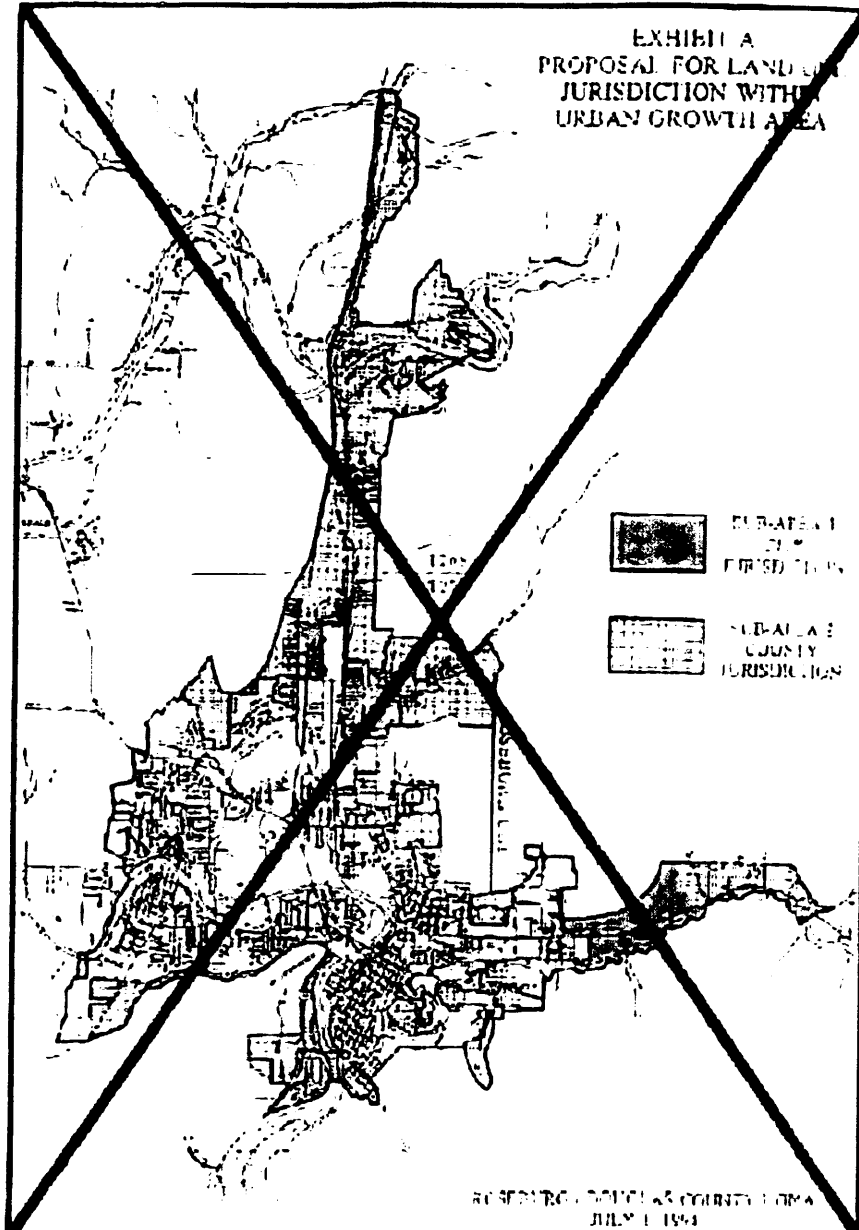
Tom Kress, Commissioner

Date

Date

EXHIBIT F

Existing Exhibit A

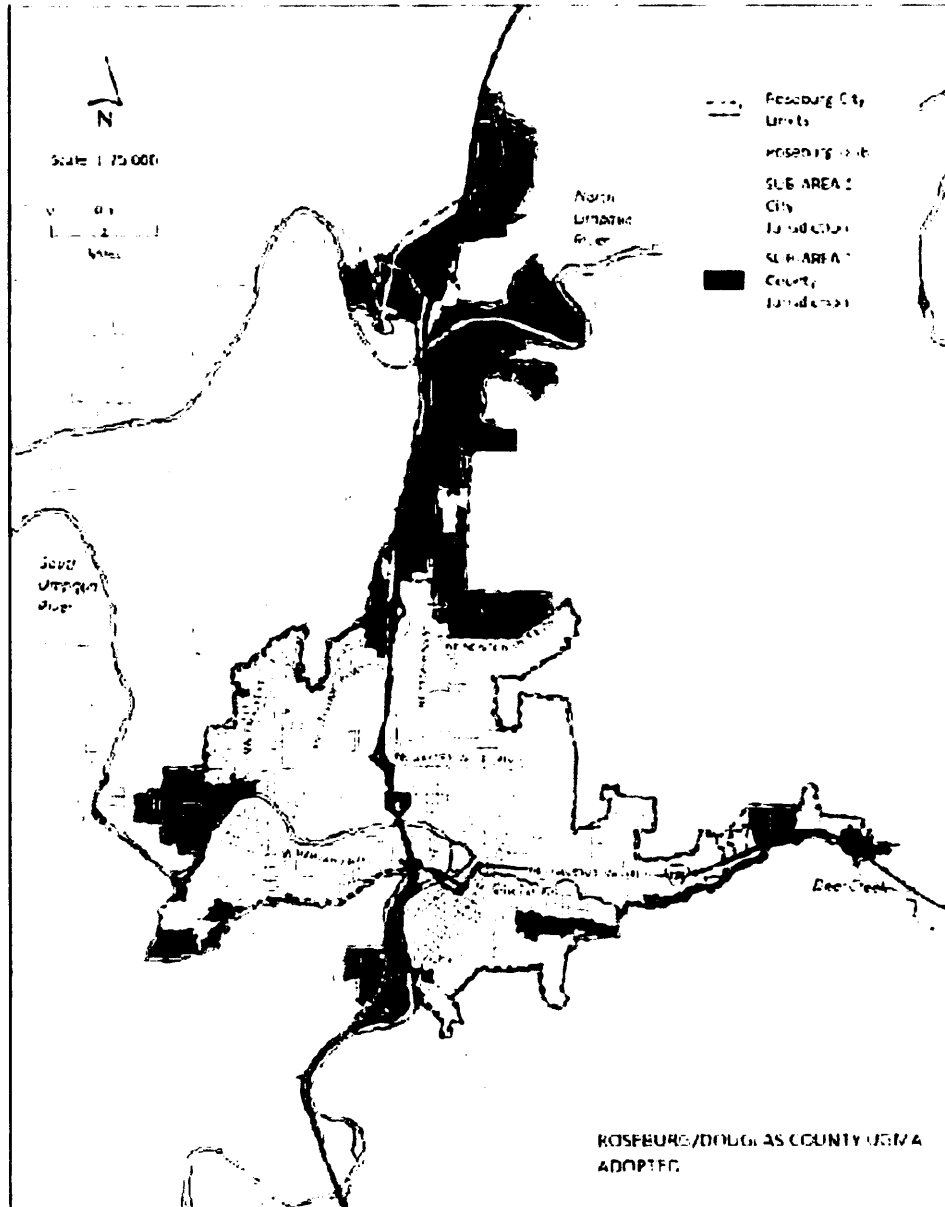


**To be replaced - New exhibit shown
on next page**

EXHIBIT F

New Exhibit A

Exhibit A:
Land Use Jurisdiction Within Urban Growth Area

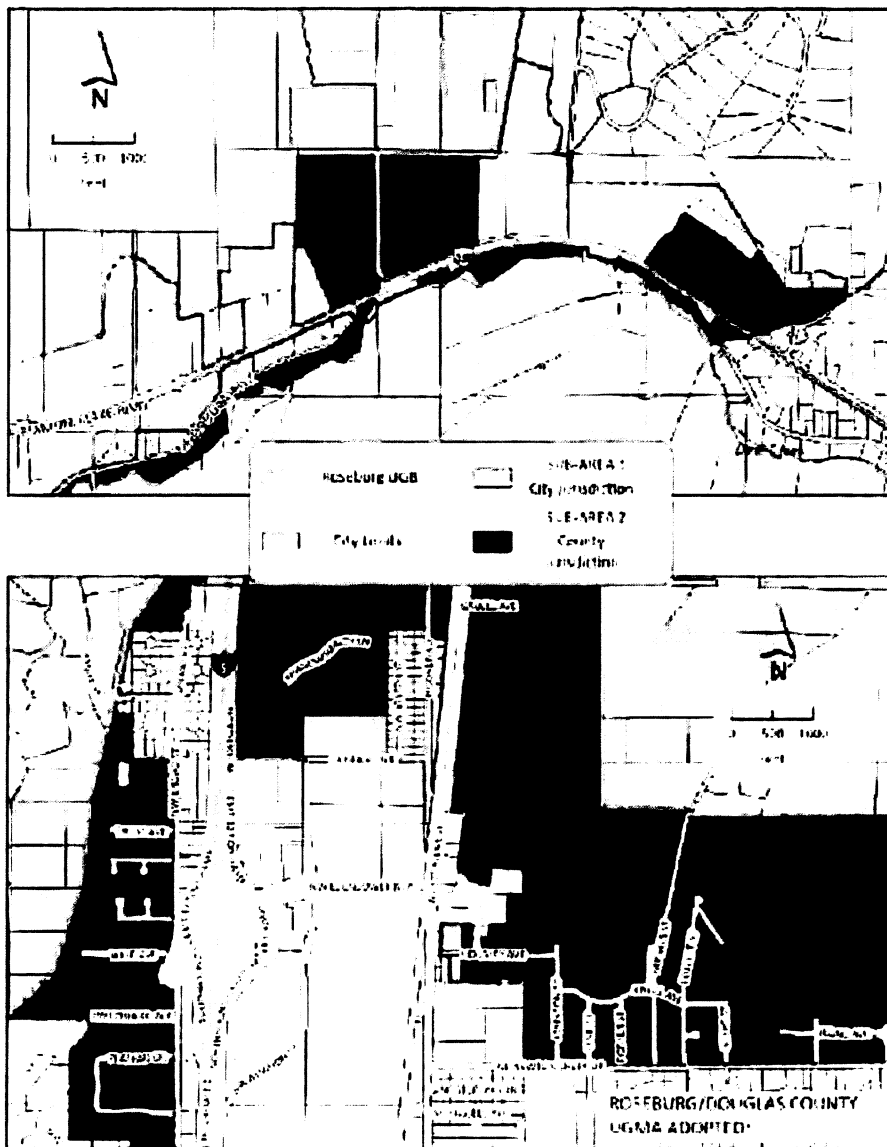


Includes updated Urban Growth Boundary, updated Area of Mutual Interest, updated parcel layer and color to help depict Sub Area 1 & 2 boundaries.

EXHIBIT F

New Exhibit A-1

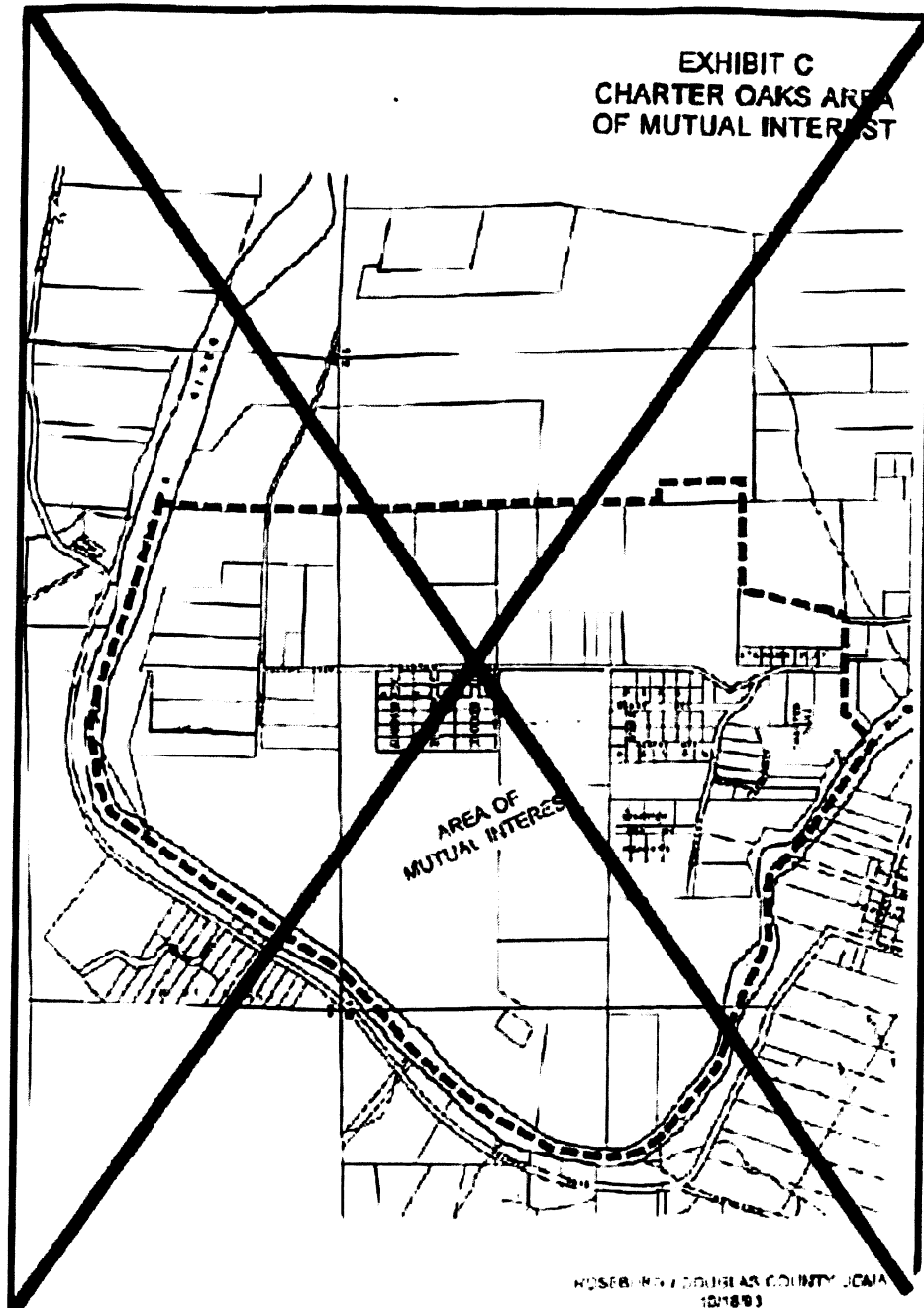
EXHIBIT A-1
Douglas County/Roseburg Urban Growth Management Area Jurisdictional Boundary Line
Delineations



Includes the addition of Exhibit A-2 East (top exhibit), updated parcel layer and color to help depict Sub Area 1 & 2 boundaries.

EXHIBIT F

Existing Exhibit C

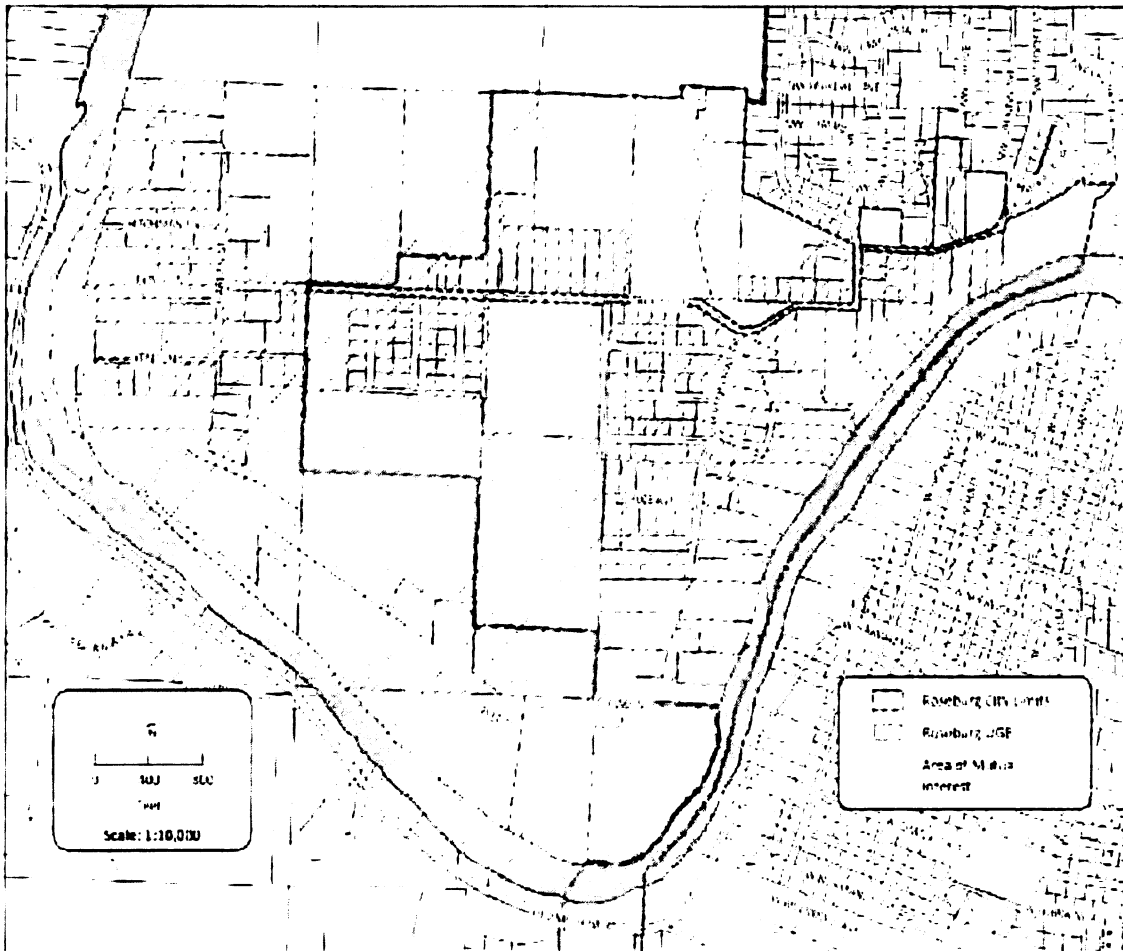


**To be replaced - New exhibit shown on next
page**

EXHIBIT F

New Exhibit C

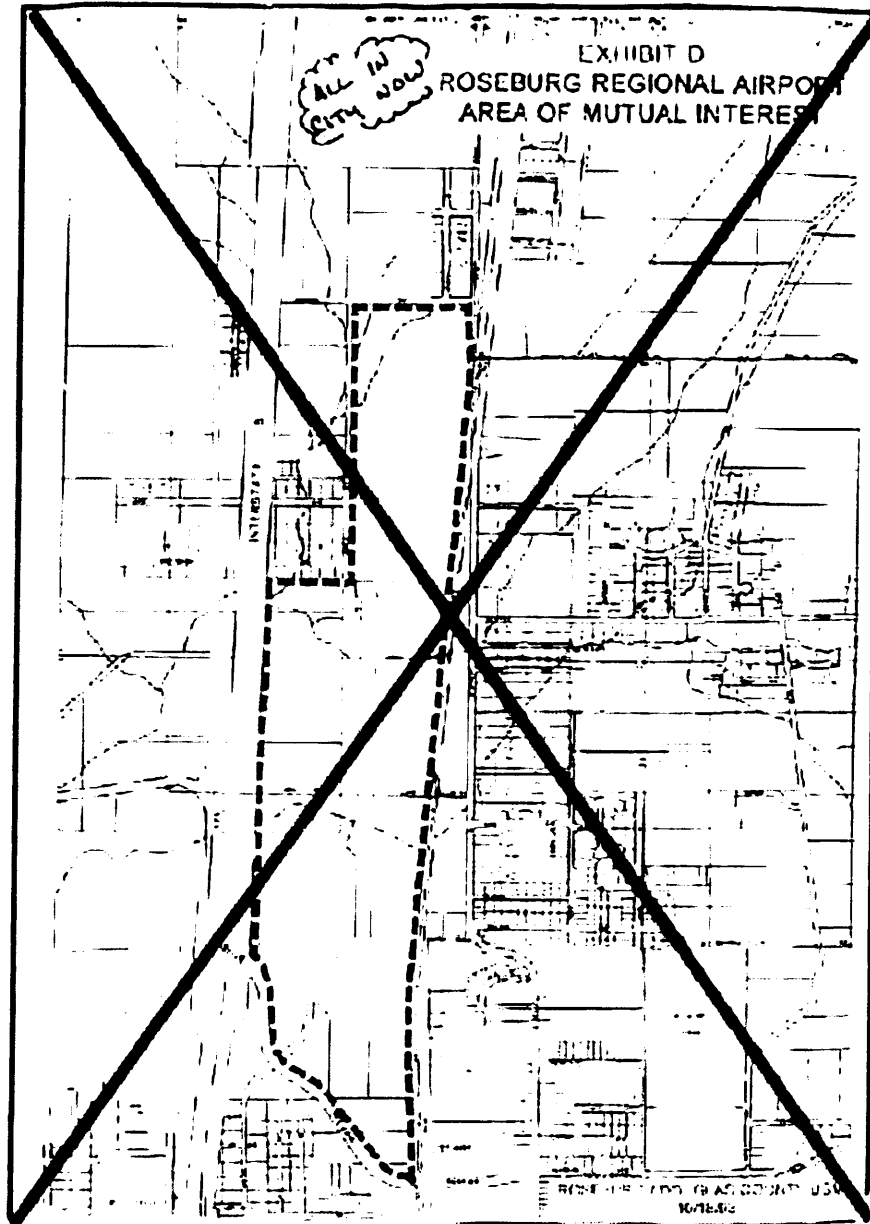
Exhibit C Charter Oaks Area of Mutual Interest



**Includes the updated Urban Growth Boundary,
updated Area of Mutual Interest layer and updated
parcel layer.**

EXHIBIT F

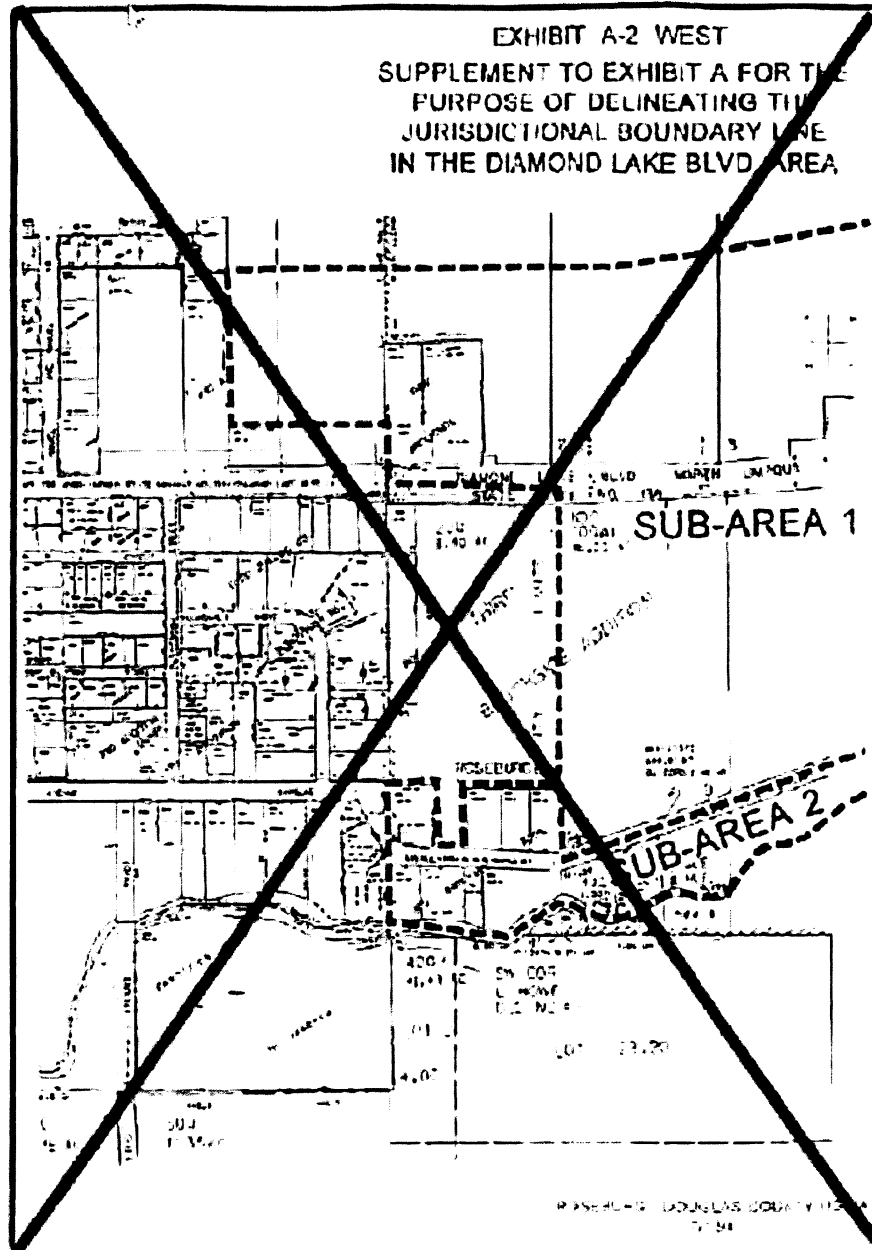
Existing Exhibit D



To be removed - The Roseburg Regional Airport has been annexed into City limits.

EXHIBIT F

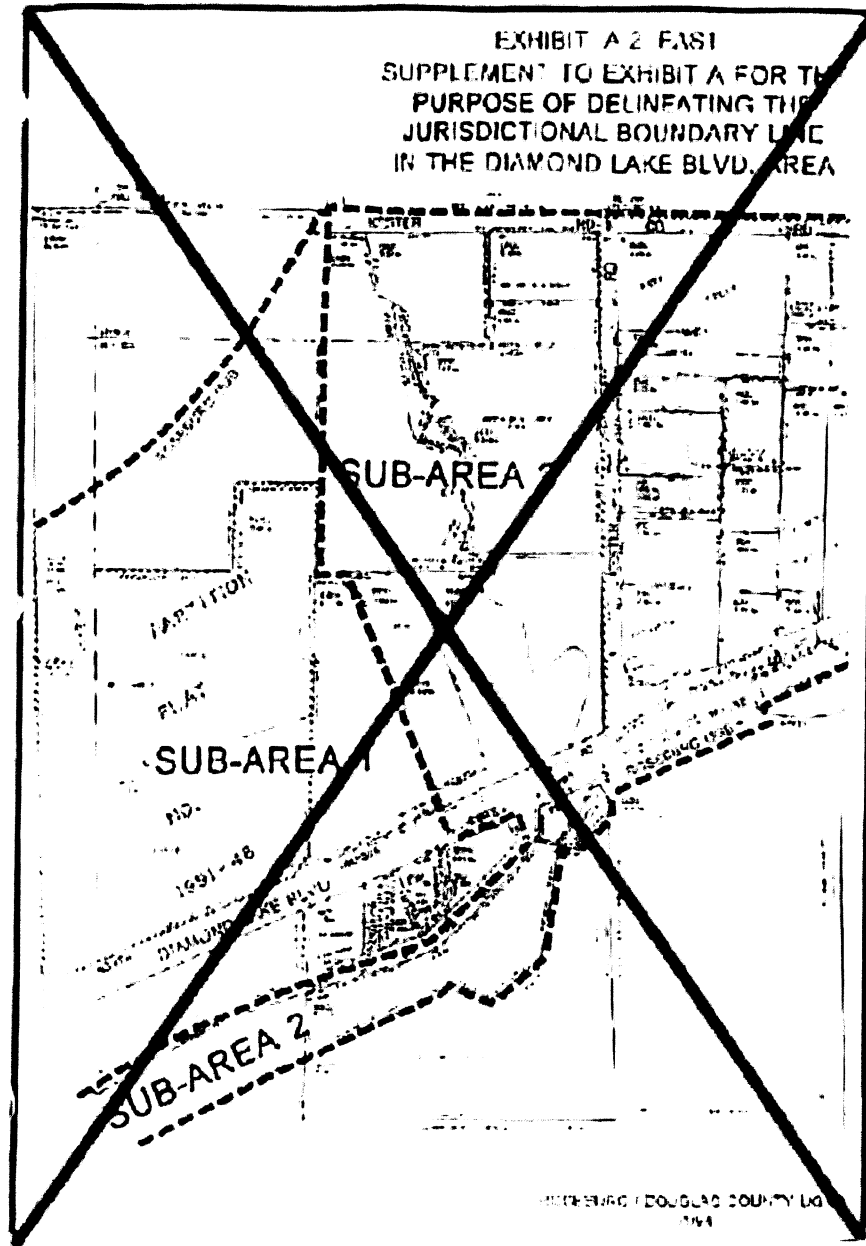
Existing Exhibit A-2 West



To be removed - Majority of this area has been annexed into City limits.

EXHIBIT F

Existing Exhibit A-2 East



To be removed - Now included in Exhibit A-1.

EXHIBIT F

EXHIBIT "B"

ROSEBURG URBAN GROWTH AREA

STANDARDS SUPPLEMENT

A Supplement to the Douglas County Land Use and Development Ordinance
to be Applied Within the Roseburg Urban Growth Area

The following standards are intended to be applied, in addition to all provisions of the County Land Use and Development Ordinance, within Jurisdictional Sub-Area No. 2 of the Roseburg Urban Growth Boundary.

I. PLACEMENT OF MANUFACTURED HOMES ON INDIVIDUAL LOTS

Applicable Zoning Districts: All Residential Districts except High Density Zones

A. The placement of manufactured homes on individual lots within these districts shall be allowed as provided for in the Land Use and Development Ordinance and subject to the standards itemized below

1. Dwelling Type Permitted

All manufactured homes placed on individual lots, including lots within a designated manufactured home subdivision, shall be used as permanent residences, shall conform to the standards established in this Section, and shall bear a Department of Housing and Urban Development (HUD) label certifying that the structure is constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 as amended on August 22, 1981.

2. Dwelling Standards

All manufactured homes placed on individual lots, including lots within a designated manufactured home subdivision, shall meet the following

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minimum standards

- a. The manufactured home shall be multi-sectional. For the purpose of this section, the term multi-sectional does not include tip-out units or additions which were not manufactured as an integral part of the original design.
- b. The manufactured home shall be placed on a foundation in conformance with the UBC.
- c. The manufactured home shall have exterior siding and roofing which, in color, material and appearance, is similar to the exterior siding and roofing material commonly used on residential dwellings within the community.
- ~~d. The manufactured home shall be equipped with skirting which, in design, color and texture, appears to be an integral part of the adjacent exterior wall, unless the manufactured home is anchored to a permanent and continuous concrete or block foundation. Such skirting or foundation, or both, shall be such that there are no gaps or openings between the manufactured home and the ground, except for vents. In the event that the required skirting is made of wood, it shall be installed not less than four inches, nor more than six inches, from the finished grade so as to avoid decay resulting from contact with the soil.~~
- e.d. The manufactured home shall have a minimum roof pitch of at least 3 inch rise for each 12 inches of run.
- f.e. If the manufactured home has a garage or carport, the garage or carport shall be similar in color and appearance to the exterior of the manufactured home.

II. OPEN SPACE IN MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT

Applicable Zoning Districts: R-2 and R-3

All new multiple family residential development shall provide at least ~~fifty (50)~~ **one-hundred (100)** square feet of improved outdoor living or recreation area for every unit in the project. The combined improved outdoor living or recreation area

EXHIBIT F

shall contain no less than ~~1000~~ 800 square feet for the entire site. ~~or be less than twenty five (25) feet on any side.~~

III. SCREENING IN COMMERCIAL AND INDUSTRIAL ZONES

Applicable Zoning Districts C-1, CT, C-2, C-3, M-1, M-2 & M-3

Screening of exposed storage areas, utility buildings, machinery, garbage and refuse storage areas, service and truck loading areas and other accessory uses and structures shall be as specified below. Screening materials may consist of fences, walls, berms and landscaping, or any combination thereof which accomplishes the intended screening

- a. In all commercial districts such areas, uses and structures shall be screened from adjacent properties and rights of way.
- b. In all industrial districts such areas, uses and structures shall be screened from adjacent residentially designated properties.

IV. OFF STREET PARKING FOR MULTIPLE FAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENT

Applicable Zoning Districts R 2, R 3, C-1, CT, C-2 & C-3

Improvement standards for commercial and multiple family residential parking lots shall be as follows:

- a. All parking areas, vehicle maneuvering areas and access driveways provided in conjunction with commercial and multiple family residential development shall be paved. Such areas shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property
- b. All parking spaces shall be marked with painted stripes or other permanent markings.

V. PUBLIC SIDEWALKS

Applicable Zoning Districts All Residential and Commercial Districts and Public Reserve.

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The installation of public sidewalks as part of new subdivisions and partitions shall occur in accordance with the provisions of Section VII of this Supplement. The installation of public sidewalks as a condition of issuance of a building or mobile home placement permit shall be as follows:

1. It shall be a condition of the issuance of a building or mobile home placement permit for all properties, regardless of size being newly developed along all streets or street segments shown on Exhibit 1 that sidewalks conforming to the standards and guidelines established by the County Engineer, shall be installed along the entire street frontage of the property at the sole cost of the applicant prior to the occupancy of the building.
2. In instances where engineering or street construction factors prevent or make impracticable final sidewalk construction prior to occupancy of the building or mobile home, the applicant shall agree in a signed agreement to install permanent sidewalk improvements at his sole cost (or in accordance with other agreed financing alternatives,) at such time as the street is improved and conditions permit said construction
3. As an alternative to No. 2, above, the Approving Authority may grant relief from the application of the sidewalk provisions of this Section upon recommendation of County Engineer and concurrence of City if the sidewalk requirements would result in unworkable or unsafe conditions, including adverse effects on use or access to the premises

VI. SEWER AND/OR WATER SERVICE CONNECTION

Applicable Zoning Districts: All

1. Building and Mobile Home Placement Permits
 - a. It shall be a condition of the issuance of a building or mobile home placement permit for all vacant parcels proposed for development which are within 150 feet of existing sewer and/or water mains that the proposed development connect to those mains unless one or both of the following conditions exists:
 1. The City or Sanitary Authority will not allow connection to the mains
 2. In the case of sewer service, the development will not require sanitary waste disposal of any kind

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- b. In instances where vacant parcel proposed for development is not within 150 feet of existing sewer and/or water mains, the applicant for the permit shall agree in a signed agreement to connect to either or both of these facilities at such time as they are extended within 150 feet of the subject parcel.

2 Divisions

As a condition of approval of any division in which would result in creation of a parcel(s) which would be 150 feet or further from existing sewer and/or water mains, the applicant shall agree to participate in any local improvement district which may be formed under ORS 371.605 to 371.660 or the Douglas County Local Assessment Ordinance to extend either of these facilities to or past any parcels included within the division. The applicant shall execute any documents required by the Approving Authority, including a waiver of remonstrance, to insure such participation.

VII. SUBDIVISION, PARTITIONING AND PLANNED UNIT DEVELOPMENT REQUIREMENTS

Applicable Zoning Districts: varies

1. In residential districts where the average lot size proposed is less than ten thousand (10,000) square feet, the applicant shall enter into an agreement with the electric utility for the installation of street lights at such locations as determined by the County Engineer.
2. Subject to the limitations and exceptions set forth in Section V of this Supplement, the construction of sidewalks conforming to standards and guidelines of the County Engineer shall be installed by the applicant as a condition of approval of any of the following:
 - a. ~~Final~~ plats or subdivision in any Commercial, Multiple Family Residential or the Public Reserve District.
 - b. ~~Final~~ plats or subdivisions in any Residential district, except Multiple Family Residential, where the average lot size created is less than ten thousand (10,000) square feet, or final plans for planned unit developments
3. In all zoning districts, water lines with valves and fire hydrants which serve subdivisions or partitions and which connect subdivisions or partitions to existing mains shall be designed and installed according to:
 - a. ~~The~~ requirements of the water utility serving the area; and

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Applicable Zoning Districts: All

The provisions of §4.100 Subsection 4.a. of the Land Use and Development Ordinance are to be mandatory.

X. AIRPORT IMPACT OVERLAY (AIO)

Applicable Zoning Districts: All to which overlay is applied

With the modification which follow, the provisions of Section 3.35 800 of the Land Use and Development Ordinance which establishes regulations in areas affected by airport operations shall apply within the Roseburg Urban Growth Boundary.

a. Subsection 1.a. shall read as follows:

AIRPORT APPROACH AREA: A wedge-shaped area described by boundaries where the inner edge of the Airport Approach Area coincides with each end of the runway and is ~~500~~**250** feet wide at each terminus. The Airport Approach Area expands outward uniformly to a width of ~~1500~~**750** feet at a horizontal distance of ~~5000~~**2,500** feet from the terminus, with its centerline being the continuation of the centerline of the runway.

~~b. Subsection 1.d. shall be added to read as follows:~~

~~**AIRPORT IMPACT AREA:** An oval shaped area described by boundaries established by constructing arcs of 9000 feet radii from the center of each end of the runway's Primary Surface and connecting the arcs with tangent lines drawn parallel to the runway centerline.~~

~~e.b.~~ Subsection 3 c. shall read as follows:

No structure or object, including chimneys, towers, antennae, utility poles, trees, etc., shall exceed 35 feet in height in the Airport Approach ~~and Impact Areas~~

~~d.c.~~ Subsection 3 f. shall read as follows:

No use shall be allowed in the Airport ~~Approach and Impact Areas~~ Impact Overlay District if such use is likely to attract an unusual quantity of birds.

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XI. DRAINAGE REQUIREMENTS

a. Purpose

To establish a procedure for implementation of the City of Roseburg/Douglas County Drainage Management Plan within the Roseburg Urban Growth Area.

b. Applicability

During the review and processing of land use actions within the Roseburg Urban Growth Area and, more specifically, in areas shaded on the attached Exhibit 2 ("Applicable Areas for Roseburg Storm Drainage Standards"), the County shall take into consideration the policies and design standards of the adopted City of Roseburg/Douglas County Drainage Management Plan, as modified by this Standards Supplement. The County will address the establishment of permanent drainage facilities in conjunction with review of the following types of development:

1. Partitions, subdivision, and planned unit developments.
 2. Commercial, industrial, and multi-family developments or phased developments creating new impervious surfaces greater than ~~4,000~~3,000 square feet. An administrative variance may be authorized, up to a maximum of 30 percent, for the expansion of pre-existing impervious surfaces that are less than ~~4,000~~3,000 square feet upon finding that:
 - a. ~~a~~Approval of the variance will not significantly affect storm drainage on adjacent or abutting properties.
 - b. ~~a~~An affirmative recommendation is received from the County Engineer.
 3. Construction or reconstruction of public roadways.
 4. Construction in the 100 foot (50' on each side) Riparian Vegetation Corridor of any existing stream or surface watercourse subject to the Riparian Vegetation Overlay.
 5. Construction in ~~the 100-year floodplain~~ any area of special flood hazard of ~~any stream~~ in accordance with Douglas County's Land Use and Development Ordinance (Chapter 3, Article 30, Floodplain Overlay).
- c. Review Procedure and Engineering Requirements (Drainage Certification)

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During the initial processing of land use actions and development permits within the Roseburg Urban Growth Area, the Planning Department will identify applications that may be subject to review for permanent drainage facilities in accordance with XI. b., applicability of this agreement. Once it has been determined that the permanent drainage facilities may be necessary, it shall be the applicant's responsibility, in the form of a drainage certification, to either have plans engineered in accordance with the design standards of the Drainage Management Plan for the use or activity proposed, or certify that the proposed action has no drainage impact. All applications must include plans stamped by a licensed engineer certifying that the proposed use is in substantial compliance with the design criteria of the plan. Once received, the drainage certification will be forwarded to the County Engineer for review.

The County Engineer will review each proposal and the drainage certification for consistency with the design standards of the Drainage Management Plan. The County Engineer may require additional information to ensure full compliance with design requirements. Upon receiving an acceptable certification the County Engineer will notify the Douglas County Planning Department. The Planning Department will utilize the drainage certification of the consulting engineer in making its tentative or final approval. The County Planning Department will notify the City of Roseburg upon completion of land use actions subject to this certification requirement.

~~STDSSUPP-RSB/b~~

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EXHIBIT 1

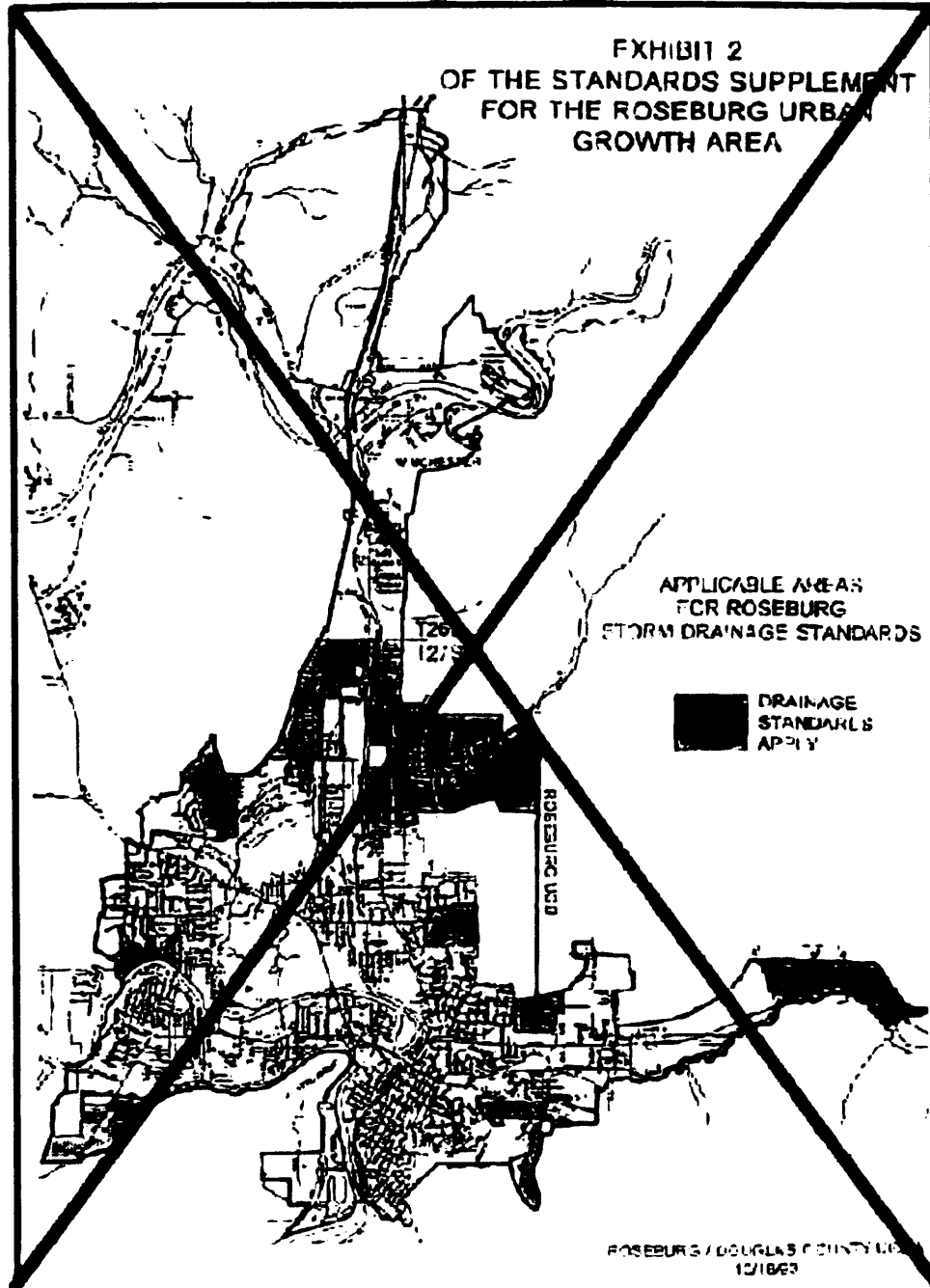
to the Roseburg Urban Growth Area STANDARDS SUPPLEMENT

Streets Requiring Sidewalk Installation

1. **Stephens Street (State Highway 99):** from the City Limits to the northerly Urban Growth Boundary line
- ~~2. **Newton Creek Road (#84):** from State Highway 99 to Parker Road (#322).~~
- ~~3. **Parker Road (#322):** from Newton Creek Road (#84) to its southernmost limit.~~
- ~~4. **Vine Street (#252):** from Clover Avenue (#294) to Newton Creek Road (#84).~~
- ~~5. **Garden Valley Road (#6):** from the City Limits to the western Urban Growth Boundary line.~~
- ~~6. **Garden Valley Road (#6):** from the City Limits to the eastern limits of Garden Valley Road.~~
- ~~7.2. **Old Melrose Road Melrose Road (#13):** from the City Limits to the Urban Growth Boundary.~~
- ~~8.3. **Lookingglass Road (#5):** from the City Limits to the Urban Growth Boundary~~
- ~~9.4. **Portland Avenue (#56A):** from Interstate 5 Interchange #123 to the South Umpqua River~~
- ~~10.5. **State Highway 99:** from the City Limits to the southerly Urban Growth Boundary line~~
- ~~11. **Walden Avenue (#259):** from the City Limits to the City Limits.~~
- ~~12.6. **Ramp Road (#159):** from the City Limits to the City Limits~~

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Existing Exhibit 2



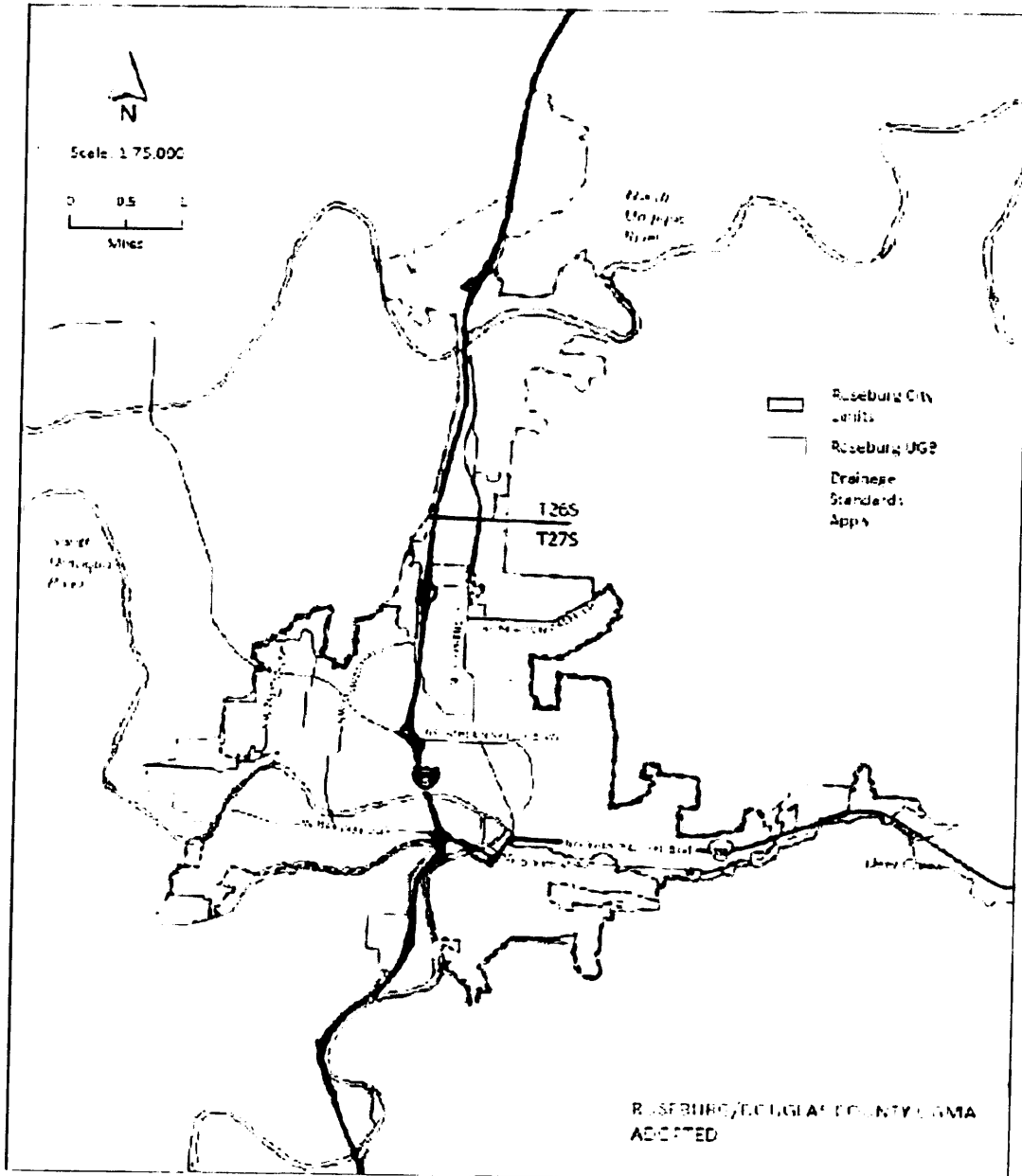
**To be replaced - New exhibit shown
on next page**

EXHIBIT F

New Exhibit 2

Exhibit 2:

Standards Supplement for the Roseburg Urban Growth Area



Includes updated Urban Growth Boundary and color to help depict Drainage Standard Areas.

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In the matter of legislative action) Comprehensive Plan Amendment:
by the City of Roseburg) CPA-23-002

BEFORE THE ROSEBURG CITY COUNCIL

FINDINGS OF FACT AND ORDER

I. NATURE OF APPLICATION

The City has initiated a legislative amendment to adjust its Urban Growth Boundary (UGB). The method being used to make the adjustment is referred to by statute as a "UGB Exchange", but has been more commonly referred to locally during the process as the "UGB Swap". The UGB Exchange would move the UGB line in such a way as to create no net increase in the number of possible future dwelling units that would be allowed. Two privately-owned properties would be removed from the UGB: ±91.5 acres on the hillside east of NW Daysha Drive (owned by John and Donna Atkinson) and ±198.5 acres on the hillside north of NE Barager Avenue (owned by Barry Serafin). The area to be added to the UGB is ±220 acres and is located on the west side of the City, generally bounded by the South Umpqua River and NW Troost Street, a portion of the area commonly known as Charter Oaks. The UGB Exchange results in a decrease in acreage within the UGB, but by providing more flat, easily-developed land will provide new opportunities for residential development.

The amendment includes subsequent land use actions including de-annexations, annexations, revised comprehensive plan designations, zone changes and an amendment of the City/County Urban Growth Management Agreement (UGMA). Approval must be obtained by both the Roseburg City Council and the Douglas County Board of Commissioners for specific land use action items over which their jurisdiction has control.

II. PUBLIC HEARING

A public hearing was held on the application before the Roseburg City Council on July 22, 2024. At that hearing the Roseburg City Council reviewed Land Use File CPA-23-002 and it was made part of the record. The City Council heard testimony from the public concerning the application. The Council closed the public hearing. A motion was made requesting staff to prepare findings of fact on behalf of City Council approving the following land use actions, as referenced in File No. CPA-23-002:

1. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB.
2. De-annexation of the Serafin and Atkinson properties that lie in city limits.
3. Annexation of Troost St. right-of-way to the edge of the new UGB.
4. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District.
5. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB Swap and to include Charter Oaks in Subarea 2 of the agreement.

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The Council voted unanimously to approve the motion.

III. FINDINGS OF FACT

A. EXISTING CONDITIONS

1. The City Council 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 Regulations No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 3497 on May 1, 2018, as both 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 10 days prior to the hearing held before City Council.
3. A combined public hearing was held on the application before both the Roseburg Planning Commission and the Douglas County Planning Commission on May 6, 2024. The Planning Commissions heard testimony from the public concerning the application. The Planning Commissions collectively made a motion to close the public hearing at the conclusion of their May 6, 2024 meeting. Both Commissions moved to recommend approval of the UGB Swap to their respective Council and Board. The Roseburg Planning Commission adopted findings recommending City Council approve the UGB Swap proposal on May 20, 2024.
4. The objective of the UGB Swap is to increase residential development capacity in order to meet Roseburg's housing goals for the next 20 years. In 2019, the Roseburg City Council set a goal to develop policies to enhance housing opportunities, which required the City to conduct an updated Housing Needs Analysis (HNA).
5. The HNA (2019, ECONorthwest), made several key findings within its conclusion that help to justify the need for a UGB Swap:
 - A. The population of the City's UGB is forecasted to grow from 30,256 people in 2019 to 35,771 people in 2039, an increase of 5,515 people. This equates to an average annual growth rate of 0.84 percent.
 - B. The growth of 5,515 people will result in demand for 2,768 new dwelling units over the 20-year planning period, averaging 134 new dwelling units annually.
 - C. Sixty percent of the future housing type needed to meet the demand of 2,768 new dwelling units will need to be traditional single-family detached units.
 - D. Roseburg's low density residential land base in which single-family detached units are most typically constructed has constraints to development.
 - E. A UGB Swap can be a key tool in addressing the need for providing more flat and easily developable low-density residential land.

B. PROPOSAL

The proposal consists of the following land use actions:

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- A. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB;
- B. De-annexation of the Serafin and Atkinson properties that lie in city limits;
- C. Annexation of Troost St. right-of-way to the edge of the new UGB;
- D. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District; and,
- E. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB swap and to include Charter Oaks in Subarea 2 of the agreement.

C. PUBLIC COMMENTS

Prior to the City Council public hearing on July 22, 2024, a suite of comment letters were provided to Council and the public through hearing packets published and posted prior to the hearing. Thirty-one letters were written in support of the application and six letters of concern were submitted and included within the Council packet.

At the City Council hearing on July 22, 2024, public testimony included six people testifying in opposition, three people speaking during the "neutral" category, and nine people speaking in support. Four new letters were received in opposition to the proposal, and one letter submitted in support during the hearing itself.

Issues raised *in opposition* to the proposal before City Council, can be generally described as listed below. Below each bullet point item in italics is a finding indicating how the concern has been addressed either within the application material or through public testimony during the course of the hearing.

- **Inadequate transportation facilities in Charter Oaks.** Current residents in and near Charter Oaks have described dangerous conditions on streets and at intersections in the area, suggesting that adding additional traffic to the area will cause transportation safety and roadway capacity concerns. Residents have expressed concern about there being only one way in and out of the area on Troost Street, and that the exact details of future roadway and access points to serve the area have not already been determined and funded. In addition, concerns have been raised concerning data utilized within the City's TIS indicating that new zoning laws could enable the use of duplexes where only single-family dwellings could have been built previously. People suggested that the UGB Swap should not be allowed until the full details and designs of future transportation facilities have been determined

Kelly Sandow, Sandow Engineering performed a Traffic Impact Study involving the UGB swap (appendices) and spoke on behalf of the City during the public hearing addressing residents' concerns about dangerous conditions on streets and intersections in the Charter Oaks area. Ms. Sandow indicated that even at full build out the streets and intersections within Charter Oaks will perform in accordance with the Transportation Planning Rule (TPR). Although these areas will satisfy TPR requirements, she provided possible safety

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improvement recommendations at the intersection of Troost St./Felt St., Troost St./Charter Oaks Dr. and Troost St./Loma Vista Dr. She also provided reference to cross section street requirements that can be anticipated for Troost St. in the future and a recommendation to lower the speed to 25mph through the UGB expansion area. Ms. Sandow indicated that City development code will require the need for future site specific TIS to be performed based upon specific development proposals as those are submitted for review by the City. These additional studies will be able to evaluate details concerning the types of dwellings and the number of trips generated as a result of these dwellings and their impacts on the surrounding street network.

- **Emergency access for first responders in Charter Oaks.** Limited access to the area raised in the context of transportation facilities was also an issue raised concerning emergency access for fire, police and other first responders given the single point of access to the area from Troost Street. People specifically raised the issue of a recent fire at Felts Field Airstrip in Charter Oaks, and the length of time it took for emergency responders to arrive at the fire.

Chief Tyler Christopherson, Roseburg Fire Department (RFD) spoke on behalf of the City during the public hearing and addressed concerns around fire response times and the recent fire at Felts Field Airstrip. Chief Christopherson, indicated that RFD did not respond to the Felts Field fire, as it is currently located outside of the city limits and is within Douglas County Fire District 2 jurisdiction. Water supply was a significant issue and lack of water required it to be trucked into the area, slowing overall response time. If annexed, the City would have three different stations ready to respond, with 12 firefighters, and three engines within six minutes. Water supply will increase based on development and the construction of fire hydrants. The RFD has an ISO classification of 2, while the Douglas County Fire District 2 has an ISO rating of 3. If annexed, fire insurance rates could possibly be adjusted to improve insurance costs as RFD has a lower ISO score, which indicates a better/higher rating.

- **Lack of detailed, final infrastructure plans and funding for sewer and water services.** Similar to concerns raised about the plan for future roadways, residents in the area have concerns that specific future plans for the location and timing of water and sewer improvements have not already been developed. Dry wells and lack of water at the school district site was mentioned.

Jim Baird, General Manager of the Roseburg Urban Sanitary Authority (RUSA) spoke in favor of the application during the public hearing addressing plans for future expansion of the sewer system with the Charter Oaks area. Mr. Baird indicated that the Charter Oaks area has had a long history of being evaluated for a future sewer system by referencing studies performed in 1967, 1975, 1977, and 1995. Most recently, Mr. Baird described a preliminary layout of the

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expansion of the existing sewer system into the area completed in 2018. This preliminary layout involves the upsizing of an existing pump station, which would be completed by RUSA and the extension of the sewer main, which would typically be driven by a future developer. Favorable time frames for how quickly sewer improvements could occur within the area were estimated to be approximately 3-5 years.

- **Old and/or inaccurate data.** Data supporting planning efforts is out of date and should be revised and updated based on current conditions. Density calculations showing 673 units both entering and leaving the UGB are based on flawed assumptions regarding buildability, and do not align precisely with data used in the City's Buildable Lands Inventory (BLI) and other planning documents. A previous draft version of the application identifies that the East Roseburg/Dixonville subarea was the preferred area over the Charter Oaks subarea.

As provided throughout the application, the City followed state and local law when applying the criteria necessary to justify the UGB swap proposal. Assistance with the application was provided by 3J Consulting, an independent consulting firm that specializes in land use services. Feedback from state and local agencies including the Oregon Department of Land Conservation and Development (DLCD), Oregon Department of Transportation (ODOT), Oregon Department of Fish and Wildlife (ODFW), Oregon Department of State Lands (DSL), Douglas County Planning and Public Works Departments, Douglas County On-Site Wastewater Division, and the Roseburg Urban Sanitary Authority (RUSA) concerning the details and analysis used within the application was sought throughout the development of the application. In addition, the City has sought feedback from 1000 Friends of Oregon, a private non-profit organization that advocates for land-use planning. None of these agencies or organizations have indicated that we have used old and inaccurate data or flawed assumptions. None of them have presented evidence or testimony opposing the application.

Claims made that a previous draft version of the application identifying the East Roseburg/Dixonville subarea as the preferred area over the Charter Oaks subarea are inaccurate. Old versions of the application, as well as the current version of the application indicate that in order to select a final exchange or swap area for inclusion in the UGB, the Wilbur, Charter Oaks, and Roseburg East/Dixonville subareas were ranked from best potential site (1), to worst potential site (3), for priority lands in criteria in OAR 660-024-0067(2) and for each of the Goal 14 Boundary Location factors. The subarea with the lowest total score was determined to be the preferred area for the exchange. See Table 20, Final Ranking of Study Area Subareas on page 116 of the application.

Charter Oaks ranked lower than the Wilbur and Roseburg East/Dixonville subareas for the prioritization analysis identified in OAR 660-024-0067, but this

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is not the sole measure by which the subareas were ranked. Four Goal 14 locational factors were also evaluated in the ranking, in which the Charter Oaks subarea ranked highest in each category. Final ranking of both the prioritization analysis in OAR 660-024-0067 and each Goal 14 Boundary Location factor indicate that Charter Oaks is the preferred subarea for the UGB Swap, both in previous iterations of the application and the final draft.

- **Environmental impacts.** Wildlife habitat information in the application based on a study conducted prior to 1980 is too old to be trustworthy and should be updated.

The City recognizes that the inventory referenced within our staff report and findings document is from 1980. This inventory was conducted by Douglas County in an effort to inventory special bird habitat with the assistance of ODFW for the County Comprehensive Plan. This is discussed on page 162 of the UGB Swap application. A map of the area inventoried is on page 163. This is also referenced on page 187 under Natural Resources Policy #15.

The criteria requires the City to evaluate and indicate consistency with Statewide Planning Goal #5 (Open Spaces, Scenic and Historic Areas and Natural Resources). The goal indicates, "To protect natural resources and conserve scenic and historic areas and open spaces." The City has to use the best available data in order to meet this criteria. As this is an area outside the City's UGB, we must rely on studies performed by either the County or State concerning these issues. The heron rookery identified in the inventory is in an area outside of the where the UGB is proposed. No other significant wildlife population exists in the area that is inventoried by ODFW. It should be noted that areas within the floodway and riparian setback when annexed will be required to adhere to City standards helping to ensure protection of the river and riparian corridor.

- **Community engagement was insufficient, and the project favors development over community concerns.**

Stuart Cowie, Community Development Director spoke on behalf of the City during the public hearing concerning the UGB Swap application and public process. Mr. Cowie indicated that the City had been working on the UGB Swap application for the last six years and referenced opportunities for community engagement during this time. Community open houses were held in 2018, 2019 and 2024. Multiple updates concerning the UGB Swap were provided to the City Planning Commission and City Council during public meetings over the six-year period. Opportunity for public comment was provided during the goal setting sessions in 2020, in which City Council identified the pursuit of a UGB Swap as an item to help enhance housing opportunities. The City created a webpage devoted to the UGB Swap at the beginning of 2024, in an effort to provide citizens with information, upcoming events, and an invitation to reach out to City staff with comments or questions.

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- **Roseburg has no demonstrated need for additional low-density residential land.** The 2019 Housing Needs Analysis identifies that Roseburg has a surplus of Low Density Residential land. Goal 14 requires that there be a “demonstrated need” before a change to the UGB can be made allowing additional low-density residential capacity.

The HNA indicates that Roseburg has an approximate surplus of 352 gross acres of low-density residential land. If this were all that the HNA provided concerning this issue than the opposition would be correct in indicating that there is no “demonstrated need” concerning the UGB Swap. However, the HNA clearly indicates that Roseburg’s low-density residential land base has constraints to development and that the City needs to implement actions offered within the HNA to overcome these barriers promoting housing opportunity. One of the action items identified was to implement a land swap of sloped land within the UGB for flat land outside of the UGB.

The HNA Executive Summary, specifically lists, “Roseburg’s Low Density Residential land base has constraints to development,” as a key finding of the HNA. See page x, Executive Summary.

One of the nine key findings described within the “Conclusions” portion of the HNA found on page 84, identifies the following,

“Roseburg’s Low Density Residential land base has constraints to development. More than one-quarter of Roseburg’s vacant land in Low Density Residential is partially vacant (247 of 885 acres). In addition, two-thirds of Roseburg’s vacant and partially vacant buildable land in Low Density Residential is on slopes of 12% to 24.9% (568 of 885 acres). Development of partially vacant land can be challenging for a number of reasons, including that it occurs when landowners are ready to subdivide and in cases where partially vacant land is on a relatively small lot (i.e., a lot smaller than five or ten acres), the amount of residential development that can occur is relatively small (and generally more expensive to build). Development on land with moderate slopes is also often more expensive because it generally occurs as lower densities (fewer dwelling units per acre) and on land without urban infrastructure where it may be more expensive to serve because of requirements for road construction or requirements for special equipment (such as pump stations). Developing new housing in these areas may be more expensive, providing fewer opportunities for development of market-rate affordable housing affordable to middle-income households. The Housing Strategy describes actions that the City can take to overcome these barriers, such as allowing a wider range of single-family housing development (such as cottage clusters), implementing a land swap of sloped land within the UGB for flat land outside of the UGB, increasing allowable densities (or setting minimum densities) and removing other barriers to development.”

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Implementing a land swap of sloped land within the UGB for flat land outside of the UGB was a key finding that helped the City move forward with the idea of a UGB Swap in the first place. This key point is stated on page 6 of the introduction and summary portion of the City's application (Exhibit A), along with four other findings from the HNA used to justify the UGB Swap. The 5th listed item indicates the following, "A UGB Swap can be a key tool in addressing the need for providing more flat and easily developable low density residential land."

The results of the residential capacity analysis contained within the HNA, further demonstrates the need for more easily developable low-density residential land. On page 79 of the HNA, it indicates the following, "Stakeholders have expressed concerns about the development capacity of low-density residential land on slopes of 12% to 24.9%. This represents 64% of vacant and partially vacant buildable land designated as low-density residential. Roseburg has 568 acres of Low Density Residential on these slopes. If we assume that these lands develop at 2.0 dwelling units per gross acre, rather than the 2.9 dwelling density assumption, Low Density Residential would have capacity for 2,055 new dwelling units, roughly 500 fewer dwelling units than the estimate provided under the 2.9 dwelling density assumption."

It is not unreasonable to expect that all of the 885 acres of vacant, unconstrained land in Low Density Residential will develop at an average of 2.9 dwelling units per acre. Other cities in Oregon have development on moderate slopes (like 12% to 24.9% slopes) at densities around 3.0 dwelling units per acre. However, developing housing on slopes is generally more expensive than developing comparable housing on flat land. The large amount of land in moderate slopes in Roseburg (64% of the vacant land in Low Density Residential) may inhibit development of housing affordable to Roseburg's households. In addition, the lack of urban infrastructure (roads, municipal water, and sewer) to many areas with slopes make development of these lands much more expensive and complex, especially if the developer is paying for infrastructure. If the developer is able to develop fewer dwelling units per acre on slopes, which is generally the case, the costs of infrastructure on a per unit basis will be higher because there are fewer units to spread infrastructure costs among. In addition, infrastructure on slopes may be more expensive than on flat land, with requirements for additional infrastructure (such as pumping stations) and higher costs of building roads.

The sloped areas in Roseburg have not developed over the last 40 years, likely as a result of being more expensive to develop and lacking infrastructure. Supporting development on sloped lands may require a significant policy intervention, such as subsidizing the costs of infrastructure or other interventions."

These findings located within the HNA, are outlined with the City's UGB Swap application. See page 193 of the application, which states the following, "The City contracted consulting firm ECONorthwest to conduct a Housing Needs

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Analysis in 2019, in order to inventory the buildable land, project future availability and needs, and identify policies to meet Roseburg housing goals. The findings of the HNA identified that in an optimistic scenario, there is enough low-density residential land within the UGB to meet the housing demand for 2019-2039. However it follows that, "if no partially vacant Low Density land develops and land on slopes develop at a slower pace or at lower densities, Roseburg may have insufficient land for Low Density development" (HNA pg. 80). The UGB swap will ensure a new supply of vacant, flat, and unconstrained land that will allow developers options for development and be suitable for residential use.

The HNA and the City's UGB swap application clearly indicate that Roseburg's low-density residential land inventory has constraints to development and encourages the City to evaluate other methods or policies in order to promote housing opportunities on low-density residential land. The HNA demonstrates there is a need for low-density residential on flat, unconstrained land that can be more easily developed and identifies the process of a UGB Swap as a tool to be used in order to achieve this need. OAR 660-024-0070(3)(a)(A) is satisfied.

- **State law does not allow a "Swap" of multi-family residential land for low-density residential land or unbuildable land for buildable land.**

Multiple sections within the UGB Swap application address this issue. It is introduced on page 12; Section A, Lands Proposed to be Excluded from the UGB, and analyzed in detail in other sections of the application. The most prevalent section in which an evaluation of the issue is presented can be found on pages 136-144: Section 4, Comparing the Exchange of Lands Based on Type. Additional arguments are made on page 173; Section J, Goal 10: Housing and page 193; Section J, Housing Element, Housing Policy #3.

Concerns have been raised as to why the UGB Swap will remove 23.05 acres of land designated for medium and high-density residential use when the HNA indicates that there is a short supply or deficit of such land types. It's important to note that of the total 23.05 acres of multiple family residential land to be removed from the UGB, 22.40 acres or 97 percent of the property has a slope greater than 25%, which by OAR 660-008-0005(2) means that the land is considered unsuitable as future buildable land. Consistent with guidance in state statute, this medium and high-density acreage was not included within the available land supply for the 2019 Buildable Lands Inventory. As a result, its exclusion from the UGB will not result in a buildable land deficit greater than what was already assessed.

OAR 660-024-0070(3)(a)(A) requires that, "A specific type of residential need is substantially equivalent to the amount of buildable residential land removed." As indicated in the previous findings above, the City has demonstrated through their current HNA that the City has a need for low-

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density residential land that is flat, unconstrained and can be more easily developed.

As the medium and high density land being removed is considered unbuildable, the City did not utilize the density provisions enabled on the property by its current zoning designation, rather it analyzed existing development within the city limits to determine median lot sizes for properties that have slopes of 25% or greater on more than half of the total lot.

Analysis within the application indicates that actual development occurring on areas of steep slopes similar to the lands being removed do not support the same level of density that medium or high-density zones allow. Data provided within the "Density Calculation for Final Exchange Area" within the application demonstrates that the median lot size across city lots that have slopes of 25% or greater that cover more than half of the lot or more is 17,919 square feet. The City is using the 15,000 square foot per lot amount to determine what the appropriate density exchange rate is for lands being removed. Based on this factor, the City finds that the higher density lands being removed from the UGB will not have an impact on the high-density development capacity of the City.

While these lands were originally designated for higher density development, the ability to practically develop them as such is highly unlikely. The probability of land being developed into a specific type of housing isn't based solely on the zoning designation, one must factor in the geography, available facilities, and potential costs. Additionally this area is elevated above the High Water Pressure Service zone, which makes it unable to be serviced by city water without additional, costly infrastructure. In short, based on both the conditions of the land and the meetings the City has held with the property owners, this area is unlikely to be used for multifamily housing. Swapping this 23.05 acres, along with approximately 265 acres of low density residential land is determined to be an equivalent tradeoff for the approximately 230 acres of land coming in. The swap will facilitate new opportunities for developers to provide housing options that they would be unable to offer within the existing medium and high-density zoned property being removed.

The opposition presents concerns that the removal of this medium and high-density residential land will limit future multi-family development. However it is important to note that since adopting the HNA in 2019, the City has worked on a number of initiatives which have encouraged an increase in higher density residential unit supply within the UGB. The City finds that these initiatives have offset the identified deficit of high-density residential lands. These initiatives include: a Middle Housing (HB2001) Code Update Project funded by a grant awarded from DLCDC, and a Multifamily Housing systems development charge (SDC) deferral program funded through the Diamond Lake Urban Renewal District. Through these initiatives, the City adopted provisions that increased potential development density in existing low-density residential areas and also incentivized multifamily housing development within Mixed Use zones, inside the Diamond Lake Corridor.

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These new initiatives are working. The SDC deferral program has attracted the attention of a number of developers. For example since 2019, 406 new units of multifamily housing have been constructed within the Diamond Lake Urban Renewal District. The majority of these units utilized the SDC deferral program and were built within a mixed use zone. One comment from a developer indicated that he could have easily built his apartment complex in nearby cities like Cottage Grove or Grants Pass and they would have filled up just as quickly as they did here, but because of the SDC incentive program and the relative ease of obtaining approval for development in the mixed use zone they chose to construct them in Roseburg.

As a result of being built within the mixed use zone, these new apartments have had a massive impact on meeting the demand for multifamily dwelling units identified in our HNA, but are not captured within the capacity analysis identified in the buildable lands inventory.

These apartments simply could not have been constructed on the medium and high-density residential land designations we are proposing to remove as part of the UGB Swap. Because this land was not considered as being part of the current buildable land supply in the first place, removing it from the UGB shall have little consequence on the assessed need for medium and high-density residential land. The land simply has very little development capacity. The logical way to address this is to transfer that potential development capacity to a less constrained area through the UGB Swap.

Additionally, the City finds that there are discrepancies between the Roseburg Urban Area Comprehensive Plan Map and the current zoning designation for the Atkinson Site. City staff concludes that some areas were erroneously zoned as a higher density than intended in the Comprehensive Plan Map. Approximately 8.9 acres of High Density Residential (HDR) comprehensive plan designated property exists as compared to 23.05 acres of medium and high-density residential zoning. This discrepancy creates issues concerning the compatibility of existing zoning with the location and total property acreage designated as high-density residential in the Comprehensive Plan.

The City asserts that based upon the findings listed above the City's HNA has established a need for low-density residential land that is unconstrained for development purposes. In addition, the findings demonstrate that the location of the medium and high-density residential land being removed from the UGB do not reflect the true density in which the zoning enables these properties to achieve. As they are located now it is highly unlikely they would ever develop. The City is using the average lot size for lands located on similar slopes in order to apply an appropriate density transfer to the Charter Oaks area. Applying a medium and or high-density designation to this area would be inappropriate given the current pattern of development and the fact that the neighborhood has indicated that they do not support the idea of high-density units within their area. Given that the City has seen successful multi-family

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development growth in other areas of the City utilizing other policies identified within the HNA to promote this type of growth, the City is justified in removal of the 23.05 acres of medium and high-density residential land. OAR 660-024-0070(3) is satisfied.

- **The application improperly establishes a preliminary study area by excluding property based on factors that are not part of the criteria and by establishing and improperly removing subareas from the study area.**

In accordance with OAR 660-024-0065(1), the City established a preliminary study area of 1.5 miles around its existing UGB in order to evaluate land that could be included as part of the UGB Swap.

Before engaging in specific prioritization criteria for land evaluation the City eliminated certain lands from the preliminary study area prior to moving forward with the remainder of the study area analysis. The lands that were immediately excluded consisted of large tracts of ownership that were only designated as resource land. Because all of these lands are planned and zoned by Douglas County as either farm or forestlands or a combination thereof, the City finds that consideration of these lands would be inconsistent with state law, as well as, unsupported by the policies and objectives of the Douglas County Comprehensive Plan. This was the primary determinant in removing them from the preliminary study area. Additional factors in removing these areas included data from the Oregon Department of Geology's Statewide Landslide Information Database for Oregon (SLIDO), which identified significant portions of these properties as being inventoried with a high or very high landslide susceptibility rate. Other considering factors were the extension of public infrastructure to these areas.

The City utilized the exclusion criteria contained within OAR 660-024-0065(4 & 7) to remove subareas. Evaluation of each subarea is provided within the application from pages 40 – 53.

- **Viable farmland will be lost if the UGB Swap is approved.** Farmland in the area is used to grow food and will no longer be available. Mike Ritchie provided a statement indicating that he raised seed crops on agricultural land in Charter Oaks for about 5-6 years with and without irrigation.

Claims made that the agricultural land within the Charter Oaks area is used to produce food for human consumption is inaccurate. Agricultural land outside the Charter Oaks subarea within the Melrose and Garden Valley vicinity may be used to produce food, but the designated agricultural land inside the Charter Oaks subarea has only minimally been used to cultivate grasses.

During the public hearing testimony was provided by Kelly Guido, who owns a larger piece of agricultural zoned property within the subarea between Felt St. and Cloake St. Mr. Guido indicated that he was the property owner who

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allowed Mr. Ritchie to lease his property for free in order to raise grass seed, but that Mr. Ritchie didn't stick around very long and then moved out of the area. Mr. Guido who himself farms cherries, hazelnuts, hay and cows indicated that the land within the Charter Oaks area is not great for farming. Had it been Mr. Ritchie may have stuck around for longer with the use of Mr. Guido's property for free. Mr. Guido indicated that one of the primary issues with farming the property is the surrounding residential neighborhood. Cows get out of the pasture into neighboring properties, or if one was to grow grapes, people would complain about the noise and pesticide sprays. Mr. Guido indicated that the property isn't great for agricultural land and that the property identified within the Charter Oaks subarea hasn't been used for agricultural purposes for years.

Pages 147 – 156 of the application confirm Mr. Guido's testimony. The application finds that based on aerial imagery evidence provided through a collection of aerial photos taken during the spring and summer months of 1979, 1989, 1998, 2002, 2008, 2013, 2019, and 2022 that there has been minimal farming activity on the lots zoned Farm Grazing within the Charter Oaks subarea.

Further evidence indicates that of the eight properties zoned Farm Grazing within the Charter Oaks subarea, excluding the Fairlea subdivision, which was platted for residential purposes, only one property is receiving special tax assessment for Exclusive Farm Use. Discussion with the property owner confirmed the City's findings that the properties have only been used minimally for grass cultivation when the owner stated the following, "We are solely using the property for hay. Unfortunately, the property does not have access to viable irrigation, so the yields are not strong and the nutrient density is low-meaning that grazing is not the best option either. The impacts to historical farm use would be negligible."

Additional testimony within the application from Nikki Messenger, a resident of the Charter Oaks subarea for 16 years indicated the following, "During that 16 years, there was very little agricultural activity on any of the lands surrounding us. Some years (not all), the grass south of Troost was mowed and baled for hay. Two (maybe three) of the years we were there, sheep would be dropped off in the field behind us (north) to graze for less than a month and then picked back up. I'm assuming this was done for the owner to have some record of farm use to be able to realize reduced taxes. The grazing quality was poor enough that the sheep would often end up in my front yard during the short time they were there."

City Council finds that the Charter Oaks area has experienced little to no farming activity over the last 45 years and that Goal 14 compatibility requirements are satisfied.

Issues raised in support of the proposal before and during the initial public hearing on July 22, 2024 can be generally described as follows:

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- **Housing shortage and impacts to residents, businesses, community vitality and economic growth.** Recruitment and retention for local firms is harmed by the lack of available housing in the area. Roseburg is losing jobs and people to other communities with more buildable land and available housing units, especially newer single-family homes. Impacts are also being felt in the provision of medical services, schools, and industrial firms who miss out on employees due to the limited availability of housing. Expanding housing production on the flat land in Charter Oaks would mitigate against this ongoing shortage.

Comments submitted into the record from some of Roseburg's most significant employers including CHI Mercy Health, Aviva Health, Evergreen Family Medicine, Adapt Integrated Health Care, Roseburg Public School District, Umpqua Community College, Lone Rock Resources, FCC Commercial Furniture, and Con-Vey have all indicated the common theme of struggling to recruit and maintain employees based on a lack of available housing. In addition, local business and economic advocacy organizations such as the Roseburg Chamber of Commerce, Umpqua Economic Development Partnership, CCD Business Development Corporation, and the City of Roseburg Economic Development Commission echo the same message from the businesses they represent. Each of these organizations support the UGB Swap and have submitted testimony indicating the need for the UGB Swap to help provide workforce housing.

Jared Cordon, Superintendent of Roseburg Public Schools indicated the following during the public hearing, "What I would say as an employer who hires 50 to 60 people a year, is about a third of those individuals can't find housing. Housing shortage is absolutely and unequivocally an obstacle for recruiting and maintaining our workforce talent in our community."

Expansion into the Charter Oaks area as a result of the UGB Swap will provide the opportunity for workforce housing. See pages 171 – 174 of the application which provides findings in regards to statewide planning goal 10, involving Housing. Goal 10, indicates the following, "To provide for the housing needs of citizens of the state."

Goal 10 requires local governments to inventory buildable residential lands and encourage the development of a housing supply that varies in location, type, density, and affordability commensurate with the financial capabilities of households. The Housing Element of the Roseburg Urban Area Comprehensive Plan provides an analysis of housing needs for the area and policies to implement. The City recognized that the assumptions and findings on housing needs provided within the original Comprehensive Plan may not reflect the current conditions.

The directive to update the Comprehensive Plan to include a new HNA

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stemmed from the 2017-19 Roseburg City Council Goals adopted on April 24th, 2017. One of the goals states the following, "Support and adopt policy development and implementation to enhance housing and community development." In response, City Staff sought funding for an HNA. The HNA would act as a starting point for developing policies and actions that would specifically address city goals around housing deficiencies that the community is currently experiencing. In fall of 2018, the City applied for a grant through DLCD to fund an HNA as an update to the Comprehensive Plan. Grant funds were allocated to a professional consulting group who prepared the HNA in partnership with City staff. City Council adopted the findings of the HNA as an amendment to the Comprehensive Plan Housing Element on August 26, 2019. Periodic coordination with DLCD staff occurred prior to, during, and after completion of the project and the City provided notice of the proposed legislative amendment to the DLCD by way of a Post Acknowledgement Plan Amendment notification.

The primary goals of the HNA were to: (1) project the amount of land needed to accommodate the future housing needs of all types within the Urban Growth Boundary (UGB), (2) evaluate the existing residential land supply within the UGB to determine if it is adequate to meet that need, (3) fulfill state planning requirements for a 20-year supply of residential land, and (4) identify policy and programmatic options for the City to meet identified housing needs.

This UGB Swap application is the culmination of one of the primary programmatic options provided in the HNA. The HNA Housing Policies and Actions Memorandum specifies within its action items that the City should explore a UGB swap to meet housing goals. Among these includes Policy 1.1a. "Evaluate swapping constrained residential land within UGB for unconstrained buildable residential land outside UGB."

- **Constrained lands.** Much of Roseburg's residential land supply is on steep slopes, above the area where water services are available without expensive new water tanks and other infrastructure development, and where roads and utilities are difficult to construct. The flat, serviceable land in Charter Oaks does not have the same topographical constraints and would be more likely to develop.

Comments submitted into the record from local realtors, engineering and planning firms, and developers confirm the City's findings indicating that much of Roseburg's residential land supply is on steep slopes with significant development constraints.

Ben Tatone, a local realtor and developer, who currently builds approximately half of the new residential single-family, duplex and townhome style development within our City provided the following testimony, "I'd like to augment my support of the UGB Swap by restating the position I've shared before, which is that our buildable lands inventory is significantly smaller than

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it appears on the books due in large part to the percentage of slope that we have delineated as the threshold for 'buildable.' The ground at the upper end of what we now consider buildable in terms of topography is so expensive to develop that attempts to do so will likely never be undertaken, making their inclusion in the buildable lands inventory a deceptive overstatement of what is actually available."

Alex Palm, Principal of i.e. Engineering, a local survey, engineering and planning firm that does work on a significant portion of new residential development within the city limits provided the following testimony, "I get phone calls every month from northwest developers and home builders wanting to come to Roseburg and develop and build housing. Every property of any size they look at, and it's been the same 10-20 properties for the last 10-plus years, are either covered in wetlands, have FEMA floodplain and floodway issues, are located on the sides of hills that are too steep to develop, or there is no feasible way to get sewer, water, and other utilities to the sites. I've been taking these calls for over a decade now and watched over and over again as Roseburg misses out on housing opportunities because of our lack of developable ground."

Further testimony has been provided by Neil Hummel, owner of the Neil Company Real Estate, who has been practicing real estate in Roseburg and Douglas County for the past 51 years. Mr. Hummel has indicated in a written statement provided to Council during the public hearing the following statement, "Many builders tell me that they would build in the city if there was land available. Roseburg is out of affordable building land because what raw land that is remaining is too steep or above the utilities they need to serve them. Currently, the only option they have is to build in other bordering cities which they are doing. If Roseburg is going to continue to grow and prosper, the UGB needs to be expanded to keep up with demand."

Findings within the application on pages 192 – 194 address policies identified in the Housing Element of the Roseburg Comprehensive Plan. The overarching housing policy for the City is the following, "To ensure the opportunity for, and the provision of, safe, affordable housing in sufficient numbers, types, size and locations to meet the needs of all citizens in the Roseburg urban area."

The UGB Swap is designed to help meet the City's need for single-family detached and single-family attached units. As defined within the Roseburg HNA, single-family detached units include traditional stick-built single-family dwellings seen in most typical residential subdivisions, manufactured homes on lots and in mobile home parks, and accessory dwelling units. Single-family attached units mean all structures with a common wall where each dwelling unit occupies a separate lot, such as row houses or townhouses. The HNA forecasts a demand of approximately 1,875 of these types of units between 2019 and 2039. Assuming that all of the new Charter Oaks area were to develop, the available density makes up only about 36% of the forecasted

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demand.

1,875 new single-family detached or attached units accounts for 70 percent of the type of needed housing over the 20-year planning horizon. This means that approximately 94 new single-family detached or single-family attached units must be built every year in order to meet the demand. Unfortunately, in the last 5 years since the HNA has been adopted on average the City is only seeing approximately 30 new single-family detached or attached units being constructed. The bottom line is we are falling behind in the amount of these types of homes that need to be built. Based on evidence provided within the HNA, the UGB Swap application, and testimony provided above from experts that have worked in real estate and development within our communities for years, the primary factor in this deficit is the lack of unconstrained buildable lands.

As an aside, the City as a result of implementing other types of policies to incentivize multi-family dwelling construction has seen an influx of apartment units over the last 5 years since the adoption of the HNA. 402 new units have been constructed within the Diamond Lake Urban Renewal District. A primary factor in their development was the utilization of the system development charge deferral program. These apartment complexes were built on relatively flat, unconstrained lots within the Mixed Use zone through conditional use permit approvals.

The HNA identifies that 30% of the needed housing between 2019 and 2039 must be multi-family. Over a 20-year period this equates to 803 new multi-family dwelling units. Based on the recent construction of 402 new units since 2019, 50% of this needed housing type has already been met within the first 5 years of the 20-year planning horizon.

In order to meet the demand for single-family detached and attached units the City must make decisions enabling the availability of low-density residential land in areas less encumbered by slope and infrastructure barriers. City Council finds that the UGB Swap is compatible with Goal 10, Housing and the Housing Element of the City Comprehensive Plan enabling the opportunity for housing in sufficient numbers, types, and location to meet the needs of the community.

- **City Budget.** Adding additional housing and tax base to the city will increase the city's budget and help with rising cost increases.

Steve Loosley, a long time Roseburg resident, whose family has had extensive experience developing residential real estate inside the city limits for the past 40 years, provided the following testimony. In written and verbal statements offered to the Planning Commission and City Council Mr. Loosley indicated the following, "The City general fund expenses are increasing faster than the general fund revenues, which are primarily derived from property taxes. Two-

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thirds of the City's budget comes from property taxes, because of the lack of developable land the property tax base is practically frozen. Labor costs drive about three-fourths of the City budget. Costs increased by 8%, but the revenue only went up about 4%. This is not sustainable. The solution is to expand the UGB in the Charter Oaks area enabling houses to be built and thereby increasing the City's tax base."

- **Economic Growth.** With accounts from local businesses - seeing work done in other communities and very little work being done in our own community shows lack of development and growth. Other cities have surpassed Roseburg in economic growth due to lack of available housing and buildable land.

Testimony provided by Brian Prawitz, Executive Director of the Umpqua Economic Development Partnership during the public hearing portion of the City Council meeting indicated the following concerning the economic status of the Roseburg community.

Mr. Prawitz said, "From an economic development perspective we are trailing behind other cities in Oregon when it comes to solving the big issues around economic development – like housing, providing childcare options, perfecting ways to recruit and keeping medical providers and other professionals. We need to lead by taking strides toward solutions to these challenges. Other communities are figuring it out. They are competing – and winning – in the effort to attract the best talent. Including the talent we grow here and export there. We need to give people a reason to move here and we need to give our own young people a reason to stay. Increasing the housing inventory in Roseburg is a major step. Our current employers are starving for employees. New businesses can't seriously think about coming here. All while our kids are looking for affordable places elsewhere to live and raise their kids. We need more of them to choose Roseburg. Until we take steps to compete, we will continue to lose medical providers, educators, engineers, and families to Medford, Eugene, Bend, Corvallis, and Coos Bay even though it might be more expensive to live there."

See page 187 of the application for additional findings describing consistency with the Roseburg Urban Area Comprehensive Plan policy to encourage economic growth by demonstrating a positive interest in existing and new industries, especially those providing above-average wage and salary levels, an increased variety of job opportunities, a rise in the standard of living, and utilization of the resident labor force.

- **Future land use approvals will adequately address oppositions concerns.** Concerns raised about the future construction of public infrastructure, including roadway design, sewer main extensions, and fire access will be reviewed and evaluated to ensure they are built to current land use and development requirements within the Roseburg Municipal Code. This will be a requirement of any future land division once annexed into the City

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limits.

Pages 174 – 182 of the application address compatibility with Goal 11 - Public Facilities and Services. Pages 190 – 192 reference the City's Comprehensive Plan concerning the Public Facilities and Services Element. Each of these sections speak to concerns raised about the future construction of public infrastructure, including roadway design, sewer main extensions, and fire access.

Goal 11 states, "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

The Public Facilities and Services Element of the Roseburg Urban Area Comprehensive Plan establishes a policy framework that guides and supports the types and levels of urban services that meet the needs of Roseburg's urban environment. The City does not have a centralized Facilities Master Plan, but instead has a collection of master plans that are updated each on their own schedule. Among these plans include: Water System Master Plan, Storm Drainage Master Plan, RUSA Collection System Master Plan, and Transportation System Plan. Following the passage of this proposal, it will be necessary to update the appropriate master plans and program needed improvements into the City's financial plan.

The UGB swap will not immediately require the City to extend public facilities to any property, however it does begin the planning process to do so. The City has evaluated public facilities within the proposed exchange area by hiring consultants to provide technical analysis of existing and needed systems (Sandow Engineering, Transportation Analysis UGB Swap). The City also met with Roseburg Urban Sanitary Authority, the area's public agency sewer provider, who has retained i.e. Engineering to provide technical analysis to evaluate the impact on the existing system and improvement needed to support the proposed Charter Oaks subarea.

Although the proposed amendment to the UGB line will encompass a significant portion of the Charter Oaks area, only the right-of-way along Troost St. is proposed to be immediately annexed into the city limits as part of this process. Capital improvement projects for facilities will be determined in future stages, following more annexation and development of land. The City publishes a 5-year capital improvement plan that gets reviewed at least every two years to reflect the needs of the community and changes in resources for financing capital projects.

Urban services shall be made available in new areas as properties are annexed into the city limits, with funding typically driven by developers. These projects will be financed through a number of means such as Local Improvement Districts (LIDs), developer dedications, and advanced financing agreements.

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Conversion of land for urbanization is governed by an Urban Growth Management Agreement (UGMA), which when applied works to satisfy the intent of the Comprehensive Plan policies. The City of Roseburg and Douglas County UGMA was originally adopted in 1984. The first principle of the UGMA, found in Section 1.1 of the document states, "that the City and County agree to implement the City's Comprehensive Plan as the plan for the Urban Growth Area defined as the unincorporated area within the Roseburg UGB. The Roseburg Urban Area Comprehensive Plan, in conjunction with additional agreements within the UGMA, shall establish the standards and procedures for review and action on comprehensive plan amendments, land use ordinance changes, proposed land use actions, provision of services, public improvement projects, and other related matters which pertain to implementing the City Plan within the urban growth area."

Any proposed residential subdivisions will not be permitted within the new Charter Oaks area without prior annexation of lands into the City limits and extension of public sewer and water services. Land use approval will be required subject to the development requirements contained within the Roseburg Municipal Code. Current land use development code helps to ensure that notification is provided to surrounding property owners prior to development occurring. This helps to confirm that discretionary development standards are appropriately being administered.

Alex Palm, Principal of i.e. Engineering, a local survey, engineering and planning firm provided the following testimony during the public hearing to City Council. Mr. Palm indicated the following, "Conditions of approval are placed on each and every development to make certain that all criteria are followed in order to address neighboring concerns, but also ensure Charter Oaks doesn't paint itself into a corner. One of the latest approvals I helped a client obtain inside the City limits was for a 10-lot subdivision. The approval contained 56 development conditions in order to make sure it was built correctly. Please remember there are a huge amount of guardrails in place to make sure the development of Charter Oaks is done in a sane and orderly manner."

Roseburg Municipal Code 12.02.010 indicates that the purpose of the Land Use and Development Regulations is to provide for an orderly and efficient transition from rural to urban land use by ensuring that development of property is commensurate with the character and physical limitations of the land, and, in general, to promote and protect the public health, safety, convenience, and welfare.

City Council finds that the UGB Swap is consistent with the policies identified in Goal 11 - Public Facilities and Services and the City's Comprehensive Plan concerning the Public Facilities and Services Element. Council further acknowledges that land within Charter Oaks to be used for future development, requiring access to both sewer and water, will be required to be

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annexed and follow all development requirements as outlined with the Roseburg Municipal Code.

D. PROCEDURAL

Comprehensive Plan Amendments are required to satisfy approval criteria contained within Roseburg Municipal Code (RMC) Section 12.10.020 – Legislative action procedures.

E. REVIEW CRITERIA

Pursuant to RMC 12.10.020(F)(2) the proposed legislative amendment must be analyzed for consistency with any substantive criteria deemed to apply, including policies within the Roseburg Urban Area Comprehensive Plan, Oregon Statewide Planning Goals, and other provisions of the Roseburg Municipal Code.

As required by RMC 12.10.020(F)(2) the legislative request for the UGB Exchange and subsequent land use actions was reviewed by the City based on the applicable criteria as follows:

- ORS 222 – “Boundary Changes, Annexations, Withdrawals”
- OAR 660-024 – “Urban Growth Boundaries”
- Oregon Statewide Planning Goals
- Roseburg Urban Area Comprehensive Plan Policies

Analysis and subsequent findings demonstrating consistency with the above listed criteria is provided in the Urban Growth Boundary Exchange Proposal: Staff Report and Findings document dated April 15, 2024, attached as Exhibit A. Findings adopted by the Roseburg Planning Commission dated May 20, 2024, recommending City Council approve the proposed UGB Swap, attached as Exhibit C, also provides evidence demonstrating consistency with the above listed criteria.

Findings located within this document, as well as testimony provided during the course of the City Council public hearing by City staff, witnesses called to speak on behalf of the application, and testimony provided in support of the proposal, sufficiently address the applicable criteria listed above and demonstrate that the proposal is consistent with these requirements and satisfies all necessary standards.

IV. CONCLUSION

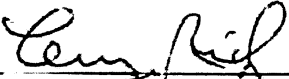
Based on the findings provided within the April 15, 2024 Urban Growth Boundary Exchange Proposal: Staff Report and Findings document, the Planning Commission Findings, and testimony provided in support of the proposal during the public hearing, City Council concludes that the legislative amendment meets the criteria for approval in RMC Section 12.10.020.

V. ORDER

City Council therefore **APPROVES** the legislative amendments as listed below:

EXHIBIT G

- A. Amend the UGB by removing the Serafin and Atkinson properties from the boundary and adding Charter Oaks property to the UGB;
- B. De-annexation of the Serafin and Atkinson properties that lie in city limits;
- C. Annexation of Troost St. right-of-way to the edge of the new UGB;
- D. City Comprehensive Plan Amendment for the Charter Oaks property to include applying the city's Low Density Residential (LDR) designation to the majority of the Charter Oaks property and applying the Public/Semi-Public (PSP) plan designation to the 17.5-acre property owned by the Roseburg Public School District; and,
- E. Amend the Urban Growth Management Agreement (UGMA) to reflect the UGB swap and to include Charter Oaks in Subarea 2 of the agreement.



Larry Rich, Mayor

8-12-24

Date



Stuart Cowie, Community Development Director

8/12/24

Date

City Councilors:
Larry Rich (Mayor)
David Mohr (Council President)
Shelley Briggs Loosley
Ellen Porter
Tom Michalek
Kylee Rummel
Patrice Sipos
Ruth Smith
Andrea Zielinski

Exhibit A – April 15, 2024 Urban Growth Boundary Exchange Proposal: Staff Report and Findings (aka Application)

Exhibit B – Appendices

Exhibit C – May 20, 2024 Roseburg Planning Commission Findings of Fact and Order